

THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA  
601 Commonwealth Avenue, Suite 5600  
P.O. Box 62625  
Harrisburg, PA 17106-2625  
(717) 231-3380

**REINSTATEMENT QUESTIONNAIRE**

**PART I**

*Responses Must Be Complete and Typewritten*

1. Contact Information

(a) Full Name: John A. Gallagher

(b) Attorney ID: 61914

(c) Mailing Address: 8 Harvey Lane  
Malvern, PA 19355

(d) Telephone Number: 610-322-4145

(e) Facsimile Number: None

(f) Have you ever used another name?  Yes  No

Has your name ever been legally changed by court order or marriage?  Yes  No

If the answer is "Yes" to either part of (f), provide the details below:

Previous Name	Current Name	Reason for Change	Date of Change

*\* If your current name differs from what the Attorney Registration Office has on file, you must attach a copy of the official document authorizing the name change (i.e. Court Order, Social Security Card, etc.).*

2. List all educational institutions (after high school) which you have attended.

Educational Institution	Address	From (MM/YY)	To (MM/YY)	Degree Earned	Date Conferred (MM/YY)
Indiana University of Pennsylvania	Punxatawney PA	9/80	2/81	None	None
West Chester University	West Chester, PA	9/81	5/85	B.A.	5/85
New England Law School	154 Stuart St. Boston, MA	9/88	5/91	JD	5/91

**October 1991**

3. Date of admission to the Bar of Pennsylvania: \_\_\_\_\_

4. Other Admission Information: Other than the Supreme Court of Pennsylvania, provide all jurisdictions where you are, or were, admitted to practice, including any federal district or appellate courts or administrative agencies, even those in Pennsylvania.

Jurisdiction	Date of Admission	Current Status	If current status is <u>not</u> active, list date of change and reason.
New Jersey	10/91	Inactive	9/92 administratively suspended; did not complete CLA requirement
E.D. PA	1992	Inactive	4/13/21; reciprocal suspension as per suspension from Pa.
D.Ct. Colo.	7/11/18	Inactive	<2/21; Administrative Renewal status for failure to pay bar renewal fee for 2020
10th Circuit	5/14/19	Inactive	4/8/21; reciprocal suspension as per suspension from Pa.
6th Circuit	6/2/93	Active	Reported Pa. Susp. Case No. 21-9526; No action taken

**\* Attach a Certificate of Good Standing (or certification of current status, if not active) AND a Letter of Ethical Conduct (disciplinary history) from each jurisdiction listed above, including any U.S. District Courts or U.S. Courts of Appeal.**

5. Since your admission to the Pennsylvania Bar, list every application for admission, other than those provided in Question 4, which you submitted to any bar, attorney licensing agency, or court, including pro hac vice applications, whether pursued or subsequently withdrawn.

Name of Court or Licensing Agency	Date of Application	Disposition of Application and Explanation	Date of Disposition or Admission
New York State Bar	In or around 1998	Granted	Ancient document i do not have; name of case was Karedes
New York 2d Circuit	In or around 1999	Granted	Ancient document i do not have; name of case was Karedes
Ohio		Granted	ncient document i do not have; name of case was Kaminsky, Seybold and Nuefeld v. WFO (I bleive)

6. Employment History

(a) Detail all employment history prior to your disbarment, suspension, or transfer to disability inactive status, including both legal and non-legal positions. If necessary, attach an additional listing. If you were in partnership or other association with another lawyer or with a law firm, list the name of the firm, the names of other partners, and dates of association.

Name of Employer:	Bryn Mawr Hospital
Address:	Bryn Mawr, PA
Job Title:	Orderly
Dates Employed:	1982-87
Immediate Supervisor:	Do not recall (I worked PRN, various shifts)
Supervisor Phone/Email:	N/A
Paid Position? (Y/N):	Y
Law-related position? (Y/N):	N
Reason for Departure:	Law School

Name of Employer:	Harvey Pennington
Address:	1835 Market St., Phila PA 19103
Job Title:	Associate Lawyer
Dates Employed:	1991-1996
Immediate Supervisor:	Wayne Renneisen
Supervisor Phone/Email:	N/A
Paid Position? (Y/N):	Yes
Law-related position? (Y/N):	Y
Reason for Departure:	Took job at High Swartz

Name of Employer:	High Swartz Roberts & Seidel
Address:	40 E. Airy St, Norristown, PA 19401
Job Title:	Associate, then Partner (beginning 1999)
Dates Employed:	1996-2006
Immediate Supervisor:	Paul Bartel
Supervisor Phone/Email:	N/A
Paid Position? (Y/N):	Y
Law-related position? (Y/N):	Y
Reason for Departure:	Resigned and started own firm

Name of Employer:	Law Offices of John A. Gallagher, PC
Address:	5 Great Valley Parkway, Malvermn, PA (last)
Job Title:	President
Dates Employed:	2006-2/22/2021
Immediate Supervisor:	None
Supervisor Phone/Email:	N/A
Paid Position? (Y/N):	Y
Law-related position? (Y/N):	Y
Reason for Departure:	Suspended a year and a day

(b) Detail all employment history (including self-employment) during the period of disbarment, suspension, or disability inactive status. If necessary, attach an additional listing.

Name of Employer:	<b>Mandracchia Law</b>
Address:	<b>2024 Cressman Rd, Schwenksville, PA</b>
Job Title:	<b>Paralegal</b>
Job Duties:	<b>Write briefs, pleadings, conduct research</b>
Did job duties include law-related activity? (Y/N)	<b>Y</b>
Dates Employed:	<b>3/15/21 to Present (ad hoc)</b>
Immediate Supervisor:	<b>Charles Mandracchia, Esquire</b>
Supervisor Phone/Email:	<b>484-991-8092/cman@mmattorneys.com</b>
Paid? (Y/N) (include amount of compensation):	<b>Y (\$35 per. hr.)</b>
Reason for Departure:	<b>N/A</b>

Name of Employer:	<b>Rentwell Construction</b>
Address:	<b>301 E. Baltimore Ave, Clifton Heights PA</b>
Job Title:	<b>Laborer</b>
Job Duties:	<b>Collected debris, assisted w/painting, etc.</b>
Did job duties include law-related activity? (Y/N)	<b>N</b>
Dates Employed:	<b>1 week (see attached)</b>
Immediate Supervisor:	<b>Rob Coldwell</b>
Supervisor Phone/Email:	<b>610-745-2992/rcoldwell@rentwell.com</b>
Paid? (Y/N) (include amount of compensation):	<b>Y (\$512 for week)</b>
Reason for Departure:	<b>No more work</b>

Name of Employer:	<b>Rentwell Leasing</b>
Address:	<b>301 E. Baltimore Ave, Clifton Heights PA</b>
Job Title:	<b>Independent Contractor</b>
Job Duties:	<b>Cold Calling owners of Multi Family Properties</b>
Did job duties include law-related activity? (Y/N)	<b>N</b>
Dates Employed:	<b>9/22/21 to 12/21</b>
Immediate Supervisor:	<b>Rob Coldwell</b>
Supervisor Phone/Email:	<b>610-745-2992/rcoldwell@rentwell.com</b>
Paid? (Y/N) (include amount of compensation):	<b>Y (\$22 per hr.)</b>
Reason for Departure:	<b>Left to start work at Viant</b>

Name of Employer:	<b>Viant Medial</b>
Address:	<b>200 W. 7th Ave, Collegeville, PA 19426</b>
Job Title:	<b>Nitinol Technician, Specialist Level II</b>
Job Duties:	<b>Various work in metal tubing factory</b>
Did job duties include law-related activity? (Y/N)	<b>N</b>
Dates Employed:	<b>12/6/21 to Present</b>
Immediate Supervisor:	<b>Dexter Drumheller</b>
Supervisor Phone/Email:	<b>610-850-2087/(no access to his e-Mail)</b>
Paid? (Y/N) (include amount of compensation):	<b>Y</b>
Reason for Departure:	<b>N/A</b>

(i) If any of the employment listed above involved law-related activity in Pennsylvania, did you and your supervising attorney file a notice of engagement with the Disciplinary Board pursuant to Pa.R.D.E. 217(j)(5)?

Yes     No     N/A

***If YES, attach proof of compliance.***

(ii) If any of the employment listed above included law-related activity in Pennsylvania, and such law-related activity has terminated, did you and your supervising attorney file a notice with the Disciplinary Board pursuant to Pa.R.D.E. 217(j)(5)?

Yes     No     N/A

***If YES, attach proof of compliance.***

(iii) If any of the employment listed above included law-related activity in Pennsylvania, and you checked NO on question 6(b)(i) or (ii), please explain.

12/12/23
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(c) Have you performed any legal services for clients, with or without fee, during the period of disbarment, suspension, or disability inactive status?

Yes     No

If YES, provide the details below.

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7. Since the date of your present disbarment, suspension, or transfer to disability inactive status, have you acted as a fiduciary in any capacity, including but not limited to: Power of Attorney, Executor or Administrator of an Estate, Personal Representative, Guardian, Conservator, Receiver, or Trustee?

Yes     No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation.  
**Attach copies of any appointing orders or letters.**

Fiduciary Capacity	Court	Case or Docket Number	Payment Received

8. Have you ever applied for, obtained, or were denied licensing for non-legal services? Such licensing may include, but is not limited to: selling securities, selling insurance, real estate agent or broker, nurse, physician, massage therapist, cosmetology.

Yes     No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation.  
**Attach copies of each application, license, or denial.**

Type of License	Licensing Body	Current Status	Date of Most Recent Status

9. Discipline or Disqualification

(a) Describe the misconduct upon which your present suspension or disbarment is based.

Misuse of IOLTA and Failure to Maintain Required Records (RPC 1.15(b), RPC 1.15(c)(1), RPC 1.15(c)(2) and RPC 1.15(h)), RPC 1.15(i) and RPC 1.15(m); Unauthorized Practice of Law (RPC 1.15(e), RPC 1.16(a)(1), RPC 1.16(d), RPC 5.5(a), RPC 5.5(b)(2), RPC 1.16(d), Pa.R.D.E. 217(a), Pa.R.D.E. 217(b), Pa.R.D.E. 217(d)(1), Pa.R.D.E. 217(e)(1), Pa.R.D.E. 217(j)(4)(iv), Pa.R.D.E. 217(j)(4)(v), Pa.R.D.E. 217(j)(4)(vi) and Pa.R.D.E. 217(j)(4)(x)); Failure to Report 2004 DUI Conviction (Pa.R.D.E. 203(b)(1) and Pa.R.D.E. 214(a)).

(b) Provide the following detailed information or attachments:

- (i) **Attach a Certified copy of the order imposing your present disbarment, suspension of more than one year, or transfer to disability inactive status pursuant to Pa.R.D.E. 301, along with any opinion which may have accompanied such order.**
- (ii) **Attach a copy of the Report and Recommendations of the Disciplinary Board or other similar body existing prior to the establishment of the Board or existing in another jurisdiction.**
- (iii) **Attach a copy of the findings of the hearing committee or other similar body which heard the evidence.**
- (iv) **If applicable, attach a copy of the Statement of Resignation or Joint Petition in Support of Discipline on Consent.**
- (v) List the caption and docket number of the proceeding in which the order imposing your present disbarment, suspension, or transfer to disability inactive status was entered.

No. 2756 Disciplinary Docket No. 3  
No. 65 DB 2019

(vii) List the names and contact information of complaining or aggrieved parties. If necessary, attach an additional listing.

Name:	John A. Gallagher
Address:	Unknown to me
Email:	jagreinstatement@yahoo.com

Name:	
Address:	
Email:	

Name:	
Address:	
Email:	

(c) If your present suspension or disbarment was based on the conviction of a crime in this or any other jurisdiction (including federal), provide the following detailed information and attachments.

(i) Describe the nature of the charges and provide the citation to the criminal statute(s).

Driving Under the Influence, 75 Pa.C.S. 3731(a). Chester County CCP CP-15-CR-4372-2003, Judge Sanchez, sentenced to probation 2/4/04
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(ii) **Attach a certified copy of indictment (or information), docket entries, and judgment and probation/commitment order (or equivalent thereof) and opinion(s). *If restitution was imposed, attach documentation demonstrating compliance with the restitution order.***

(iii) Provide the names and contact information of complaining witnesses. If necessary, attach an additional listing.

Name:	None other than policeman identified in attached, Malvern Boro Police department
Address:	1 E. 1st Avenue, Malvern, PA 19355
Email:	I do not have

Name:	
Address:	
Email:	

(iv) Name, court, and address of trial judge.

Name:	Judge Sanchez
Court:	Chester County Court of Common Pleas
Address:	West Chester, PA

(v) Name, organization, and address of prosecutor.

Name:	Patrick Carmody
Organization:	Chester County District Attorney
Address:	West Chester, PA

(vi) Citation or other reference to your criminal case, if reported in any bound volume(s) of reports.

None I am aware of

(d) In the proceeding that led to your present disbarment, suspension, or transfer to disability inactive status, was there a charge or finding of commingling, withholding, misuse, conversion, or neglecting to pay money on demand of clients, or any other similar charge involving improper handling of funds?

Yes     No

*If YES, provide answers to the following questions:*

(i) Provide the name and address of any person(s) involved and amount(s) withheld. If necessary, attach an additional listing.

Name:	Bonnie Rexroth
Address:	Unknown
Amount Withheld:	\$500

Name:	Kim Edwards
Address:	Unknown
Amount Withheld:	\$780, Bd. found money that was deposite into Op. Acct. should have been dep. into IOLTA

Name:	Wendy Stone
Address:	Unknown
Amount Withheld:	\$500; Board found money deposited into Operating Account should have been deposited into IOLTA

Name:	Monica Harrel
Address:	Unknown
Amount Withheld:	\$500; Board found money deposited into Operating Account should have been deposited into IOLTA

(ii) As to each of the foregoing, provide detailed information as to the way in which and for what purpose the funds were expended. If necessary, attach an additional listing.

Ms. Rexroth was provided a pre-consultation evaluation of approximately 75 pages of medical records and employment information, followed by 1.5 hour tele-consultation, followed by a follow up opinion letter (e-Mail) that took approximately 1.2 hours to prepare. For Ms. Edwards and Ms. Stone, I secured a copy of their file from the Unemployment Referee's office, provided preparation sessions lasting approximately 1.5 hours and represented them in person at Unemployment Hearing(s). For Ms. Harrel, I secured a copy of her Unemployment Hearing Transcript and all Exhibits thereto, reviewed same, prepared and filed a Brief with the Unemployment Compensation Board of Review. When I received the Decision, I advised Ms. Edwards re: same.

In addition to the above, I repeatedly and improperly deposited my own money into my IOLTA account. Further, I improperly and repeatedly paid or attempted to pay personal and/or business bills from IOLTA. I also failed to maintain appropriate records of my IOLTA transaction and/or account.

(iii) To what extent, if any, has restitution been made? As to each person individually, state when and by whom restitution has been made and whether any interest was paid. If necessary, attach an additional listing.

Ms. Rexroth was repaid in full in or around June 2017; Ms. Edwards, Ms. Stone and Ms. Harrell were satisfied with services rendered and did not seek return of fees paid to me.

With regard to mishandling my IOLTA account, I turned over handling of my IOLTA account to James Newhard, CPA on 5/1/18, delivering my checkbook to him on that date. He maintained my books and records thereafter until the day I was suspended.

(iv) Has any surety, guarantor, or bar association fund, or any similar organization, made any restitution payment?

Yes     No

If YES, provide the name and contact information for the surety, guarantor, or bar association fund, or similar organization, who has made restitution. If necessary, attach an additional listing.

Name:	
Address:	
Telephone & Email:	

If YES, have you reimbursed, or made arrangements to reimburse, the entity which made restitution? Provide details. If necessary, attach an additional listing.

(e) After entry of the order imposing your present disbarment, suspension, or transfer to disability inactive status, did you file with the Disciplinary Board Prothonotary:

(i) Copies of notices substantially in the language of Form DB-23 (non-litigation notice of disbarment, suspension or transfer to disability inactive status) sent to clients pursuant to Pa.R.D.E. 217(a) and Disciplinary Board Rule 91.91?

Yes     No

If YES, on what date? 3/2/21

If NO, explain.

(ii) Copies of notices substantially in the language of Form DB-24 (litigation notice of disbarment, suspension or transfer to disability inactive status) sent to clients pursuant to Pa.R.D.E. 217(b) and Disciplinary Board Rule 91.92?

Yes     No

If YES, on what date? 3/2/21

If NO, explain.

(iii) Copy of the verified statement required by Pa.R.D.E. 217(e) and Disciplinary Board Rule 91.95?

Yes     No

If YES, on what date? 3/2/21

**Attach a copy of the verified statement and all documents attached thereto demonstrating proof of compliance.**

If NO, explain.

(iv) Were any costs or fees assessed by the Board in connection with your present disbarment, suspension, transfer to disability inactive status, withdrawn petition for reinstatement, or denial of reinstatement?

Yes     No

**If YES, attach the itemization of taxed expenses and proof that the Disciplinary Board has been paid in full. Note: Board Rule 89.272(b) prohibits an attorney from filing for reinstatement before all costs and fees have been paid in full.**

(f) Have you ever sought reinstatement to practice as an attorney or counselor in any state, including Pennsylvania, or country or before a federal court or administrative agency?

Yes     No

***If YES, provide the following detailed information or attachment(s):***

**(i) Attach a copy of any prior reinstatement petition or application with supporting documentation that you filed and the response of the attorney disciplinary agency.**

**(ii) Attach a certified copy of the order granting, withdrawing, or denying your reinstatement petition or application.**

**(iii) Attach a copy of the Report and Recommendation of the Disciplinary Board or other similar body existing prior to the establishment of the Board or existing in another jurisdiction.**

**(iv) Attach a copy of the findings of the hearing committee or other similar body that heard the evidence.**

(g) Other than your present disbarment, suspension, or transfer to disability inactive status, have you ever been disbarred, suspended from practice, reprimanded, censured, admonished, or otherwise disciplined or disqualified (including the revocation of a pro hac vice admission, or transfer to disability inactive status or administrative suspension) by a licensing agency, court, or professional organization for conduct as an attorney?

Yes     No

***If YES, attach copies of all reports or decisions relating to such discipline or disqualification, including the order and any opinions of discipline or disqualification.***

(i) If you answered YES to question 9(c) above, provide date(s) discipline was imposed, jurisdiction, nature of disciplinary action taken, and name/address of person or office with possession of the record. For suspension or disbarment, provide the length of suspension and citation of case, if reported. If the sanction was imposed following the conviction of a crime, attach a copy of the judgment of conviction. If necessary, attach an additional listing and/or documentation.

Date Imposed	Jurisdiction	Action	Record Holder	Length of Suspension (if applicable)
2/22/2021	PA	Suspended	Pa. Disc. Board	1 yr., 1 day

10. Investigations

- (a) Other than the investigation(s) which led to your present disbarment, suspension, or transfer to disability inactive status, have you ever been the subject of a disciplinary complaint not otherwise referenced in this questionnaire, including any complaint(s) made against you in law school?

Yes     No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation.

Name/Address of Complainant:	Rachel Neufeld
Tribunal, Court, or Investigative Body:	ODC
Charge(s):	OH RPC 1.3, 1.7(a)(2), 1.7(b), 1.9(a), 1.16(a)(10), 1.9(c)(1), 1.16(c), 1.16(d), 1.4(a), 1.4(a)(3)1.4(a)(4), 1.4(b), 1.5(b).
Date of Charge(s):	6/7/14
Case Number or Identifier:	C2-14-8
Disposition:	Informal Admonition 4/5/16
Citation (if any):	None I am aware of
Custodian of Records:	Pa. Disc Board

Name/Address of Complainant:	Russel Carfagno
Tribunal, Court, or Investigative Body:	ODC
Charge(s):	Failure to communicate w/ client (do not have Charge: cannot be more specific)
Date of Charge(s):	2014 (exact date unknown)
Case Number or Identifier:	C2-14-238
Disposition:	No discipline
Citation (if any):	None
Custodian of Records:	Pa. Disc. Bd.

Name/Address of Complainant:	Pa. Lawyers Fund for Client Security
Tribunal, Court, or Investigative Body:	ODC
Charge(s):	Viol. 1.15(b), 7.1.15(h), and 1.15(c)(1) & (c)(2)
Date of Charge(s):	
Case Number or Identifier:	
Disposition:	Informal Admonition 2/8/17
Citation (if any):	None I am aware of
Custodian of Records:	Pa. Disc. Bd.

(b) Are you currently the subject of any disciplinary complaint filed with any disciplinary agency?

Yes     No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation.

Jurisdiction	Nature of Allegations

(c) Are you currently the subject of any investigation by any law enforcement agency?

Yes     No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation.

Agency	Nature of Investigation	Court

11. Criminal Investigations or Convictions

(a) Other than the crime(s) which led to your present disbarment, suspension, or transfer to disability inactive status, have you ever been under investigation, arrested, or prosecuted for any crime(s) as defined in Pa.R.D.E. 214(h)?

Yes     No

If YES, provide the details below. If you were convicted of a crime, **attach a copy of the judgment of conviction**. If necessary, attach an additional listing and/or documentation.

Name and Location of Tribunal, Court, or Investigative Body	Date, Case Number, and Citation or Other Reference	Nature of the Crime and Manner of Disposition	Location of the Record of the Proceeding
Delaware Cty. DA	18 s. 903A1, 18 s. 3502 (2 counts each), CP-23-CR-5493 1983; CP-23-CR-6011-1983	Conspiracy/Burglary (2 counts); pled guilty; 3-23 months incarceration, probation and restitution	Delaware Cty. CCP
Delaware Cty. DA	75 s. 3731A	DUI, 2 days incarceration, probation	Delaware Cty. CCP

(b) If you answered YES to question 11(a), provide the following:

- (i) **Attach a certified copy of indictment (or information), docket entries, and judgment and probation/commitment order (or equivalent thereof) and opinion(s).**
- (ii) Provide the names and contact information of complaining witnesses. If necessary, attach an additional listing.

Name:	Do not know name of Complaining Witness
Address:	see attached
Email:	

Name:	Do not know name of Complaining Witness
Address:	see attached
Email:	

Name:	
Address:	
Email:	

(iii) Name, court, and address of trial judge.

Name:	Judge McGovern (burglary)
Court:	Delaware Cty. CCP
Address:	Media, PA

(iv) Name, organization, and address of prosecutor.

Name:	Judge Labrum (DUI)
Organization:	Delaware Cty. CCP
Address:	Media, PA

(v) Citation or other reference to your criminal case, if reported in any bound volume(s) of reports.

None that I am aware of
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## 12. Civil Actions and Administrative Proceedings

(a) Have you ever been involved in a civil action (including a bankruptcy proceeding) as a party or as one who claimed an interest?

Yes     No

If YES, provide the details below including: (1) date on which the action commenced, (2) case caption, (3) court, (4) docket number, (5) summary of the allegations made in each such action, (6) current status, and (7) final disposition, if any. If necessary, attach an additional listing and/or documentation.

Currently, I am defendant in Partners for Pmt. Relief v. Gallagher, Chesco, Civ. Action No. 2022-06458. Awaiting Verdict (trial was 2/15/24). No other current actions. In past, I was sued for malpractice by Kenneth Croney. See below. I was defendant/ default judgment debtor in Patrick Bullock v. Gallagher, Chesco, Civ. Action No. 2019-05114. A Praecipe to Mark Judgment Satisfied was filed on 7/26/22. I was defendant in Great Valley School Dist. v. John Gallagher, Chesco, Civ. Action No. 2019-05969 for delinquent school taxes. A Praecipe to Mark the subject Lien as Satisfied was filed by plaintiff on 1/20/22.
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(b) Have you been the subject of any inquiry, investigation, or administrative proceeding involving your standing as a member of any profession or organization, or holder of any license or office (including licenses listed in response to Question 8)?

Yes     No

If YES, provide the details below including: (1) date of inquiry or proceeding, (2) underlying facts, (3) forum where the charges or claims are or were considered, including the name and address of the authority in possession of the record, (5) current status, and (6) disposition, if any. If necessary, attach an additional listing and/or documentation.

Rachel Neufeld - represented 3 clients beginning in or around 2011 and failed to provide conflict of interest notice/guidance and/or to secure written waiver. When conflict arose in 2014, I failed to handle situation with Ms. Neufeld appropriately (informal admonition); IOLTA inquiry - (informal admonition); the Carfagno matter (no discipline); Administrative Suspension - due to my failure to complete my annual registration, despite notice to do so (AS: November 4 - December 22, 2016; and, the inquiry, investigation, and Hearing that resulted in the Order of Suspension issued by the Pa. Supreme Court on January 21, 2021.

(c) Has any malpractice action ever been filed against you?

Yes     No

If YES, provide the details below including: (1) date of charge or claim, (2) name and address of claimant, (3) substance of the charge or claim, (4) forum where the charges or claims are or were considered, (5) current status, and (6) disposition, if any. If necessary, attach an additional listing and/or documentation.

J. Kenneth Croney  
J. Kenneth Croney v. Law Offices of John A. Gallagher  
Negligence case. Federal judge issued default judgment for failure to file Answer within 10 days after Motion to Dismiss denied. Appeal to 3rd Circuit taken. While appeal pending, Mr. Croney filed suit. The 3rd Circuit vacated default judgment. Malpractice case settled thereafter.  
Philadelphia Court of Common Pleas, March Term, 2010, Case. No. 00375  
Case ID: 100300375

(d) Has the Pennsylvania Lawyers Fund for Client Security (“Fund”) ever made any disbursement to your former clients?

Yes     No

**In all instances, attach a copy of a letter from the Fund indicating that either (1) full restitution has been made to the Fund or (2) that no restitution is owed to the Fund.** The request for this information must be made in writing and must include the attorney’s full name, current mailing address, and the Pennsylvania Attorney ID number. Visit [www.palawfund.com](http://www.palawfund.com) for more information.

13. Maintaining Currency, Competency, and Learning in the Law

(a) **Provide a copy of your PA CLE Transcript reflecting that, within one year prior to the filing of this petition, you have earned at least 36 hours of PA CLE credits, 12 of which must be in the area of Ethics.** Petitioners should ensure compliance with the most recent “Current Schedule of Continuing Legal Education Courses Required for Reinstatement” as published in the *Pennsylvania Bulletin*.

(b) List all legal periodicals, official reporters, advance sheets, or other materials which you read or to which you have subscribed during the period of disbarment, suspension, or disability inactive status. If necessary, attach an additional listing and/or documentation.

Please see attached.

(c) Have you conducted legal research during the period of disbarment, suspension, or disability inactive status?     Yes     No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation.

Entity for Whom Research was Conducted	Topic or Purpose	Date Completed	Payment Received (if any)
Charles Mandracchia, Esquire	Paralegal work	Various	Please see attached for list of research assignments and compensation for same

(d) In addition to the courses listed on your PA CLE transcript, have you attended other continuing legal education courses, including law school courses, during the period of disbarment, suspension, or disability inactive status?

Yes     No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation.

Course Title	Location of Course	Date of Course	Credits Received (if any)

(e) Have you purchased any law books or related online access to such materials during the period of disbarment, suspension, or disability inactive status?

Yes     No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation.

Title	Publisher or Website	Date of Purchase or Access

(f) What bar examination(s) or other test(s) for admission to practice in this or any other jurisdiction have you taken during the period of disbarment, suspension, or disability inactive status? Provide details and results. **Attach copies of notification from the testing authority.**

None.

14. Practice after Reinstatement

- (a) Have you familiarized yourself with the requirements of Rule of Professional Conduct 1.15 (safekeeping property)?  Yes  No

If NO, explain.

- (b) Describe your plans for practicing law if you are reinstated to active status. Do you intend to practice law? If so, in what location (city, county, and courts) and with whom (if any associates or partners)? What area(s) of specialization or concentration of practice do you intend to pursue? Will you handle R.P.C. 1.15 funds? If you do not intend to actively practice law, provide the nature of your intended employment, including the location and whether or not you will have associates or partners. If necessary, attach additional information and/or documentation.

I intend to practice law. I will take some time to investigate options for working in some capacity in a firm or office environment, which would be my preference. In the interim, and absent such engagement, I will engage in a solo practice. I will likely handle R.P.C. funds, the handling of which shall steadfastly adhere to all rules associated therewith. I will from the outset retain an accountant to maintain the required books and records for such funds. As a solo, I will begin by practicing in a work from home environment, although I may secure virtual office space, finances depending. I may try contract work, i.e. doc. review, as well.

- (c) If any, describe efforts taken to be covered by professional liability insurance if you are reinstated, including the results of such efforts.

At this time, none. It is my intention to secure same if reinstated.

15. State concisely any facts or matters you desire to have considered, other than those stated previously.

It took time and a great deal of soul searching and effort, but I have come to understand and embrace the Board's findings that resulted in my suspension, as well as the underlying defects of character that I believe the Board detected that accompanied same, namely: 1) recalcitrance; 2) self-justification and, 3) deflection. I can now say, with all of the earnestness at my command, that I accept full and complete responsibility for the actions and inactions that resulted in my suspension, all of which I am solely responsible for and for which I am deeply and truly sorry. I have taken, and continue to take, meaningful steps to learn about and resolve the flaws that led to my violations, principally through daily prayer, therapy, establishing and maintaining close personal relationships with people in recovery, attendance at 12-Step meetings, volunteer efforts and a daily vigilance directed towards self-growth. These efforts are part of the fabric of my life, and shall continue following reinstatement, or denial of same.

I have a strong marriage and close relationships with my entire family, for whom I have tried to set a positive example. I loved practicing law and helping people, and I am deeply desirous to return to doing so. If reinstated, I pledge with my whole heart to set a positive example for the public, the Bar, the Board and LCL in the areas of recovery from addiction; growth during difficult times, the importance of seeking help and developing positive relationships and the need for honest self-appraisal and adjustment no matter the circumstances.

16. State concisely those facts upon which you rely to justify your reinstatement to the Bar of this Commonwealth, relating such facts to the requirements of Rule 218(c) of the Pennsylvania Rules of Disciplinary Enforcement.

I have been clean and sober since April 25, 2017. Every morning I listen to a Bible passage. My daily prayers, always include entreaties of gratitude and a request to stay clean until midnight. I have been gainfully employed full-time as an hourly factory worker at Viant Medical in Collegeville, PA, since December 6, 2021. I have never been late, and have never called out, sick or otherwise. I work 12-hour shifts and 7 days per week every other week to help maintain my financial commitments.

I have with of the resources at my disposal addressed and where possible resolved outstanding financial obligations, and have entered into and honored payment plans where full resolution is not possible. I have passionately engaged in counseling, addressing significant areas of my personality that required detection, honesty, acknowledgment and resolute desire to continue on a path of self-improvement.

I am deeply involved in my church, routinely attending services, privately engaging with my Pastor and engaging in a variety of volunteer activities. In addition, I have regularly served in other volunteer efforts which currently include participating in set up and serving of food insecure members of the Latino community on a monthly basis via the Iron Works Church in Phoenixville. A recitation of the volunteer work I have done since my suspension is attached.

In February 2017, which was early on in my recovery from an opioid addiction, I reached out to Lawyers Concerned for Lawyers ("LCL") for assistance. I have since taking advantage of all of the support offered by LCL, including regular attendance at LCL meetings whenever possible. LCL's support has been life changing. I am humbled and proud to say that in 2021, LCL saw fit to certify me as a Peer. Since then, I have served as a Peer for no less than 3 attorneys, and am currently informally involved with another from New Jersey. LCL's bestowing upon me the honor of selecting me as a Peer is incredibly gratifying, and for me in some way validates my steadfast and successful efforts towards self-improvement, for LCL does not select Peers it does not believe are reliable and trustworthy. I hope to continue serving in such capacity, and perhaps others on behalf of LCL, in the years to come.

I believe my competence as an attorney over 29 years is demonstrated by my career record, and I have maintained a learning environment during my suspension, reading periodic reports and going well beyond the baseline CLE requirements for a suspended attorney.

17. Certification

I certify that the foregoing responses are true and correct to the best of my knowledge, information, and belief, and that I am aware of my obligation to supplement responses as set forth in the filing instructions for the Reinstatement Questionnaire. Further, I acknowledge that said responses will become a part of the record of my reinstatement proceeding and false statements made herein are subject to the criminal penalties of 18 Pa. C.S. §4904(b).

Signature of Petitioner

Date

## **VOLUNTEER WORK SINCE SUSPENSION**

**LCL:** Following my suspension, I developed a relationship with Brian S. Quinn, Esquire, Education and Outreach Coordinator for LCL. Brian graciously agreed to serve as my LCL Peer Volunteer (“Peer”). He has been instrumental in my recovery, acceptance of personal responsibility for the actions/inactions that led to my suspension and has guided me towards being a better person than I was before we met. I was so grateful, and cognizant of the indelible benefits he has been to my personal growth that, when he asked me to apply to become an LCL Peer, I did not hesitate. I was accepted as a Peer. It is a high honor to be asked to serve as a Peer by LCL for attorneys who are in crisis. I have been so blessed on at least 4 occasions that I can recall at present.

My initial contact at LCL for Peer work was Jennifer Poinsett, LCL’s Helpline Manager. I had first encountered Jennifer when I was in early recovery, in January 2017, when I first reached out to LCL. She is an amazing woman who helped guide me in my early days of recovery.

Jennifer has provided me with no less than three (3) Peer opportunities.

In August 2021, I assisted an attorney, S, struggling with alcohol. I provided S with an LCL meeting list and, for a time, he was attending same. S eventually sought treatment via IOP. We were in contact for about a year and a half, and I understood he was doing really well.

In May 2022, I assisted another, E. E and I were in contact for at least 2 months, spending more than a couple of hours on the phone. Unfortunately, E’s problems were such that he turned in his license to practice, and he and I lost contact soon after.

In November 2023, I was asked by Jennifer to assist S, who was in crisis. We spoke several times, perhaps for an hour overall.

Subsequently, Abby Dressler, LCL’s Resource Coordinator, made a request in December 2023 for my assistance. I immediately reached out to the attorney, Y, who was experiencing a major crisis. My relationship with Y is ongoing. We text and talk on a weekly basis or so.

Just prior to the 2023 LCL Annual Conference, an e-Mail blast was sent to all volunteers seeking assistance on behalf of an older lawyer, L, who lives near West Grove, is of advanced years and cannot drive. L. needed a ride to and from the Conference. I volunteered to do so and, while it was quit a bit out of my way (a good 1.5 hours), it was a complete joy to spend time with L. I will likely give him a ride this year as well.

In addition, I have for the past 1.5 years served as an “informal” peer for an attorney in New Jersey who is facing significant disciplinary action due to addiction/bad decisions. We speak several times each week.

I have served as Chairperson for numerous Meetings for LCL and in my 12-Step Home Group(s). Most recently, on March 14, 2024, I chaired the Thursday night Chesco LCL meeting, where I spoke on the 10<sup>th</sup> Step. Also, I have served at a number of 12-Step Meetings as a “Guest Speaker,” sharing experience, strength and hope, recently travelling to Wilmington, Delaware on 9/15/23. I have served as a sponsor for an LCL member, although ultimately, we agreed that the “fit” was not as beneficial to him as it could be (he wanted/needed more face time, and I just do not have enough hours for that obligation). I was with him for his first 75 days of sobriety, though.

I serve as General Service Representative (“GSR”) for my home group, which meets on Friday nights in West Chester. As GSR, I attend a monthly meeting of “Area” held at 7 p.m. on Sunday evening. At the Area meeting, a review of various business matters is discussed, and reports are provided by GSRs to Area. Also, GSRs purchase necessary literature, medallions and the like for the home group. I then report back to my home group at our next business meeting (once per month) and deliver whatever I purchased. The GSR commitment takes 3 hours.

**St. Francis in the Fields** – 11/21/21 Participated in Group Meeting regarding how to get involved in helping Afghan and Haitian Immigrants and thereafter signed up via Nationalities Service Center; have set up tables, etc., prepared food, etc. for a number of church events.

Below is a recitation of regular volunteer work in which I was or am currently engaged:

**VOLUNTEER 2022/23/24**

<b>Service Recipient</b>	<b>Nature of Service</b>	<b>Date</b>	<b>Nature of Service/Duration (inc. travel)</b>
<b>St Francis of the Fields Church, Malvern, PA</b>	Minister of the Sign	11/13/22	Change old sign verbiage and insert new for public’s view (1.5 hrs.)
“	“	1/8/23	“
“	“	3/5/23	“
“	“	4/30/23	“
“	“	6/25/23	“
“	“	8/20/23	“
“	“	10/17/23	“
“	“	12/10/23	“
“	Attended and participated in Annual Meeting (s)	12/2023 12/2024	Review of prior year’s finances, initiatives, etc., and planned same for coming year (2 hours per)
“	Minister of the Sign	2/4/24	Change old sign verbiage and insert new for public’s view (1.5 hrs.)
<b>The Phoenixville Refuge, Iron Works Church, Phoenixville, PA</b>	Assisted during Market Day	Sat. 1/14/23 Sat. 2/11/23 Sat 3/11/23 Sat 8/2/23 Sat 9/9/23 Sat 1/13/24 Sat 3/9/24	assemble/hand out produce, dry goods, frozen foods, home products, monitored children at play while parents (who are food insecure members of community) select items for the needs of their household (each commitment was approximately 3.5 hrs.)
“	Helped to set up for Market Day	Fr. 4/14/23 Fri. 5/12/23 Fri. 6/19/23 Fri. 7/7/23 Fri. 10/20/23	Set up tables, chairs, household items, bag produce, set up kids’ games area in preparation for Market Day (each commitment is approximately 3 hrs.)

		12/8/23	
"	Attended Annual Dinner and Planning Session	Fri. 3/1/2024	This was a meeting during which we went over the Charity's mission, and made plans for how to improve outreach during the coming year (3 hours)
<b>St. John's Church,</b> Norristown, PA	Feed the Homeless and Disadvantaged	11/30/21 12/1/21 12/2/21	Prepared meal, set up service area, delivered lunch to patrons, clean up; (each commitment was between 4-6 hours long).



Supreme Court of Pennsylvania  
 Continuing Legal Education Board Transcript  
<https://www.pacle.org>

**Name:** John A. Gallagher  
**Lawyer ID:** 61914 **Group:** 1  
**License Status:** Suspended  
**Annual CLE Deadline:** April 30  
**Compliance Period:** 05/01/2023 -04/30/2024

CLE requirements are [deferred](#). Your license status is administered by the Attorney Registration Office at the Disciplinary Board. For information on returning to active status please visit the [FAQ page](#) on the Disciplinary Board website.

**Credit Code Key:**

- Distance Learning
- Teaching
- Pro Bono

**2024 Compliance Status:** Suspended - Deferring CLE  
**2023 Compliance Status:** Suspended - Deferring CLE

The following courses have been reported to your record in the last two years. Please be aware that the hours may or may not satisfy your requirement upon return to *Active* status depending upon when reactivation occurs.

Accredited Providers have 30 days to report attendance

Date	Course Name	Credits	
		E	S
03/19/2024	Exp: Solo & Small Practice Management Series: Formation.		1.0
03/17/2024	Exp: The Buck Stops In The Boardroom		1.0
03/14/2024	Exp: An Attorney's Guide To Ethically Advising Start-Ups	1.0	
03/13/2024	Exp: Technology Ethics For Lawyers	1.0	
03/10/2024	Exp: The Ethics Of Cannabis Legal Representation	1.0	
03/10/2024	Exp: Suddenly Sensational: The Ethics Of Pre-Trial Publicity	1.0	
03/10/2024	Exp: A Blunt Analysis Of Employment Issues Related To Cannabis Laws		1.0
01/23/2024	Exp: 5 Ethical Blunders Of Attorneys - On Demand	1.0	
01/20/2024	Exp: The Secure Act: The Impact On Iras And Estate Planning		1.0
01/18/2024	Exp: Bias In The Courtroom	1.0	
01/18/2024	Exp: Understanding And Drafting Technology Contracts: Avoiding Common Pitfalls		1.0
01/17/2024	Exp: From Junkie To Judge: Overcoming Addiction And Resources For Attorneys (On Demand)	1.0	
01/15/2024	Exp: Bankruptcy Implications In Real Estate & The Commercial Letter Of Intent		1.0
01/13/2024	Exp: The Art Of Graceful Disagreement: Ethics & Civility	1.0	
01/09/2024	Exp: Gender Identity And Sexual Orientation Discrimination In The Workplace		1.0
01/09/2024	Exp: Employment Dispute Settlements: An Overview		1.5
01/09/2024	Jr740Nn7Bl: Depression: An Occupational Hazard Of The Legal Profession#	1.0	
01/08/2024	Odglqjdpkg: Intervention Strategies For Helping Legal Professionals#	1.0	
01/06/2024	D0Pwp86Ez5: Overcoming The 'Secret' Addiction: Gambling In The Legal Profession#	1.0	
01/05/2024	9L7Y5Yp7Mr: Shackled To Our Screens: How Technology Has Imprisoned The Legal Professi...#	1.0	
01/04/2024	Y3Pr8Am7Yb: Attorney Licensure And The Impaired Professional (Update)#	1.0	
01/03/2024	Br7Qklnpjy: Eating, Sex, And Exercise Disorders In The Legal Profession - When Enough...#	1.0	

Date	Course Name	Credits	
		E	S
01/03/2024	Help For The Helper: The Effects Of Trauma And Compassion Fatigue On The Lawyer Who Cares	1.0	
01/01/2024	Jr74Pvz7Bl: The Burned Out Lawyer: Recognition And Prevention Strategies In The Post-...#	1.0	
08/07/2023	August 7, 2023 Bridge The Gap	4.0	
07/11/2023	Lmg3Zp87M6: 'I Don't Belong' - Imposter Syndrome In The Legal Profession#	1.0	
05/06/2023	19Th Lcl Annual Statewide Volunteer Conference	7.0	
11/29/2021	OdgIqjdpkg: Intervention Strategies For Helping Legal Professionals#	1.0	
11/24/2021	P3Pdoangoz: Striving For A (Realistic) Attorney Work/Life Balance In 2021#	1.0	
11/24/2021	Jr740Nn7Bl: Depression: An Occupational Hazard Of The Legal Profession#	1.0	
11/23/2021	The Impaired Lawyer: A Call For Action	1.0	
11/22/2021	Exp: Causes Of Action For Representing Covid-19 Pandemic Whistleblowers	1.0	
11/17/2021	Exp: Chapter 7: The Initial Consult	1.0	
11/15/2021	Exp: Cases With 'Issues': Family Law Litigation Involving Substance Abuse And Mental Illness	1.0	
11/12/2021	Exp: Intellectual Property Essentials	1.0	
07/02/2021	Exp: Hot Topics In Commercial Leasing	1.5	
07/02/2021	Exp: Examining The Ethical Ebb & Flow Of E-Discovery	1.0	
07/02/2021	Exp: The Mechanics Of Attorney-Client Privilege	1.0	
07/01/2021	D0Pwblagz5: Your Time To Thrive: A Journey To Wellness In The Legal Profession#	1.0	
06/26/2021	4Ap5Q6Zpx5: Don't Give Up Five Minutes Before The Miracle (Update)#	1.0	
04/23/2021	Bridge The Gap Via Zoom	4.0	
04/17/2021	Exp: Being An Ethical Lawyer On The Internet	1.0	
04/17/2021	Exp: The Law Of Fiduciary Duties In The 21St Century	1.0	
04/17/2021	Exp: America's Opioid Epidemic & The Law	1.0	
04/17/2021	Exp: Sustainable Compliance Manuals	1.0	
04/17/2021	Exp: Motion Practice In Civil Litigation: Drafting & Advocacy - Part I	1.0	
04/16/2021	Exp: Ethics & Privilege Issues: Witnesses	1.0	
04/16/2021	Exp: Motion Practice In Civil Litigation: Drafting & Advocacy - Part Ii	1.0	
04/16/2021	Exp: What Civil And Family Attorneys Need To Know About Criminal Law	1.0	
04/16/2021	Exp: Recognizing And Addressing 'Bro Culture' And Other Barriers To Gender Inclusion In The Legal In	1.0	
04/16/2021	Exp: The Ethics Of Multijurisdictional Practice	1.0	
04/16/2021	Exp: Risk Management For Lawyers: Cyber-Based Professionalism Claims And Ethical Considerations	1.0	
04/15/2021	Exp: Legal Considerations When Assisting A Client Form A Business	1.0	
04/15/2021	Exp: Authentication Of Handwriting	1.0	
04/15/2021	Exp: Understanding Asset Protection Tools And Planning	1.0	
04/15/2021	Exp: Consumer Electronics And The Iot: Digital Evidence	1.0	
04/15/2021	Exp: Practical Implications For Title Ix Compliance.	1.5	
04/15/2021	Exp: Gambling: The 'Secret' Addiction	1.0	
04/14/2021	Exp: Update On Non-Compete Agreements	1.5	
04/14/2021	Exp: Everything You Always Wanted To Know About Impaired Lawyers ... ( But Were Afraid To Ask)	1.0	
04/14/2021	Exp: No One Makes It Out Unscathed: The Effects Of Personal Trauma And Stress On Our Lives	1.0	
04/14/2021	Exp: Supreme Court 2019-20 Review: Part I	2.0	
04/14/2021	Exp: Striving For A (Realistic) Work/Life Balance	1.0	
04/13/2021	Exp: Cell Phone Forensics	1.0	
04/13/2021	Exp: Coronavirus And Your Mental Health: Coping With Isolation, Anxiety, And Fear In Uncertain Times	1.0	
04/13/2021	Exp: Effective Communication 101: Ada, Rehabilitation Act, And The Affordable Care Act	1.0	

Date	Course Name	Credits	
		E	S
04/12/2021	Exp: Investigation Practices In The Wake Of #Metoo		1.0
04/12/2021	Exp: Tax Issues In Employment Claims		1.0
04/12/2021	Exp: Understanding And Addressing Unconscious Bias At Work	1.0	
04/12/2021	Law Practice Marketing: Practical & Ethical Considerations	1.0	1.0
03/31/2021	Iolita Accounts - More Questions & More Answers To The Most Commonly Asked Questions 2021	1.0	

SUPREME COURT OF PENNSYLVANIA



PENNSYLVANIA LAWYERS FUND FOR CLIENT SECURITY

P.O. BOX 62585, HARRISBURG, PA 17106-2585

OVERNIGHT OR MESSENGER DELIVERY USE ONLY:

601 COMMONWEALTH AVENUE, SUITE 5400

HARRISBURG, PA 17120-0901

(717) 231-9510

(800) 962-4618

FAX: (717) 231-9511

EMAIL: [admin@palawfund.com](mailto:admin@palawfund.com)

WEB: [www.palawfund.com](http://www.palawfund.com)

December 18, 2023

MEMBERS OF THE BOARD

Barbara E. Griffin, Esquire

Board Chair

Bruce S. Zero, Esquire

Vice Chair

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John P. Kopesky, Esquire

Laurie M. Schwager

STAFF

Kathryn Peifer Morgan, Esquire

Executive Director

Bethany A. Bryan

Administrative Assistant

**VIA EMAIL & REGULAR MAIL**

Mr. John A. Gallagher

8 Harvey Lane

Malvern, PA 19355

**RE: In the Matter of: John A. Gallagher**  
**Attorney ID Number: 61914**  
**Petition for Reinstatement from Suspended Status**

Dear Mr. Gallagher:

The Pennsylvania Lawyers Fund for Client Security has received your request to confirm whether or not you have an outstanding obligation to the Pennsylvania Lawyers Fund for Client Security.

Please be advised, the Pennsylvania Lawyers Fund for Client Security has no record of receiving any claims involving John A. Gallagher, attorney registration number 61914. Therefore, you do not have, nor have you ever had, an obligation to the Pennsylvania Lawyers Fund for Client Security.

Please feel free to contact me if you have any questions regarding this matter.

Sincerely,

  
Kathryn Peifer Morgan, Esquire  
Executive Director and Counsel

KPM:bb

UNITED STATES DISTRICT COURT  
Eastern District of Pennsylvania  
United States Courthouse  
601 Market Street, Room 2609  
Philadelphia, PA 19106-1797

George Wylesol  
Clerk of Court

Clerk's Office  
215-597-7704

March 11, 2024

John A. Gallagher  
8 Harvey Lane  
Malvern, PA 19355

Dear Mr. Gallagher:

In response to your request, you were admitted to the United States District Court for the Eastern District of Pennsylvania on February 13, 1992, and are currently listed as being suspended with the United States District Court for the Eastern District of Pennsylvania.

Please feel free to contact Gail Olson of my staff at 267-299-7060 if you require additional information on this matter.

Sincerely,

  
Clerk of Court

By: /s/ Gail R. Olson  
Gail R. Olson, Deputy Clerk

**UNITED STATES COURT OF APPEALS  
TENTH CIRCUIT**  
Office of the Clerk  
Byron White United States Courthouse  
Denver, Colorado 80257  
(303) 844-3157

Christopher M. Wolpert  
Clerk of Court

Jane K. Castro  
Chief Deputy Clerk

March 11, 2024

Marcy Sloan  
Prothonotary, PA Discipline Board  
of the Supreme Court of Pennsylvania  
Pennsylvania Judicial Center  
601 Commonwealth Avenue, Suite 2700  
P,O Box 62485  
Harrisburg, PA 17106-2485

Re: 21-801, *In re Gallagher*

Dear Sir or Madam:

Attorney John A. Gallagher was suspended by this court on April 8, 2021, as a result of his suspension from the practice of law in the State of Pennsylvania. Any request for reinstatement must show, *inter alia*, that Mr. Gallagher has been returned to good standing within the Pennsylvania state court system. Mr. Gallagher has not filed a petition for reinstatement with this court, and thus remains suspended at this time. He has no other history of discipline in this court. Please feel free to contact me at the

number above if you have any further questions.

Sincerely,

CHRISTOPHER M. WOLPERT, Clerk

A handwritten signature in cursive script that reads "Jane K. Castro". The signature is written in black ink and features a long, sweeping horizontal line extending to the right from the end of the name.

by: Jane K. Castro  
Chief Deputy Clerk

Encl.

**UNITED STATES COURT OF APPEALS**  
**FOR THE TENTH CIRCUIT**

**April 8, 2021**

**Christopher M. Wolpert**  
**Clerk of Court**

---

In re: John A. Gallagher

| No. 21-801

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**ORDER**

---

This matter is before the court following expiration of the time period within which attorney John A. Gallagher was allowed to respond to the court's disciplinary show cause order, issued as a result of his suspension from the practice of law in the State of Pennsylvania. The court concludes that Mr. Gallagher should be and is suspended from practicing in this court.

Mr. Gallagher's name shall be stricken from this court's attorney admission roster. Readmission to practice in this court is conditioned upon the filing of an application that (1) demonstrates good cause why Mr. Gallagher should be readmitted, (2) includes evidence showing that Mr. Gallagher has been returned to good standing within the Pennsylvania state court system, and (3) otherwise complies with the applicable provisions of the court's Plan for Attorney Disciplinary Enforcement, which can be found

in Addendum III to the Tenth Circuit Rules.

Entered for the Court  
CHRISTOPHER M. WOLPERT, Clerk

A handwritten signature in cursive script, appearing to read "Jane K. Castro", with a long horizontal flourish extending to the right.

by: Jane K. Castro  
Chief Deputy Clerk

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT  
OFFICE OF THE CLERK**

Byron White United States Courthouse  
1823 Stout Street  
Denver, Colorado 80257  
(303) 844-3157

Christopher M. Wolpert  
Clerk of Court

Jane K. Castro  
Chief Deputy Clerk

April 8, 2021

Re: 21-801, *In re: Gallagher*

A COPY OF THE ATTACHED ORDER HAS BEEN PLACED IN THE UNITED STATES MAIL THIS DATE, ADDRESSED AS FOLLOWS:

John A. Gallagher  
Law Offices of John A. Gallagher  
5 Great Valley Parkway, Suite 210  
Malvern, PA 19355

Kate Barkmen, Clerk  
US District Court for the Eastern District  
of Pennsylvania  
James A. Byrne US Courthouse  
601 Market Street  
Philadelphia, PA 19106

The Disciplinary Board of the Supreme  
Court of Pennsylvania  
Pennsylvania Judicial Center  
601 Commonwealth Avenue, Suite 2700  
Harrisburg, PA 17106

Jeffrey P. Colwell, Clerk  
United States District Court for the  
District of Colorado  
901 19th Street  
Denver, CO 80294

by: Robert Stephens  
Deputy Clerk

## John Gallagher

---

**From:** CMECF\_No\_Reply@ca3.uscourts.gov  
**Sent:** Wednesday, June 16, 2021 11:03 AM  
**To:** John Gallagher  
**Subject:** 21-8018 In re: John A. Gallagher "Attorney Discipline Final Order"

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing.

### Third Circuit Court of Appeals

#### Notice of Docket Activity

The following transaction was filed on 06/16/2021

**Case Name:** In re: John A. Gallagher  
**Case Number:** 21-8018  
**Document(s):** Document(s)

#### Docket Text:

ORDER (Court) Shwartz, Bibas and Porter, Circuit Judges ORDERED that John A. Gallagher, Esquire, is hereby suspended from the practice of law in this Court for a period of one year and one day, retroactive to January 22, 2021, pursuant to R.A.D.E. 9.1. (MB)

#### Notice will be electronically mailed to:

John A. Gallagher

The following document(s) are associated with this transaction:

**Document Description:** Attorney Discipline Final Order

**Original Filename:** final\_susp\_order\_061621.pdf

#### Electronic Document Stamp:

[STAMP acecfStamp\_ID=1107201326 [Date=06/16/2021] [FileNumber=4832743-0]

[d2f76c7994dccef255a07de684f71cc9ad3ed9f86af21e0763c56490fc06909c4fbcab45df2243db000a14cead806ff925387b7d6f014afb0ba812266c5ec406]]

**Document Description:** Attorney Discipline Final Order

**Original Filename:** /opt/ACECF/live/forms/MarianneBowers\_218018\_4832743\_AttorneyDisciplineFinalOrder\_355.pdf

#### Electronic Document Stamp:

[STAMP acecfStamp\_ID=1107201326 [Date=06/16/2021] [FileNumber=4832743-1]

[29f38ab56562d5886203f8d862d8333f03b61ee7e3adbc3b8dfe8d07a7719831af094df07b6ac6061a408e499024054dcd28a9ce5e9b4444648a853a0d2d068b]]

**Recipients:**

**John Gallagher**

---

**From:** ecf\_paed@paed.uscourts.gov  
**Sent:** Tuesday, April 13, 2021 3:07 PM  
**To:** paedmail@paed.uscourts.gov  
**Subject:** Activity in Case 2:21-mc-00017-UJ GALLAGHER Final Discipline Order

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

United States District Court

Eastern District of Pennsylvania

### Notice of Electronic Filing

The following transaction was entered on 4/13/2021 at 3:06 PM EDT and filed on 4/13/2021

**Case Name:** GALLAGHER  
**Case Number:** 2:21-mc-00017-UJ  
**Filer:**  
**WARNING: CASE CLOSED on 02/25/2021**  
**Document Number:** 4

Docket Text:

**ORDER THAT RESPONDENT IS SUSPENDED FROM THE PRACTICE OF LAW IN THIS COURT FOR A PERIOD OF ONE (1) YEAR AND ONE (1) DAY, EFFECTIVE THIRTY (30) DAYS FROM JANUARY 22, 2020, AND UNTIL FURTHER ORDER OF THIS COURT. SIGNED BY CHIEF JUDGE JUAN R. SANCHEZ ON 4/13/21. 4/13/21 ENTERED AND COPIES E-MAILED TO PRO SE. (go,)**

2:21-mc-00017-UJ Notice has been electronically mailed to:

JOHN A. GALLAGHER jag@johnagallagher.com

2:21-mc-00017-UJ Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1001600548 [Date=4/13/2021] [FileNumber=17552459-

**FILED**  
**United States Court of Appeals**  
**Tenth Circuit**

**UNITED STATES COURT OF APPEALS**

**April 8, 2021**

**FOR THE TENTH CIRCUIT**

**Christopher M. Wolpert**  
**Clerk of Court**

---

In re: John A. Gallagher

| No. 21-801

---

**ORDER**

---

This matter is before the court following expiration of the time period within which attorney John A. Gallagher was allowed to respond to the court's disciplinary show cause order, issued as a result of his suspension from the practice of law in the State of Pennsylvania. The court concludes that Mr. Gallagher should be and is suspended from practicing in this court.

Mr. Gallagher's name shall be stricken from this court's attorney admission roster. Readmission to practice in this court is conditioned upon the filing of an application that (1) demonstrates good cause why Mr. Gallagher should be readmitted, (2) includes evidence showing that Mr. Gallagher has been returned to good standing within the Pennsylvania state court system, and (3) otherwise complies with the applicable provisions of the court's Plan for Attorney Disciplinary Enforcement, which can be found

in Addendum III to the Tenth Circuit Rules.

Entered for the Court  
CHRISTOPHER M. WOLPERT, Clerk

A handwritten signature in black ink, appearing to read "Jane K. Castro", with a long horizontal flourish extending to the right.

by: Jane K. Castro  
Chief Deputy Clerk

---

## Copy of order

4 messages

---

**Angie Ferguson** <Angie\_Ferguson@ca6.uscourts.gov>  
To: "jaglaw101@gmail.com" <jaglaw101@gmail.com>

Tue, Nov 28, 2023 at 12:21 PM

Hi Mr. Gallagher,

We just spoke on the phone regarding a copy of an order in 21-9526. After looking into it, the 6<sup>th</sup> Circuit has not taken any action on the Pennsylvania notice of suspension. So, at this time you do not need to seek reinstatement as you are still in good standing. You could potentially be show caused in the future and given a time to respond. However, currently, the court has not taken action on the notice, so you are free to practice in the 6<sup>th</sup> Circuit.

Thank you,



**Angie Ferguson, Deputy Clerk**

U.S. Court of Appeals for the Sixth Circuit

100 East Fifth Street, Room 540

Cincinnati, OH 45202-3988

(513) 564-7044 direct dial

angie\_ferguson@ca6.uscourts.gov

---

**John A. Gallagher** <jaglaw101@gmail.com>  
To: Angie Ferguson <Angie\_Ferguson@ca6.uscourts.gov>

Tue, Nov 28, 2023 at 12:28 PM

Ms. Ferguson:

Please double check that - I have a note from a conversation I had with the Clerk on February 2, 2022 informing me a suspension was imposed, Case No. 21-9526.

I need to be 100% sure on this.

I have no intention of practicing anywhere until I am reinstated to PA, but I need to be 100% sure that I accurately represent to PA my status in the 6th Circuit.

Thank you.

Respectfully,

**Gallagher DB3 Exhibits 18**

John Gallagher  
610-322-4145

[Quoted text hidden]

--  
John Gallagher  
610-322-4145

Please Reply to: jag@johnagallagher.com

---

**Angie Ferguson** <Angie\_Ferguson@ca6.uscourts.gov>  
To: "John A. Gallagher" <jaglaw101@gmail.com>

Tue, Nov 28, 2023 at 12:44 PM

Mr. Gallagher,

I understand your concern. I spoke with my supervisor regarding this matter, and yes, you are currently in good standing with the 6<sup>th</sup> Circuit.

Thank you,



**Angie Ferguson, Deputy Clerk**

U.S. Court of Appeals for the Sixth Circuit

100 East Fifth Street, Room 540

Cincinnati, OH 45202-3988

(513) 564-7044 direct dial

angie\_ferguson@ca6.uscourts.gov

---

**From:** John A. Gallagher <jaglaw101@gmail.com>  
**Sent:** Tuesday, November 28, 2023 12:28 PM  
**To:** Angie Ferguson <Angie\_Ferguson@ca6.uscourts.gov>  
**Subject:** Re: Copy of order

**CAUTION - EXTERNAL:**

[Quoted text hidden]

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**Gallagher DB3 Exhibits 19**

---

**John A. Gallagher** <jaglaw101@gmail.com>  
To: Angie Ferguson <Angie\_Ferguson@ca6.uscourts.gov>

Tue, Nov 28, 2023 at 12:54 PM

Ms. Ferguson:

Thank you for your efforts, and the clarification.

Respectfully,

John Gallagher  
610-322-4145  
[Quoted text hidden]

**From:** [COD Attorney Services](#)  
**To:** [John Gallagher](#)  
**Cc:** [Mark Fredrickson](#)  
**Subject:** RE: Notice of Attorney Suspension - PLEASE Advise if Suspension Was Imposed  
**Date:** Friday, September 10, 2021 2:40:12 PM

---

Mr. Gallagher:

Mr. Fredrickson is not available this week or next. I am his supervisor, and I believe I can answer your question.

You are currently in Administrative Removal status with our court, meaning you did not pay one of our bar renewal fees:

**John A. Gallagher**  
John A. Gallagher, PC  
5 Great Valley Parkway  
Suite 210  
Malvern, PA 19355-2908  
Email: [jag@johnagallagher.com](mailto:jag@johnagallagher.com)  
Phone: 610-647-5027  
Fax: 610-889-9726  
Admission Status: Admin Removal  
Date of Admission: 7/11/2018

When non-payment occurs, we remove the attorney from our attorney roll, and the attorney is not considered a member of the district court bar anymore. Because of that non-member status, when Mr. Fredrickson is notified of discipline imposed on an attorney in that status, he takes no action because it is not necessary.

Regarding administrative removal, Mr. Fredrickson's standard response to inquiries sums the status up well and should provide a sufficient explanation to a bar disciplinary committee – I have altered it to include your name and date of bar admission. If you have any further questions, please feel free to contact me at the e-mail address and number below.

I am the Secretary for the Committee on Conduct for the United States District Court for the District of Colorado and a Deputy Clerk in the Attorney Services Division for the United States District Court for the District of Colorado. On behalf of the Committee and the Court, I am reporting that **John A. Gallagher** has no pending or past disciplinary actions against him with the Committee or the District Court for the District of Colorado. Although his bar status with the court is listed as "Admin Removal," that designation is not the result of any misconduct on his part that would have been grounds for the imposition of any disciplinary sanction by the Disciplinary Panel of this Court. He simply failed to pay a past \$50 biennial fee and was administratively removed from the attorney roll. If he wished to practice here again – assuming any disciplinary matters in other jurisdictions have been cleared - he would need only to complete a bar application and pay the application fee to be restored to the attorney roll with his original date of admission of July 11, 2018.

Mark Fredrickson  
Attorney Services

Thank you,

Edward  
Attorney Services  
303-335-2466  
[cod\\_attorneyservices@cod.uscourts.gov](mailto:cod_attorneyservices@cod.uscourts.gov)

---

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Friday, September 10, 2021 12:01 PM  
**To:** COD Attorney Services <COD\_AttorneyServices@cod.uscourts.gov>  
**Cc:** Mark Fredrickson <mark\_fredrickson@cod.uscourts.gov>  
**Subject:** RE: Notice of Attorney Suspension - PLEASE Advise if Suspension Was Imposed  
**Importance:** High

**CAUTION - EXTERNAL:**

Dear Mr. Frederickson:

I am seeking reinstatement here in Pennsylvania and I cannot seem to find a disposition by the District Court of Colorado re: was a suspension imposed upon me? I did receive Notice of Suspension from the 10<sup>th</sup> Circuit, but I cannot put my fingers on an Order from Your Court.

If such an Order was issued, could you kindly forward to me via e-Mail so that I may attach to my Application for Reinstatement?

If no discipline was imposed, please advise as well.

Thank You.

**Respectfully,**

**John A. Gallagher**

**610-322-4145**

---

**From:** COD Attorney Services <[COD\\_AttorneyServices@cod.uscourts.gov](mailto:COD_AttorneyServices@cod.uscourts.gov)>  
**Sent:** Friday, February 19, 2021 1:15 PM

**To:** John Gallagher <[jag@johnagallagher.com](mailto:jag@johnagallagher.com)>  
**Cc:** Mark Fredrickson <[mark\\_fredrickson@cod.uscourts.gov](mailto:mark_fredrickson@cod.uscourts.gov)>  
**Subject:** RE: Notice of Attorney Suspension - PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTIFICATION (Thank You)

Thank you for your honesty in reporting this. Your email has been forwarded to the secretary for the Committee on Conduct. If you wish to communicate with him, his name is Mark Fredrickson and he is copied on this email as well.

---

*Kelsey*  
Attorney Services Division  
U.S. District Court for the District of Colorado  
Pronouns: She/Her/Hers

---

**From:** John Gallagher <[jag@johnagallagher.com](mailto:jag@johnagallagher.com)>  
**Sent:** Friday, February 19, 2021 10:40 AM  
**To:** COD Attorney Services <[COD\\_AttorneyServices@cod.uscourts.gov](mailto:COD_AttorneyServices@cod.uscourts.gov)>  
**Subject:** FW: Notice of Attorney Suspension - PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTIFICATION (Thank You)  
**Importance:** High

**CAUTION - EXTERNAL:**

Dear Mr. Frederickson:

Per Your voicemail, and consistent with my responsibilities concerning reciprocal discipline, I am writing to inform the Court that I was issued an Order of Suspension by the Pennsylvania Supreme Court on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21.

I was granted admission into the Colorado District Court January 22, 2019 (at least that is the date I paid a bi-annual fee to the Court). My Pennsylvania ID No. is 61914.

Please take note of my suspension, and thank You.

Please forward to the Chief Judge of the Court.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

p.s. Note: Mr. Frederickson's phone number is 303 335 2060

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
*Over 315,000 views since 2010*

**WARNING - FRAUDULENT FUNDING INSTRUCTIONS:** Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.

**WARNING: CONFIDENTIAL NOTICE:** The Electronic Communications Privacy Act of 1986 (18 U.S.C. 2510 et seq.) provides federal criminal and civil penalties for the unauthorized reading of this e-mail if you are not the intended recipient named above. The message is confidential and may be privileged attorney-client communication. If you are not the intended recipient or an agent responsible to the extended recipient, please notify us immediately by telephone (610) 647-5027. Any review, dissemination, distribution or copying of this document by anyone other than the intended recipient is unauthorized. The review of this information by any individual other than the extended recipient shall not constitute a waiver of the attorney-client, work product, joint defense, and/or other applicable privileges.

---

**From:** John Gallagher

**Sent:** Friday, February 19, 2021 12:29 PM

**To:** 'cod\_attorneyservices@cod.uscourts.gov' <[cod\\_attorneyservices@cod.uscourts.gov](mailto:cod_attorneyservices@cod.uscourts.gov)>

**Subject:** Notice of Attorney Suspension - PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTIFICATION (Thank You)

**Importance:** High

Dear Mr. Frederickson:

Per Your voicemail, and consistent with my responsibilities concerning reciprocal discipline, I am writing to inform the Court that I was issued an Order of Suspension by the Pennsylvania Supreme Court on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21.

I was granted admission into the Colorado District Court January 22, 2019 (at least that is the date I paid a bi-annual fee to the Court). My Pennsylvania ID No. is 61914.

Please take note of my suspension, and thank You.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

p.s. Note: Mr. Frederickson's phone number is 303 335 2060

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
[www.johnagallagher.com](http://www.johnagallagher.com)

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*Over 1.675 million views since 2010*

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*Over 315,000 views since 2010*

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internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.

**WARNING: CONFIDENTIAL NOTICE:** The Electronic Communications Privacy Act of 1986 (18 U.S.C. 2510 et seq.) provides federal criminal and civil penalties for the unauthorized reading of this e-mail if you are not the intended recipient named above. The message is confidential and may be privileged attorney-client communication. If you are not the intended recipient or an agent responsible to the extended recipient, please notify us immediately by telephone (610) 647-5027. Any review, dissemination, distribution or copying of this document by anyone other than the intended recipient is unauthorized. The review of this information by any individual other than the extended recipient shall not constitute a waiver of the attorney-client, work product, joint defense, and/or other applicable privileges.

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

FROM THE DESK OF  
JOHN A. GALLAGHER

8 Harvey Lane Malvern, PA 19355 610-322-4145 [gallagherj796@gmail.com](mailto:gallagherj796@gmail.com)

---

March 30, 2021

Via e-Mail ([Marcee.sloan@pacourts.gov](mailto:Marcee.sloan@pacourts.gov)) and First Class Mail

Marcee D. Sloan, Board Prothonotary  
Disciplinary Board of Supreme Court of Pennsylvania, Executive Office  
601 Commonwealth Avenue, Ste. 5600  
P.O. Box 62625  
Harrisburg, PA 17106-2625

**Re:** *ODC v. Gallagher*  
*2756 Disc. Docket No. 3*  
No. 65 DB 2019  
Atty. ID No. 61914  
(Chester County)

**Registration re: Paralegal Work**

Dear Ms. Sloan:

I am writing to register that on March 15, 2021, I began performing paralegal work on an *ad hoc* basis for Charles D. Mandracchia, Esquire, Pa. Attorney Id. No. 52844. I informed Mr. Mandracchia, and he understands, that I am to have no direct client contact. Mr. Mandracchia supervises all work that I perform.

As per my conversation with you this morning, I am having Mr. Mandracchia sign below.

Please advise if we are required to do anything further in connection with this work. Mr. Mandracchia and I want to make sure that our respective compliance with all rules and regulations is in good order. Thank You.

Respectfully,

John A. Gallagher

Respectfully,



Charles D. Mandracchia, Esquire  
Mandracchia Law, LLC  
2024 Cressman Rd., Box 1229  
Skippack, PA 19474-1229  
Tel. 610-584-0700  
[cman@mmattorneys.com](mailto:cman@mmattorneys.com)

cc: Charles D. Mandracchia, Esquire (via e-Mail)

**JOHN A. GALLAGHER**

8 HARVEY LANE  
MALVERN, PA 19355

[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

(610) 322-4145

**Detailed Billing Report Paralegal Services: March 22, 2021**

**Project Name:** *Response Electric Inc. v Stotz*

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
3/15/21	1.3	\$35 (All)	RW Complaint and Motion for Preliminary Injunction and email from client dated March 11 enclosing employment offers, etc.; RW Defendant's Answer and cases cited therein as well as its Response to Preliminary Injunction
3/15/21	.4		TC CDM re: pleadings, additional consideration doctrine, strategy
3/15/21	.4		CT RS additional consideration doctrine in PA
3/15/21	.6		PF Memo to CDM re: Overview
3/16/21	.5		RR e-mail from CDM attaching eMail from client re: 2012 Agreement found; compared 2012 and 2015 agreements re: any differences;
3/15 and 3/16	7.1		PD draft Memorandum of Law in support of Motion for Preliminary Injunction and forwarded to CDM
3/16	.4		PD draft Response to New Matter and forwarded to CDM
3/19/21	.4		Rw of Response to Memorandum of Law filed by defendant (no response suggested)
<b>Total Hours</b>	<b>11.1</b>		
<b>TOTAL DUE</b>	<b>388.50</b>		

**TC = Telephone call with**  
**RW = Reviewed**  
**PD = Prepared**  
**PF = Prepared and Forwarded**

**CDM = Charles D. Mandracchia**  
**CT RS= Conducted Research**  
**RV = Revised**  
**RR = Received and Reviewed**

Sincerely,

/s/ JOHN A. GALLAGHER

**JOHN A. GALLAGHER**

8 HARVEY LANE  
MALVERN, PA 19355

[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

(610) 322-4145

**Invoice for Paralegal Services – April 30, 2021**

**Project Name:** *Commonwealth v. Aharonian*

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
4/19/21	3.1		TC CMD re: preparation of Memorandum of Law for Oral Argument coming up next week; RR Motion to Compel and Supplemental Motion to Compel and CT RS re: discovery issues, right to personnel files, videos, etc.; PD outline of Memorandum of Law
4/20-4/22/21	8.1		Prepared Memorandum of Law for Oral Argument and forwarded to CMD; TC CMD re: same
4/23/21	.8		RR Mandatory Discovery Sent by Commonwealth to CMD
04/29/21	4.6		TC CMD re: recent oral argument and need for Supplemental Memo of Law; RR Memo from CMD re: Supplemental of Law Outline; RW Hanley case; PD initial Draft of Supp. Memo; TC CMD Hanley case and draft; RV Supp Memo and sent to CMD
<b>Total Hours</b>	<b>16.6</b>		16.6 x \$35 = \$581
<b>TOTAL DUE</b>	<b>\$581</b>		

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Sincerely,

/s/ JOHN A. GALLAGHER

# JOHN A. GALLAGHER

8 HARVEY LANE  
MALVERN, PA 19355

[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

(610) 322-4145

## Invoice for Paralegal Services – June 7, 2021

**Project Name:** *Atlantic Driver Leasing v. Assured Partners, Inc.*

DATE	TIME	RATE	DESCRIPTION OF SERVICES
5/2/21	2.2	\$35	Reviewed and organized all file materials received from client; completed analysis re: were ID cards issued for all ADL vehicles, etc. CT RS re: all of the parties, identity location of Tony Mahon, and pd allegations re; the parties, diversity, etc.
5/17/21	1.0		Reviewed all JAG files re: Complaints and on hand research re: various causes of action to be included in complaint
5/18/21	2.6		Finished background facts in Complaint with questions for Client and sent to CDM
5/19/21	7.3		CT RS re: causes of action such as under UTPCL, UIPA, breach of CGFFD, fraud, etc. and finished initial draft of Complaint and sent to CM
5/20/21	1.8		Updated initial draft of Complaint with additional causes of action and sent to CDM with research and comments re diversity amount in question
5/24/21	3.2		Reviewed comments and instructions from CMD and revised Complaint; sent e-Mail to CMD explaining revisions, etc.
5/27/21	.8		CT RS NJ Law Bad Faith, Unfair Insurance Trade Practices, Fraud, etc.
5/28/21	1.7		Rw e-mail from client re: requested changes; revised complaint and prepared e-Mail to CMD re: all, attaching new draft
5/28/21	.5		Called Clerk re: what forms required with Complaint, etc., Prepared and forwarded Civil Cover Sheet, and e-Mailed to CMD
<b>Total Hours</b>	<b>21.1</b>		
<b>TOTAL DUE</b>	<b>\$735</b>		

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**CDM = Charles D. Mandracchia**

**CT RS= Conducted Research**

**RV = Revised**

**RR = Received and Reviewed**

**JOHN A. GALLAGHER**

8 HARVEY LANE  
MALVERN, PA 19355

[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

(610) 322-4145

**Invoice for Paralegal Services – July 21, 2021**

**Project Name:** *Comm. v. Aharonian*

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
07/01/21	3.1		reviewed Motions to Quash (both); conducted research by reviewing various cases including <i>Blakeney, Alston, Herrick, Ritchie</i> and <i>Gartner</i> . Began preparing response to Motion to Quash filed by Robeson Twp.; tc CDM re: various issues relating to Motions (Argument in August), sent draft Response to CDM
<b>Total Hours</b>	<b>4.9</b>		
<b>TOTAL DUE</b>	<b>\$171.50</b>		

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**PF = Prepared and Forwarded**

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**CT RS= Conducted Research**  
**RV = Revised**  
**RR = Received and Reviewed**

Sincerely,

/s/ JOHN A. GALLAGHER

**JOHN A. GALLAGHER**

8 HARVEY LANE  
MALVERN, PA 19355

[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

(610) 322-4145

**Invoice for Paralegal Services – July 21, 2021**

**Project Name:** *Atlantic Driver Leasing v. Assured Partners , et al*

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
07/09/21	3.1		Prepared first set of Interrogatories to be served on API
07/12/21	1.4		Prepared first set of Requests for Production to be served on API
07/12/21	.7		Assembled Exhibits A, B and C for attachment to Ints and RPDs
07/12/21	.9		Ct RS re: diversity (amount in controversy requirements) and service issues, rw file re: damages, etc.
7/12/21	1.3		PF Memo e-Mail to CDM and Liz C re: issues relating to damages, service, diversity, etc.
7/15/21	.3		Rr e-Mail from CMD and lf Travelers attached thereto; pf response to CMD re: no bearing on our matter
07/21/21	1.0		RR e-mail from Liz C re: service questions; ctr s re: agents for service, and pf e_amil response to LC re: summonses, service, proof of service, etc.
<b>Total Hours</b>	<b>8.7</b>		
<b>TOTAL DUE</b>	<b>\$304.50</b>		

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**CT RS= Conducted Research**  
**RV = Revised**  
**RR = Received and Reviewed**

Sincerely,  
/s/ JOHN A. GALLAGHER

# JOHN A. GALLAGHER

8 HARVEY LANE  
MALVERN, PA 19355

[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

(610) 322-4145

## Invoice for Paralegal Services – August 18, 2021

**Project Name:** *CDCA v. NES*

DATE	TIME	RATE	DESCRIPTION OF SERVICES
07/26/21	.7	\$35	RR e-mails from CDM and printed out, organized Complaint , Petition and all Exhibits thereto
“	.3		Tc CDM re: overview of matter
“	2.2		Began RW of Complaint and Exhibits thereto and began preparation of Memo re: Exhibits overview and analysis
7/27	7.1		Ct rs re: all parties, 700 High Street, Meeting Minutes from Norristown Municipal meetings in 2019; brief TC CDM re: matter; Completed preparation of Memo re: Exhibits overview and analysis; Completed Memo re: overview of Complaint; PF e- Mail to CDM enclosing Memos
7/28	.6		Began to download additional materials sent by CDM Sett. Sheet, Wilhelmenia Affidavit, Payoff Sheet, Municipal registration, 9/4/20 CDCA Board Minutes, Edward Sutton Affidavit, Partially Signed Copy of 092718 CDCA Board Minutes, etc.;
7/28	5.4		Reviewed and summarized all documents received from CDM, CT RS re: ownership of various addresses; PF Memo to CDM re: all
7/28	.5		Two TC with CDM re: necessary and indispensable, joinder, etc. and completed Necessary and dispensable party research and memo
7/28	1.4		RW of all Public Minutes and Notices by Norristown for 2019, pd memo re: findings and sent email to CDM attaching same.
7/30	5.3		Meeting with CDM and JWS; site view (700 High Street)
7/31	1.7		CT RS re Derivative actions for non-profits, etc.; began preparation of Request for Production to Walls
8/2	9.7		Completed requests for Production for all plaintiffs and sent same to CDM; rw draft Answer to Complaint, added New Matter and cross claims for declaratory relief; tc CDM re: his comments on PDs, meeting with clients, derivative action research; rv RPDs; highlighted derivative action cases and sent to JWS and CDM; ctr s re: minimum number of Board members for non-profit;

			researched and ordered copies of Articles of incorporation for CDCA §
8/3	.9		Tc JWS re: claims, defenses, joinder complaint, board minutes Pa Business Corp Law, etc.
8/3	7.9		Pd. Answer to Complaint with Counterclaim for Declaratory judgment and for damages
8/4	3.6		Completed draft of Answer to Complaint with Counterclaim
8/5	6.5		Continued work on Answer, counterclaim and Joinder
8/6	1.9		Completed first draft of Answer, Counterclaim, joinder complaint and e-Mailed to CDM, JWS
8/6	3.6		Travelled to and from meeting and met with CDM and JWS re: pleadings, strategy
8/8	3.7		Continued final revisions to Answer, Counterclaim, joinder, and all exhibits thereto
8/9	3.3		Completed final revisions to Answer, Counterclaim, joinder, and all exhibits thereto and e-Mailed same to CDM and JWS; tc LC re: Answer, new Board Minutes, Response to petition etc.
8/10	12.0		Pd Motion for Summary Judgement, TC JWS re: Answer, Counterclaim and Joinder Complaint; various issues
8/11	5.1		Finished MSJ Brief, and sent to CDM, JWS; tc investigator re: Walls and sent files
8/12	2.0		Spoke with investigators and CMD; completed Motion for summary Judgment with proposed Order and response to petition for Injunctive relief with proposed Order
08/16/21	3.1		Ct re re: Motions to Quash and pf same to CMD; ctr s re: time is of the essence clauses and sent findings to CMD, along with other findings on third-party subpoena Rule 4409.21, specific performance, statute of frauds
<b>Total Hours</b>	<b>88.5</b>		
<b>TOTAL DUE</b>	<b>\$3,097</b>		

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Sincerely,

/s/ JOHN A. GALLAGHER

# JOHN A. GALLAGHER

8 HARVEY LANE  
MALVERN, PA 19355

[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

(610) 322-4145

## Invoice for Paralegal Services – September 28, 2021

**Project Name:** *RTG v. WTS Cumby – Issues re: Amendment of Complaint*

DATE	TIME	RATE	DESCRIPTION OF SERVICES
09/17/21	1.3	\$35	TC CDM re: Call JS; TC JS re: 3 issues for me to research and report upon to aid in Reply Brief re: Petition to Amend; RR Petition for Leave and attachments thereto Rd from JS; RR Perrotto Memos from CDM re: Public Works Bon Pay law, Perrotto paid, fraud claim, etc.
09/18/21	3.2		CT RS re: is a surety an insurer under bad faith law, etc., highlighted key cases, TC JS re: same and sent e-Mail to JS, cc CDM re: same
09/19/21	.6		TC CDM re: clarification and findings re: common law bad faith claims, PF e-Mail to JWS, cc CDM re: same
9/19/21	1.7		CT RS re: are surety's covered under Prompt Payment Act and highlighted cases and sent e-Mail to JS, cc CDM re: same; requested proposed Amended Complaint for review;
9/20/21	.3		RR proposed Amended Complaint
9/20/21	.4		e-mail exchanges with CDM and JWS re: proposed Amended Complaint
<b>Total Hours</b>	<b>7.5</b>		
<b>TOTAL DUE</b>	<b>\$262.50</b>		

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**Invoice for Paralegal Services – September 28, 2021**

**Project Name:** *RTG v. WTS Cumby – Memo Re: Deposition of Swarthmore President*

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
09/27/21	.7	\$35	TC CDM re: prepare Memo re: deposition of Swarthmore president; RR documents for Liz Chiodo re: prior pleadings, Orders from Court
09/27/21	.7		CT RS re; Apex Doctrine not applicable in PA; ctr s re: standard for granting a protective order
09/28/21	3.1		Prepared Memo in support of reconsideration and forwarded to CDM
9/28/21	.3		TC CDM re: Memo and Updated same to include explanation of Apex Doctrine, forwarded same to CDM
<b>Total Hours</b>	<b>4.8</b>		
<b>TOTAL DUE</b>	<b>\$168</b>		

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Sincerely,  
/s/ JOHN A. GALLAGHER

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(610) 322-4145

## Invoice for Paralegal Services – October 8, 2021

Project Name: *Comm. v. Aharonian*

DATE	TIME	RATE	DESCRIPTION OF SERVICES
9/16/21	2.7	\$35	CT RS re: standard for justification for using force to resist arrest in aggravated assault cases and highlighted same with overview “Memo” in e-Mail to CDM (primary case <i>Com v. Biagini</i> ; <i>Com. v. French</i> ); discussed appropriate jury charge as well as discussed in <i>French</i>
9/16/21	1.2		CT RS re: probable cause cases involving facts similar to our matter; found <i>Biagini</i> , which I highlighted and sent to CDM ( <i>Biagini</i> involved man arrested in his home for public drunkenness based upon neighbor’s report he was drunk in alley, yelled at cops, cursed, dragged from home, no probable cause since cops never saw him intoxicated)
9/16/21	1.1		RR Transcript from preliminary Hearing in case
9/21/21	1.7		Received Videos from Sheetz and reviewed 4 of them (only 15-minute clips that all end soon after cop attacks JA in his car the first time) and made notes on same
9/22/21	.6		Completed reviews of 15 minute clips
9/23/21	.3		RR <i>Com v. Alexander</i> from CDM re: search and seizure standard for searches of vehicles
9/23/21	.8		TC CDM re: standards re: difference between resisting arrest and charge for aggravated assault and PF e-Mail to CDM discussing same ( <i>Com v. Biagini</i> and <i>Com v. French</i> attached)
9/24/21	3.1		RR pertinent portions of full videos, compiled notes
9/24/21	.3		TC CDM re: matter, prepare digest of Videos with time/event
9/26/21	2.1		Prepared Digest of all videos reviewed based on notes of same and sent to CDM via e-mail (on Monday 9/27 in a.m.)
<b>Total Hours</b>	<b>13.9</b>		
<b>TOTAL DUE</b>	<b>\$486.50</b>		

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[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

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**Invoice for Paralegal Services – October 18, 2021**

**Project Name:** *RTG v. WTS Cumby – Memo Re: Deposition of Swarthmore President*

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
10/17/21	2.7	\$35	RV Motion for Reconsideration and supporting memorandum of Law re: deposition of Swarthmore president
10/18/21	1.2		RR above and sent to CDM, copy JWS via e-mail
10/18/12	.5		RD e-mail from CDM re: prepare proposed order and prepare all for filing and send to Liz Chiodo; completed assignment
<b>Total Hours</b>	<b>4.4</b>		
<b>TOTAL DUE</b>	<b>\$154</b>		

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Sincerely,  
/s/ JOHN A. GALLAGHER

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**Invoice for Paralegal Services – November 12, 2021**

**Project Name:** *CDCA v. NES – Laches Brief*

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
11/4/21	1.2		Tc CDM re: Brief Laches issue and ctr s re: laches doctrine
11/5 through 11/8	9.1		Pd laches memo and forwarded to CDM and JWS with Exhibits A and B
11/8	1.1		Shepardized Siegel (laches case) and added additional paragraph re: same, forwarded to JWS
11/9	.6		Rd redline from JDS and updated, did final proof, forwarded to JWS
<b>Total Hours</b>	<b>12</b>		
<b>TOTAL DUE</b>	<b>\$420</b>		

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Sincerely,  
/s/ JOHN A. GALLAGHER

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**Invoice for Paralegal Services – November 13, 2021**

**Project Name:** *RTG v. WTS Cumby – Issues re: 8371 Bad faith Reply*

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
11/10/21	1.3		Rd assignment and all relevant pleadings from CDM and JWS and rw of all documents
11/11/21	1.8		CT RS re; 8371 and did Memo to CDM and JWS re: same w/ Question – should I brief NJ law etc; JWS provides go ahead
11/12/21	2.1		PD Brief excerpt re: 8371, including survey of majority view and forwarded to CDM and JWS
<b>Total Hours</b>	<b>5.2</b>		
<b>TOTAL DUE</b>	<b>\$182</b>		

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Sincerely,  
/s/ JOHN A. GALLAGHER

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**Invoice for Paralegal Services – December 13, 2021**

**Project Name:** *RTG v. Cumby – Response to Defendant’s Praeipce re: Deposition*

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
12/4 – 12/5/21	3.6	\$35	Rd Assignment from CDM and RR Praeipce file by Defendant; ct rs re: good cause standard for protective order; pd response to Praeipce along with Exhibit A ( <i>Andrews</i> case) and forwarded to CDM; rv following comment from CDM to add notice of surgery, attire
<b>Total Hours</b>	<b>3.6</b>		
<b>TOTAL DUE</b>	<b>\$126</b>		

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Sincerely,  
/s/ JOHN A. GALLAGHER

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**Invoice for Paralegal Services – December 28, 2021**

**Project Name:** *CDCA v. NES – Motion to Correct*

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
12/20 – 12/21/21	3.8	\$35	Rd Assignment from CDM and RR Court Order and accompanying Memorandum; Rw File and Transcript; PD Motion and forwarded to CDM
<b>Total Hours</b>	<b>3.8</b>		
<b>TOTAL DUE</b>	<b>\$133</b>		

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Sincerely,  
/s/ JOHN A. GALLAGHER

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**Invoice for Paralegal Services –January 14, 2022**  
Gallagher Paralegal Invoice 2022-001

**Project Name: In-Office Services**

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
12/16/21	1.5	\$22	Met With LC to review office practices, systems and files
12/17/21	1.0	“	Met With LC to review office practices, systems and files
12/30/21	2.0	“	Met With LC to review office practices, systems and files
<b>Total Hours</b>	<b>4.5</b>		
<b>TOTAL DUE</b>	<b>\$99</b>		

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Sincerely,  
/s/ JOHN A. GALLAGHER

**JOHN A. GALLAGHER**

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(610) 322-4145

**Invoice for Paralegal Services –January 14, 2022**  
Gallagher Paralegal Invoice 2022-002

**Project Name: In-Office Services**

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
1/5/22	8.0	\$22	Worked in office
1/6/22	8.0	“	Worked in office
1/7/22	7.0	“	Worked in office
1/10/22	5.2	“	Worked in office; spoke with Deborah and Jeff re: updating header, .pdf scans, bates-stamping
1/11/22	4.3	“	Worked in office
<b>Total Hours</b>	<b>32.5</b>		
<b>TOTAL DUE</b>	<b>\$715</b>		

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**RV = Revised**

**RR = Received and Reviewed**

Sincerely,

/s/ JOHN A. GALLAGHER

**3JOHN A. GALLAGHER**

8 HARVEY LANE  
MALVERN, PA 19355

[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

(610) 322-4145

**Invoice for Paralegal Services –January 21, 2022**  
Gallagher Paralegal Invoice 2022-003

**Project Name: In-Office Services**

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
1/17/22	4.5	\$22	Worked in office
1/19/22	7.5	“	Worked in office
1/20/22	6.7	“	Worked in office
1/21/22	4.5	“	Worked in office
<b>Total Hours</b>	<b>23.2</b>		
<b>TOTAL DUE</b>	<b>\$510.40</b>		

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Sincerely,  
/s/ JOHN A. GALLAGHER

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**Invoice for Paralegal Services –February 18, 2022**  
Gallagher Paralegal Invoice 2022-004

**Project Name: In-Office Services**

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
2/8/22	7.7	\$22	Worked in office
2/14/22	4.0	“	Worked in office
<b>Total Hours</b>	<b>11.7</b>		
<b>TOTAL DUE</b>	<b>\$257.40</b>		

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Sincerely,  
/s/ JOHN A. GALLAGHER

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(610) 322-4145

**Invoice for Paralegal Services –April 19, 2022**  
Gallagher Paralegal Invoice 2022-005

**Project Name:** *Community Day Care Matter – Motion to Dissolve Injunctive Relief*

DATE	TIME	RATE	DESCRIPTION OF SERVICES
03/21/22	5.2	\$35 (all)	RR assignment, began Memo of Law, sent to CDM
3/23/22	2.2		TC CDM re: early draft, and RV same
3/31/22	1.3		RV Memo
4/1/22	1.8		RV Memo
4/4/22	1.6		RV Memo
4/5/22	3.6		Ct RS re: dissolving Injunction/increasing Bond, and RV Memo
4/10/22	.6		RV Memo
4/13/22	3.4		Completed memo, assembled all Exhibits, PD Motion and Proposed order and send to CDM
4/15	.5		Partially Updated Memo re: Bond to include fraudulent minutes, self-dealing and conflicts of interest as per CDM request
4/18/22	1.4		Completed Updates to Memo re: Bond to include fraudulent minutes, self-dealing and conflicts of interest as per CDM request, and forwarded same to CDM
4/19/22	1.5		TC CDM re: Gallo invoices, etc. Rw and organized/saved attachments to CDM e-Mails re: same; Completed Updates to Memo re: same, along with new Exhibit, and forwarded same to CDM
<b>Total Hours</b>	<b>23.1</b>		
<b>TOTAL DUE</b>	<b>\$808.50</b>		

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Sincerely,  
/s/ JOHN A. GALLAGHER

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**Invoice for Paralegal Services –April 28, 2022**  
Gallagher Paralegal Invoice 2022-006

**Project Name:** *Community Day Care Matter – Motion to Dissolve Injunctive Relief*

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
04/28/22	1.4	\$35 (all)	TC CDM re: Motion in support of Dissolving Injunction (4/260 and RR and RV same, forwarded to CDM; rd response and responded thereto
<b>Total Hours</b>	<b>1.4</b>		
<b>TOTAL DUE</b>	<b>\$49</b>		

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Sincerely,  
/s/ JOHN A. GALLAGHER

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**Invoice for Paralegal Services –August 5-22, 2022**  
Gallagher Paralegal Invoice 2024-001

**Project Name: RTG v. Boro**

<b>DATE</b>	<b>TIME</b>	<b>RATE</b>	<b>DESCRIPTION OF SERVICES</b>
10/25/23	3.0	\$35	meeting with CDM and JS re: Ember Partners case
10/26/23	1.5	“	RW Amended Complaint, Answer to Amended Complaint in Embers
10/27/23	.7	“	RW various pleadings (Pos, etc.) and documents (MIPA, Waste Services Agmt. etc.)
10/27/23	.5	“	PD for and then TC JS re Comprehensive Waste Services Agmt., drafting of Easement Agmt., theories and defenses of case
11/9/23	.2	“	TC JS re: Embers matter
11/14/23	.3	“	TC JS re: deadline for Response to Motion for Leave, background, docs I need for MSJ; began CT RS re: opposing Motion for Leave
11/24/23	4.0	“	Completed RS re: opposing Motion for Leave PD Response to Motion for Leave to File Affirm Defenses, which was sent to JS
2/27/24	.8	“	Meeting with CDM and JS re: Thurber e-Mail, evidentiary issues re: work product, etc.
2/27/24	.6	“	Meeting with CDM re: Bolder matter, response to Motion to Dismiss; also, Tort Claims act case involving appeal from municipal decision
3/8/24	1.3	“	Review pleadings in Bolder case; rw cases cited by defendant in 12(b)(6); ct rs re: helpful cases (none found in 1983 setting)
3/11/24	.2	“	eMail exchange with JS re: Bolder – no helpful cases
3/21/24	2.8	“	Meeting with CDM and JS re: overview of case; approach to MSJ, transfer of documents
3/22/24	.7	“	Meeting with JS re: approach to MSJ, transfer of documents
<b>Total Hours</b>	<b>16.6</b>		NOT FINAL – WORKING ON MSJ
<b>TOTAL DUE</b>			

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**Sincerely,**

**/s/ JOHN A. GALLAGHER**

# Citizens Bank®

04/09/21 0823AM ML6028  
XXXXXXXXXXXX2934

308 E LINCOLN HWY  
EXTON PA

CHECK SEQ# 1760  
DEPOSIT AMOUNT SUBJECT TO VERIFICATION \$843.50  
DEPOSIT TO CHECKING \$843.50  
AVAILABLE BALANCE \$6,115.55

US DEBIT  
A0000000980840

CHECK DEPOSIT SUMMARY:  
Check 1 \$462.00



MANDRACCHIA LAW LLC  
ROCKY HILLS  
SHELTON, CT 06484  
UNIVERSITY BANK AND TRUST CO.  
ROCKY HILLS, CT  
4/12/21  
\$ 843.50  
PAY TO THE ORDER OF John Gallagher  
Eight Hundred Sixty Two and 00/100  
John Gallagher  
MEMO: For legal fees for Rudy Matter

Check 2 \$381.50



MANDRACCHIA LAW LLC  
ROCKY HILLS  
SHELTON, CT 06484  
UNIVERSITY BANK AND TRUST CO.  
ROCKY HILLS, CT  
4/12/21  
\$ 381.50  
PAY TO THE ORDER OF John Gallagher  
Three Hundred Eighty One and 50/100  
John Gallagher  
MEMO: For legal fees for Orinco Matter

PART OF THE CHECK IMAGE HAS BEEN  
OBSCURED FOR SECURITY REASONS

Deposits made after 10pm are not available  
until the next business day. Refer to our  
Funds Availability Policy for additional details.

**MANDRACCHIA LAW, LLC.**  
ATTORNEYS AT LAW  
2024 Cressman Road  
Second Floor  
P. O. Box 1229  
Skippack, PA 19474-1229  
www.mmattorneys.com  
telephone: 610.584.0700 fax 610.584.0507

CHARLES D. MANDRACCHIA\*  
JEFFREY W. SODERBERG

DIRECT EMAIL:CMAN@MMATTORNEYS.COM

\*MEMBER OF PENNSYLVANIA AND NEW JERSEY BAR

June 10, 2021

**Via: Regular Mail**

John A. Gallagher  
8 Harvey Lane  
Malvern, PA 19355

Re: Paralegal Fees

Dear John:

Enclosed, please find a check for your fee on the Atlantic Trailer Leasing (Insurance Issue) matter as follows: check no. 1033 (\$735.00).

Please do not hesitate to contact us if you have any questions or otherwise.

Very truly yours,  
MANDRACCHIA LAW, LLC

/S/

Charles D. Mandracchia

CDM:lc

HOLD TO LIGHT TO VIEW TRUE WATERMARK IN PAPER HEAT SENSITIVE RED LOCK DISAPPEARS WHEN HEATED

1033

**MANDRACCHIA LAW LLC  
ATTORNEYS AT LAW**

P.O. BOX 1229  
2024 CRESSMAN ROAD  
SKIPPACK, PA 19474

**Citizens Bank®**

3-7615/360



6/10/2021

PAY TO THE  
ORDER OF

John Gallagher

\$ \*\*735.00

Seven Hundred Thirty-Five and 00/100\*\*\*\*\*

DOLLARS

John Gallagher



*[Handwritten Signature]*

AUTHORIZED SIGNATURE

MEMO

Invoice dated June 7, 2021

⑈00 1033⑈ ⑆036076 150⑆ 6308352024⑈

Security features. Details on back.



MANDRACCHIA LAW LLC  
PO BOX 1229  
SKIPPACK, PA 19474

UNIVEST BANK AND TRUST CO.  
60-1343/319

7/22/2021

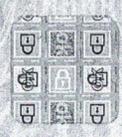
PAY TO THE ORDER OF John Gallagher

\$ \*\*584.50

Five Hundred Eighty-Four and 50/100\*\*\*\*\*

DOLLARS

John Gallagher  
8 Harvey Lane  
Malvern, PA 19355



*[Signature]*  
AUTHORIZED SIGNATURE

MEMO Invoice dated 7/21/22 for ADL, Aharonian, Smith

⑈001946⑈ ⑆031913438⑆ ⑈3911 62969 3⑈

*for ADL 7/9 → 7/21 \$171.50*

*Aharonian 7/1/21 - \$108.50*

*Smith 7/19 → 7/21/21 \$304.50*

*[Signature]*  
*7/24/21*

HOLD TO LIGHT TO VIEW TRUE WATERMARK IN PAPER HEAT SENSITIVE RED LOCK DISAPPEARS WHEN HEATED

1994

**MANDRACCHIA LAW LLC**  
PO BOX 1229  
SKIPPACK, PA 19474

**UNIVEST BANK AND TRUST CO.**  
60-1343/319

8/26/2021

PAY TO THE ORDER OF John A. Gallagher

\$ \*\*3,097.00

Three Thousand Ninety-Seven and 00/100\*\*\*\*\*

DOLLARS

John A. Gallagher



*[Handwritten Signature]*  
AUTHORIZED SIGNATURE

MEMO

Invoice for Paralegal Services - Community DayCare

⑈001994⑈ ⑆031913438⑆ ⑈3911 62969 3⑈

Security features. Details on back.



**MANDRACCHIA LAW LLC**

PO BOX 1229  
SKIPPACK, PA 19474

**UNIVEST BANK AND TRUST CO.**  
60-1343/319

10/29/2021

PAY TO THE  
ORDER OF

John A. Gallagher

\$ \*\*2,023.00

Two Thousand Twenty-Three and 00/100\*\*\*\*\*

DOLLARS

John A. Gallagher



*[Handwritten Signature]*

AUTHORIZED SIGNATURE



MEMO

⑈002054⑈ ⑆⑆031913438⑆ ⑆⑆3911 62969 3⑈

Security features. Details on back.

HOLD TO LIGHT TO VIEW TRUE WATERMARK IN PAPER HEAT SENSITIVE RED LOCK DISAPPEARS WHEN HEATED

2080

**MANDRACCHIA LAW LLC**

PO BOX 1229  
SKIPPACK, PA 19474

**UNIVEST BANK AND TRUST CO.**  
60-1343/319

12/7/2021

PAY TO THE  
ORDER OF John A. Gallagher

\$ \*\*885.50

Eight Hundred Eighty-Five and 50/100\*\*\*\*\*

DOLLARS

John A. Gallagher



*[Signature]*  
AUTHORIZED SIGNATURE

MEMO  
Nov 4 - Nov 26

⑈002080⑈ ⑆⑆031913438⑆ ⑈3911 62969 3⑈

Security features. Details on back.

2092

**MANDRACCHIA LAW LLC**

PO BOX 1229  
SKIPPACK, PA 19474

UNIVEST BANK AND TRUST CO.  
60-1343/319

12/16/2021

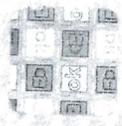
PAY TO THE  
ORDER OF John Gallagher

\$ \*\*126.00

One Hundred Twenty-Six and 00/100\*\*\*\*\*

DOLLARS

John Gallagher



*[Signature]*  
\_\_\_\_\_  
AUTHORIZED SIGNATURE

MEMO

Dec 13 Time / Billing

⑈002092⑈ ⑆031913438⑆ ⑈3911 62969 3⑈

**ANDRACCHIA LAW LLC**

John Gallagher

2092

12/16/2021

126.00

Cash Dec 13 Time / Billing

126.00

**ANDRACCHIA LAW LLC**

John Gallagher

2092

12/16/2021

126.00

Cash Dec 13 Time / Billing

126.00



HOLD TO LIGHT TO VIEW TRUE WATERMARK IN PAPER HEAT SENSITIVE RED LOCK DISAPPEARS WHEN HEATED

2100

**MANDRACCHIA LAW LLC**

PO BOX 1229  
SKIPPACK, PA 19474

**UNIVEST BANK AND TRUST CO.**  
60-1343/319

12/23/2021

PAY TO THE  
ORDER OF John A. Gallagher

\$\*\*100.00

One Hundred and 00/100\*\*\*\*\*

DOLLARS

John A. Gallagher

MEMO

*X-Mas Bonus*



*[Signature]*

AUTHORIZED SIGNATURE



⑈002100⑈ ⑆031913438⑆ ⑈3911 62969 3⑈

Security features. Details on back.

HOLD TO LIGHT TO VIEW TRUE WATERMARK IN PAPER. HEAT SENSITIVE RED LOCK DISAPPEARS WHEN HEATED.

2104

**MANDRACCHIA LAW LLC**

PO BOX 1229  
SKIPPACK, PA 19474



**UNIVEST BANK AND TRUST CO.**  
60-1343/319

1/7/2022

PAY TO THE  
ORDER OF

John A. Gallagher

\$ \*\*248.50

Two Hundred Forty-Eight and 50/100\*\*\*\*\*

DOLLARS

John A. Gallagher

MEMO

Dec / Jan



*[Handwritten Signature]*

AUTHORIZED SIGNATURE



⑈002104⑈ ⑆031913438⑆ ⑆3911 62969 3⑈

HOLD TO LIGHT TO VIEW TRUE WATERMARK IN PAPER HEAT SENSITIVE RED LOCK DISAPPEARS WHEN HEATED



2115

**MANDRACCHIA LAW LLC**

PO BOX 1229  
SKIPPACK, PA 19474

**UNIVEST BANK AND TRUST CO.**  
60-1343/319

1/24/2022

PAY TO THE  
ORDER OF

John A. Gallagher

\$ \*\*814.00

Eight Hundred Fourteen and 00/100\*\*\*\*\*

DOLLARS

John A. Gallagher

MEMO

In Office



*[Handwritten Signature]*

AUTHORIZED SIGNATURE



⑈002115⑈ ⑆031913438⑆ ⑆3911 62969 3⑈

Security features. Details on back.

HOLD TO LIGHT TO VIEW TRUE WATERMARK IN PAPER HEAT SENSITIVE RED LOCK DISAPPEARS WHEN HEATED

2121

**MANDRACCHIA LAW LLC**

PO BOX 1229  
SKIPPACK, PA 19474



**UNIVEST BANK AND TRUST CO.**  
60-1343/319

1/27/2022

PAY TO THE  
ORDER OF

John A. Gallagher

\$ \*\*510.40

Five Hundred Ten and 40/100\*\*\*\*\*

DOLLARS

John A. Gallagher



*[Handwritten Signature]*

AUTHORIZED SIGNATURE

MEMO

Invoice 2022-003

⑈002121⑈ ⑆031913438⑆ ⑈3911 62969 3⑈

Security features. Details on back.

HOLD TO LIGHT TO VIEW TRUE WATERMARK IN PAPER HEAT SENSITIVE RED LOCK DISAPPEARS WHEN HEATED



2136

**MANDRACCHIA LAW LLC**

PO BOX 1229  
SKIPPACK, PA 19474

UNIVEST BANK AND TRUST CO.  
60-1343/319

2/24/2022

PAY TO THE  
ORDER OF John A. Gallagher

\$ \*\*257.40

Two Hundred Fifty-Seven and 40/100\*\*\*\*\*

DOLLARS

John A. Gallagher



AUTHORIZED SIGNATURE

MEMO

Inv. 2022-004

⑈002136⑈ ⑆031913438⑆ ⑆3911 62969 3⑈

Security features. Details on back.

WPPR RENOVATIONS LLC  
PO BOX 366  
DREXEL HILL, PA 19026

60-8230/2313

291

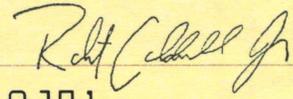
Date 6/21/21

Pay to the Order of John Gallagher \$ 512.00

five hundred and twelve dollars and  $\frac{0}{100}$  Dollars

 **FRANKLIN MINT  
FEDERAL CREDIT UNION**  
The Credit Union of Choice!

memo 32 hrs week of 6/14



⑆ 231382306⑆ 0110089901⑆ 0291

© DELUXE WALLET OR DUPLICATE EXCLUSIVE BAND

Security Features  
Included  
Details on Back.

## **INDEPENDENT CONTRACTOR AGREEMENT**

This Agreement is by and between Rentwell Property Management, as well as its parents, affiliates, subsidiaries, successors and assigns ("Rentwell"), and Jack Gallagher , ("Contractor").

WHEREAS, the specific Services that Contractor will be providing hereunder is/are described as follows: surveying Rentwell clients concerning Rentwell's services, seeking investment opportunities for Rentwell via contacting property owners, assisting with marketing efforts via social media and such other related duties as from time to time may be assigned by Rentwell.

WHEREAS, Rentwell hereby retains Contractor to provide the Services for a period of ninety (90) days from the date this Agreement is signed by Rentwell;

WHEREAS, Rentwell and Contractor wish to enter into this Agreement, understanding that both have the right to bargain and negotiate the terms and conditions that are mutually acceptable to Rentwell and Contractor, and that each have had the opportunity to have this Agreement reviewed by legal counsel of their choosing; and,

NOW, THEREFORE, the parties mutually wish to enter into this Agreement and hereby agree to the following terms and conditions:

### **I. COMPENSATION**

- A. Hourly Rate.** Contractor shall be provide weekly reports to Rentwell detailing the hours spent during the previous Sunday through Saturday weekly period and shall paid an hourly rate of \$22.00.
- B. Hourly Limit.** Under no circumstances shall Contractor perform in excess of 20 billable hours of work during any weekly period absent express written approval from TJ Hock in advance of exceeding such limit.
- C.** Should Contractor succeed in scheduling or substantially facilitating an appointment between Rob Coldwell and any potential seller of a property, then Contractor shall be paid a bonus of \$500.
- D.** If, as a result of any meeting described in Section II(c) herein Rentwell should purchase a property, the Rentwell shall pay Contractor an additional sum based upon the percentage of the sale value in an amount deemed agreeable by the parties, but in no circumstances being less than .5% of the purchase price.

### **II. CONFIDENTIALITY AND NON-SOLICITATION**

- A. Protection of Rentwell's Relationships and Goodwill.** Contractor acknowledges that Rentwell has expended time, money and expertise to develop a network of relationships that result in its procurement of service contracts with of on behalf of clients to whom Contractor will be in contact pursuant to this Agreement. Further, Contractor will in the

course of performing the Services be in communication with owners of properties with whom Rentwell seeks to develop business relationships, as well as other third-parties. Contractor agrees that he will not, either during its contractual relationship with Rentwell or for a period of two (2) years following termination of same, directly or indirectly (i.e. by assisting any third-party) solicit services or work opportunities from any client, prospective client, investor, potential investor or third-party that Contractor has met or had contact with as a result of his relationship with Rentwell.

## **B. Confidentiality**

Contractor agrees that Rentwell maintains as confidential all information relating to its clients, investors, potential clients/investors and contractors, and that Rentwell has expended, and will in the future expend, substantial resources in developing and maintaining its relationships with such parties. Contractor agrees further that during his employment with Rentwell he will be entrusted with such information for the purpose of assisting Rentwell develop, maintain and/or service such business relationships on behalf of Rentwell. Contractor agrees that he will not under any circumstances divulge or utilize this confidential information for any reason except to perform his job on behalf of Rentwell, and acknowledges that Contractor has a fiduciary duty to Rentwell to only utilize such confidential information to advance the interests of Rentwell, and not those of Contractor or any third party.

Contractor acknowledges and agrees that any violation of the aforesaid Confidentiality Provision will or may cause Rentwell damages, some of which may not be easily reduced to a monetary sum, and therefore agrees that Rentwell may see injunctive relief, as described below, should it determine that Contractor may or has violated same.

## **III. INDEPENDENT BUSINESS RELATIONSHIP BETWEEN PARTIES HERETO**

- A. Independent Contractor: Intent, Rights, and Practice.** For purposes of this Agreement, Rentwell and the Contractor acknowledge that it is their intention that the Contractor's business relationship with Rentwell shall be that of an independent contractor. The parties agree that, in practice, their relationship shall be as set forth in this Agreement and neither party shall have the right, or any obligation, and are not permitted, to conduct itself in any manner inconsistent with the terms of this Agreement.
- B. Contractor responsible for Own Taxes, Insurance and Benefits.** The Contractor shall have the sole responsibility to provide itself with medical insurance, workers' compensation insurance and all typical perquisites of employment. Rentwell will NOT provide medical insurance, workers' compensation insurance or any perquisites of employment (such as sick days, vacation days, holiday pay and the like).
- C. Contractor to Determine Its Schedule and Hours of Work; no Overtime.** Contractor is responsible for determining its own schedule and hours of work, and understands that same must meet the needs of Rentwell. Contractor will not receive overtime pay either for working in excess of eight (8) hours per day or in excess of forty (40) hours per week.

**IV. MISCELLANEOUS**

Should Rentwell reasonably believe that Contractor has violated any provision set forth herein, Contractor agrees that Rentwell may seek equitable relief (i.e. an injunction, etc.) requiring that he stop using such any and all violative conduct. Should Rentwell succeed in obtaining such relief, Contractor agrees to pay Rentwell an amount equal to the reasonable attorney's fees and costs incurred by Rentwell in obtaining same. If Contractor's violation of any provision causes Rentwell any monetary damages, and Rentwell proves same at trial than, in addition to paying such damages, Contractor to pay Rentwell an amount equal to the reasonable attorney's fees and costs incurred by Rentwell in proving such damages.

If a dispute should arise between the parties hereto relating to any provision herein, Contractor consents to personal jurisdiction in Pennsylvania, and irrevocably consents to venue in any court located in Chester County, Pennsylvania.

Rentwell and Contractor further agree that this Agreement may be amended only by a writing signed by the parties herein.

*Jack Gallogher*

Contractor (Print Name)

*[Handwritten Signature]*

Contractor (Signature)

Date: *9/22/21*

\_\_\_\_\_, Rentwell

Date:

**JACK GALLAGHER**  
**Independent Contractor Invoice**  
 8 HARVEY LANE  
 MALVERN, PA 19355

jack@jackgallagher.co

(610) 322-4145

**Invoice for Contractor Services – September 16 through September 24, 2021**

**Project Name:**        *RW Services and RW Investments*

DATE	TIME (in Minutes)	HOURLY RATE	DESCRIPTION OF SERVICES
9/13/21	145	\$22 (all)	Met with owner and walkthroughs of 417 Walnut Street and 1308 Egypt Road
9/13/21	120		Attended Meeting of Planning Commission with RC
9/15/21	180		Self-Guided Tour of West Norriton, Norristown and East Norriton
9/15/21	120		Met with RC in East Norriton and tour of same, Norristown
9/16/21	35		CT RS re: ownership of 501-03 George Street in Norristown and left message for owner's agent
9/20/21	10		Reached out to Stacey and others re: phone list for cold calls to property owners after RW of postcard, etc/.
9/20/21	60		Rw of Sandler Sales videos, Prepared proposed script for cold calls and sent to RC and TJH, RD feedback from both
9/21/21	38		Signed up for Bright MLS, wrote to Britney et all re: prior survey to RW Services clients
9/21/21	48		RD e-Mail from RC re: obtain information re; new listing at 943 Hanover St in Pottstown; went on Bright MLS and elsewhere, compiled information and sent e-mail to RC with same
9/21/21	20		RD e-Mail from RC re: make appt. with realtor to see 943 Hanover St in Pottstown; went on Bright MLS, called Realtor personally and scheduled tour
<b>09/22/21</b>	<b>45</b>		<b>TC TJH re: access and use of RW Services Call List, discussed preparation of script for calls to RW Services clients</b>
<b>9/22/21</b>	<b>42</b>		<b>Studied owner call list for RW Services clients and PF e-Mail to TJH with questions re: same</b>
<b>9/29/21</b>	<b>35</b>		<b>Rw survey and related info re: calls to RW Services clients and pf list of additional questions and sent to TJH in anticipation of today's call</b>
9/29/21	45		Set up my Ring Central, voice mail, familiarized myself with features
9/29/21	45		TC TJH re: status report
10/1/21	30		Spotted property at in Kimberton, tc and e-Mails to RC re: same

10/1/21	28		Created my own Excel Spread sheet to use for calls to Property owners; calls to property owners (excluding immediately below)
10/1/21	32		Tc R Melle re: potential purchase of property at 300 Railroad Ave in Ambler and TC RW re: procedure and sent e-mail to Mr. Melle re: same
<b>10/1/21</b>	<b>40</b>		<b>TC B. Dougherty re: potential management of property at 19 York St. in Ambler and TC RC re: procedure (let SW take over) and PF e-Mail to Ms. Re; same, copying SW, follow up w direct text to SW and later had TC with SW re: same</b>
10/4/21	35		Calls to property owners (almost all no answers) and TC RC re: what to do, best time, Mondays
10/5/21	40		TC John Hemcher re: his property on Ardmore Avenue; pf Text and then e-Mail to Mr. Hemcher re: same; tc RC re: same; calendared call back for next Monday
10/5/21	20		TC Luigi Toto re: properties on Gap Newport Pike in Avondale; pf text to Mr. Toto re: same and Tc RC re: same; calendared call back for next Monday
10/6/21	20		Compiled data on 241 E. Rosedale Street in WC as per request from RC, and sent e-Mail to RC providing same
10/6/21	130		Attended Presentation at Keller Williams
10/6/21	50		TC TJH re: weekly updates
10/8/21	25		Made Call calls to Property Owners
<b>Total Hours</b>	<b>1438</b>	<b>24 hrs</b>	<b>Note: 162 minutes of this time was strictly RW Services related</b>
<b>TOTAL DUE</b>	<b>\$527</b>		<b>Note: \$467 was for RW Investments and \$60 for strictly RW Services</b>

TC = Telephone call with  
Watsom

RW = Reviewed

PD = Prepared

PF = Prepared and Forwarded

TJH = YJ Hock RC = Rob Coldwell SW = Sean

CT RS= Conducted Research

RV = Revised

RR = Received and Reviewed

Sincerely,

/s/ JOHN A. GALLAGHER

**JACK GALLAGHER**  
**Independent Contractor Invoice**  
 8 HARVEY LANE  
 MALVERN, PA 19355

[jack@jackgallagher.co](mailto:jack@jackgallagher.co)

(610) 322-4145

**Invoice for Contractor Services RW Investments –October 22 through November 5, 2021**

DATE	TIME (in Minutes)	HOURLY RATE	DESCRIPTION OF SERVICES
10/29/21	15	\$22 (All)	Followed up with Marc Simmons after reviewing original Jack memo and RC response thereto; spoke w Mr. Simmons, and got some information and his e-mail; sent him an e-Mail cc RC; sent RC an e-mail re: ROI and gross rents per year
10/26-10/29	55		completed punch up of Jack leads to date and uploaded to Google Drive and shared to RC and TJH
10/29/21	12		wrote to Ms. Jenkins at Verna on 10/29 then followed up w call to office; found at appropriate point person is Ms. Sennett, who I then e-mailed; she wrote back stop soliciting (they gave me the e-mails) and I wrote back politely and directly
10/29	80		cold calls (one lead developed and communicated to RC)
11/1	4		Rd e-mail from Marc Simmons saying he sent data over; do not see data in inbox; wrote back to Mr. Simmons re: same; he sent to jack.com – told him it was jack.co!
11/1	15		TC Mandar Ambre following survey re: RW Investments and followed up w RC re: potential investment
11/1/21	24		While traveling through Collegeville, spotted two seemingly abandoned properties of RT 29 (1703 Rte. 29 and 74 Gravel Pike) and pulled over to inspect each – both had multiple doors and electrical meters; took pictures and identified addresses; spoke with neighbor of 74; texted RC all information and photos and asked if follow up required – RC wrote back and said do not follow up
11/3/2021	5		Received financials on 63 King Street from Marc Simmons and forwarded same to RC, copying Simmons
11/10/21	18		Tc RC RE: Go Forward Plan
11/11/21	60		TC RC and TJH re: Updates, etc.
11/11/21	35		Cold calls (See Drive Annotations Sheet)
11/12/21	128		Cold calls (See Drive Annotations Sheet); potential lead on 1442 Charlestown Pike; did some research and forwarded same to RC
<b>Total Hours</b>	<b>451 (M) 7.5 (HRs)</b>		
<b>Bonus</b>	<b>\$500</b>		<b>Malvern Properties – Coyle – Approved by RC 11/15</b>

<b>TOTAL DUE</b>	<b>\$665</b>		<b>\$165 on hourly and \$500 on bonus</b>
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TC = Telephone call with  
RW = Reviewed  
PD = Prepared  
PF = Prepared and Forwarded

TJH = TJ Hock RC = Rob Coldwell SW = Sean Watson  
CT RS= Conducted Research  
RV = Revised  
RR = Received and Reviewed

Sincerely,

/s/ JACK GALLAGHER

**JACK GALLAGHER**  
**Independent Contractor Invoice**

8 HARVEY LANE  
MALVERN, PA 19355

jack@jackgallagher.co

(610) 322-4145

*Plus \$500 Final Bonus*

**Invoice for Contractor Services RW Investments –November 15 - November 26, 2021**

DATE	TIME (in Minutes)	HOURLY RATE	DESCRIPTION OF SERVICES
11/15/21	12		Pulled up Call List, called Barbara Smith all 4 3s, left message for Bob Smith on his cell (1442 Charlestown Pike); sent text to Bob Smith, updated RC re: same
11/15/21	60		Cold calls RW Investments
11/18/21	20		Spoke with Barbara Smith; followed up with text, cc RC
11/19/21	148		Cold Calls; connected with Mr. Chung re: 25 Montrose Ave in Bryn Mawr property; ran down info and sent e-Mail to RC re: same
11/22/21	5		Follow up on call w RC re: info needed for prospective properties
11/23/21	43		Cold Calls
11/26/21	5		Cold Calls
12/3/21	126		Cold Calls and write ups on
12/13/21	45		RW notes and rundown of info RC wants on Cozzone property; TC Joe Cozzone, owner of 201 Church St in Downingtown to get property details; followed up with Text, cc RC; sent e-Mail to RC with full rundown
12/15/21	40		Updated Punch List of Property Leads and emailed same to RC and TJH
<b>Total Hours</b>	<b>504 Minutes</b> <b>8.4 (Hrs.)</b>		
<b>TOTAL DUE</b>	<b>\$184.80</b>		

TC = Telephone call with  
RW = Reviewed  
PD = Prepared  
PF = Prepared and Forwarded

TJH = TJ Hock RC = Rob Coldwell SW = Sean Watson  
CT RS= Conducted Research  
RV = Revised  
RR = Received and Reviewed

Sincerely,

/s/ JACK GALLAGHER

*Rentwell Payments*



ROP-450  
PO Box 7000  
Providence RI 02940



**1-888-910-4100**  
Call Citizens' PhoneBank anytime for  
account information, current rates and  
answers to your questions.

Checking Account  
Statement

1 OF 5

Beginning August 25, 2021  
through September 24, 2021

JOHN GALLAGHER  
8 HARVEY LN  
MALVERN PA 19355-2908



1-888-910-4100  
Call Citizens' PhoneBank anytime for  
account information, current rates and  
answers to your questions.

Checking Account  
Statement

2 OF 4

Beginning September 25, 2021  
through October 26, 2021

Checking continued from previous page

DEPOSITS & CREDITS

Date	Amount	Description
10/14	467.86	First Resource B P2p Paymnt 101321 Clair Hock, III
10/14	59.40	Rentwell Lease M Sigonfile 101421 Xv0n21

**One Deposit Checking for XXXXXX-932-0 Continued**

**Withdrawals & Debits (Continued) \*\***

*\*\*May include checks that have been processed electronically by the payee/merchant.*

---

**Date                      Amount      Description**

**ATM/Purchases (Continued)**

---

11/04                      116.60      Rentwell Lease M SIGONFILE 110421 WLL731



US702 | BR503  
ROP 450  
P.O. Box 7000  
Providence, RI 02940

JOHN GALLAGHER  
8 HARVEY LN  
MALVERN PA 19355-2908

## Checking Account Statement

Page 1 of 8

Beginning October 27, 2021  
through November 24, 2021

### Questions? Contact us today:



**CALL:**  
Checking Account Customer  
Service  
1-888-910-4100



**VISIT:**  
Access your account online:  
[citizensbank.com](http://citizensbank.com)



**MAIL:**  
Citizens  
Customer Service Center  
P.O. Box 42001  
Providence, RI 02940-2001

### New account benefit for Citizens Checking and Money Market customers.

Mistakes happen—we know; we're people too! So, we're giving you "Citizens Peace of Mind™," a new feature that can help you avoid the costs of unexpected overdrafts. Citizens Peace of Mind gives you additional time to fund your account and reverse Overdraft Fees. Check your statement insert or go to [citizensbank.com/peace-of-mind](http://citizensbank.com/peace-of-mind) for more details on how Citizens Peace of Mind works and our Funds Availability schedule.

Also, effective November 14, we've lowered the maximum number of Overdraft Fees and/or Returned Item Fees charged on any one business day from 7 to 5.

**JOHN GALLAGHER**  
**One Deposit Checking**  
**XXXXXX-932-0**

**One Deposit Checking for XXXXX-932-0 Continued**

**Deposits & Credits (Continued)**

*Date*                      *Amount*    *Description*

---

11/17                      665.00    First Resource B P2P PAYMNT 111621 CLAIR HOCK, III

<sup>2</sup> Or, maintain a \$25,000 monthly combined deposit and investment balance across linked accounts

<sup>3</sup> The \$12 transfer fee per day for Savings Overdraft Transfer Plan and Overdraft Line of Credit Plan is waived for Citizens Quest Checking. The \$30 Annual Fee on Overdraft Line of Credit is waived for Citizens Quest Checking. The Annual Percentage Rate (APR) for an Overdraft Line of Credit is 21% on all outstanding loan balances. Credit approval is required.



US702 | BR503  
 ROP 450  
 P.O. Box 7000  
 Providence, RI 02940

## Checking Account Statement

Page 1 of 5

Beginning November 25, 2021  
 through December 23, 2021

Questions? Contact us today:



**CALL:**  
 Checking Account Customer Service  
 1-888-910-4100



**VISIT:**  
 Access your account online:  
[citizensbank.com](http://citizensbank.com)



**MAIL:**  
 Citizens  
 Customer Service Center  
 P.O. Box 42001  
 Providence, RI 02940-2001

JOHN GALLAGHER  
 8 HARVEY LN  
 MALVERN PA 19355-2908

**JOHN GALLAGHER**  
**One Deposit Checking**  
**XXXXXX-932-0**

### One Deposit Checking for XXXXXX-932-0

#### Balance Calculation

Previous Balance	
Checks	-
Withdrawals & Debits	-
Deposits & Credit	+
<b>Current Balance</b>	<b>=</b>

The \$9.99 monthly maintenance fee is waived when you make at least 1 deposit that is posted before the end of your statement period.

You made at least 1 deposit.

Good news! The monthly maintenance fee was waived based on your account activity.

Your next statement period will end on January 26, 2022.

**One Deposit Checking for XXXXXX-932-0 Continued****Withdrawals & Debits (Continued) \*\****\*\*May include checks that have been processed electronically by the payee/merchant.*

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<i>Date</i>	<i>Amount</i>	<i>Description</i>
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12/23	684.40	First Resource B P2P PAYMNT 122221 CLAIR HOCK, III
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**IN THE SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
 : No. 65 DB 2019  
v. :  
 : Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

**ORDER**

**PER CURIAM**

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

  
Attest:  
Chief Clerk  
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL	:	No. 65 DB 2019
Petitioner	:	
	:	
v.	:	Attorney Registration 61914
	:	
	:	
JOHN A. GALLAGHER,	:	
Respondent	:	(Chester County)

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I. STATEMENT OF THE CASE

This matter is before the Hearing Committee as a result of a disciplinary proceeding initiated by the Office of Disciplinary Counsel (Petitioner) in the form of a Petition for Discipline filed on March 27, 2019. The petition charged Respondent with violations of RPC 1.5(a), RPC 1.15(b), RPC 1.15(c)(1), RPC 1.15(c)(2), RPC 1.15(e), RPC 1.15(h), RPC 1.15(i), RPC 1.15(m), RPC 1.16(a)(1), RPC 1.16(d), RPC 5.5(a), RPC 5.5 (b)(2), Pa. R.D.E. 217(a), Pa. R.D.E. 217(b), Pa. R.D.E. 217 (d)(1), Pa. R.D.E. 217(e)(1), Pa. R.D.E. 217(j)(4)(iv), Pa. R.D.E. 217(j)(4)(v), Pa. R.D.E. 217 (j)(4)(vi) and Pa. R. D.E. 217(j)(4)(x). Respondent filed an Answer on May 13, 2019 asserting that the allegations in the Petition “are legal conclusions to which no response is required.”

Disciplinary hearings were conducted on December 3, 2019 and December 4, 2019. Respondent appeared *pro se*. Prior to the hearings, the parties had agreed to extensive stipulations of fact and law eliminating the need for the Hearing Committee to determine whether the evidence established a prima facie violation of at least one rule charged in the Petition for Discipline. Additionally, the parties stipulated to select facts and rule violations not set forth in the Petition for Discipline arising from Respondent’s 2004 criminal conviction. The parties jointly requested to consolidate this misconduct with the misconduct alleged in the Petition, and the Petition was formally amended to include such.

II. BACKGROUND

Respondent, John A. Gallagher, born in 1962, was admitted to practice law in the Commonwealth of Pennsylvania on November 18, 1991. He currently maintains an office at 5 Great Valley Parkway, Suite 210, Malvern, PA 19355. (ODC-1; Stipulation of the Parties, at 2)

Respondent attended the New England Law School from 1988-1991. (N. T. , Vol. II, pg. 106/19) While in law school he served on the Law Review and wrote a published article about the Exxon Valdez. (N.T., Vol. II, pg. 107/13) He graduated cum laude. (N.T., Vol. II, pg. 107/11) After graduation he worked in Philadelphia for Harvey Pennington from 1991-1996. He then joined High Swartz, and was a partner at that firm for 9 years before departing in 2006. During his years at High Swartz he served on the Board of Directors of the Montgomery County Bar Association and as Chairman of its Employment Law Section. (N.T., Vol. II, pp. 117-118)

### III. FINDINGS OF FACT

The Committee incorporates paragraphs 1-254 of the Stipulations of the Parties. (ODC-1)

#### **A. Misuse of IOLTA and Failure to Maintain Required Records.**

From and before September 2016 through April 2018, Respondent used an IOLTA account maintained at Citizens Bank. (ODC-1 at 4)

During this time frame Respondent routinely used the account to hold funds for clients.

Respondent did not maintain individual ledgers for each trust client on whose behalf he held funds, which would disclose the source, amounts and nature of the funds received from and on behalf of the client.

On September 26, 2016 Respondent maintained a balance of \$4.75 in his IOLTA account. (ODC-1 at 5)

On that same date, two payments were made from the IOLTA account to AT&T – one for \$479.16 and the other for \$25.00. (ODC -1 at 6)

Neither transaction was executed for a client and were submitted as payment of Respondents business or personal expense. (ODC-1 at 7)

Respondent claims the payments were made by his wife, Kathleen Lane, without his knowledge. Both checks were returned for insufficient funds.

On October 18, 2016, the balance in the IOLTA account was \$726.59. (ODC-1 at 8)

On that date, four checks were drawn on the IOLTA account were presented for payment.

One check was payable to “cash”, another was payable to “Kathleen Lane”, a third was payable to “US Dist. Ct. for Haymaker Appeal” and the fourth was payable to “US Dist. Ct. for Reese Complaint”. (ODC-1 at 9)

The latter two checks were returned for insufficient funds. (ODC-1 at 10)

Respondent claims the first two checks were written by his wife, without his knowledge, and to which she had forged his signature.

On June 1, 2017, the balance in Respondent’s IOLTA account was \$15.46. (ODC-1 at 11)

That same day, a check drawn on the IOLTA account and payable to the “Sheriff of Delaware County” was also returned for insufficient funds.( ODC-1 at 12)

On June 7, 2017 the ODC requested Respondent’s Statement of Position regarding the September, 2016 and October, 2016 overdrafts, and requested all records of the IOLTA account. (ODC-1 at 13 & 14)

On June 15, 2017, the ODC requested Respondent’s Statement of Position regarding the June 15, 2017 overdraft. (ODC-1 at 15)

On July 7, 2017, Respondent produced copies of all monthly statements, drawn checks and ACH notices between June, 2016 and June, 2017. ( ODC-1 at 17)

On July 10, 2017 Respondent e-mailed the ODC regarding the September, 2017 and October, 2017 overdrafts. (ODC-1 at 18)

On July 7, 2017 in his First Statement of Position, Respondent conceded his conduct violated RPC 1.15(b), 1.15(c)(1), 1.15(c)(2) and 1.15(h). (ODC-1 at 19)

Respondent did not produce any reconciliations, not any individual client ledgers associated with the IOLTA account. (ODC-1 at 20)

On July 11, 2017, the ODC requested “contemporaneous records maintained per Rule 1.15(c), including client ledgers and all other required records and a copy of the engagement letter and other materials reflecting settlements and the distributions of the settlement funds regarding any client reflected in the records. (ODC-1 at 22)

On March 13, 2018, Respondent, through counsel, provided his Statement of Position regarding the June 1, 2017 overdraft. (ODC-1 at 23).

Through counsel, Respondent claimed that his engagement letters were often sent by Outlook Calendar invite, which had been purged when he switched email providers and therefore could not be retrieved. (ODC-1 at 26)

Respondent did not produce individual ledgers or monthly reconciliations associated with his IOLTA account. (ODC-1 at 27 & 28)

More than six months after receiving the first request for Respondent's Statement of Position, on January 1, 2018, Respondent maintained a balance of \$5076.80 in his IOLTA account. (ODC-1 at 29)

On January 5, 2018 Bentrans Bentrans debited the IOLTA account in the amount of \$24.95 (ODC-1 at 30) and on January 8, 2018 Health Insurance Initiatives also debited the IOLTA account in the amount of \$861.17. (ODC-1 at 31) Neither transaction was executed for a client, and were for payment of Respondent's personal expenses. (ODC-1 at 32)

On January 10, 2018 deposited \$8300 for earned legal fees in his IOLTA account (ODC-1 at 33) and on January 22, 2018, Respondent deposited a check for \$250 of earned legal fees into his IOLTA account. (ODC-1 at 35)

On January 22, 2018 T-Mobile debited the IOLTA account for \$337.74 (ODC-1 at 36)

On January 23, 2018 Verizon and Bill Matrix debited the IOLTA account for \$188.32 and \$3.50, respectively. (ODC-1 at 37 & 38)

All three transactions were for Respondent's personal expenses and not one was executed for a client. (ODC-1 at 39)

This pattern was repeated numerous times over the next several months. Between January 25, 2018 and April 17, 2018, the IOLTA account was debited or drawn on for expenses and matters not executed for a client on ten (10) occasions. (ODC-1 at 42, 43, 47, 50, 51, 55, 59, 60, 64, 66).

On seven (7) occasions, Respondent deposited earned legal fees into his IOLTA account as opposed to depositing them into his operating account or another appropriate account. (ODC-1 at 40, 41, 46, 63, 69, 72, 73).

On February 6, 2018 Respondent called Citizens Bank with instructions to stop all "auto debits" to the IOLTA account. (ODC-1 at 45)

Eight (8) of the ten (10) "auto debits" or personal expense debits from the IOLTA account occurred after Respondent had provided this instruction to Citizens Bank.

On April 3, 2018, Citizens Bank acknowledged that "auto debits" on March 1, 6 and 8, 2018 were unauthorized and the account should not have been overdrawn. (ODC-1 at 71)

## **B. Failure to Maintain Rule 1.15 Funds in a Trust Account.**

Respondent regularly agreed to represent clients pursuant to a fixed fee agreement in exchange for which he agreed to provide a specific scope of services.

On June 5, 2016 Respondent agreed to a fixed fee agreement with Kim Edwards to represent her in an unemployment matter, which included appearing at a June 12, 2018 hearing. (ODC-1 at 83)

On June 6, 2018 he accepted a legal fee in the amount of \$780.00 from Ms. Edwards which he deposited in his operating account and not in the IOLTA account. (ODC-1 at 85)

At the time of the deposit, he had not attended the hearing with Ms. Edwards. He did, however, attend the hearing several days later, on June 12, 2018.

He repeated this practice with two additional clients, Wendy Stone and Monica Harrell.

Wendy Stone retained Respondent on August 7, 2018 to represent her at an upcoming Unemployment Compensation Hearing (ODC-1 at 87) which included a “prep session” on August 14, 2018. (ODC-1 at 92)

Respondent accepted a legal fee of \$500.00 from Ms. Stone on August 13, 2018 which he deposited in his operating account, and not in the IOLTA account. (ODC-1 at 89) At the time of that deposit, he had not completed all the services associated with the fixed fee. Respondent did eventually provide all the services covered by the fixed fee.

Respondent engaged in a fixed fee agreement with Monica Harrell on August 30, 2018 in which he committed to register her appeal with the UCBR, obtain a copy of the transcript and exhibits from the referee hearing and review and discuss same with Mrs. Harrell. (ODC-1 at 94)

He accepted a legal fee from Mrs. Harrell on August 31, 2018 in the amount of \$500.00 which he deposited into his operating account. (ODC-1 at 95) At the time of that deposit, he had not performed all the services associated with the fixed fee. Respondent did eventually provide those services in a timely manner.

## **C. Unauthorized Practice of Law.**

In 2016 Respondent failed to pay the annual registration fee on or before July 1, 2016 to maintain his license. (ODC-1 at 98)

On October 5, 2016 the Pennsylvania Supreme Court issued an Order placing Respondent on Administrative Suspension effective November 4, 2016. (ODC-1 at 99)

Respondent did not submit his Annual Fee Form before November 4, 2016, and thus was placed on Administrative Suspension (ODC-1 at 101)

Respondent did not resume active status until December 22, 2016. (ODC-1 at 106)

Between October 5, 2016 and November 4, 2016 Respondent agreed to represent fifteen (15) clients.

Between November 5, 2016 and December 22, 2016, he agreed to represent an additional fourteen (14) clients. (ODC-1 at 132 a.).

Respondent did not notify these clients that he had been placed on Administrative Leave. (ODC-1 at 133-243)

Among the clients that Respondent agreed to represent while on Administrative Suspension was Bonnie Rexroth who sought to file a Social Security claim.

Mrs. Rexroth retained Respondent on December 13, 2016 in connection with a Family and Medical Leave Act matter. (ODC-1 at 107 & 109)

Mrs. Rexroth paid Respondent \$500.00 on December 13, 2016 via PayPal. (ODC-1 at 113)

During that relationship, Respondent had Kathleen Lane, his wife, call Mrs. Rexroth to provide her instructions on consulting with her physician to obtain support for her claim. (ODC-1 at 116)

Kathleen Lane is not licensed to practice law in Pennsylvania or any other jurisdiction. (ODC-1 at 120)

During the call Respondent was providing Mrs. Lane instructions on what to say to Mrs. Rexroth.

On December 23, 2016 Mrs. Rexroth requested a refund of her \$500 fee. (ODC-1 at 123)

Respondent returned the funds, but not until he received a letter from Disciplinary Counsel on June 9, 2017. (ODC-1 at 125)

#### **D. Failure to Report DUI Conviction**

On August 13, 2003, Respondent was cited for operating a motor vehicle while under the influence of alcohol. (ODC-1 at 244).

On January 7, 2004 Respondent pled guilty to this violation, a second degree misdemeanor. (ODC-1 at 250)

He was sentenced to one year probation. (Stip. Para. 254)

This conviction is a “serious crime” as that term is defined by then Rule 214(i), Pa. R.D.E. (ODC-1 at 252)

Respondent did not report this conviction to the Secretary of the Board of . (ODC-1 at 253)

#### **IV. CONCLUSIONS OF LAW**

By his conduct as set forth above, Respondent violated the following Rules of Professional Conduct and Pennsylvania Rules of Disciplinary Enforcement:

1. RPC 1.15(b)
2. RPC 1.15(c)(1)
3. RPC 1.15(c)(2)
4. RPC 1.15 (h)
5. RPC 1.16(a)(1)
6. RPC 5.5(a)
7. Pa. R. D. E. 203(b)(1)
8. Pa. R.D.E. 214(a)
9. Pa. R.D.E. 217

#### **V. DISCUSSION**

##### **Misuse of IOLTA and Failure to Maintain Records**

The ODC has presented evidence that Respondent has repeatedly violated his fiduciary obligations. Further, it is claimed that despite the scrutiny of the Petitioner, Respondent persisted with the violations and displayed either an unawareness of the steps needed to comply with his obligations or a failure to understand the seriousness of the violations. The ODC contends that a suspension is required to protect the public and to impress upon the Respondent the seriousness of his fiduciary obligation. (Petitioner’s Brief, pp. 8-9)

Respondent acknowledges that he committed multiple violations and misused his IOLTA account. (ODC-1 at 255, A-M) He has acknowledged that personal expenses were paid from his IOLTA account, although he claims that several of the initial improper payments were made without his knowledge, by his wife, whom he claims forged his signature to certain checks.

*“In 2010, she was given a black box antibiotic with a steroid. The black box said, never give this antibiotic with a steroid.” (N.T., Vol. II, pg.112/20-24) ‘I didn’t know she had ripped off the Fentanyl patch and gone off the Percocet, and she didn’t know that she was in*

*withdrawal. But she couldn't take it after a while -- it might have been four months -- so she went back on them.” (N.T. Vol. II, pp. 113-114) “My wife is withdrawing all of this money, and I can't stop it, and I wonder what kind of mistake I made.” (N.T., Vol. II, pg. 114/10-13) ‘But she needed money every day. I realized that by 2016, but I didn't do anything to stop it. (N.T., Vol. II, pg. 118/9) “So she has also written checks out of IOLTA. And the forgeries are obvious.” (N.T., Vol. II, pg. 119/19-21)*

Respondent also acknowledges that he deposited his own funds, earned fees, into his IOLTA account. *“And there have been times I deposited money into my IOLTA account. I did that for two reasons, and I knowingly did it. I knowingly did it because achieving the outcome I needed was more important than following the rules. I'd like to put it in a better way, but I can't, because I'd be lying if I did. The two reasons I did it was, one, I did it sometimes because I found out -- I'd find out about these ACH transactions after they happened. And then I'm like, I need to put money in IOLTA to clear it. But I also did it because my operating accounts got overdrawn, and I needed every penny.” (N.T., Vol. II, pp.122/13 – 123/14)*

Respondent became aware of some improper payments of personal expenses from his IOLTA account as early as September and October, 2016, when he received notice of several bounced checks. (ODC-1, at 6 & 10) Despite this knowledge, and a belief that it was due to his wife accessing the account, the steps necessary to prevent this from occurring again were apparently not taken. *‘But she needed money every day. I realized that by 2016, but I didn't do anything to stop it.’ (N.T., Vol. II, pg. 118/9)*

Respondent also acknowledges that on more than one occasion he deposited earned fees into his IOLTA account to shelter them from personal creditors. This behavior occurred after he became aware that he was under scrutiny by the ODC. *“And then I'm like, I need to put money in IOLTA to clear it. But I also did it because my operating accounts got overdrawn, and I needed every penny.” (N.T., Vol. II, pg.123/9-14) “So there would be times where I got a check to myself, and knowingly -- I remember one time being outside of Acme while this was going on, while I was being investigated in early 2018, sitting in the parking lot with the check drawn to me that I had earned, knowing, given the amount of the check, if I deposit it in my operating account, that I wouldn't see anything. But if I put it in IOLTA, then I would get all of it. I remember sitting in the parking lot, and you know what I said to myself, if no more checks bounce, they won't find out. That's what I said. Of course, that was horrible thinking on every level. I knowingly went into the Acme on at least two occasions that I remember and deposited earned funds into IOLTA, and I knew it was wrong, and I'm responsible for that. I made that decision. I'm not 15.” (N.T., Vol. II, pp. 123/15-124/17)*

Respondent correctly points out that no client funds were ever misused or misappropriated. *“But I was never dishonest with any of my client funds. I never, insofar as I understand the rules, ever deposited client funds to be held in trust to me into my*

*operating account.*” (N.T., Vol. II, pp. 124/24 – 125/5) No client has alleged that the fees charged were excessive or inappropriate.

Respondent also has taken steps to prevent these transgressions from occurring again. On May 1, 2018, Respondent hired a CPA, James J. Newhart who has exclusive custody and control of Respondent’s IOLTA checkbook, books and records. “*Sir, how do you conduct a monthly reconciliation as required by 1.15(c)(4)? A. I’ve turned everything related to IOLTA over to my CPA. I send him my IOLTA statements on or as close to -- within a week of getting them every month.*” (N.T., Vol. II, pg. 249/10-17; Respondent Brief, pg. 12). There have been no known violations or indiscretions since Respondent hired Mr. Newhart.

The ODC also asserts that Respondent has failed to comply with his record keeping responsibilities. (Ans. at para. 5-6; N.T., Vol. II, pg. 243-244) Further, the ODC asserts Respondent continues with the failure to maintain the records required by the Rules. (N.T., Vol. II, pg. 126) More specifically, the ODC contends that although Respondent provided IOLTA monthly ledgers and related records, he did not maintain “any monthly reconciliations (or) the individual client ledgers”. (ODC-1, para. 20-21; ODC-18C; ODC 18-D) This, the ODC contends, is evidence that he did not appreciate his record keeping responsibilities, and the absence of any evidence that he currently maintains these records demonstrated that he still does not know how to comply with his obligations. “*More importantly, Respondent did not introduce a single monthly reconciliation or individual client ledger into evidence at the disciplinary hearing, leaving the Hearing Committee with no reason to believe that he has any idea how to comply with the record-keeping obligations that he has flouted for years.*”(Petitioner Brief, Pg. 15)

Respondent counters with the assertion that at no time did he hold funds in trust for more than one client at a time. “*Never once did I have client funds for more than one client in my IOLTA account at the same time*” (N.T., Vol. II pg. 126/2-4; Respondent’s Brief, pg. 37). He points out that the ODC produced no evidence of record to prove that he held funds in trust for more than a single client at a time. Therefore, when Respondent provided all his records, checks, ledgers and bank records, he claims he was compliant with the ODC requests, and compliant with RPC 1.15 (c)(2), because individual client ledgers are only required when funds are held in trust for two or more clients. “*The obligation to keep independent client ledgers arises when you have more than one client fund in IOLTA at the same time.*” (N.T., Vol. II, pg. 126/8-12)

Respondent also provided uncontradicted testimony that no client has alleged that they did not receive the funds to which they were entitled, and there is no evidence or allegation that Respondent misused or misappropriated client funds. As stated by ODC counsel, Mr. White “*Mr. Gallagher is not charged with dishonesty in this matter.*” (N.T., Vol. II, pg. 50/6-8)

All funds to which his clients were entitled, were paid to the clients. Nevertheless, his cavalier attitude toward his responsibility to properly operate and maintain his IOLTA account created a clear and distinct possibility that a client could have suffered. The rules and guidelines used to enforce proper use and maintenance of the IOLTA account are to protect clients from the type of behavior that Respondent engaged in. The fact that a client did not suffer in this instance

is more fortuitous than tolerable. A suspension for such behavior is warranted and future oversight of the Respondent's finances is necessary

### **Failure to Maintain Rule 1.15 Funds in the IOLTA account.**

The ODC asserts that Respondent violated RPC 1.15(b) when "Respondent charged the clients flat fees and, accordingly, was required to maintain them in an IOLTA until he had earned their fees by performing the services he was engaged to perform." (Petitioner's Brief, pg. 10) The ODC contends that the payments were 'advanced payments' (Petitioner's Brief, para. 10, 13 & 15, pg. 5-6) which Respondent was required to maintain in his IOLTA account until he had earned the fees by performing the services for which he was engaged, unless he had the client's informed consent to handle the fee in a different manner. (Petitioner's Brief, pg. 11) The ODC claims that Respondent did not have the informed consent of his clients to handle the fees or expenses any differently than required by the fee agreement. (ODC-1, Vol. II at 86, 91, & 97)

Q. So if your fee agreement says earned when paid, and your client doesn't know what that means, do you have their informed consent to deposit their fee in your operating account?

A. Let me say this. I don't know what my clients know or don't know. So my assumption is that my clients read my fee letter, and that they conduct any research or follow up with me if they have any questions about earned when paid, what that means.

(N.T., Vol. II pp. 204/23 – 205/10)

The ODC takes the position that Respondent's assertion that he had earned the fees because of the services he had already rendered to the clients was "unavailing". (Petitioner's Brief, pg. 10) The ODC notes that the flat fee agreements do not even mention an hourly rate, which might justify Respondent's approach. (Petitioner's Brief, pg. 10; ODC 22A; ODC 23A; ODC 24A)

Respondent asserts that he entered into flat fee agreement with clients because they could not afford his hourly rate. He notes that typically his flat fee agreements contain language that indicate the fees are 'earned when paid'. *"I've also sent fee agreements, many before this and many after, all of which included the earned-when-paid language. And ODC has had them, and they've never charged me with any of those things."* (N.T. Vol. II, pg. 159/1-7) He also claimed, without dispute, that with other flat fee arrangements that contained that language, he immediately accepts the payment as an earned fee, and deposits it in his operating account.

Respondent asserts that his fixed fee agreement is not an advanced fee. He asserts that there is a distinction between an advanced fee, which he refers to as a 'retainer' and his fixed fee agreements. *"I don't use the word "retainer." To me, a retainer is something that you deposit until you earn it in IOLTA."* (N.T. Vol. II, Pg. 168/19-22) *"I distinguish between flat fee and retainers. Whether that's appropriate, I'll leave for you to decide. What I'm trying to communicate when I say flat fee is one payment. You'll never pay me more, as I say in many of my fee letters."* (N.T. Vol. II, pg. 169/1-8)

Respondent determined that the fees had been earned because at his customary hourly rate he had already devoted sufficient time to his client's matters to warrant the fees.

*To me, the earned-when-paid language is not essential to my defense. To me, I don't think any of my clients even know what that means. But, to me, it wouldn't matter if it said earned when paid or not. To me, the money is earned once, at my hourly rate, I've done work that I promised to do, even if there's more work that I promised to do still to be done.* (N. T. Vol. II, pg. 160/10-22)

Respondent contends that although the three (3) fee agreements in question did not contain the "earned when paid" clause, the same principle should still apply. "*To me, the money is earned once, at my hourly rate, I've done work that I promised to do, even if there's more work that I promised to do still to be done.*" (N.T. Vol. II, pg. 160/18-22) He asserts he had devoted enough time to each of the client matters in question to warrant the acceptance of the fee although some service might still be outstanding.

Respondent also correctly claims that in each matter questioned by the ODC, all of the services were timely provided and not one of the clients has complained about the amount of the fee, the services provided or the timing of the payment. (Respondent's Brief, pp. 19-20) Respondent asserts that the ODC did not produce testimony from even one of the clients who claimed they did not give their informed consent, which Respondent argues, only the client can provide and which cannot be inferred. (Respondent's Brief, pg. 20) Respondent claims the absence of such testimony "must lead to an adverse inference" against Petitioner. (Respondent's Brief, pg. 20)

It is without question that on at least three (3) occasions Respondent entered into "fixed fee" agreements with clients in which he agreed to perform a defined scope of services. In each of those cases, Respondent received the "fixed fee" from the client, and deposited the fee in his operating account, despite the fact that *all* of the services for which he was hired were not performed. It is also undisputed that he had performed *some* of the services for which he had been hired. And, according to the Respondent when he deposited the fees in his operating account he had performed services that, on an hourly basis, equaled or exceeded the fee he was paid. No client has complained about Respondent's handling of the fee. There is no evidence that Respondent failed to perform all the services he was hired to perform. No client has alleged that they were deceived, or that the fee was excessive. There is also an issue regarding the terminology used to identify the fee. At various times it is referred to as a fixed fee, and on occasion a flat fee, or a one-time fee. The ODC referred to it as an "advanced fee". The ODC also asserts that the clients did not give their written informed consent, and while there is no writing to indicate an informed consent to handle the fees in a certain manner, there is also no evidence to indicate that the fees were not handled as anticipated by the clients.

The concern of the ODC is evident – that an attorney could deposit a flat fee into his/her operating account, and then fail to perform the agreed upon services. That did not occur in this case, but the potential for abuse should be obvious. But it is not clear from the testimony that this was a fixed fee, a flat fee or an advanced fee. The circumstances are somewhat muddled by the fact that for other clients, whose fee arrangements differ only because the agreement says “paid when earned”, Respondent routinely deposited fees of this nature in his operating account and those arrangements have not been challenged by the ODC.

No client has testified that they objected to the fee being deposited in the operating account before all the services were completed. Perhaps, more importantly, there is no testimony that this approach contradicted the clients understanding or expectations.

### **Unauthorized Practice of Law while Administratively Suspended**

The ODC contends that the Respondent’s unauthorized practice of law demonstrated his unrelenting disregard for his fiduciary obligations and warrants a lengthy suspension. Respondent failed to file a Statement of Compliance within ten (10) days after the suspension was effective in violation of Pa. R.D.E. 217(e)(1). (ODC-1 at 99; ODC 25) Further, the ODC contends that when Respondent submitted his Administrative Change in Status form, it inaccurately stated that he was familiar with and compliant with Rule 1.15 and inaccurately certified that he had fully complied with Pa. R.D.E. 217. (ODC-1 at 103-106; ODC 33; ODC 35)

The ODC established that while administratively suspended Respondent undertook the representation of twenty-nine (29) clients (ODC-1 at 132)

Respondent concedes he “is guilty of the unauthorized practice of law between October 4, 2016 and December 16, 2016.” (ODC-1 at 133-243; Respondent Brief, pg. 42). He contends that he did not knowingly and consciously engage in same from the outset, claiming that the October 4, 2016 letter was sent certified mail to his “virtual” office, and the letter was signed for by someone not authorized to do so. “*On the unauthorized practice of law, I did not consciously do that.*” (N. T. Vol. II, pg. 190/15) “*There was a certified mail that came to -- at that point, I was using a virtual office after I moved home, so I could have a professional office.*” (N.T., Vol. II, Pg. 150/20-24). “*...but I expressly told them, you're not authorized to accept certified mail on my behalf. That's a special feature that you have to elect into, and I told them, don't, and I signed the paperwork.*” (N.T., Vol. II, pg. 151/7-13) “*I don't remember getting the notice in October of 2016 that was signed for by someone at my virtual office saying that I was administratively suspended...*” (N.T., Vol. II, pg. 151/19-24) And, he contends, that person failed to send him the correspondence.

He also claims that upon learning of the Administrative Suspension he ceased all practice, advised his clients, deleted all references to his practice on social media sites, and ceased contact with all his clients except to advise of his error and discuss transfer of counsel.

*“On December 16th, I got an e-mail from Rufus Jennings, a lawyer in another matter, saying, do you know you're administratively suspended. Well, I didn't. I shut down my practice. I removed all traces of myself from the Internet. I shut down my blog. I shut down my Twitter. I shut down my LinkedIn. I shut down my website. I shut down my Google. I shut down my Facebook. And I shut down my YouTubes. I wrote to every court that I was appearing in front of and advised them that I was administratively suspended.”*

*(N.T., Vol II, pp. 191/24-192/17)*

It was during this time frame, however, that he had his wife - someone not licensed to practice law - parrot advice to Mrs. Rexroth on soliciting assistance from her physician for her Social Security application. (ODC 37A, at 4; ODC 37B at 3-4)

Respondent admits that he practiced law, and represented 29 clients during a period of Administrative Suspension. The suspension has its genesis in his failure to pay his annual registration fee. He acknowledges that he knew he had to pay the fee. He offers no logical explanation for failing to pay the fee. The notice of his Administrative Suspension was sent by certified mail to the office of record which he had provided the Attorney Registrar. His claim that he was not aware he was suspended until December 16, 2016 because the letter was mailed to the address he provided fails to resonate. If the office was a ‘virtual office’ as he claims, measures should have been in place to make certain that mailed sent to that address was obtained.

Further, during the period of Administrative Suspension, Respondent knowingly engaged in representing or advising clients. The most egregious of these efforts occurred when he coached his wife, who is not a licensed attorney, to counsel a client, Mrs. Rexroth, who was seeking advice on how to gain her physician’s assistance to help her obtain disability benefits. It is disingenuous to contend once he realized he was suspended that he took all steps to shut down his practice, but then surreptitiously he used his wife to parrot legal advice to a client. This behavior suggests that he did not respect or appreciate that the suspension was significant and that he needed to complete all steps to become active before he could represent clients.

### **Criminal (DUI) Conviction**

The ODC asserts that Respondent’s failure to report that he pled guilty to driving under the influence, despite his clear obligation to do so, was another example of Respondent’s failure to understand the full array of his professional responsibilities, or someone who has no interest in understanding them. *“An Attorney who is incapable of understanding such a wide array of his professional obligations, or, perhaps more likely, who has no interest in understanding such professional obligations, presents a genuine threat to the public.”* (Petitioner’s Brief, pg. 18) This behavior, the ODC contends, echoes his failure to understand his fiduciary obligations.

Respondent admits he did not report his DUI conviction of 2003. He does assert that the firm he worked for was aware (N.T., Vol. II, pg. pg. 198/7) and the managing partner of the firm

he was then working with, High Swartz, was placed on notice. (N.T., Vol. II, pg. 198/13) He further contends that the managing partner authored a letter to the Chester County District Attorney's office espousing Respondent's qualities and character. (N.T., Vol. II, 198/14; Respondent exh. 27) Respondent claims he did not knowingly fail to report the conviction, he simply didn't believe it needed to be reported. The understanding at the time, which has proved to be incorrect, was that it did not need to be reported. (N.T., Vol. II, pg. 198/16-19; (Respondents Brief, pg. 50).

Respondent failed to report the DUI conviction - which is not contested. And he should have. However, it was a conviction that was over a decade old when the recent violations came to light. There appears to be no evidence that Respondent tried to hide it. It was disclosed to the firm he worked for and it has been a matter of public record. Furthermore, there is no evidence that there is any connection between the DUI conviction and any of the conduct or behavior which is now under scrutiny. Nevertheless, it is a transgression for consideration when determining if Respondent appreciates his professional obligations, and whether he is able to adhere to them going forward.

### **Aggravating Factors**

The Office of Disciplinary Counsel seeks a suspension of one year and one day. It cites to the admitted practice of misusing the IOLTA account, on multiple occasions. The misuse continued after Respondent was notified of the transgressions and despite the ODC's scrutiny of his handling of his fiduciary duties. (ODC-1 at 6, 10, 12, 53, 57, 62)

Respondent has violated a number of Rules of Professional Conduct and Rules of Disciplinary Enforcement. The most serious transgressions involve the failure to manage and use his IOLTA account properly. The record suggests that the transgressions began in 2016 during a period of personal tumult involving Respondent and his then ill spouse. He alleges that her illness and subsequent dependency problems triggered a cascade of improper transactions in which his IOLTA account was used to pay personal expenses. While the initial events may have been a surprise to him because of some subterfuge by his wife, once he became aware of the alleged deception, he took little or no action to prevent it from occurring again. And it happened repeatedly. In fact, there came a point in time where Respondent himself endorsed a withdrawal from his IOLTA account to pay for a personal health insurance bill, which he confesses was wrong. To aggravate the problem, Respondent began to use his IOLTA as a shelter, where he would stash earned fees to shelter them from being used to cover expenses in an overdrawn operating account. This was a deliberate act which he knew was wrong before he engaged in the violation - but which he did nonetheless.

The ODC contends that a prior informal admonition Respondent received on May 11, 2016 for undertaking a representation notwithstanding a conflict is an aggravating factor for consideration. (ODC-39A; ODC-39B) There was a second informal admonition in February 8, 2017 for his failure to maintain the required records and for depositing his own funds into his IOLTA. (ODC-38A; 38B) These admonitions, coupled with the charges herein, "warrants a suspension of sufficient length to compel him to petition for reinstatement and....to demonstrate

both a familiarity with his professional obligations and a willingness and ability to comply with them.” (Petitioner Brief, pp. 22-23)

Additionally, Respondent engaged in the authorized practice of law, engaging nearly thirty (30) clients during his suspension. In support of this position, the ODC cites to Office of Disciplinary Counsel v. Ronald Sklar, 77 DB 2005 (Pa. 2006) in which it was held, “[t]he record supports the fact that Respondent is simply not grasping the concept of separate accounts, nor does he seem aware of his obligation to maintain active attorney status if he wishes to practice law.”

### **Mitigating Factors**

Respondent has apologized for his transgressions (ODC-18D) and expressed what is recognized as genuine remorse for his conduct. *“I hope that I have expressed my sincere acknowledgment of my wrongdoing. I say that first because until you can acknowledge personal responsibility for your wrongdoing, you really can't have remorse.”* (N.T., Vol. II, 276/7-13) He has accepted responsibility for his conduct (ODC -35) and has offered evidence of ameliorative measures taken to prevent their re-occurrence, the most notable example being that of hiring a CPA to manage his IOLTA account. *“So I hired an accountant on May 1st, 2018.”* (N.T., Vol. II, pg. 129/13-14)

Respondent's full cooperation with ODC constitutes a mitigating circumstance. Respondent's repeated expressions of remorse to the Hearing Committee, were deemed sincere and genuine and constitutes a mitigating circumstance. The lack of any complaints from Respondent's past clients constitutes a mitigating circumstance. Two former clients, Ronald Redden and Gina Colamarino, testified to Respondent's reputation. Mr. Redden retained Respondent in May or June, 2019. (N.T., Vol. II, pg. 81/6) Mr. Redden testified that he was told respondent would fight aggressively for him, and “he did”. “He was always responsive. (N.T., Vol. II, pg. 84/13-19) Ms. Colamarino retained Respondent in December 2018 (N.T., Vol. II, pg. 95/8) and testified that Respondents work was impeccable and diligent. “I couldn't have asked for better representation.” (N.T., Vol. II, pg. 99/21)

The lack of any evidence that Respondent embezzled, intended to embezzle, or converted any of the client funds for personal use constitutes a mitigating circumstance. It is noteworthy to recognize that his violations did not involve dishonesty, fraud, or misappropriation. *“MR. WHITE: Mr. Gallagher is not charged with dishonesty in this matter.”* (N.T., Vol. II, pg. 50/6-8)

### **RECOMMENDATION**

After a deliberate and thorough review of the record the Hearing Committee Panel believes that Respondent has the ability to practice law without committing further misconduct. The evidence reveals an attorney who has practiced law for many years, with respected attorneys

and as a member or partner in well-regarded law firms. He was respected by his colleagues and peers, and had proven himself to be a competent attorney in his area of concentration.

The transgressions that serve as the foundation of the disciplinary action began during a period of personal turmoil, which stands as no excuse for their occurrence, but offers insight into their source.

The Hearing Committee Panel recognizes that some of the transgressions were avoidable, and once known, insufficient action was taken to prevent their re-occurrence. More troubling is that some transgressions were deliberate and repeated.

In contrast, Respondent demonstrated a clear understanding of his mistakes. His remorse is genuine. He has taken appropriate measures to prevent these violations from occurring again. There have been no reported violations since May, 2018. The Hearing Committee Panel is acutely mindful of the fact that Respondent did not violate the trust of any of his clients. He did not embezzle client funds. He did not misuse client funds, or fail to provide those funds when it was time to do so. He did not over charge clients, and the evidence would suggest that his fees very often were favorable to his clients. His clients have registered no known complaints about his fees or services, and those that did testify, spoke very favorably of both.

The Hearing Committee Panel has concluded that Respondent is capable of practicing law and avoiding a relapse of his past conduct. But to assure that Respondent does not repeat the same mistakes, the Panel recommends that Respondent be compelled to report to the Office of Disciplinary Counsel on a periodic basis to demonstrate compliance. See, Office of Disciplinary Counsel v. Michael Albert Hanamarian, No. 69 DB 2019

Accordingly, the Hearing Committee Panel recommends the following Discipline:

A Suspension from the Bar of Pennsylvania for a period of one year.

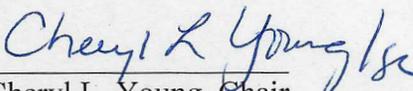
The suspension is stayed in its entirety and Respondent is placed on probation for a period of one year, subject to the following conditions:

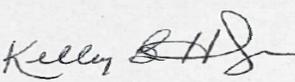
1. Respondent shall continue to maintain the records required by Pa.R.P.C. 1.15(c) for all IOLTA accounts.
2. Respondent shall send those records to the Office of Disciplinary Counsel on a quarterly basis.
3. Respondent shall employ a CPA or other qualified professional, subject to the Office of Disciplinary Counsel's approval, to review Respondents records and certify the same for accuracy prior to their submission to the Office of Disciplinary Counsel.
4. Respondent will comply with any request by the Office of Disciplinary Counsel for corrected or supplemental records within 20 days of receipt of such a request, without the need for the Office of Disciplinary Counsel to issue a subpoena.

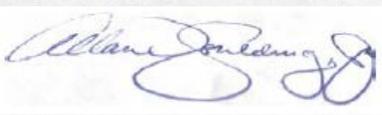
5. Respondent shall maintain all of the required books and records provided by Pa. R.P.C. 2.25(c) in electronic form, which shall be securely backed up and readily available to Respondent, and upon demand, to the Office of Disciplinary Counsel.
6. Respondent shall reply to any request for backup records from the Office of Disciplinary Counsel within twenty (20) days without the need for the Office of Disciplinary Counsel to issue a subpoena.
7. Respondent's probationary term shall not expire until he has provided the Office of Disciplinary Counsel with the required records, and any requested corrected or supplemental records, and the Office of Disciplinary Counsel has determined that the records are sufficient.
8. Any failure by Respondent to comply with the terms of the probation shall result in his immediate transfer to suspension status for the remainder of the one-year term, and he shall be required to file a petition and proceed to a hearing prior to reinstatement.

Respondent shall pay the costs incurred by the Disciplinary Board in the investigation and prosecution of this matter.

Respectfully submitted,

  
Cheryl L. Young, Chair

  
Kelley B. Hodge, Member

  
Allan D. Goulding, Jr., Member



THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA  
601 Commonwealth Avenue, Suite 5600  
PO Box 62625  
Harrisburg, PA 17106-2625  
(717) 231-3380

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REQUEST FOR SUPREME COURT ACTION

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Prothonotary  
Supreme Court of Pennsylvania  
Western District Office  
801-City-County Building  
Pittsburgh, PA 15219

September 29, 2020

Attention: John A. Vaskov, Esq.  
Deputy Prothonotary

Re: Office of Disciplinary Counsel  
v. JOHN A. GALLAGHER  
No. \_\_\_\_ Disciplinary Docket No. 3  
No. 65 DB 2019  
Attorney Registration No. 61914  
(Chester County)

Dear Prothonotary:

Pursuant to the provisions of Rule 208(d)(2)(iii) of the Pennsylvania Rules of Disciplinary Enforcement, the undersigned submits herewith the original findings and recommendations of The Disciplinary Board of the Supreme Court of Pennsylvania in the above proceeding, together with the entire record. A suggested Order is enclosed. **An electronic copy of this filing is also being sent.**

The mailing address of Mr. Gallagher is: 5 Great Valley Parkway, Ste 210, Malvern, PA 19355. Mr. Gallagher is not represented in this preceding.

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Marcee D. Sloan  
Board Prothonotary

MDS/mb

cc: (w/encl.)  
Respondent – John A. Gallagher  
Chief Disciplinary Counsel – Thomas J. Farrell  
Disciplinary Counsel – Daniel S. White  
Members of the Hearing Committee:  
Cheryl L. Young, Chair  
Kelley Brisbon Hodge, Member  
Allan D. Goulding, Jr., Member

**IN THE SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL, : No. \_\_\_\_\_ Disciplinary Docket No. 3  
Petitioner :  
 : No. 65 DB 2019  
v. :  
 : Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

**ORDER**

**PER CURIAM**

**AND NOW**, this this \_\_\_\_\_ day of \_\_\_\_\_, 2020, upon consideration of the Report and Recommendations of the Disciplinary Board, John A. Gallagher is suspended from the Bar of this Commonwealth for a one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board pursuant to Pa.R.D.E. 208(g).

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 65 DB 2019
Petitioner	:	
	:	
v.	:	Attorney Registration No. 61914
	:	
JOHN A. GALLAGHER,	:	
Respondent	:	(Chester County)

REPORT AND RECOMMENDATIONS OF  
THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

TO THE HONORABLE CHIEF JUSTICE AND JUSTICES  
OF THE SUPREME COURT OF PENNSYLVANIA:

Pursuant to Rule 208(d)(2)(iii) of the Pennsylvania Rules of Disciplinary Enforcement, the Disciplinary Board of the Supreme Court of Pennsylvania (“Board”) herewith submits its findings and recommendations to your Honorable Court with respect to the above-captioned Petition for Discipline.

I. HISTORY OF PROCEEDINGS

By Petition for Discipline filed on March 27, 2019, Petitioner, Office of Disciplinary Counsel, charged Respondent, John A. Gallagher, with violations of the Rules of Professional Conduct and Pennsylvania Rules of Disciplinary Enforcement arising from allegations of Respondent’s misuse of his IOLTA accounts, failure to maintain required records, and unauthorized practice of law. Respondent filed an Answer to Petition for Discipline on May 13, 2019.

Following a prehearing conference on October 30, 2019, a District II Hearing Committee (“Committee”) conducted a disciplinary hearing on December 3, 2019 and December 4, 2019. Respondent appeared pro se. Prior to the hearing, the parties agreed to extensive stipulations of fact and law. Additionally, the parties stipulated to select facts and rule violations not set forth in the Petition for Discipline arising from Respondent’s 2004 criminal conviction for driving under the influence. The parties jointly requested to consolidate this misconduct with that alleged in the Petition, and the Petition was formally amended to include such.

At the hearing, Petitioner offered into evidence, without objection, exhibits ODC-1 through ODC-26, ODC-33 through ODC-36, ODC-37B, ODC-38, ODC-39B and ODC-42 through ODC-43. Exhibits ODC-27 through ODC-32, ODC-37A, ODC-39A, ODC-40 and ODC-44 were admitted over Respondent’s objections. Respondent testified on his own behalf and presented the testimony of Paul Nofer, Esquire; Carolyn Milden; Ronald Redden; and Dr. Gina Colamarino. Respondent offered into evidence, without objection, exhibits R-3 through R-4, R-7 through R-10, R-13, R-16, R-18, R-22 through R-23, R-25, R-28 through R-29, and R-32. Exhibits R-12, R-27 and R-34 through R-35 were admitted over Petitioner’s objections.

On January 8, 2020, Petitioner filed a Brief to the Committee and requested that the Committee recommend to the Board that Respondent be suspended for a period of one year and one day. On February 10, 2020, Respondent filed a Brief to the Committee and requested discipline commensurate with his violations, which he argued should not entail active suspension.

By Report filed on May 14, 2020, the Committee recommended that Respondent be suspended for a period of one year, with the suspension stayed in its

entirety and Respondent placed on probation for a period of one year subject to conditions.

On May 22, 2020, Petitioner filed a Brief Opposing Exceptions and requested that the Board recommend to the Supreme Court that Respondent be suspended for one year and one day. On June 22, 2020, Respondent filed a Brief on Exceptions and requested that the Board adopt the Report and recommendation of the Hearing Committee.

On June 22, 2020, Respondent filed a Brief Opposing Petitioner's Exceptions. On June 23, 2020, Petitioner filed a Brief Opposing Respondent's Exceptions.

The Board adjudicated this matter at the meeting on July 23, 2020.

## II. FINDINGS OF FACT

The Board makes the following findings:

1. Petitioner, whose office is situated at Pennsylvania Judicial Center, 601 Commonwealth Avenue, Suite 2700, P.O. Box 62485, Harrisburg, Pennsylvania 17106, is vested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement, with the power and duty to investigate all matters involving alleged misconduct of any attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of said Rules.

2. Respondent is John A. Gallagher, born in 1962 and admitted to practice law in the Commonwealth in 1991. He maintains his office at 5 Great Valley

Parkway, Suite 210, Malvern, PA 19355. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

3. Respondent has a prior record of discipline. On February 8, 2017, he received an Informal Admonition for failing to safekeep property pursuant to RPC 1.15 and depositing personal funds into his IOLTA account. A condition to the admonition required Respondent to attend a CLE on the Disciplinary Board rules. On May 11, 2016, he received an Informal Admonition for undertaking a representation involving a concurrent conflict of interest without obtaining the necessary informed consent, neglecting the client matter and failing to communicate.

#### Misuse of IOLTA and Failure to Maintain Required Records

4. From in or before September 2016 through April 2018, Respondent used an IOLTA account he maintained at Citizens Bank to hold funds of more than one client. ODC-1, Stip. 4; Answer (“Ans.”) at ¶ 5.

5. From in or before September 2016 through April 2018, Respondent continuously failed to maintain individual ledgers for each trust client on whose behalf he held funds in the IOLTA, showing the source, amount and nature of all funds received from or on behalf of the client, the description and amounts of charges or withdrawals, the names of all persons or entities to whom such funds were disbursed, and the dates of all deposits, transfers, withdrawals and disbursements. Ans. at ¶ 6.

6. On September 26, 2016, Respondent maintained a balance of \$4.75 in the IOLTA Account. ODC-1, Stip. 5.

7. On September 26, 2016, the following transactions against the IOLTA were returned due to insufficient funds:

a. an ACH transaction in the amount of \$479.16 payable to “ATT”; and

b. an ACH transaction in the amount of \$25.00 payable to “ATT.”

ODC-1, Stip. 6.

8. These transactions were not executed on behalf of a client or third party on whose behalf Respondent was holding funds in the IOLTA and were submitted in payment of Respondent’s personal or business expenses. ODC-1, Stip. 7.

9. In Respondent’s July 2017 Statement of Position regarding IOLTA overdrafts, (ODC-1, Stip. 18), Respondent claimed that, *inter alia*, his wife, Katherine Lane, initiated two payments to AT & T in September 2016 against the IOLTA, without his knowledge. Ans. at ¶ 21(a), ODC-18D at 2.

10. On October 18, 2016, the balance in the IOLTA was \$726.59. ODC-1, Stip. 8.

11. On October 18, 2016, the following checks drawn against the IOLTA were presented for payment:

a. check number 1081 in the amount of \$200.00, made out to “Cash” for a “Pay Advance”;

b. check number 1086 in the amount of \$505.00, payable to “U.S. Dist. Ct.” for “Haymaker Appeal”;

c. check number 1087 in the amount of \$400.00, payable to “U.S. Dist. Ct.” for “Reese Complaint”; and

d. check number 1089 in the amount of \$200.00, payable to Katherine Lane.

ODC-1, Stip. 9.

12. The latter two checks were returned for insufficient funds. ODC-1, Stip. 10.

13. Respondent claimed that two checks were written by his wife, without his knowledge, and to which she had forged his signature. ODC-1, Stip. 10; Ans. at 21(b); ODC-18D at 3-4.

14. On June 1, 2017, the balance in the IOLTA was \$15.46. ODC-1, Stip. 11.

15. On June 1, 2017, check number 1116, drawn against the IOLTA in the amount of \$88.10 and made payable to the "Sheriff of Delaware County" for "Zimmerman v. Thompson et al," was returned due to insufficient funds. ODC-1, Stip. 12.

16. On June 7, 2017, Petitioner requested Respondent's Statement of Position regarding the September 2016 and October 2016 overdrafts, and requested all records of the IOLTA account. ODC-1, Stips. 13, 14.

17. On June 15, 2017, Petitioner requested Respondent's Statement of Position regarding the June 1, 2017 overdraft. ODC-1, Stip. 15.

18. By email to Disciplinary Counsel dated July 7, 2017, Respondent provided copies of the monthly statements relating to the IOLTA for the period of June 2016 through June 2017, copies of all checks drawn against the IOLTA for the period of June 2016 through June 2017, and copies of all ACH notices issued between June 2016 and June 2017. ODC-1, Stip. 17.

19. By email to Disciplinary Counsel dated July 10, 2017, Respondent provided his Statement of Position regarding the September 26, 2016 Overdrafts and the

October 18, 2016 Overdrafts (hereinafter the “First Statement of Position”). ODC-1, Stip. 18.

20. In the First Statement of Position, Respondent conceded that his conduct violated RPC 1.15(b), RPC 1.15(c)(1), RPC 1.15(c)(2) and RPC 1.15(h). ODC-1, Stip. 19.

21. Respondent failed to produce copies of any monthly reconciliations for the IOLTA with the First Statement of Position or at any time thereafter. ODC-1, Stip. 20.

22. Respondent failed to produce copies of any deposited items for the IOLTA with the First Statement of Position. ODC-1, Stip. 21.

23. By letter to Respondent dated July 11, 2017, Disciplinary Counsel requested “all contemporaneous records [Respondent] maintained per Rule 1.15(c), including but not limited to client ledgers and all other required records” and “a copy of the engagement letter and any materials reflecting settlements and the distributions of settlement funds” regarding any client reflected in such records. ODC-1, Stip. 22.

24. By email dated March 13, 2018, Respondent, through counsel, provided his Statement of Position regarding the June 1, 2017 Overdraft (hereinafter the “Second Statement of Position”). ODC-1, Stip. 23.

25. Through counsel, Respondent claimed that the June 1, 2017 overdraft was the result of a “mathematical error” by his wife, Ms. Lane. Ans. at ¶ 27; ODC-18F at 3.

26. Through counsel, Respondent claimed that his engagement letters were often sent “by Outlook calendar invite,” which were “purged” when Respondent

switched to a new email provider in February of 2017 and “could not be retrieved.” ODC-1, Stip. 26.

27. Respondent did not produce individual ledgers or monthly reconciliations associated with his IOLTA account. ODC-1, Stips. 27, 28.

28. On January 1, 2018, more than six months after receiving Petitioner’s first request for Respondent’s Statement of Position, the balance in the IOLTA was \$5,076.80. ODC-1, Stip. 29.

29. On January 5, 2018, Bentrans debited the IOLTA in the amount of \$24.95. ODC-1, Stip. 30.

30. On January 8, 2018, Health Insurance Innovations debited the IOLTA in the amount of \$861.17. ODC-1, Stip. 31.

31. Neither transaction was executed for a client, and were for payment of Respondent’s personal expenses. ODC-1, Stip. 32.

32. On January 10, 2018, Respondent deposited Official Check number 501528745-0 in the amount of \$8,300.00 into the IOLTA; this check represented legal fees that Respondent had already earned in a client matter. ODC-1, Stip. 33.

33. On January 22, 2018, Respondent deposited check number 1888 in the amount of \$250.00 into the IOLTA; this check represented legal fees that Respondent had already earned in a client matter. ODC-1, Stip. 35.

34. On January 22, 2018, T-Mobile debited the IOLTA in the amount of \$337.74. ODC-1, Stip. 36.

35. On January 23, 2018, Verizon and Billmatrix debited the IOLTA account for \$188.32 and \$3.50, respectively. ODC-1, Stips. 37, 38.

36. The transactions set forth in paragraphs 34-35 *supra* were not executed on behalf of a client or third party on whose behalf Respondent was holding funds in the IOLTA and were submitted in payment of Respondent's personal or business expenses. ODC-1, Stip. 39.

37. This pattern was repeated numerous times over the next several months. Between January 25, 2018 and April 17, 2018, the IOLTA account was debited or drawn on for expenses and matters not executed for a client on ten occasions. ODC-1, Stips. 42, 43, 47, 50, 51, 55, 59, 60, 64, 66.

38. The transactions stipulated to at 50, 51, 55, 59, and 60 were returned due to insufficient funds. ODC-1, Stips. 53, 57, 62.

39. On seven occasions, Respondent deposited earned legal fees into his IOLTA account as opposed to depositing them into his operating account or another appropriate account. ODC-1, Stips. 40, 41, 46, 63, 69, 72, 73.

40. On February 6, 2018, Respondent called Citizens Bank and attempted to put a stop payment on any "auto debits" against the IOLTA. ODC-1, Stip. 45.

41. The majority of the "auto debits" or personal expense debits from the IOLTA account occurred after Respondent provided this instruction to Citizens Bank.

42. By letter dated April 3, 2018, Mackenzie Shivery, Contact Center Assistant Manager for Citizens Bank, advised Respondent that "[a]s the following charges on March 1st, March 6th, and March 8th were requested to be blocked, and they were unauthorized on [the IOLTA], [the IOLTA] should not have become overdrawn." ODC-1, Stip. 71.

43. On April 17, 2018, Respondent closed the IOLTA and opened a new IOLTA at Citizens Bank. ODC-1, Stips. 75, 76.

44. By letter to Respondent dated May 21, 2018, Disciplinary Counsel requested Respondent's Statement of Position regarding overdrafts in March 2018. ODC-1, Stip. 78.

45. This letter directed Respondent to produce copies of all records regarding the IOLTA that he was required by RPC 1.15(c) to maintain for the period of January 1, 2018, through the date of the letter, including deposited items, monthly reconciliations and individual client ledgers for any client on whose behalf Respondent held funds in the IOLTA. ODC-1, Stip. 79.

46. By letter to Disciplinary Counsel dated June 25, 2018, Respondent, through counsel, provided his Statement of Position regarding the March 2018 Overdrafts. ODC-1, Stip. 80.

47. Through counsel, Respondent claimed that, *inter alia*:

a. Ms. Lane had executed all of the transactions against the IOLTA that were not executed on behalf of clients or third parties on whose behalf Respondent was maintaining funds in the IOLTA (Ans. at ¶ 83; ODC-19B at 1- 4 (¶¶ 2, 4, 6, 8, 10, 14, 17));

b. Ms. Lane had "surreptitiously accessed" the books and records associated with the IOLTA. Ans. at ¶ 83; ODC-19B at 2 (¶ 2).

48. Respondent failed to produce any individual client ledgers associated with the IOLTA. ODC-1, Stip. 81.

### Failure to Maintain Rule 1.15 Funds

49. Respondent maintains an operating account at Citizens Bank titled Law Offices of John A. Gallagher PC. ODC-1, Stip. 82.

50. On June 5, 2018, Respondent agreed to a fixed fee agreement with Kim Edwards to represent her in an unemployment matter, which included appearing at a June 12, 2018 hearing. ODC-1, Stip. 83

51. On June 6, 2018, Respondent accepted a legal fee in the amount of \$780.00 from Ms. Edwards, which he deposited into his operating account. ODC-1, Stip. 85.

52. At the time he deposited the monies into his operating account, Respondent had not attended the hearing with his client, but he attended the hearing on June 12, 2018.

53. Wendy Stone retained Respondent on August 7, 2018 to represent her at an upcoming Unemployment Compensation Hearing, which included a “prep session” on August 14, 2018. ODC-1, Stip. 87; ODC-1, Stip. 92.

54. Respondent accepted a legal fee of \$500 from Ms. Stone on August 13, 2018, which he deposited into his operating account. ODC-1, Stip. 89.

55. At the time he deposited the monies into his operating account, Respondent had not completed all of the services associated with the fixed fee, but he did eventually provide all of the services covered by the fee in a timely manner.

56. Respondent engaged in a fix fee agreement with Monica Harrell on August 30, 2018, in which he agreed to register her appeal with the Unemployment Compensation Board of Review, obtain a copy of the transcript and exhibits from the hearing referee, and review and discuss with Ms. Harrell. ODC-1, Stip. 94.

57. Respondent accepted a legal fee from Ms. Harrell on August 31, 2018 in the amount of \$500.00, which he deposited into his operating account. ODC-1, Stip. 95.

58. At the time of the deposit of the monies into his operating account, Respondent had not performed all of the services associated with the fixed fee, but Respondent did provide those services in a timely manner.

#### Unauthorized Practice of Law

59. Respondent failed to submit his 2016-2017 PA Attorney's Annual Fee Form on or before July 1, 2016. ODC-1, Stip. 98.

60. By Order dated October 5, 2016, effective thirty (30) days thereafter, the Supreme Court of Pennsylvania placed Respondent on Administrative Suspension. ODC-1, Stip. 99.

61. By letter to Respondent dated October 5, 2016, Suzanne E. Price, Attorney Registrar, enclosed a copy of the October 5, 2016 Order and advised Respondent that he would be placed on Administrative Suspension on November 4, 2016, if he failed to submit his 2016-2017 PA Attorney's Annual Fee Form on or before that date. ODC-1, Stip. 100.

62. The October 5, 2016 letter was delivered to Respondent's mailing address as listed on his 2015-2016 annual fee form, at John A. Gallagher PC, 1055 Westlakes Dr. Fl. 3, Berwyn, PA 19312. ODC-26C.

63. Respondent received this letter. ODC-1, Stip. 132(b); ODC-18F at 2 ("Mr. Gallagher now believes that the letters from the Administrative Office were forwarded to his home..."); N.T. 12/4/19 at 244-249.

64. Respondent failed to submit his 2016-2017 PA Attorney's Annual Fee Form on or before November 4, 2016, and was placed on Administrative Suspension. ODC-1, Stip. 101.

65. Respondent failed to file a Statement of Compliance with the Board on or before November 14, 2016, as required by Pa.R.D.E. 217(e)(1). ODC-1, Stip. 102.

66. On December 20, 2016, Respondent submitted a 2016-17 PA Administrative Change in Status Form to the Attorney Registration Office. ODC-1, Stip. 103.

67. Respondent certified on this form that he was "familiar and in compliance with Rule 1.15 of the PA Rules of Professional Conduct regarding the handling of funds and other property of clients and third persons and the maintenance of IOLTA Accounts." ODC-1, Stip. 104.

68. On December 21, 2016, Respondent submitted a Statement of Compliance to the Attorney Registration Office in which he certified that he had fully complied with Pa.R.D.E. 217. ODC-1, Stip. 105.

69. Respondent was reinstated to active status on December 22, 2016. ODC-1, Stip. 106.

70. During the period of his administrative suspension, and in defiance of the Supreme Court's Order dated October 5, 2016, Respondent agreed to represent twenty-nine clients. ODC-1, Stip. 132(a).

71. Upon engagement, the clients paid Respondent between \$75.00 and \$2,500.00 for his services. ODC-1, Stips. 133-243.

72. Respondent did not notify these clients that he had been placed on administrative suspension. ODC-1, Stips. 133- 243.

73. Among the clients Respondent agreed to represent while administratively suspended was Bonnie Rexroth, who retained Respondent on December 13, 2016, in connection with a Family and Medical Leave Act matter. ODC-1, Stips 107, 109.

74. On December 13, 2016, Ms. Rexroth paid Respondent \$500.00 via PayPal. ODC-1, Stips. 112, 113.

75. On December 14, 2016, Respondent had his wife Ms. Lane, who is not a lawyer, call Ms. Rexroth to provide Ms. Rexroth instructions on consulting with her physician to obtain support for her claim. ODC-1, Stips. 116, 120.

76. Respondent was present during this call and instructed Ms. Lane regarding what to say. ODC-37B at 4 (¶14a).

77. By email dated December 21, 2016, Respondent advised Ms. Rexroth of his administrative suspension, although he did not provide Ms. Rexroth with the effective date of the administrative suspension order. ODC-1, Stip. 121, 122.

78. By email on December 23, 2016, Ms. Rexroth requested a refund of her \$500.00 fee. ODC-1, Stip. 123.

79. Respondent failed to respond to this email. ODC-1, Stip. 124.

80. By letter to Respondent dated June 9, 2017, Disciplinary Counsel requested Respondent's Statement of Position regarding, *inter alia*, his unauthorized practice of law while on Administrative Suspension. ODC-1, Stip. 125.

81. Respondent returned Ms. Rexroth's funds after receiving Disciplinary Counsel's June 9, 2017 letter. ODC-1, Stip. 128(c).

### Failure to Report Criminal Conviction

82. On August 13, 2003, Respondent was cited for operating a motor vehicle while under the influence of alcohol. ODC-1, Stip. 244.

83. On or about January 7, 2004, Respondent pled guilty to driving while the amount of alcohol by weight in his blood was .08% or greater, in violation of 75 Pa.C.S. § 3731(a)(4)(i), a second-degree misdemeanor. ODC-1, Stip. 250.

84. On or about February 4, 2004, Respondent was sentenced to, *inter alia*, probation for a period of one year. ODC-1, Stip. 254.

85. This conviction was a “serious crime” as that term was defined by former Rule 214(i), Pa.R.D.E. ODC-1, Stip. 252.

86. Respondent failed to report this conviction to the Board. ODC-1, Stip. 253.

### Additional Findings

87. Respondent testified on his own behalf.

88. Respondent acknowledged that he committed multiple rules violations and misused his IOLTA account. ODC-1, Stip. 255.

89. Respondent claimed that several of the improper payments were made without his knowledge by his wife, whom he described as having drug issues, and claimed she forged his signature to certain checks:

a. “In 2010, she [Respondent’s wife] was given a black box antibiotic with a steroid. The black box said, never give this antibiotic with a steroid.” (N.T. 12/4/19 at 112;

b. “I didn’t know she [Respondent’s wife] had ripped off the Fentanyl patch and gone off the Percocet, and she did not know that

she was in withdrawal, but she couldn't take it after a while...it might have been four months...so she went back on them." (N.T. 12/4/19 at 113-114);

c. "My wife is withdrawing all of this money, and I can't stop it, and I wonder what kind of mistake I made." (N.T. 12/4/19 at 114);

d. "But she [Respondent's wife] needed money every day. I realized that by 2016, but I didn't do anything to stop it." (N.T. 12/3/19 at 118); and

e. "So she [Respondent's wife] has also written checks out of IOLTA. And the forgeries are obvious." N.T. 12/4/19 at 119.

90. Respondent was aware his wife had access to his IOLTA account but failed to take steps to prohibit her access. N.T. 12/4/19, at 114, 118.

91. Respondent acknowledged that he deposited his own funds, earned fees, into his IOLTA account:

And there have been times I deposited money into my own IOLTA account. I did that for two reasons, and I knowingly did it. I knowingly did it because achieving the outcome I needed was more important than following rules. I'd like to put it in a better way, but I can't, because I'd be lying if I did. The two reasons I did it was, one, I did it sometime because I found out – I'd find out about these ACH transactions after they happened. And then I'm like, I need to put money in IOLTA to clear it. But I also did it because my operating accounts got overdrawn, and I needed every penny." N.T. 12/4/19 at 122-123.

92. Respondent further explained:

"So there would be times where I got a check to myself, and knowingly – I remember one time being outside of Acme while this was going on, while I was being investigated in early 2018, sitting in the parking lot with the check drawn to me that I had earned,

knowing, given the amount of the check, if I deposit it in my operating account, that I wouldn't see anything. But if I put it in IOLTA, then I would get all of it. I remember sitting in the parking lot, and you know what I said to myself, if no more checks bounce, they won't find out. That's what I said. Of course, that was horrible thinking on every level. I knowingly went into the Acme on at least two occasions that I remember and deposited earned funds into IOLTA, and I knew it was wrong, and I'm responsible for that. I made that decision. N.T. 12/4/19 at 123-124.

93. Respondent testified that he has taken steps to prevent these improprieties from occurring in the future.

94. On May 1, 2018, Respondent hired a CPA, James J. Newhart, who Respondent testified has exclusive custody and control of Respondent's IOLTA checkbook, books, and records. N.T. 12/4/19 at 122, 249-250, 256-258.

95. Respondent testified that at the time of the disciplinary hearing in December 2019, there had been no transactions in his IOLTA since he retained Mr. Newhart in May 2018. Respondent did not know how Mr. Newhart would conduct a monthly reconciliation, and Respondent "believe[s] that he's [Mr. Newhart] doing everything correctly." N.T. 12/4/19 at 249-250.

96. Respondent did not call Mr. Newhart as a witness, nor did Respondent introduce any reconciliation or individual client ledgers.

97. Respondent testified that at no time did he hold funds in trust for more than one client at a time, and so did not maintain individual client ledgers. N.T. 12/4/19 at 50, 126.

98. Respondent testified that he was aware of his obligation to pay his yearly license fee and did not know why he failed to pay it. N.T. 12/4/19 at 150.

99. Respondent conceded that he engaged in the unauthorized practice of law between October 5, 2016 and December 16, 2016 (ODC-1, Stips. 133-243) but claims that “he did not consciously” do it. N.T. 12/4/19 at 190.

100. Respondent described his “virtual office” arrangement and attempted to claim that “I don’t remember getting the notice in October of 2016 that was signed for by someone at my virtual office saying I was administratively suspended” but later conceded that he received the October 5, 2016 letter from the Attorney Registrar. N.T. 12/4/19 at 244-249, 151; ODC-18F at 2.

101. Respondent testified that upon learning of his administrative suspension from a colleague on December 16, 2016, he ceased all practice, advised his clients and the courts, deleted all reference to his practice on social media platforms, and ceased contact with all clients. N.T. 12/4/19 at 191-192.

102. Respondent admitted that he did not report his DUI conviction in 2004. He testified that the law firm where he was employed was aware and the managing partner of the firm was placed on notice. N.T. 12/4/19 at 198.

103. Respondent testified that he did not knowingly fail to report the conviction; he did not believe it needed to be reported. N.T. 12/4/19 at 198.

104. Respondent expressed remorse for his misconduct. “I hope that I have expressed my sincere acknowledgement of my wrongdoing. I say that first because until you can acknowledge personal responsibility for your wrongdoing, you really can’t have remorse.” N.T. 12/4/19 at 276.

105. Respondent presented the credible testimony of four witnesses.

106. Paul Nofer, Esquire, has practiced law in Pennsylvania for approximately thirty years and has a professional relationship with Respondent, having litigated cases against Respondent a number of times. N.T. 12/3/19 at 21, 25.

107. Mr. Nofer testified that Respondent's reputation in the legal community is as "an absolute gentlemen" and he has a good reputation for honesty and integrity. N.T. 12/3/19 at 28, 30.

108. Mr. Nofer did not review the Petition for Discipline and was unaware of the specific allegations of misconduct against Respondent. N.T. 12/3/19 at 31-32.

109. Mr. Nofer was unaware of Respondent's criminal history. N.T. 12/3/19 at 32.

110. Carolyn Milden is Respondent's former wife of sixteen years. Ms. Milden testified that Respondent was respected by other members of the bar. N.T. 12/4/19 at 60.

111. Ronald Redden is Respondent's former client and testified that he was happy with Respondent's representation of him. Mr. Redden was not aware of Respondent's criminal history. N.T. 12/4/19 at 85.

112. Dr. Gina Colamarino is a former client of Respondent and retained him after performing internet research and reading good reviews of Respondent. Dr. Colamarino testified that she was pleased with Respondent's representation. N.T. 12/4/19 at 95, 99.

113. Dr. Colamarino was unaware of the allegations of misconduct charged in the Petition for Discipline against Respondent, and was unaware of Respondent's criminal history. N.T. 12/4/19 at 100, 101.

III. CONCLUSIONS OF LAW

By his conduct as set forth above, Respondent violated the following Rules of Professional Conduct (RPC) and Pennsylvania Rules of Disciplinary Enforcement (Pa.R.D.E.):

1. In connection with his misuse of the IOLTA account, failure to maintain Rule 1.15 Funds, and failure to maintain required records:

a. RPC 1.15(b) – A lawyer shall hold all Rule 1.15 Funds and property separate from the lawyer’s own property. Such property shall be identified and appropriately safeguarded.

b. RPC 1.15(c)(1) and (2) - Complete records of the receipt, maintenance and disposition of Rule 1.15 Funds and property shall be preserved for a period of five years after termination of the client-lawyer or Fiduciary Relationship or after distribution or disposition of the property, whichever is later. A lawyer shall maintain the writing required by Rule 1.5(b) (relating to the requirement of a writing communicating the basis or rate of the fee) and the records identified in Rule 1.5(c) (relating to the requirement of a written fee agreement and distribution statement in a contingent fee matter). A lawyer shall also maintain the following books and records for each Trust Account and for any other account in which Fiduciary Funds are held pursuant to Rule 1.15(l): (1) all transaction records provided to the lawyer by the Financial Institution or other investment entity, such as periodic statements, cancelled checks in whatever form, deposited items and

records of electronic transactions; and (2) check register or separately maintained ledger, which shall include the payee, date, purpose and amount of each check, withdrawal and transfer, the payor, date, and amount of each deposit, and the matter involved for each transaction; provided, however, that where an account is used to hold funds of more than one client, a lawyer shall also maintain an individual ledger for each trust client, showing the source, amount, and nature of all funds received from or on behalf of the client, the description and amounts of charges or withdrawals, the names of all persons or entities to whom such funds were disbursed, and the dates of all deposits, transfers, withdrawals and disbursements.

c. RPC 1.15(h) – A lawyer shall not deposit the lawyer’s own funds in a Trust Account except for the sole purpose of paying service charges on that account, and only in an amount necessary for that purpose. ODC-1, Stip 255B.

d. RPC 1.15(i) – A lawyer shall deposit into a Trust Account legal fees and expenses that have been paid in advance, to be withdrawn by the lawyer only as fees are earned or expenses incurred, unless the client gives informed consent, confirmed in writing, to the handling of fees and expenses in a different manner.

e. RPC 1.15(m) – All Qualified Funds which are not Fiduciary Funds shall be placed in an IOLTA account.

2. In connection with his administrative suspension and unauthorized

practice of law:

a. RPC 1.15(e) – A lawyer shall promptly deliver to the client or third person any property, including but not limited to Rule 1.15 Funds, that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding the property; Provided, however, that the delivery, accounting, and disclosure of Fiduciary Funds or property shall continue to be governed by the law, procedure and rules governing the requirements of Fiduciary administration, confidentiality, notice and accounting applicable to the fiduciary entrustment. ODC-1, Stip. 255A.

b. RPC 1.16(a)(1) – A lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if the representation will result in a violation of the Rules of Professional Conduct or other law. ODC-1, Stip. 255C.

c. RPC 1.16(d) – Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee or expense that has not been earned or incurred.

d. RPC 5.5(a) – A lawyer shall not practice in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so. ODC-1, Stip. 255D.

e. RPC 5.5(b)(2) – A lawyer who is not admitted to practice in this jurisdiction shall not hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. ODC-1, Stip. 255E.

f. RPC 1.16(d) – Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee or expense that has not been earned or incurred.

g. Pa.R.D.E. 217(a) – Which provides, in pertinent part, that a formerly admitted attorney shall promptly notify, or cause to be promptly notified, all clients being represented in pending matters...of the...administrative suspension...and the consequent inability of the formerly admitted attorney to act as an attorney after the effective date of the...administrative suspension.

h. Pa.R.D.E. 217(b) – Which provides, in pertinent part, that a formerly admitted attorney shall promptly notify, or cause to be notified, all clients who are involved in pending litigation or administrative proceedings...of the...administrative suspension.

i. Pa.R.D.E. 217(d)(1) – Which provides, in pertinent part, that the formerly admitted attorney, after entry of the...administrative suspension...order, shall not accept any new retainer or engage as

attorney for another in any new case or legal matter of any nature.  
ODC-1, Stip. 255H.

j. Pa.R.D.E. 217(e)(1) – Which provides, in pertinent part, that within ten days after the effective date of the...administrative suspension...order, the formerly admitted attorney shall file with the Board a verified statement and serve a copy on Disciplinary Counsel.  
ODC-1, Stip. 255I.

k. Pa.R.D.E. 217(j)(4)(iv) – Which provides, in pertinent part, that a formerly admitted attorney is specifically prohibited from...representing himself or herself as a lawyer or person of similar status. ODC-1, Stip. 255J.

l. Pa.R.D.E. 217(j)(4)(v) – Which provides, in pertinent part, that a formerly admitted attorney is specifically prohibited from...having any contact with clients either in person, by telephone, or in writing.  
ODC-1, Stip. 255K.

m. Pa.R.D.E. 217(j)(4)(vi) – Which provides, in pertinent part, that a formerly admitted attorney is specifically prohibited from...rendering legal consultation or advice to a client. ODC-1, Stip. 255L.

n. Pa.R.D.E. 217(j)(4)(x) – Which provides, in pertinent part, that a formerly admitted attorney is specifically prohibited from...receiving, disbursing or otherwise handling client funds. ODC-1, Stip. 255M.

3. In connection with his 2004 criminal conviction:

- a. Pa.R.D.E. 203(b)(1) – Conviction of a crime shall be grounds for discipline. ODC-1, Stip. 255F.
- b. Pa.R.D.E. 214(a) - An attorney convicted of a crime shall report the fact of such conviction within 20 days to the Office of Disciplinary Counsel. ODC-1, Stip 255G.

#### IV. DISCUSSION

In this matter, the Board considers the Committee's unanimous recommendation to suspend Respondent for a period of one year and stay the suspension in its entirety, imposing probation for a period of one year subject to conditions. Petitioner takes exception to this recommendation, contending that the Committee erred in concluding that Respondent's misconduct warrants a sanction less than a suspension of one year and one day. Respondent urges the Board to adopt the Committee's recommended discipline.

Petitioner bears the burden of proving ethical misconduct by a preponderance of the evidence that is clear and satisfactory. ***Office of Disciplinary Counsel v. John T. Grigsby, III***, 425 A.2d 730, 732 (Pa. 1981). Upon review, the Board concludes that Petitioner satisfied its burden of proof. Petitioner's evidence proves the facts and circumstances of the ethical violations and demonstrates Respondent's lack of fitness to practice law. For the following reasons, the Board recommends that Respondent be suspended for a period of one year and one day.

The record demonstrates that Respondent's misconduct encompassed a disregard for his fiduciary and administrative obligations. These deficiencies, viewed as

a whole, depict a respondent who is unwilling or unable to meet his fundamental professional responsibilities, constraining the Board to conclude that suspension is necessary and warranted.

Respondent repeatedly violated his fiduciary duties by misusing his IOLTA account. He acknowledged that personal expenses were paid from the IOLTA, but claimed that several of the improper payments were made without his knowledge by his wife, who forged his signature on certain checks. Respondent alluded to his wife's drug addiction and her need to access funds. While unfortunate, Respondent was duty-bound to preserve his clients' funds inviolate, which he failed to do. What is troubling in this scenario is that despite Respondent's knowledge of the bounced checks and his belief that it was due to his wife's subterfuge in accessing the account, he inexplicably failed to take the steps necessary to prevent more occurrences. "But she needed money every day. I realized that by 2016, but I didn't do anything to stop it." N.T. 12/4/19, at 118.

While Respondent has offered his wife as an excuse for certain improprieties with his IOLTA account, other instances of misuse can be attributed solely to Respondent. He acknowledged that he endorsed withdrawals from his IOLTA account to pay for a personal health insurance bill, and on more than one occasion he deposited earned fees into his IOLTA account to shelter them from personal creditors. Significant to our analysis is that some of Respondent's misconduct occurred after Respondent became aware that Petitioner was scrutinizing his activity. This displays a level of irresponsibility and lack of concern that warrants significant discipline.

Respondent testified that he has taken steps to prevent these transgressions from recurring. In May 2018, Respondent hired a CPA, Mr. Newhart who, according to Respondent, has exclusive custody and control of Respondent's IOLTA

check book, and other books and records. Respondent did not call his CPA as a witness, nor did Respondent introduce a single monthly reconciliation or individual client ledger into evidence to demonstrate that he is in compliance with the rules. In fact, Respondent testified that his CPA has never sent him a monthly reconciliation or individual client ledger, and claims that since he retained Mr. Newhart in May 2018, there have been no IOLTA transactions. While the Committee viewed Respondent's hiring of Mr. Newhart as "the most notable example" of "ameliorative measures taken" by Respondent to prevent further violations of his record-keeping obligations, we conclude that Respondent still has not produced evidence that he is in compliance with RPC 1.15, either before or after hiring Mr. Newhart.

Additionally, between June 2018 and August 2018, Respondent deposited Rule 1.15 funds into his operating account. Respondent charged the clients flat fees and, accordingly, was required to maintain them in trust until he had earned their fees by performing the services he was engaged to perform. While there is no dispute that Respondent performed the services he was engaged to perform, he failed to properly hold these funds.

As well, there is no dispute that all funds to which Respondent's clients were entitled were distributed to the clients. We note that Respondent was not charged with dishonesty in his handling of client funds. However, as the Committee observed, the rules used to enforce proper use and maintenance of the IOLTA account are in place to protect clients from the very behavior that Respondent engaged in. His inability to conform his actions to the rules, even when he knew of the IOLTA improprieties, is extremely serious.

Respondent admits that he engaged in the unauthorized practice of law while on administrative suspension. This suspension was the consequence of

Respondent's failure to pay his annual attorney registration fee. Respondent offered no explanation for his failure to pay the license fee, which he acknowledged is an annual requirement that all lawyers must meet in order to maintain an active license to practice law in the Commonwealth. The notice of Respondent's administrative suspension was mailed to his office address of record, which he had provided to the Attorney Registrar. His claim that he was not aware of his suspension until December 16, 2016 is not logical or acceptable, based on the evidence that the letter was mailed to his address of record. Respondent offered an excuse related to a "virtual office," but the onus remained on Respondent to ensure that he was able to obtain mail sent to the address he provided to the Attorney Registrar. Respondent later stipulated that he "believes" the notice was forwarded to his home address.

During the time frame of the administrative suspension, from October 5, 2016 through his resumption of active status on December 22, 2016, Respondent represented twenty-nine clients. The evidence of record demonstrates that Respondent accepted legal fees from each client in amounts ranging between \$75 and \$2,500 and did not advise the clients of his administrative suspension. One of these clients was Bonnie Rexroth, who paid Respondent \$500.00 on December 13, 2016 for representation in a Family Medical Leave Act matter. During this representation, Respondent rendered legal consultation to Ms. Rexroth. This representation did not last long, as Ms. Rexroth terminated Respondent's services after he informed her that he was administratively suspended. Her request for a refund of her monies was met with silence from Respondent for nearly six months, until Petitioner's request for a statement of position in the matter of his unauthorized practice of law triggered Respondent's refund to Ms. Rexroth of the full \$500.00

The record demonstrates that Respondent was convicted of a DUI in 2004 and failed to report the conviction to the Disciplinary Board. While Petitioner asserts that this failure is illustrative of Respondent's overall failure to comprehend his professional responsibilities, based on our review of the record, we are satisfied that Respondent did not attempt to hide his conviction from the Board. He apprised his law firm of the conviction, which was a matter of public record. While Respondent's failure to report is a transgression that we must consider, we do not find this sixteen year old conviction particularly weighty in our analysis of discipline.

Having concluded that Respondent engaged in professional misconduct, this matter is ripe for the determination of discipline. Significant to the Board's assessment of discipline is consideration of the aggravating and mitigating circumstances. ***Office of Disciplinary Counsel v. Brian Preski***, 134 A.3d 1027, 1031 (Pa. 2016).

In aggravation, Respondent has a history of prior discipline consisting of two informal admonitions. The first was imposed on May 11, 2016 for Respondent's misconduct in undertaking a representation notwithstanding a conflict of interest, neglecting the client's matter and failing to adequately communicate with his client. A second admonition was imposed nine months later on February 8, 2017 for Respondent's failure to maintain required records and for depositing his own funds into his IOLTA. A condition required Respondent to attend a CLE related to Disciplinary Board rules. The misconduct at issue today is similar to the misconduct in the latter admonition. Despite being disciplined for his misuse of his IOLTA account, Respondent persisted in violating his fiduciary obligations. The record evidences Respondent's misuse of his IOLTA in June 2017 and into 2018. Some four months subsequent to the imposition of the 2017 admonition, Petitioner asked Respondent for his position in the new matters that had been

brought to their attention. Even with the stark realization that he was once again being investigated, Respondent was not dissuaded from his misuse of the IOLTA account, and he continued to violate the rules. Respondent conceded he was aware of the investigation and its implications, knew his actions were wrong, but engaged in them despite this knowledge. N.T. 12/4/19 at 123.

Respondent has apologized for his transgressions and expressed remorse for his conduct, a fact we must consider in mitigation. However, we are troubled by his attempts to excuse his misconduct by blaming others, for example his wife, to whom he attributed misuse of his law firm's IOLTA account, and an unknown person at his "virtual office" arrangement who apparently did not promptly retrieve or forward the Attorney Registrar's notice informing him of his administrative suspension, leading to his testimony that as relates to his unauthorized practice of law, "I did not consciously do it." This testimony undercuts Respondent's genuine acceptance of responsibility and is weighed accordingly in our assessment of the mitigating nature of Respondent's remorse.

Respondent presented character testimony from four witnesses. Two former clients were pleased with Respondent's representation, but admitted that they had no knowledge of the nature of the disciplinary charges against Respondent or his criminal history. Attorney Nofer offered testimony that Respondent was respected in the legal community, but he was similarly unaware of any detail of Respondent's alleged misconduct or any prior criminal history. Respondent's former wife testified that to her knowledge during the time they were married, Respondent was well-respected among the members of the bar. The testimony of these character witnesses, while well-meaning, is not weighty in our estimation, as there was no evidence presented that demonstrated these witnesses understood why Respondent was facing disciplinary charges.

Disciplinary sanctions serve the dual role of protecting the interests of the public while maintaining the integrity of the bar. ***Office of Disciplinary Counsel v. John Keller***, 506 A.2d 872, 875 (Pa. 1986). Each disciplinary matter is considered on its own unique facts and circumstances, and there is no per se discipline for attorney misconduct in the Commonwealth of Pennsylvania. ***Office of Disciplinary Counsel v. Robert Lucarini***, 472 A.2d 186, 190 (Pa. 1983). In order to “strive for consistency so that similar misconduct is not punished in radically different ways,” ***Office of Disciplinary Counsel v. Anthony Cappuccio***, 48 A.3d 1231, 1238 (Pa. 2012) (quoting ***Lucarini***, 473 A.2d at 190), the Board is guided by precedent for the purpose of measuring “the respondent’s conduct against other similar transgressions.” ***In re Anonymous No. 56 DB 94***, 28 Pa. D. & C. 4<sup>th</sup> 398 (1995).

Respondent’s misconduct involved his defiance of a variety of ethical obligations, including fiduciary duties, compliance with a Supreme Court order related to his administrative suspension, and client obligations. To address this misconduct, the Committee has recommended a one year suspension, stayed in its entirety, with probation for one year and conditions to include, *inter alia*, maintenance of RPC 1.15 records, certification of records by a CPA, and quarterly reports filed with Petitioner. Petitioner advocates for a one year and one day suspension, contending that probation is not warranted under the facts of this matter.

Probation allows an attorney to continue practicing law and holding himself out to the public for the provision of legal services. See, Disciplinary Board Rule § 89.291. Before recommending that the Court impose probation, the Board must be satisfied from the record that a respondent will comply with conditions attached to probation; otherwise, the public may suffer. See, ***Office of Disciplinary Counsel v. Anthony Charles***

**Mengine**, No. 66 DB 2017 (D. Bd. Rpt. 9/24/2019) (S. Ct. Order 11/26/2019) (Mengine suspended for a period of two years, nine months stayed and fifteen months on probation for financial improprieties including misuse of his IOLTA account; Mengine made “concerted efforts” to organize his law firm to provide oversight and accountability of financial matters; and he “exhibited a full understanding of the steps he needed to take to align his conduct with professional standards.” Board Report at p. 56.)

Upon review of the record, we agree with Petitioner’s position and conclude that probation is not appropriate. Respondent has a demonstrated record of noncompliance with ethical rules and regulations. He did not comply with his obligation to file his annual attorney registration form and pay his fee, leading to his administrative suspension. Once suspended, Respondent did not comply with the Supreme Court’s order and continued to practice law. Respondent failed to heed the implicit warning in his two instances of prior discipline and continued to violate the rules, in particular related to his IOLTA account. Likewise, Petitioner’s investigation did not frustrate his ongoing misconduct. By his own admission, Respondent knew he was committing misconduct and failed to stop. The Committee relies on Respondent’s testimony that he retained a CPA to handle his records and bookkeeping as evidence to support their conclusion that he has “ameliorated” his misconduct. Other than Respondent’s testimony, there is nothing to suggest that Respondent is in compliance with the rules.

Based on his record of noncompliance over the years and the lack of compelling evidence that Respondent has remediated his practice problems, we cannot conclude with confidence that Respondent will adhere to probation standards; therefore, the risk to the public is too great to allow Respondent to continue practicing law through probation.

In light of Respondent's misconduct, the aggravating factors, and the lack of sufficiently compelling mitigating circumstances, we conclude that Respondent is not fit to practice and should be suspended for a sufficient length to compel him to petition for reinstatement. A suspension of one year and one day is consistent with the range of sanctions imposed for similar misconduct and appropriate to address Respondent's persistent misuse of his IOLTA account, unauthorized practice of law involving twenty-nine clients, and failure to promptly refund a client's monies. **Office of Disciplinary Counsel v. William James Helzlsouer**, 197 DB 2018 (D. Bd. Rpt. 11/18/2019) (S. Ct. Order 1/23/2020) (one year and one day suspension for misconduct in three matters, misuse of IOLTA account stemming from adult son's unauthorized access, unauthorized practice of law while suspended, failure to refund unearned fees, neglect, prior discipline aggravating factor).

Our review of prior matters reveals that standing alone, Respondent's unauthorized practice of law requires suspension. Attorneys who engaged in the unauthorized practice of law in limited matters as compared to Respondent's twenty-nine matters, have been suspended from the practice of law. See, **Office of Disciplinary Counsel v. William C. Kerr, III**, No. 9 DB 2015 (D. Bd. Rpt. 9/28/2016) (S. Ct. Order 12/14/2016) (one year suspension); **Office of Disciplinary Counsel v. Theodore Q. Thompson**, No. 159 DB 2005 (D. Bd. Rpt. 12/28/2006) (S. Ct. Order 3/23/2007) (six month suspension); **Office of Disciplinary Counsel v. Julie Ann Marzano**, No. 46 DB 2006 (D. Bd. Rpt. 5/16/2007) (S. Ct. Order 8/1/2007) (nine month suspension).

Likewise, attorneys who engage in IOLTA misuse and failure to promptly return client funds face public discipline, including suspension. See, **Office of Disciplinary Counsel v. Richard Patrick Gainey**, No. 160 DB 2018 (D. Bd. Order

4/15/2020) (public reprimand to address mishandling of IOLTA account for one year and failure to maintain required RPC 1.15 records, sincere remorse, credible evidence of remedial steps to address future mismanagement, no prior discipline); **Office of Disciplinary Counsel v. Adam Luke Brent**, 225 DB 2018 (D. Bd. Rpt. 12/20/2019)(S. Ct. Order 2/13/2020) (one year and one day suspension imposed for neglect, lack of communication, failure to refund unearned fees, and failure to abide by the terms of the administrative suspension order; no history of discipline); **Office of Disciplinary Counsel v. Jeff Lee Lewin**, No. 11 DB 2019 (S. Ct. Order 7/1/2019) (two year period of suspension on consent for lack of diligence, lack of communication, failure to maintain client accounts, and failure to refund unearned fees).

The totality of the facts and circumstances of this matter warrant a suspension for one year and one day, which discipline is consistent and appropriate to address the misconduct and protect the public.

V. RECOMMENDATION

The Disciplinary Board of the Supreme Court of Pennsylvania unanimously recommends that the Respondent, John A. Gallagher, be Suspended for one year and one day from the practice of law in this Commonwealth.

It is further recommended that the expenses incurred in the investigation and prosecution of this matter are to be paid by the Respondent.

Respectfully submitted,

THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA



By: \_\_\_\_\_  
Hon. Eugene F. Scanlon, Jr., Member

Date: 09/29/2020

Members Mundorff and Rassias recused.

**IN THE SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
 : No. 65 DB 2019  
v. :  
 : Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

**ORDER**

**PER CURIAM**

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

  
Attest:  
Chief Clerk  
Supreme Court of Pennsylvania



**Delaware County Court of Common Pleas  
Court Summary**

**Gallagher, John**  
Malvern, PA 19355  
Aliases:  
John A. Gallagher  
John Gallagher

DOB: 06/11/1962

Sex: Male  
Eyes: Unknown  
Hair:  
Race: White

**Closed**

**Chester**

**CP-15-CR-0004372-2003** Proc Status: Migrated Final Disposition DC No: OTN:H 709942-2  
Arrest Dt: 08/16/2003 Disp Date: 02/04/2004 Disp Judge: Migrated, Judge  
Def Atty: Difabio, Vincent P. - (PR)

<u>Seq No</u>	<u>Statute</u>	<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
4	75 § 3731		§§ A4I*	M2	Adult Dr W/BI Alc Lev .08% Greater 1st Off	Guilty Plea
		02/04/2004	Probation			

**Delaware**

**CP-23-CR-0005493-1983** Proc Status: Migrated Case (Closed) DC No: OTN:B 219203-5  
Arrest Dt: Disp Date: 01/23/1984 Disp Judge: McGovern, C J. Jr.  
Def Atty: Scibello, Albert M. - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 903		§§ A1		Criminal Conspiracy Engaging	Guilty Plea
		01/23/1984	Probation			Max: 5 Year(s)
2	18 § 3502		§§ A		Burglary	Guilty Plea
		01/23/1984	Confinement			Min: 3 Month(s) Max: 23 Month(s)

**CP-23-CR-0006011-1983** Proc Status: Migrated Case (Closed) DC No: OTN:B 218471-1  
Arrest Dt: 10/19/1983 Disp Date: 01/23/1984 Disp Judge: McGovern, C J. Jr.  
Def Atty: Scibello, Albert M. - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 903		§§ A1		Criminal Conspiracy Engaging	Guilty Plea
		01/23/1984	Probation			Max: 4 Year(s)
3	18 § 3502		§§ A		Burglary	Guilty Plea
		01/23/1984	Probation			Max: 4 Year(s)

**CP-23-CR-0002878-1984** Proc Status: Migrated Case (Closed) DC No: OTN:B 133709-2  
Arrest Dt: Disp Date: 10/30/1984 Disp Judge: Labrum, Joseph T.  
Def Atty: Nash, Owen W. - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
---------------	----------------	---------------------	----------------------	--------------	--------------------	--------------------

Recent entries made in the court filing offices may not be immediately reflected on the court summary report. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Court Summary Report information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

Please note that if the offense disposition information is blank, this only means that there is not a "final disposition" recorded in the Common Pleas Criminal Court Case Management System for this offense. In such an instance, you must view the public web docket sheet of the case wherein the offense is charged in order to determine what the most up-to-date disposition information is for the offense.



**Delaware County Court of Common Pleas  
Court Summary**

Gallagher, John (Continued)

Closed (Continued)

Delaware (Continued)

<u>Seq No</u>	<u>Statute</u>	<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	75 § 3731 §§ A1*	10/30/1984	Confinement	M2	Driving Under The Influence Of Alcohol	Guilty Plea
						Min: 2 Day(s) Max: 1 Year(s)

Recent entries made in the court filing offices may not be immediately reflected on the court summary report. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Court Summary Report information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

Please note that if the offense disposition information is blank, this only means that there is not a "final disposition" recorded in the Common Pleas Criminal Court Case Management System for this offense. In such an instance, you must view the public web docket sheet of the case wherein the offense is charged in order to determine what the most up-to-date disposition information is for the offense.

SC

March 2, 2021

**Via First Class Mail**

Marcee D. Sloan, Board Prothonotary  
Disciplinary Board of Supreme Court of Pennsylvania, Executive Office  
601 Commonwealth Avenue, Ste. 5600  
P.O. Box 62625  
Harrisburg, PA 17106-2625

**RECEIVED**

MAR 08 2021

**The Disciplinary Board of the  
Supreme Court of Pennsylvania**

**Re:** *ODC v. Gallagher*  
*2756 Disc. Docket No. 3*  
No. 65 DB 2019  
Atty. ID No. 61914  
(Chester County)

Dear Ms. Sloan:

Enclosed please find my Statement of Compliance, and all attachments thereto.

By way of further identification, there are provided herewith six (6) separate Exhibits, "A" – "F," a total of 317 pages. These Exhibits, each page of which is numbered at the bottom, consist of the following:

- Exhibit "A": Notices of Suspension to Clients and Opposing Counsel *and* Acknowledgements Thereto (PAGES 1-190);
- Exhibit "B": Documents Relating to Cease and Desist from Using All Forms of Communication That Expressly or Implicitly Convey Eligibility to Practice Law (191-225);
- Exhibit "C": Documents Relating to Final Withdrawals from and Closure of IOLTA (226-230A);
- Exhibit "D": Notices of Suspension to Courts in Which I Was Admitted and Administrative Agencies in Front of Whom I Have Appeared With Regularity (231-253);
- Exhibit "E": Documents Relating to Petitions to Withdraw from Pending Matters Where No Substitute Counsel Retained (254-304); and,
- Exhibit "F": Documents Relating to Substitution of Counsel in Pending Matters (305-317).

With regard to my 2020-2021 Attorney License, and my certificates from the Pennsylvania Supreme Court, the Eastern District of Pennsylvania and the Third Circuit Court of Appeal, I am mailing them to you this date under separate cover due to their size. In this connection, I certify that I do not have or cannot locate the following:

- Any Certificates of Good Standing; or,
- Certificates of Admission from either the 6<sup>th</sup> Circuit or the 10<sup>th</sup> Circuit.

Also, I wanted to note for purposes of posterity that I did not receive First-Class and Certified mailings from Supreme Court enclosing Pa.R.D.E 217 instructions, dated January 22, 2021, until February 8 (first class mail) and February 9 (certified mail), respectively. I have attached tracking information on the certified mail and my notation on the first-class mail.

Finally, in a similar vein, each of the aforesaid deliveries included only pages 1, 3 and 5 of the excerpt from the Pa. R.D.E. 217, bearing the date 5/18/19.

I did report all of the above to Melanie from the Court on or about February 19, 2021. During that call, Melanie also advised that, insofar as my suspension date fell on Sunday, February 21, I had to until Monday February 22 to complete my compliance.

Please file as of record and thank You.

Respectfully,

John A. Gallagher

cc: Daniel S. White, Esquire \*  
Thomas J. Farrell, Esquire, Chief Disciplinary Counsel\*

\*One (1) copy sent to Office of Disciplinary Counsel, District Two

STATEMENT OF COMPLIANCE

To: The Disciplinary Board of the Supreme  
Court of Pennsylvania  
601 Commonwealth Avenue, Suite 5600  
PO Box 62625  
Harrisburg, PA 17106-2625

Re: John D. Gallagher  
(Respondent)

No. 2756 Disciplinary Docket No. 3

No. 65 DB 2019

Attorney Registration No. 61914

Pursuant to Rule 217(e) of the Pennsylvania Rules of Disciplinary Enforcement, I hereby certify as follows in connection with my **Disbarment, Suspension for a period exceeding one year, temporary suspension under Rule 208(f) or 213(g) or transfer to disability inactive status under Rule 216 or 301**, by Order of the Supreme Court of Pennsylvania dated 1/22/21:

(1) That I have fully complied with the applicable provisions of Pa.R.D.E. 217 by notifying all clients being represented in pending matters or proceedings; the attorneys for each adverse party in pending litigation or administrative proceedings; all persons or their agents or guardians to whom a fiduciary duty is owed; any other persons with whom I have professional contacts; and all other tribunals, courts, agencies or jurisdictions in which I am admitted to practice.

There are currently no clients or others I need to notify in accordance with Pa.R.D.E. 217(a), (b) and (c).

(2) That the following is a list of all other state, federal and administrative jurisdictions to which I have been admitted to practice:

Pennsylvania ✓  
Eastern District of PA ✓  
3rd Circuit ✓

6th Circuit [Do Not Have]  
10th Circuit [Do Not Have]

I am not admitted to practice law in any other tribunal, court, agency or jurisdiction.

(3) I have resigned all appointments as personal representative, executor, administrator, guardian, conservator, receiver, trustee, agent under a power of attorney, or other fiduciary position.

I have no such appointments to resign.

(4) I have closed every IOLTA, Trust, client and fiduciary account and I have properly disbursed or otherwise transferred all client and fiduciary funds in my possession, custody or control.

I have no IOLTA, Trust, client or fiduciary accounts to close.

**FILED**  
**MAR 8 2021**

- (5) I have taken all necessary steps to cancel or discontinue the next regular publication of all advertisements and telecommunication listings that expressly or implicitly convey my eligibility to practice law in the state courts of Pennsylvania.  
 I have no applicable advertisements or telecommunication listings.
- (6) I have ceased and desisted from using all forms of communication that expressly or implicitly convey eligibility to practice law in the state courts of Pennsylvania, including but not limited to professional titles, letterhead, business cards, signage, websites and references to admission to the Pennsylvania Bar.
- (7) I am attaching the most recent PA Attorney's License card I received and am surrendering all certificates of admission and certificates of good standing in my possession.

I have no such License card and/or certificates in my possession to surrender.

*Do Not have certificates from 6th or 10th Circuits*

The residence or other address where communications may hereafter be directed to me is as follows:

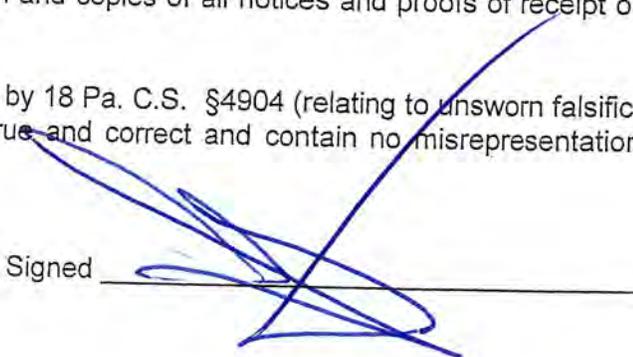
Name: John A. Gallagher  
(please print)  
Address: 8 Harvey Lane  
Malvern PA 19355  
Telephone No. 610-322-4145

I am attaching copies of the notices and proofs of receipt to all those so notified in accordance with Rule 217(a), (b) and (c). I am attaching proof of compliance, including evidence of the destruction, removal or abandonment of indicia of Pennsylvania practice. I am attaching copies of resignation notices, evidence of the closing of accounts, copies of cancelled checks and other instruments demonstrating the proper distribution of client and fiduciary funds, and requests to cancel advertisements and telecommunication listings.

I am serving a conformed copy of this Form and copies of all notices and proofs of receipt on the Office of Disciplinary Counsel.

I hereby certify under the penalties provided by 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities) that the foregoing statements are true and correct and contain no misrepresentations or omissions of material fact.

Date 3/2/21

Signed 

**DISCIPLINARY BOARD  
EXECUTIVE OFFICE**



PENNSYLVANIA JUDICIAL CENTER  
601 COMMONWEALTH AVENUE, SUITE 5600  
PO BOX 62625  
HARRISBURG, PA 17106-2625

*Received 1/19/21  
at 11:15 a.m.*

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE  
**CERTIFIED MAIL®**



9414 7256 9904 2332 9414 92  
RETURN RECEIPT REQUESTED

John A. Gallagher  
5 Great Valley Parkway, Ste 210  
Malvern, PA 19355



U.S. POSTAGE PITNEY BOWES  
ZIP 17129 \$007.20  
02 4M  
0000384231 JAN 22 2021

From the DISCIPLINARY BOARD EXECUTIVE OFFICE

USPS Package Tracking

Shipment information for tracking number:

9414726699042132941492

Scan History

Date	Time	Location	Status
February 9, 2021	11:14	MALVERN,PA,19355	DELIVERED, FRONT DESK/RECEPTION/MAIL ROOM
January 29, 2021			IN TRANSIT TO NEXT FACILITY
January 25, 2021	19:36	WILMINGTON DE DISTRIBUTION CENTER	DEPARTED USPS REGIONAL FACILITY
January 25, 2021	18:50	WILMINGTON DE DISTRIBUTION CENTER	ARRIVED AT USPS REGIONAL FACILITY
January 23, 2021	02:01	HARRISBURG PA DISTRIBUTION CENTER	ARRIVED AT USPS REGIONAL FACILITY

**DISCIPLINARY BOARD  
EXECUTIVE OFFICE**



PENNSYLVANIA JUDICIAL CENTER  
601 COMMONWEALTH AVENUE, SUITE 5600  
PC BOX 62625  
HARRISBURG, PA 17106-2625

John A. Gallagher  
5 Great Valley Parkway, Ste 210  
Malvern, PA 19355



*rd. 2/18*  
*in*  
*Mail*

**Gallagher DB3 Exhibits 144**



U.S. POSTAGE BY FIRST CLASS PERMIT NO. 1000 HARRISBURG, PA  
\$ 000.650  
0000864231 JAN 22 2021

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 2756 Disciplinary Docket No. 3
	:	
Petitioner	:	No. 65 DB 2019
	:	
v.	:	
	:	
JOHN A. GALLAGHER,	:	Attorney Registration No. 61914
	:	
Respondent	:	(Chester County)

---

**EXHIBIT “A”**

**NOTICES OF SUSPENSION  
TO CLIENTS AND OPPOSING COUNSEL<sup>1</sup>  
*AND*  
ACKNOWLEDGEMENTS  
THERE TO**

---

<sup>1</sup> Includes 1) initial Notices sent out by Mr. Gallagher prior to receipt of First-Class and Certified mailings from Supreme Court enclosing Pa.R.D.E 217 instructions, which were dated January 22, 2021, and received on February 8 and 9, respectively (proof of receipt of certified mail and notation on first-class mail made on date of delivery attached separately). These notices attached a copy of the January 22, 2021 Certified Order of Suspension; and, 2) Notices sent out that enclosed the Litigation and Nonlitigation Notice of Disbarment, Suspension or Transfer to Inactive Status.

## John Gallagher

---

**From:** Sam Patel <sampatelhome@gmail.com>  
**Sent:** Thursday, February 11, 2021 10:47 AM  
**To:** John Gallagher  
**Subject:** Re: SUSPENSION

**Importance:** High

Thank you, John!



On Feb 11, 2021, at 10:39 AM, John Gallagher <[jag@johnagallagher.com](mailto:jag@johnagallagher.com)> wrote:

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
*Over 315,000 views since 2010*

WARNING - FRAUDULENT FUNDING INSTRUCTIONS: Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.

WARNING: CONFIDENTIAL NOTICE: The Electronic Communications Privacy Act of 1986 (18 U.S.C. 2510 et seq.) provides federal criminal and civil penalties for the unauthorized reading of this e-mail if you are not the intended recipient named above. The message is confidential and may be privileged attorney-client communication. If you are not the intended recipient or an agent responsible to the extended recipient, please notify us immediately by telephone (610) 647-5027. Any review, dissemination, distribution or copying of this document by anyone other than the intended recipient is unauthorized. The review of this information by any individual other than the extended recipient shall not constitute a waiver of the attorney-client, work product, joint defense, and/or other applicable privileges.



**From:** John Gallagher  
**Sent:** Wednesday, February 10, 2021 5:11 PM  
**To:** 'Samir Patel' <psamir1979@gmail.com>  
**Subject:** SUSPENSION  
**Importance:** High

Dear Samir:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must “wind up” my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

As we discussed, I must inform defense counsel and, in doing so, see what if anything they will do re: dismissing the case. Otherwise, I have new counsel that will step in for you (no cost to you for them to substitute for me, but if the case should ever heat up, you will have to address that).

I am sorry this occurred, and wish you the very best of luck going forward.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**

3

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
 : No. 65 DB 2019  
v. :  
 : Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

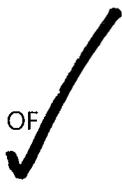
Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

4

**John Gallagher**

---

**From:** samir patel <psamir1979@gmail.com>  
**Sent:** Tuesday, February 16, 2021 9:32 AM  
**To:** John Gallagher  
**Subject:** Re: FW: Suspension Compliance Form - Patel - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.



Hi John,

Thank you for your email. I hope they dismiss the case. Please help me find a counselor if not dismissed.

Keep me updated.

Thank you,  
Samir Patel

On Mon, Feb 15, 2021 at 10:11 AM John Gallagher <[jag@johnagallagher.com](mailto:jag@johnagallagher.com)> wrote:

FYI, see below.

**Regards,**

**John A. Gallagher, Esquire**

**Gallagher Law Group, P.C.**

**5 Great Valley Parkway, Ste. 210**

**Malvern, PA 19355**

**610-647-5027 (Office)**

**610-889-9726 (Fax)**

[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

5

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)

*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)

*Over 315,000 views since 2010*

WARNING - FRAUDULENT FUNDING INSTRUCTIONS: Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.

WARNING: CONFIDENTIAL NOTICE: The Electronic Communications Privacy Act of 1986 (18 U.S.C. 2510 et seq.) provides federal criminal and civil penalties for the unauthorized reading of this e-mail if you are not the intended recipient named above. The message is confidential and may be privileged attorney-client communication. If you are not the intended recipient or an agent responsible to the extended recipient, please notify us immediately by telephone (610) 647-5027. Any review, dissemination, distribution or copying of this document by anyone other than the intended recipient is unauthorized. The review of this information by any individual other than the extended recipient shall not constitute a waiver of the attorney-client, work product, joint defense, and/or other applicable privileges.

**From:** John Gallagher

**Sent:** Monday, February 15, 2021 9:27 AM

**To:** 'Angstreich, Steven' <[SAngstreich@weirpartners.com](mailto:SAngstreich@weirpartners.com)>

**Subject:** Suspension Compliance Form - Patel - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

**Importance:** High

Dear Steve:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send; I have sent the attached to my client and am sending same to you.

6

**Please let me know if your client will agree to dismiss this case by the middle of the week; if not, I will need to file Petition to Withdraw.**

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

**Regards,**

**John A. Gallagher, Esquire**

**Gallagher Law Group, P.C.**

**5 Great Valley Parkway, Ste. 210**

**Malvern, PA 19355**

**610-647-5027 (Office)**

**610-889-9726 (Fax)**

**[www.johnagallagher.com](http://www.johnagallagher.com)**

**Check out John's Blog at:**

**[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)**

***Over 1.675 million views since 2010***

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*7*

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)

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**From:** John Gallagher  
**Sent:** Wednesday, February 10, 2021 5:20 PM  
**To:** 'Angstreich, Steven' <[SAngstreich@weirpartners.com](mailto:SAngstreich@weirpartners.com)>  
**Subject:** RE: Stipulation to Dismiss Defendant Marken LLP Only - GALLAGHER SUSPENSION  
**Importance:** High

Dear Steve:

I hope you are well. I tried to reach you by phone, but was unable to do so.

Combing through all court records and my files, I became aware of the continued pendency of this matter today. Hence, I am sending this to you.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney,

8  
4

after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

I am able to secure substitute counsel for Mr. Patel for this matter, but I want to discuss if your client wishes to have it remain pending first.

Please call me to discuss, and thank you.

I am sorry this occurred, and wish you the very best of luck going forward.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Regards,

**John A. Gallagher, Esquire**

**Gallagher Law Group, P.C.**

**5 Great Valley Parkway, Ste. 210**

**Malvern, PA 19355**

**610-647-5027 (Office)**

**610-889-9726 (Fax)**

[www.johnagallagher.com](http://www.johnagallagher.com)

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**From:** Angstreich, Steven <[SAngstreich@weirpartners.com](mailto:SAngstreich@weirpartners.com)>  
**Sent:** Wednesday, February 19, 2020 10:41 AM  
**To:** John Gallagher <[jag@johnagallagher.com](mailto:jag@johnagallagher.com)>  
**Subject:** FW: Stipulation to Dismiss Defendant Marken LLP Only

10

Steven E. Angstreich

Suite 200 | 20 Brace Rd. | Cherry Hill, NJ 08034

Phone: 856-740-1490 | Fax: 856-740-1491 | Email: [sangstreich@weirpartners.com](mailto:sangstreich@weirpartners.com)



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**From:** Jed L. Marcus <[jmarcus@bressler.com](mailto:jmarcus@bressler.com)>  
**Sent:** Tuesday, February 18, 2020 12:41 PM  
**To:** Angstreich, Steven <[SAngstreich@weirpartners.com](mailto:SAngstreich@weirpartners.com)>  
**Cc:** Benjamin J. Dilorenzo <[BDilorenzo@bressler.com](mailto:BDilorenzo@bressler.com)>  
**Subject:** Stipulation to Dismiss Defendant Marken LLP Only

Here is my signed documents. Thanks, Steve. Jed

Very truly yours

**Jed Marcus**



t: 973.514.1200  
d: 973.966.9678

c: 201.404.5458  
e: [jmarcus@bressler.com](mailto:jmarcus@bressler.com)  
w: [www.bressler.com](http://www.bressler.com)

**Bressler Amery & Ross, P.C.**

325 Columbia Turnpike | Suite 301 | Florham Park, NJ 07932

17 State Street | New York, New York 10004

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12

LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

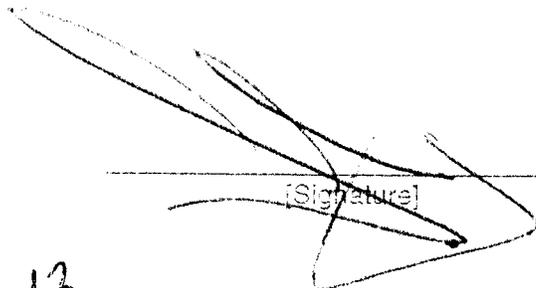
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Samir Patel  
[Name of Client]  
Via e-Mail  
[Address]

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/14/21  
[Date]

  
[Signature]

13

**John Gallagher**

---

**From:** Morris Scott, Esq. <msscott@zwickerpc.com>  
**Sent:** Tuesday, February 16, 2021 9:15 AM  
**To:** John Gallagher  
**Subject:** RE: SUSPENSION Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

I do not have an answer. You may have to go ahead and file the motion to withdraw.



**Morris Scott, Esq.**  
Attorney  
msscott@zwickerpc.com  
1.877.297.1183 ext.254

**Zwicker & Associates, P.C.**  
Attorneys at Law  
3220 Tillman Drive  
Suite 215  
Bensalem, PA 19020  
1.877.297.8908 fax

A Law Firm Engaged in Debt Collection

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**Morris Scott, Esq.**  
Attorney  
msscott@zwickerpc.com  
1.877.297.1183 ext.254

**Zwicker & Associates, P.C.**  
Attorneys at Law  
3220 Tillman Drive  
Suite 215

14

Bensalem, PA 19020  
1.877.297.8908 fax

A Law Firm Engaged in Debt Collection

**From:** John Gallagher <jag@johnagallagher.com>

**Sent:** Tuesday, February 16, 2021 9:13 AM

**To:** Morris Scott, Esq. <msscott@zwickerpc.com>

**Subject:** FW: SUSPENSION Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

**Importance:** High

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**▲ EXTERNAL EMAIL - CAUTION**

DO NOT open attachments or click on links from unknown senders or unexpected emails

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Mr. Scott:

You may have been out yesterday, so I am following up on the below. Do NOT mean to be a pest but please Reply to acknowledge receipt (**I need for my ethical responsibilities**).

Thanks.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
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**From:** John Gallagher  
**Sent:** Monday, February 15, 2021 9:23 AM  
**To:** 'mscott@zwickerpc.com' <[mscott@zwickerpc.com](mailto:mscott@zwickerpc.com)>  
**Subject:** SUSPENSION Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.  
**Importance:** High

Dear Mr. Scott:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send; I have sent the attached to my client and am sending same to you.

**Please let me know if your client will agree to dismiss this case by the middle of the week; if not, I will need to file Petition to Withdraw.**

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355**

10

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610-889-9726 (Fax)  
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**From:** John Gallagher  
**Sent:** Thursday, February 11, 2021 2:17 PM  
**To:** 'mscott@zwickerpc.com' <[mscott@zwickerpc.com](mailto:mscott@zwickerpc.com)>  
**Subject:** SUSPENSION  
**Importance:** High

Dear Mr. Scott:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

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As we discussed, I represent Neal Sloan in Montgomery County Civil Action No. 15-29637. Please let me know your client's intention viz keeping the matter on the docket or dismissing same at your first convenience. Thank you.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

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18

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LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

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[Notice may be delivered by most efficient method possible as long as chosen method is successful] and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Neal Sloan, M.D.  
[Name of Client]  
Via e-mail  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(c) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/19/21  
[Date]

  
[Signature]

**John Gallagher**

---

**From:** Scott Rothman <SRothman@curleyrothman.com>  
**Sent:** Wednesday, February 10, 2021 11:58 AM  
**To:** John Gallagher  
**Subject:** RE: SUSPENSION

John,

I'm sorry to hear this. Hang in there, and best wishes getting through it. ✓

Scott M. Rothman  
Curley & Rothman, LLC  
Spring Mill Settlement Services  
[www.curleyrothman.com](http://www.curleyrothman.com)

Spring Mill Corporate Center  
1100 E. Hector St., Suite 425  
Conshohocken, PA 19428  
(610) 834-8819 (main)  
(484) 362-6287 (direct)

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Wednesday, February 10, 2021 11:36 AM  
**To:** Scott Rothman <SRothman@curleyrothman.com>  
**Subject:** SUSPENSION

Dear Mr. Rothman:

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

No substitute counsel for BMC has been located as of this date. I will be filing a Petition to Withdraw as counsel for BMC in the near future, and will copy you on same.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

AO  
1

**Gallagher DB3 Exhibits 164**

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
 :  
v. : No. 65 DB 2019  
 :  
JOHN A. GALLAGHER, : Attorney Registration No. 61914  
Respondent :  
 : (Chester County)

ORDER

PER CURIAM

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

21

## John Gallagher

---

**From:** Scott Rothman <SRothman@curleyrothman.com>  
**Sent:** Monday, February 15, 2021 9:02 PM  
**To:** John Gallagher  
**Subject:** RE: Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

John,

I have received and reviewed the form.



Scott M. Rothman  
Curley & Rothman, LLC  
Spring Mill Settlement Services  
[www.curleyrothman.com](http://www.curleyrothman.com)

Spring Mill Corporate Center  
1100 E. Hector St., Suite 425  
Conshohocken, PA 19428  
(610) 834-8819 (main)  
(484) 362-6287 (direct)

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Monday, February 15, 2021 9:15 AM  
**To:** Scott Rothman <SRothman@curleyrothman.com>  
**Subject:** Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.  
**Importance:** High

Scott:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send; I have sent the attached to my client and am sending same to you. **Please review the attached, and acknowledge receipt of same.**

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210



Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
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**From:** John Gallagher  
**Sent:** Wednesday, February 10, 2021 11:36 AM  
**To:** 'Scott Rothman' <[SRothman@curleyrothman.com](mailto:SRothman@curleyrothman.com)>  
**Subject:** SUSPENSION

Dear Mr. Rothman:

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must “wind up” my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

No substitute counsel for BMC has been located as of this date. I will be filing a Petition to Withdraw as counsel for BMC in the near future, and will copy you on same.

23

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS  
COMMUNICATION**

**Regards,**

**John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
[www.johnagallagher.com](http://www.johnagallagher.com)**

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[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Matthew McGeever  
[Name of Client]  
Via e-Mail  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/11/21  
[Date]

  
[Signature]

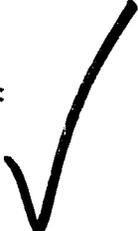
25

## John Gallagher

---

**From:** Matthew T. McGeever <mtm@brentmorganproperties.com>  
**Sent:** Tuesday, February 16, 2021 6:56 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

**Importance:** High

Received. 

---

Matthew T. McGeever  
Brent Morgan Construction LLC

On Feb 15, 2021, at 8:54 AM, John Gallagher <[jag@johnagallagher.com](mailto:jag@johnagallagher.com)> wrote:

Matt:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send. **Please review the attached, and acknowledge receipt.**

As you know, we were unable to secure replacement counsel in this matter, which is currently expected to be continued to the May 2021 Trial list at request of counsel for plaintiffs. Last week, as you know, I filed a Petition to Withdraw from the case.

I am sorry this occurred, and wish you the very best of luck going forward.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

*dg*

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

**Regards,**

**John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
[www.johnagallagher.com](http://www.johnagallagher.com)**

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
***Over 1.675 million views since 2010***

**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
***Over 315,000 views since 2010***

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**WARNING: CONFIDENTIAL NOTICE:** The Electronic Communications Privacy Act of 1986 (18 U.S.C. 2510 et seq.) provides federal criminal and civil penalties for the unauthorized reading of this e-mail if you are not the intended recipient named above. The message is confidential and may be privileged attorney-client communication. If you are not the intended recipient or an agent responsible to the extended recipient, please notify us immediately by telephone (610) 647-5027. Any review, dissemination, distribution or copying of this document by anyone other than the intended recipient is unauthorized. The review of this information by any individual other than the extended recipient shall not constitute a waiver of the attorney-client, work product, joint defense, and/or other applicable privileges.

**From:** John Gallagher  
**Sent:** Monday, February 8, 2021 6:28 PM  
**To:** 'Matthew T. McGeever' <[mtm@brentmorganproperties.com](mailto:mtm@brentmorganproperties.com)>  
**Subject:** Suspension  
**Importance:** High

Dear Matt:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

27

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must “wind up” my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

I am sorry this occurred, and wish you the very best of luck going forward.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
*Over 315,000 views since 2010*

WARNING - FRAUDULENT FUNDING INSTRUCTIONS: Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.

*AS*  
3

---

LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

---

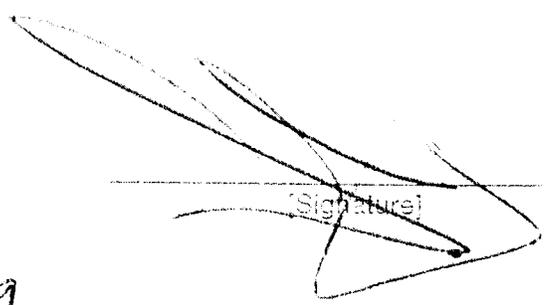
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Matthew McGeever  
[Name of Client]  
Via e-Mail  
[Address]

Pursuant to Rule 217(p) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/11/21  
[Date]

  
[Signature]

29

**John Gallagher**

---

**From:** Matthew T. McGeever <mtm@brentmorganproperties.com>  
**Sent:** Monday, February 8, 2021 7:05 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension

Received. ✓

---

Matthew T. McGeever  
Brent Morgan Construction LLC  
610.547.2450

On Feb 8, 2021, at 18:28, John Gallagher <jag@johnagallagher.com> wrote:

Dear Matt:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must “wind up” my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

I am sorry this occurred, and wish you the very best of luck going forward.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS  
COMMUNICATION**

30

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
JOHN A. GALLAGHER, : Attorney Registration No. 61914  
Respondent : (Chester County)

ORDER

PER CURIAM

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

31

## John Gallagher

---

**From:** Nesloane9@aol.com  
**Sent:** Thursday, February 18, 2021 7:51 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

Mr. Gallagher;  
I have received this notification.

Neil Sloane

-----Original Message-----

From: John Gallagher <jag@johnagallagher.com>  
To: nesloane9@aol.com <nesloane9@aol.com>  
Sent: Thu, Feb 18, 2021 7:43 pm  
Subject: FW: Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

Just review and Reply and state you have received, please

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
**Over 1.675 million views since 2010**

**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
**Over 315,000 views since 2010**

WARNING - FRAUDULENT FUNDING INSTRUCTIONS: Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.

WARNING: CONFIDENTIAL NOTICE: The Electronic Communications Privacy Act of 1986 (18 U.S.C. 2510 et seq.) provides federal criminal and civil penalties for the unauthorized reading of this e-mail if you are not the intended recipient named above. The message is confidential and may be privileged

LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Neal Sloan, M.D.  
[Name of Offender]  
Via e-Mail  
[Address]

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/11/21  
[Date]

[Signature]  
33

attorney-client communication. If you are not the intended recipient or an agent responsible to the extended recipient, please notify us immediately by telephone (610) 647-5027. Any review, dissemination, distribution or copying of this document by anyone other than the intended recipient is unauthorized. The review of this information by any individual other than the extended recipient shall not constitute a waiver of the attorney-client, work product, joint defense, and/or other applicable privileges.

**From:** John Gallagher  
**Sent:** Wednesday, February 17, 2021 11:21 AM  
**To:** 'nesloane9@aol.com' <nesloane9@aol.com>  
**Subject:** FW: Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.  
**Importance:** High

Neil:

I hope all is well.

Please acknowledge receipt of the below, and thank you.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
***Over 1.675 million views since 2010***

**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
***Over 315,000 views since 2010***

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34

**From:** John Gallagher  
**Sent:** Tuesday, February 16, 2021 9:24 AM  
**To:** 'nesloane9@aol.com' <nesloane9@aol.com>  
**Subject:** FW: Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.  
**Importance:** High

Neil:

I am following up on the below. Do NOT mean to be a pest but please Reply to acknowledge receipt (**I need for my ethical responsibilities**).

Thanks.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johngallagher.com](http://www.johngallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
***Over 1.675 million views since 2010***

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***Over 315,000 views since 2010***

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**From:** John Gallagher  
**Sent:** Monday, February 15, 2021 8:52 AM  
**To:** 'nesloane9@aol.com' <nesloane9@aol.com>  
**Subject:** Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE

35

ATTACHED.  
**Importance:** High

Neil:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send. Please review the attached.

As you know, counsel for plaintiff has suggested that he will be asking Discover Card to dismiss this inactive case. If he does so, the case will be over; if not, I will need to file a Petition to Withdraw from the case. Insofar as there has been no activity for over approximately 4 years, my expectation is that you would have plenty of time to secure new counsel if plaintiff should suddenly decide to reinvigorate this case (all indications are that it will not). I will keep you advised.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

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[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
***Over 1.675 million views since 2010***

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[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
***Over 315,000 views since 2010***

*34*

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**From:** John Gallagher  
**Sent:** Monday, February 8, 2021 2:49 PM  
**To:** 'nesloane9@aol.com' <nesloane9@aol.com>  
**Subject:** Suspension  
**Importance:** High

Dear Neil:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

As we discussed, I discovered today (to my surprise) the Discover card case is still "open," although you believe all underlying issues have been resolved. Attached are the docket entries. You and I agreed to discuss in the very near future.

Call me on my cell 610 322 4145 when you have a chance to speak. I need to wrap things up one way or the other by 2/21.

I am sorry this occurred, and wish you the very best of luck going forward.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**

37

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
JOHN A. GALLAGHER, : Attorney Registration No. 61914  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

38

## John Gallagher

---

**From:** Bob Ekstrand <rce@ninthstreetlaw.com>  
**Sent:** Monday, February 22, 2021 12:49 PM  
**To:** John Gallagher  
**Subject:** Fwd: Notice of John Gallagher's Suspension

Begin forwarded message:

**From:** Terri Adams <terri.adams@hotmail.com>  
**Date:** February 22, 2021 at 12:14:38 PM EST  
**To:** Bob Ekstrand <rce@ninthstreetlaw.com>  
**Subject:** Re: Notice of John Gallagher's Suspension

yes we received it.  
Thank you.  
Terri Adams & Gerard Mauro



---

**From:** Bob Ekstrand <rce@ninthstreetlaw.com>  
**Sent:** Monday, February 22, 2021 9:51 AM  
**To:** Terri Adams <terri.adams@hotmail.com>; gerry@gmsports.us <gerry@gmsports.us>  
**Subject:** Notice of John Gallagher's Suspension

Terri and Gerry,

Our former local counsel, John Gallagher, is required to submit the attached notices to you and obtain confirmation that you've received them.

Can you please confirm your receipt of the attached notices in a reply email to me?

Thank you!  
Bob

EKSTRAND & EKSTRAND LLP

110 Swift Avenue | Durham, NC 27705 | (919) 416-4590

[www.ninthstreetlaw.com](http://www.ninthstreetlaw.com)

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LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

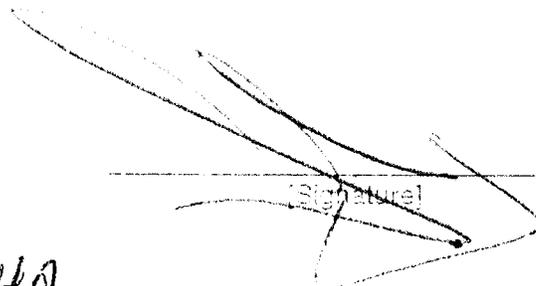
[Notice may be delivered by most efficient method possible as long as chosen method is successful] and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Gerald Mauro  
[Name of Client]  
Via e-Mail  
[Address]

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Court. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/14/21  
[Date]

  
[Signature]

40

---

LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

---

[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Terri Adams  
[Name of Client]  
*Terri Adams*  
[Address]  
  
\_\_\_\_\_  
  
\_\_\_\_\_

Pursuant to Rule 217(c) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for same to withdraw.

2/11/21  
[Date]

*[Signature]*  
[Signature]

41

**FROM THE DESK OF JOHN A. GALLAGHER**  
**Pennsylvania Attorney ID No. 61914**

**NOTICE OF SUSPENSION OF LICENSE**

February 22, 2021

**Via Certified Mail, Return Receipt Requested**

Gerald Mauro  
1205 Wilde Avenue  
Drexel Hill, PA 19026

and

Terri Adams (address unknown)

Dear Mr. Mauro:

It is blizzarding, and I would expect you have already acknowledged receipt of the attached by the time you get this. That said, today is my compliance date, so I did not want to wait any longer to get on the road to the post office.

Please see the attached **LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR TRANSFER TO INACTIVE STATUS**, one for you and one for Ms. Adams.

Please see the attached (as you know, we got substitute local counsel in this case a while ago). Please provide Ms. Adams with her copy, as I do not have her address.

Thanks,

John A. Gallagher, Esquire

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LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Gerald Mauro  
[Name of Client]  
Via e-Mail  
[Address]

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Court's. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/11/21  
[Date]

43

[Signature]

---

LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

---

[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Terri Adams  
[Name of Client]  
Via e-Mail  
[Address]

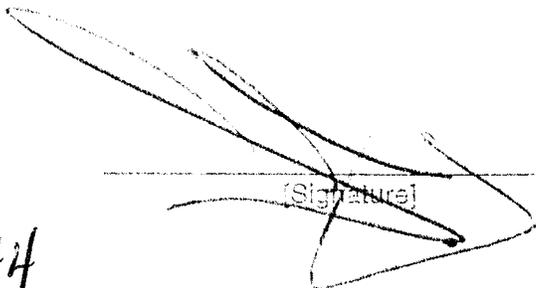
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Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 3/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/11/21  
[Date]

  
[Signature]

44



MALVERN  
 33 W KING ST  
 MALVERN, PA 19355-9998  
 (800)275-8777

02/22/2021 12:03 PM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		\$0.55
Philadelphia, PA 19106 Weight: 0 lb 0.60 oz Estimated Delivery Date Thu 02/25/2021			
Certified Mail®			\$3.60
Tracking #: 70201290000046215087			
Return Receipt			\$2.85
Tracking #: 9590 9402 6420 0303 6386 65			
<b>Total</b>			<b>\$7.00</b>

Judge D. Brooks Smith

First-Class Mail® Letter	1		\$0.55
Glenside, PA 19038 Weight: 0 lb 0.80 oz Estimated Delivery Date Thu 02/25/2021			
Certified Mail®			\$3.60
Tracking #: 70200640000001262556			
Return Receipt			\$2.85
Tracking #: 9590 9402 6420 0303 6386 72			
<b>Total</b>			<b>\$7.00</b>

Letitia Washington

First-Class Mail® Letter	1		\$0.55
Drexel Hill, PA 19026 Weight: 0 lb 0.70 oz Estimated Delivery Date Thu 02/25/2021			
Certified Mail®			\$3.60
Tracking #: 70200640000001262549			
Return Receipt			\$2.85
Tracking #: 9590 9402 6420 0303 6386 89			
<b>Total</b>			<b>\$7.00</b>

Gerald Mauro

Terri Adams ✓

45

USPS TRACKING #



9590 9402 6420 0303 6386 72

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

United States  
Postal Service

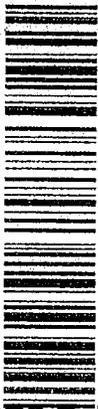
\* Sender: Please print your name, address, and ZIP+4® in this box\*

John A. Gallagher  
& Harvey Lane  
Malvern, PA 19355

Gallagher DB3 Exhibit 100

46

USPS TRACKING #

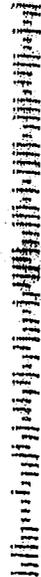


9590 9402 6420 0303 6386 89

United States  
Postal Service

\* Sender: Please print your name, address, and ZIP+4® in this box\*

John A. Gallagher  
& Harvey Lane  
Malvern, PA 19355



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ms. Letitia Washington  
2619 Arnaud Ave  
Glenside, PA 19038



9590 9402 6420 0303 6386 72

2. Article Number (Transfer from service label)

7020 0640 0000 0126 2556

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
*Fluorophor 0019*

Received by (Printed Name) \_\_\_\_\_ C. Date of Delivery \_\_\_\_\_

D. Is delivery address different from item 1?  Yes  
if YES, enter delivery address below:  No

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery, Restricted Delivery
  - Mail Restricted Delivery
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Signature Confirmation
  - Signature Confirmation Restricted Delivery

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- Complete items 1, 2, and 3.
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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Gerry Mauro  
1205 Wilde Ave.  
Drexel Hill, PA 19026



9590 9402 6420 0303 6386 89

2. Article Number

7020

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
*G*

B. Received by (Printed Name) \_\_\_\_\_ C. Date of Delivery \_\_\_\_\_

D. Is delivery address different from item 1?  Yes  
if YES, enter delivery address below:  No

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Signature Confirmation
  - Signature Confirmation Restricted Delivery

## John Gallagher

---

**From:** Letitia Washington <lann.washington1@gmail.com>  
**Sent:** Thursday, January 28, 2021 2:19 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension

Hi John,

Acknowledged and thank you for the communication. ✓

Sincerely,  
Letitia Washington  
Lann.Washington1@gmail.com  
215-808-3183

Sent from my iPhone

On Jan 28, 2021, at 12:34 PM, John Gallagher <jag@johnagallagher.com> wrote:

Letitia:

A more formal letter will follow, as we discussed today. But I wanted to follow up in writing...

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension is 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

We discussed that I would have counsel available to help you consummate the settlement subsequent to February 21 (it would not affect my \$2,500 fee), but that I am here to help you wrap this up before that date if you wish.

47

Please acknowledge receipt via Reply, and thanks.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
*Over 315,000 views since 2010*

WARNING - FRAUDULENT FUNDING INSTRUCTIONS: Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.

WARNING: CONFIDENTIAL NOTICE: The Electronic Communications Privacy Act of 1986 (18 U.S.C. 2510 et seq.) provides federal criminal and civil penalties for the unauthorized reading of this e-mail if you are not the intended recipient named above. The message is confidential and may be privileged attorney-client communication. If you are not the intended recipient or an agent responsible to the extended recipient, please notify us immediately by telephone (610) 647-5027. Any review, dissemination, distribution or copying of this document by anyone other than the intended recipient is unauthorized. The review of this information by any individual other than the extended recipient shall not constitute a waiver of the attorney-client, work product, joint defense, and/or other applicable privileges.

<Certified Copy - Suspension (1).pdf>



IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
 : No. 65 DB 2019  
v. :  
 : Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

**ORDER**

**PER CURIAM**

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

49

Letitia:

Hope all is well.

Can you please acknowledge your receipt of this e-Mail and the attachment.

I would really appreciate it.

Thanks.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

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**From:** John Gallagher  
**Sent:** Thursday, February 18, 2021 9:38 AM  
**To:** 'Letitia Washington' <[lann.washington1@gmail.com](mailto:lann.washington1@gmail.com)>  
**Subject:** FW: Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT  
**Importance:** High

50



MALVERN  
 33 W KING ST  
 MALVERN, PA 19355-9998  
 (800)275-8777

02/22/2021 12:03 PM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		\$0.55
Philadelphia, PA 19106			
Weight: 0 lb 0.60 oz			
Estimated Delivery Date Thu 02/25/2021			
Certified Mail®			\$3.60
Tracking #: 70201290000046215087			
Return Receipt			\$2.85
Tracking #: 9590 9402 6420 0303 6386 65			
<b>Total</b>			<b>\$7.00</b>

Judge D. Brooks Smith

First-Class Mail® Letter	1		\$0.55
Glenside, PA 19038			
Weight: 0 lb 0.80 oz			
Estimated Delivery Date Thu 02/25/2021			
Certified Mail®			\$3.60
Tracking #: 70200640000001262556			
Return Receipt			\$2.85
Tracking #: 9590 9402 6420 0303 6386 72			
<b>Total</b>			<b>\$7.00</b>

Letitia Washington ✓

First-Class Mail® Letter	1		\$0.55
Drexel Hill, PA 19026			
Weight: 0 lb 0.70 oz			
Estimated Delivery Date Thu 02/25/2021			
Certified Mail®			\$3.60
Tracking #: 70200640000001262549			
Return Receipt			\$2.85
Tracking #: 9590 9402 6420 0303 6386 89			
<b>Total</b>			<b>\$7.00</b>

Gerald Mauro

Terri Adams

51

USPS TRACKING #



9590 9402 6420 0303 6386 72

United States Postal Service

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender, please print your name, address, and ZIP+4® in this box\*

John A. Gallagher  
8 Harvey Lane  
Malvern, PA 19355



52

USPS TRACKING #



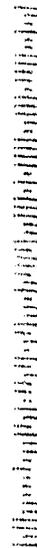
9590 9402 6420 0303 6386 72

United States Postal Service

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender, please print your name, address, and ZIP+4® in this box\*

John A. Gallagher  
8 Harvey Lane  
Malvern, PA 19355

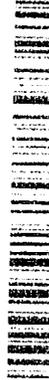


SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ms. Letitia Washington  
2619 Armand Ave  
Glenside, PA 19035



9590 9402 6420 0303 6386 72

2. Article Number (Transfer from service label)

7020 0640 0000 0126 2556

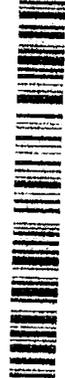
PS Form 3811, July 2020 PSN 7530-02-000-9053

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Gerry Mauro  
1205 Wilde Ave.  
Drexel Hill, PA 19026



9590 9402 6420 0303 6386 89

2. Article Number

7020

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
 Agent  
 Address  
 Date of Delivery  
 Received by (Printed Name)

D. Is delivery address different from item 1?  
 If YES, enter delivery address below:  Yes  No

3. Service Type  
 Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
 Priority Mail Express  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Signature Confirmation  
 Signature Confirmation Restricted Delivery

Domestic Return: Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
 Agent  
 Address  
 Date of Delivery  
 Received by (Printed Name)

D. Is delivery address different from item 1?  
 If YES, enter delivery address below:  Yes  No

3. Service Type  
 Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
 Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Signature Confirmation  
 Signature Confirmation Restricted Delivery

Domestic Return Receipt

**John Gallagher**

---

**From:** John Stabilo <john@stabilostone.com>  
**Sent:** Monday, February 15, 2021 12:25 PM  
**To:** John Gallagher  
**Subject:** RE: Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT

Hi John,  
I acknowledge the receipt of your suspension notice.  
Thank you,  
John



**From:** John Gallagher [mailto:jag@johnagallagher.com]  
**Sent:** Monday, February 15, 2021 12:20 PM  
**To:** John Stabilo <john@stabilostone.com>  
**Subject:** Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT  
**Importance:** High

John:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law as per the attached. I have received the attached form that I am required to send. **Please review and acknowledge receipt.**

You recently secured the second judgment against the defendant in a MJDC matter in which I did not represent you. I did recently speak with former defense counsel, who did not enter his appearance or otherwise become involved in the aforementioned MJDC matter. As you know, you and I are owed substantial sums from the underlying settlement agreement. I am going to write to former defense counsel and advise him of my suspension but I have no reason to expect that this matter will conclude this week.

I know you may need counsel in the future. I will be sending you a separate e-mail in a little bit for your consideration where referral counsel is concerned.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**

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NONLITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

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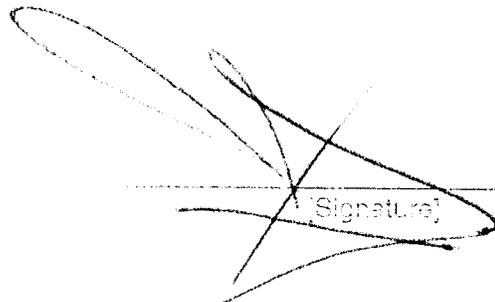
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(a) and Board Rule §91.91]

To: John Stabilo  
[Name of Client]  
Via e-Mail  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(a) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

It will be necessary, therefore, for you to obtain other counsel to represent you further in the matters for which I had been previously retained.

2/14/21  
[Date]

  
[Signature]

54

## John Gallagher

---

**From:** John Stabilo <john@stabilostone.com>  
**Sent:** Tuesday, February 2, 2021 5:14 PM  
**To:** John Gallagher  
**Cc:** Wayne Ely  
**Subject:** RE: Suspension

Hi John,

I sorry about the predicament you're in. I wish you the best of luck & thank you for your assistance with my matter.  
John



**From:** John Gallagher [mailto:jag@johnagallagher.com]  
**Sent:** Tuesday, February 02, 2021 5:04 PM  
**To:** John Stabilo <john@stabilostone.com>  
**Cc:** Wayne Ely <wayne3236@gmail.com>  
**Subject:** Suspension  
**Importance:** High

Dear John:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

As we discussed, a separate e-Mail concerning referral to Wayne Ely will follow shortly; at this point, I am not counsel of record in the pending DJ Action, but if they inform the Court of their intention to defend, you will have to hire Wayne to appear with you (as we know last time they did not appear! )

I am sorry this occurred, and wish you the <sup>55</sup>very best of luck going forward.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS  
COMMUNICATION – I need it to prove I am following the rules re suspension**

610-889-9726 (Fax)  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

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**From:** John Gallagher  
**Sent:** Tuesday, February 2, 2021 5:03 PM  
**To:** 'John Stabilo' <[john@stabilostone.com](mailto:john@stabilostone.com)>  
**Cc:** 'Wayne Ely' <[wayne3236@gmail.com](mailto:wayne3236@gmail.com)>  
**Subject:** Suspension  
**Importance:** High

Dear John:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

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50

As we discussed, a separate e-Mail concerning referral to Wayne Ely will follow shortly; at this point, I am not counsel of record in the pending DJ Action, but if they inform the Court of their intention to defend, you will have to hire Wayne to appear with you (as we know last time they did not appear! )

I am sorry this occurred, and wish you the very best of luck going forward.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION – I need it to prove I am following the rules re suspension**

Regards,

**John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
[www.johnagallagher.com](http://www.johnagallagher.com)**

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***Over 1.675 million views since 2010***

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[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
***Over 315,000 views since 2010***

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57

IN THE SUPREME COURT OF PENNSYLVANIA

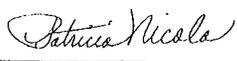
OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
JOHN A. GALLAGHER, : Attorney Registration No. 61914  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy, Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

58

**John Gallagher**

---

**From:** Scott A. Wybranski <swybranski@meradia.com>  
**Sent:** Tuesday, February 16, 2021 9:11 AM  
**To:** John Gallagher  
**Subject:** RE: Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT - Meradia

Receipt acknowledged ✓

**Scott A. Wybranski, CFA | President/CEO | Meradia**  
T. 610-738-8160 | M. 610-639-7960  
[swybranski@meradia.com](mailto:swybranski@meradia.com)

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Monday, February 15, 2021 12:49 PM  
**To:** Scott A. Wybranski <swybranski@meradia.com>  
**Subject:** Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT - Meradia  
**Importance:** High

Scott:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law as per the attached. I have received the attached form that I am required to send.

Although we have no pending matters, I know you may need counsel in the future. I will be sending you a separate e-mail in a little bit for your consideration.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
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NONLITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

---

[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(a) and Board Rule §91.91]

To: Meradia c/o Scott Wybranski

[Name of Client]

Via e-Mail

[Address]

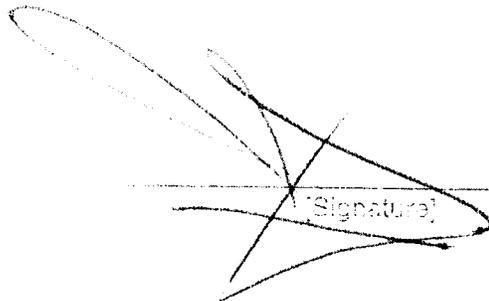
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Pursuant to Rule 217(a) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

It will be necessary, therefore, for you to obtain other counsel to represent you further in the matters for which I had been previously retained.

2/14/21  
[Date]

  
[Signature]

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## John Gallagher

---

**From:** Scott A. Wybranski <swybranski@meradia.com>  
**Sent:** Thursday, January 28, 2021 1:46 PM  
**To:** John Gallagher  
**Subject:** RE: Suspension

Acknowledged. Best of luck. I look forward to you representing us again next year. ✓

**Scott A. Wybranski, CFA | President/CEO | Meradia**  
T. 610-738-8160 | M. 610-639-7960  
[swybranski@meradia.com](mailto:swybranski@meradia.com)

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Thursday, January 28, 2021 12:45 PM  
**To:** Scott A. Wybranski <swybranski@meradia.com>  
**Subject:** Suspension  
**Importance:** High

Scott:

A more formal letter will follow, as we discussed today. But I wanted to follow up in writing...

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension is 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

I am not handling any active matter or assignment for Meradia at this time.

That said, we agree that the attorney in the *Morgan Holland Connecticut matter* (which is and has been dormant for some time and in which I could not have represented Meradia on since I have never been licensed in Connecticut), understands that I am Meradia's counsel here in Pennsylvania. We agreed it would not be in Meradia's best interest to contact Morgan Holland to advise that Meradia now has new counsel if the matter should proceed further, electing to "let sleeping dogs lie." If in the future I receive any notice from Morgan Holland's counsel (which I may or may not since there was no service of the Complaint filed by Morgan Holland), I will be making arrangements subsequent to 2/21 to make sure Meradia is promptly advised.

6/1

That said, I expect the best indication that the action has been “revived” would be service on Meradia of the lawsuit itself, which may come via certified mail or even personal service. So keep a close out for that, and maybe best to contact an attorney in Connecticut from the start if that should occur.

Meanwhile Meradia needs to seek new counsel for future legal matters of the type on which I previously assisted. I sincerely regret any inconvenience this may cause.

Please acknowledge receipt via Reply, and thanks.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
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*WR*

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
 : No. 65 DB 2019  
v. :  
 : Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

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## John Gallagher

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**From:** Meredithlussier <meredith.l.lussier@gmail.com>  
**Sent:** Wednesday, January 27, 2021 8:26 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension

Agreed. Thanks, John. ✓

Meredith Lussier

On Jan 27, 2021, at 5:45 PM, John Gallagher <jag@johnagallagher.com> wrote:

Meredith;

A more formal letter will follow, as we discussed today. But I wanted to follow up in writing...

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension is 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

You and I agreed that due to the pre-existing relationship/retention between us, and the fact that any negotiation can be concluded in advance of 2/21, that I would continue on with negotiations.

This I will do.

Please acknowledge receipt via Reply, and thanks.

Regards,

04

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
 :  
v. : No. 65 DB 2019  
 :  
JOHN A. GALLAGHER, : Attorney Registration No. 61914  
Respondent : (Chester County)

ORDER

PER CURIAM

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

65

**John Gallagher**

---

**From:** Meredith Lussier <mlussier@mullen.law>  
**Sent:** Tuesday, February 16, 2021 2:35 PM  
**To:** John Gallagher  
**Cc:** Spencer Lussier  
**Subject:** RE: GCA v. Shapiro

Hi John:

Please allow this email to memorialize your conversation with Spencer earlier this afternoon. As discussed, you will be returning the full amount of the retainer - \$1,250 – via check sent via U.S. mail. We ask that you provide tracking details.

Best regards,  
Meredith

**Meredith Lussier**  
**Attorney**  
**Mullen Coughlin LLC**  
426 W. Lancaster Avenue, Suite 200  
Devon, PA 19333  
(267) 930-4835 - Office  
(610) 329-8711 - Mobile  
mlussier@mullen.law  
<https://www.mullen.law/>

This email may be an attorney-client communication or otherwise confidential and privileged. If you are not the intended recipient, or received it in error, do not review or copy. Please immediately notify the sender and permanently delete/destroy the email and attachments.

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Friday, January 22, 2021 9:27 AM  
**To:** Meredith Lussier <mlussier@mullen.law>  
**Subject:** RE: Please send us your engagement letter

I spoke with counsel for plaintiff.

Give me a call and I will fill you in.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

*bio*

## John Gallagher

---

**From:** John Gallagher  
**Sent:** Wednesday, February 3, 2021 3:37 PM  
**To:** 'laura reiger'  
**Subject:** RE: Suspension

Laura:

Thank you for that information.

I wish Lucas and you the very best going forward!

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
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**From:** laura reiger <photopeep@gmail.com>  
**Sent:** Wednesday, February 3, 2021 10:21 AM  
**To:** John Gallagher <jag@johnagallagher.com>  
**Subject:** Re: Suspension

Mr Gallagher,  
We no longer wish to have you represent us at this time. We have retained new counsel.  
Lucas and Laura Etchberger



Sent from my iPhone

On Jan 29, 2021, at 12:03 PM, John Gallagher <[jag@johnagallagher.com](mailto:jag@johnagallagher.com)> wrote:

Lucas;

My records indicate I have not received and Reply from you to the below e-Mail. Consequently, it is my assumption that you do NOT wish to have me represent you at the School Board Hearing.

If I am wrong, you would need to advise me by the end of the day.

If I am correct, I am here to help any counsel you may retain, although the only information I have that you do not are my notes from our prior meeting.

If I do not hear from you, please accept my very best wishes.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
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**From:** John Gallagher  
**Sent:** Wednesday, January 27, 2021 6:04 PM  
**To:** 'naaxis@live.com' <naaxis@live.com>  
**Subject:** Suspension  
**Importance:** High

Lucas:

This follows up on the call we had today.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must “wind up” my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

We discussed that I could and would continue handling the matter (i.e. prepare for and attend the Hearing and engage in any settlement negotiations that naturally arise) if you wish. The factors we discussed included:

- our pre-existing relationship/retention;
- my knowledge of the matter due to my exiting representation and possession of the file;
- the fact that the School Board Hearing scheduled for February 4 is exigent and a “one shot deal;”
- the reality that appealing any school board decision is extremely expensive and rarely successful (and hence extremely unlikely choice for you if you do not win the Hearing): and,

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- the fact that any potential settlement negotiations can be concluded in advance of 2/21.

The fee for the representation as described above will be as quoted in the January 7, 2021 e-Mail fee letter I sent to you and discussed during our initial Consultation.

I asked you to sleep on things, and definitively advise tomorrow (**time is of the essence**).

Please promptly advise that you **do** or **do not** want me to carry on, as well as acknowledge receipt of this e-Mail, via Reply, and thanks.

**If you do not wish me to carry on, you should immediately seek new counsel, and attempt to first secure a continuance of the February 4 Hearing based upon your need to do so.** Of course, I will do whatever I can to help you with such an endeavor at no cost.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
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IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
: Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

ORDER

**PER CURIAM**

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

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## John Gallagher

---

**From:** Francis Alexander Malofiy <francis@francisalexander.com>  
**Sent:** Thursday, February 18, 2021 10:25 AM  
**To:** John Gallagher  
**Cc:** Francis Alexander Malofiy; AJ Fluehr  
**Subject:** RE: Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT - Stabilo Matter

Dear John,

Good to speak with you too.

This is to confirm and acknowledge receipt of your suspension.

I'm sorry to hear of the news.



\*\*\*\*\*

With every good wish, I am,

Francis Malofiy, Esquire  
Francis Alexander, LLC  
280 N. Providence Road | Suite 1  
Media, PA 19063  
T: (215) 500-1000  
F: (215) 500-1005  
E: [francis@francisalexander.com](mailto:francis@francisalexander.com)

**From:** John Gallagher [mailto:jag@johnagallagher.com]  
**Sent:** Thursday, February 18, 2021 10:00 AM  
**To:** Francis Alexander Malofiy <francis@francisalexander.com>  
**Subject:** FW: Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT - Stabilo Matter  
**Importance:** High

Francis;

Nice to speak.

Please acknowledge receipt, and thanks.

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**

A handwritten signature in black ink, appearing to be 'JAG', is written below the typed name.

**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
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**From:** John Gallagher  
**Sent:** Wednesday, February 17, 2021 11:25 AM  
**To:** 'Francis Alexander Malofiy' <[francis@francisalexander.com](mailto:francis@francisalexander.com)>  
**Subject:** FW: Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT - Stabilo Matter  
**Importance:** High

Francis:

Please acknowledge receipt, if you do not mind. Since you may need to do further work on this matter, and know me as the only attorney that has represented Mr. Stabilo, I am writing you out of an abundance of caution.

Please help me out by reviewing and responding to acknowledge receipt. Thanks.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**

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610-889-9726 (Fax)

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**From:** John Gallagher

**Sent:** Monday, February 15, 2021 12:24 PM

**To:** 'Francis Alexander Malofiy' <[francis@francisalexander.com](mailto:francis@francisalexander.com)>

**Subject:** Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT - Stabilo Matter

**Importance:** High

Francis:

I was not counsel of record, nor did I appear, in a recent MJDC matter in which my client secured a judgment against yours. Further, there is no pending litigation between our clients in which either you or I are identified as counsel. That said, I feel the safest course is to send you this communication.

I have been suspended from practicing law as per the attached (which I previously sent to my client).

Naturally, if your client is interested in resolving this matter between now and Sunday, please feel free to reach out to me.

Otherwise, if Mr. Stabilo should select replacement counsel prior to February 22, I will inform you of his/her identity.

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**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

---

NONLITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

---

[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(a) and Board Rule §91.91]

To: John Stabilo  
[Name of Client]  
Via e-Mail  
[Address]

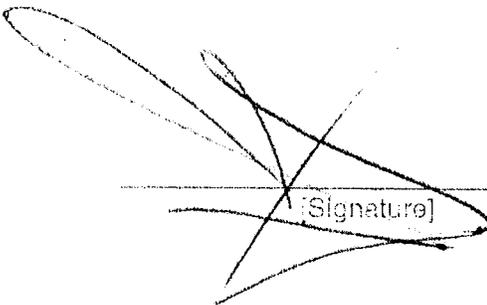
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Pursuant to Rule 217(a) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

It will be necessary, therefore, for you to obtain other counsel to represent you further in the matters for which I had been previously retained.

2/14/21  
[Date]

  
[Signature]

75

## John Gallagher

---

**From:** Tricia Ambrose <TAmbrose@macmainlaw.com>  
**Sent:** Tuesday, February 16, 2021 2:13 PM  
**To:** John Gallagher  
**Subject:** RE: Community Youth and Women's Alliance (Wealer), 77 CD 2020 - Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT

Thank you for the heads up. Good luck.

Tricia M. Ambrose  
MacMain, Connell & Leinhauser, LLC  
433 W. Market Street Suite 200  
West Chester, PA 19382  
484-328-3997  
484-328-3996



**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Tuesday, February 16, 2021 1:29 PM  
**To:** Tricia Ambrose <TAmbrose@macmainlaw.com>  
**Subject:** RE: Community Youth and Women's Alliance (Wealer), 77 CD 2020 - Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT  
**Importance:** High

Tricia:

I hope you are well.

I have been suspended from practicing law as per the attached. I have sent the attached to my client, Ms. Wealer. If there is a remand hearing, I will not be participating.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

76

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LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

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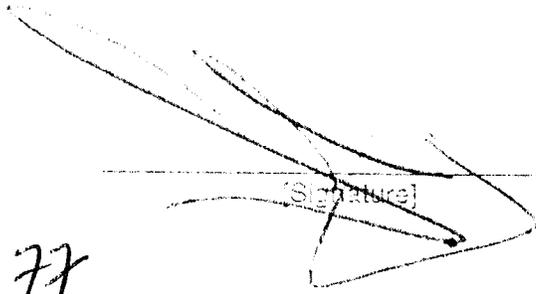
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Miriam Wealer  
[Name of Client]  
Via e-Mail  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been:  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect: 2/21/21

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/11/21  
[Date]

  
[Signature]

77

## John Gallagher

---

**From:** Dave Sargent <dsargent@camcomfginc.com>  
**Sent:** Tuesday, February 16, 2021 5:57 AM  
**To:** John Gallagher; Rich Arnold  
**Subject:** RE: Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT

John,  
Appreciate the communication and look forward to working with you in the future.



Dave Sargent  
Production Manager  
Camco Manufacturing  
Sayre, PA. 18840  
Cell: (570)867-0208

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Monday, February 15, 2021 2:16 PM  
**To:** Rich Arnold <rarnold@camcomfginc.com>  
**Cc:** Dave Sargent <dsargent@camcomfginc.com>  
**Subject:** Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT  
**Importance:** High

Rich and Dave:

As we discussed, I have been suspended from practicing law as per the attached.

Although we have no pending matters, I know you may need counsel in the future. I will be sending you a separate e-mail in a little bit for your consideration.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
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Check out John's Blog at:

78

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NONLITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

---

[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(a) and Board Rule §91.91]

To: Camco Mfg. c/o Rich Arnold

[Name of Client]

Vio c/o Mol

[Address]

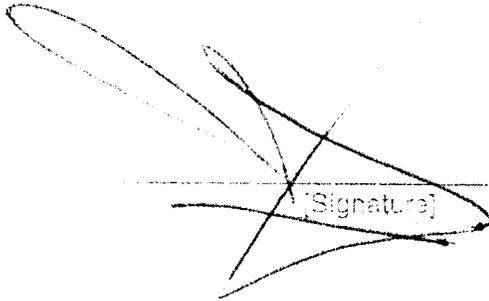
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Pursuant to Rule 217(a) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarrred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

It will be necessary, therefore, for you to obtain other counsel to represent you further in the matters for which I had been previously retained.

2/14/21  
[Date]

  
[Signature]

79

**John Gallagher**

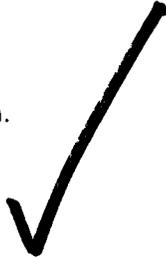
---

**From:** Scott Rothman <SRothman@curleyrothman.com>  
**Sent:** Monday, February 15, 2021 9:02 PM  
**To:** John Gallagher  
**Subject:** RE: Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

John,

I have received and reviewed the form.

Scott M. Rothman  
Curley & Rothman, LLC  
Spring Mill Settlement Services  
[www.curleyrothman.com](http://www.curleyrothman.com)



Spring Mill Corporate Center  
1100 E. Hector St., Suite 425  
Conshohocken, PA 19428  
(610) 834-8819 (main)  
(484) 362-6287 (direct)

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Monday, February 15, 2021 9:15 AM  
**To:** Scott Rothman <SRothman@curleyrothman.com>  
**Subject:** Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.  
**Importance:** High

Scott:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send; I have sent the attached to my client and am sending same to you. **Please review the attached, and acknowledge receipt of same.**

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210

80

Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
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**From:** John Gallagher  
**Sent:** Wednesday, February 10, 2021 11:36 AM  
**To:** 'Scott Rothman' <[SRothman@curleyrothman.com](mailto:SRothman@curleyrothman.com)>  
**Subject:** SUSPENSION

Dear Mr. Rothman:

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

No substitute counsel for BMC has been located as of this date. I will be filing a Petition to Withdraw as counsel for BMC in the near future, and will copy you on same.

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**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS  
COMMUNICATION**

**Regards,**

**John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
[www.johnagallagher.com](http://www.johnagallagher.com)**

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LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

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[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Matthew McGeever  
[Name of Client]  
Via e-Mail  
[Address]

---

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Pursuant to Rule 217(c) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

[Signature]  
[Name]

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[Signature]  
[Name]

**John Gallagher**

---

**From:** Halbert, Randi <RHalbert@littler.com>  
**Sent:** Tuesday, February 16, 2021 1:36 PM  
**To:** John Gallagher  
**Subject:** RE: Suspension Compliance Notice - Rowe Matter - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

Received. ✓

**Randi Halbert**

Littler CaseSmart Counsel, Charges  
816.788.7008 direct, 215.704.1714 mobile, 816.326.9175 fax  
RHalbert@littler.com



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**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Tuesday, February 16, 2021 1:33 PM  
**To:** Halbert, Randi <RHalbert@littler.com>  
**Subject:** FW: Suspension Compliance Notice - Rowe Matter - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.  
**Importance:** High

**[EXTERNAL E-MAIL]**

Randi:

I need acknowledgement to comply with my ethical responsibilities. Thanks.

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
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**From:** John Gallagher

**Sent:** Monday, February 15, 2021 9:07 AM

**To:** 'Halbert, Randi' <[RHalbert@littler.com](mailto:RHalbert@littler.com)>

**Subject:** Suspension Compliance Notice - Rowe Matter - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

**Importance:** High

Randy:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send; I have sent the attached to my client and am sending same to you. **Please review the attached, and acknowledge receipt of same.**

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
[www.johnagallagher.com](http://www.johnagallagher.com)



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**From:** John Gallagher

**Sent:** Friday, January 29, 2021 12:01 PM

**To:** 'Halbert, Randi' <[RHalbert@littler.com](mailto:RHalbert@littler.com)>

**Subject:** RE: Rowe, Timothy (PA) (CS-WM-2021-15850) -- Settlement Agreement and Documents

**Importance:** High

Dear Ms. Halbert:

This follows up on the call we had today.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

My client, blind copied on this, was made aware of my suspension on Monday 1/25 via phone and by confirming e-Mail at 4:52 p.m.

As you and I discussed, I cannot remain on as a contact for reasons of any future notice. Please delete me from that provision found at paragraph 23, and simply use Mr. Rowe as indicated, at the following address:



Tim Rowe  
216 Laydon Lane  
West Chester, PA 19380

Otherwise, the Agreement has been reviewed by my client and I, and is acceptable as written.

Please amend the aforesaid paragraph 23 and get it back to me, and we will wrap this up.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
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**From:** Halbert, Randi <[RHalbert@littler.com](mailto:RHalbert@littler.com)>  
**Sent:** Thursday, January 28, 2021 11:49 AM  
**To:** John Gallagher <[jag@johnagallagher.com](mailto:jag@johnagallagher.com)>  
**Subject:** Rowe, Timothy (PA) (CS-WM-2021-15850) -- Settlement Agreement and Documents

Hi, John,



---

LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

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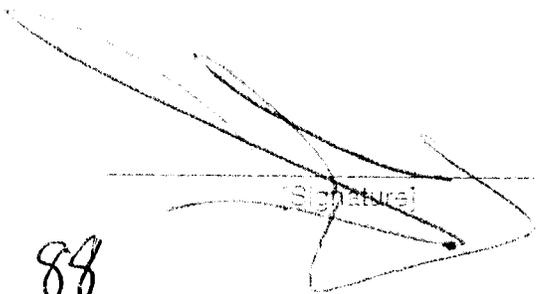
To: Tim Rowe  
[Name of Client]  
Via e-mail  
[Address]

---

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Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/11/21 [Date]  
 [Signature]

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## John Gallagher

---

**From:** Halbert, Randi <RHalbert@littler.com>  
**Sent:** Friday, January 29, 2021 12:11 PM  
**To:** John Gallagher  
**Subject:** RE: Rowe, Timothy (PA) (CS-WM-2021-15850) -- Settlement Agreement and Documents  
**Attachments:** Walmart Settlement Agreement and General Release Rowe.pdf

Attached is revised agreement with Mr. Rowe's contact address.

### Randi Halbert

Littler CaseSmart Counsel, Charges  
816.788.7008 direct, 215.704.1714 mobile, 816.326.9175 fax  
RHalbert@littler.com



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**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Friday, January 29, 2021 12:01 PM  
**To:** Halbert, Randi <RHalbert@littler.com>  
**Subject:** RE: Rowe, Timothy (PA) (CS-WM-2021-15850) -- Settlement Agreement and Documents  
**Importance:** High

### [EXTERNAL E-MAIL]

Dear Ms. Halbert:

This follows up on the call we had today.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

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My client, blind copied on this, was made aware of my suspension on Monday 1/25 via phone and by confirming e-Mail at 4:52 p.m.

As you and I discussed, I cannot remain on as a contact for reasons of any future notice. Please delete me from that provision found at paragraph 23, and simply use Mr. Rowe as indicated, at the following address:

Tim Rowe  
216 Laydon Lane  
West Chester, PA 19380

Otherwise, the Agreement has been reviewed by my client and I , and is acceptable as written.

Please amend the aforesaid paragraph 23 and get it back to me, and we will wrap this up.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
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90  
2

**From:** Halbert, Randi <[RHalbert@littler.com](mailto:RHalbert@littler.com)>  
**Sent:** Thursday, January 28, 2021 11:49 AM  
**To:** John Gallagher <[jag@johnagallagher.com](mailto:jag@johnagallagher.com)>  
**Subject:** Rowe, Timothy (PA) (CS-WM-2021-15850) -- Settlement Agreement and Documents

Hi, John,

Attached please find the following settlement documents to be executed by your client and returned to our office:

1. Confidential Settlement Agreement and General Release between Mr. Rowe and Walmart;
2. Tax Form W-4;
3. Tax Form W-9; and
4. Walmart's Associate Information Form.

You can return all completed documents to me by scansend/email or by fax. Please note that Walmart is unable to process the settlement check until all completed documents have been returned from you. Should you have any questions regarding the processing of the Settlement Agreement, please feel free to contact me.

-Randi

**Randi Halbert**

Littler CaseSmart Counsel, Charges  
816.788.7008 direct, 215.704.1714 mobile, 816.326.9175 fax  
[RHalbert@littler.com](mailto:RHalbert@littler.com)



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IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
: Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

92

## John Gallagher

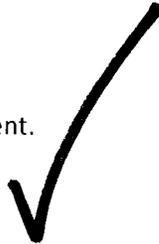
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**From:** Timothy Rowe <tsr4286@gmail.com>  
**Sent:** Thursday, February 18, 2021 5:31 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension Compliance Notice - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED

John:

I have received the email and read the attachment.

Have a great day  
Tim Rowe



Sent from my iPhone

On Feb 15, 2021, at 9:06 AM, John Gallagher <jag@johnagallagher.com> wrote:

Tim:

Although our case has settled, and we are awaiting the settlement checks, I am required to send the attached to you.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

93

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)

***Over 315,000 views since 2010***

WARNING - FRAUDULENT FUNDING INSTRUCTIONS: Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.

WARNING: CONFIDENTIAL NOTICE: The Electronic Communications Privacy Act of 1986 (18 U.S.C. 2510 et seq.) provides federal criminal and civil penalties for the unauthorized reading of this e-mail if you are not the intended recipient named above. The message is confidential and may be privileged attorney-client communication. If you are not the intended recipient or an agent responsible to the extended recipient, please notify us immediately by telephone (610) 647-5027. Any review, dissemination, distribution or copying of this document by anyone other than the intended recipient is unauthorized. The review of this information by any individual other than the extended recipient shall not constitute a waiver of the attorney-client, work product, joint defense, and/or other applicable privileges.

**From:** John Gallagher  
**Sent:** Monday, January 25, 2021 4:52 PM  
**To:** 'Timothy Rowe' <tsr4286@gmail.com>  
**Subject:** Suspension  
**Importance:** High

Tim:

As we just discussed, I learned this past Friday that I am suspended from practicing law for 1 year beginning February 21. As I explained, I am allowed to “wind up” my matters between then and now, and that would include finalizing the settlement with Walmart if we get an offer you find acceptable.

Under no circumstances would this change any of my obligations to you; if we have a settlement, and there is any paperwork to be finalized post 2/21, I have an attorney that will handle at no cost to you (if we settle within the next 10 days or so, I doubt that will be an issue).

As I explained, if the matter is not settled by 2/21, I will need to provide you with some referral options, and I will do so. We will find someone who will handle under the same fee percentage as you and I have in place. Of course, I can withdraw are extant settlement demand and proceed with referring you elsewhere without delay if you wish (I hope not, but that is your decision and I will of course facilitate any decision you make without delay).

I think our conversation was pretty thorough regarding the above, but let me know if there are any unanswered questions.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**

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LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

---

[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Tim Rowe  
[Name of Client]  
Via e-Mail  
[Address]

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Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/11/21  
[Date]

[Signature]  
95

## John Gallagher

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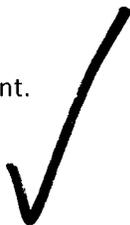
**From:** Kerry Connors <kconn8417@gmail.com>  
**Sent:** Monday, February 15, 2021 4:28 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT

Hi John,

I received the email and the attached document.

Thank you,

Kerry Connors



On Sun, Feb 14, 2021 at 5:28 PM John Gallagher <[jag@johnagallagher.com](mailto:jag@johnagallagher.com)> wrote:

Kerry:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send. Please review the attached.

After I previously informed you of my suspension, I offered Wayne Ely as a potential referral attorney to handle your case. You are under no obligation to accept this referral, and may hire counsel of your own choosing.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

John A. Gallagher, Esquire



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NONLITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

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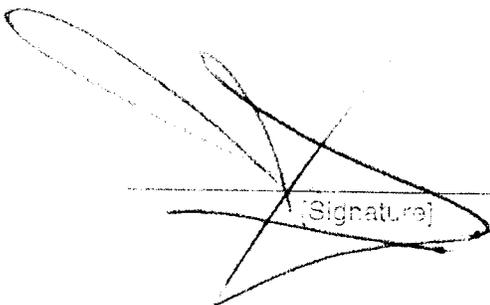
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(a) and Board Rule §91.91]

To: Kerry Connors  
[Name of Client]  
Via e-Mail  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(a) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

It will be necessary, therefore, for you to obtain other counsel to represent you further in the matters for which I had been previously retained.

2/14/21  
[Date]

  
[Signature]

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**From:** John Gallagher  
**Sent:** Monday, February 8, 2021 4:49 PM  
**To:** 'Kerry Connors' <kconn8417@gmail.com>  
**Subject:** Suspension  
**Importance:** High

Dear Kerry:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must “wind up” my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

As we discussed, a separate e-Mail concerning referral will follow shortly.

I am sorry this occurred, and wish you the very best of luck going forward.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS  
COMMUNICATION**



IN THE SUPREME COURT OF PENNSYLVANIA

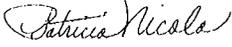
OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
JOHN A. GALLAGHER, : Attorney Registration No. 61914  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

99

**John Gallagher**

---

**From:** MIRIAM WEALER <mimiw19320@msn.com>  
**Sent:** Monday, February 15, 2021 3:20 PM  
**To:** John Gallagher  
**Subject:** RE: For Candace McCoy (No separate e-Mail Account I am Aware Of) - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION

Email and Attachment acknowledged.  
Candace



**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Sunday, February 14, 2021 5:33 PM  
**To:** MIRIAM WEALER <mimiw19320@msn.com>  
**Subject:** For Candace McCoy (No separate e-Mail Account I am Aware Of) - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION  
**Importance:** High

Candace:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send. Please review the attached.

After I previously informed you of my suspension, I offered Wayne Ely as a potential referral attorney to handle your case. **You are under no obligation to accept this referral, and may hire counsel of your own choosing. If you do not wish to have Wayne represent you in the pending matter, and are unable to locate another attorney to handle the case before 2/21, you need to inform me promptly.** At that point, I will need to file a Petition to Withdraw from the case.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
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100

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**From:** John Gallagher  
**Sent:** Monday, February 1, 2021 1:19 PM  
**To:** 'MIRIAM WEALER' <[mimiw19320@msn.com](mailto:mimiw19320@msn.com)>  
**Cc:** 'wayne3236@gmail.com' <[wayne3236@gmail.com](mailto:wayne3236@gmail.com)>  
**Subject:** Suspension

Dear Mimi and Candace:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

As we discussed, a separate e-Mail concerning referral will follow shortly.

I am sorry this occurred, and wish you the very best of luck going forward.

101

## John Gallagher

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**From:** MIRIAM WEALER <mimiw19320@msn.com>  
**Sent:** Monday, February 15, 2021 2:42 PM  
**To:** John Gallagher  
**Subject:** RE: To Miriam Wealer - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED

Thank you. WE acknowledge the email and attachment. WE have contacted Mr. Ely and will follow this recommendation.



We are very sorry for your current difficulties. Over the past 10 or more years you have been an exceptionally great attorney with positive results and good advice in several cases. We hope this challenge is resolved quickly.  
Miriam  
Candace

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Sunday, February 14, 2021 5:34 PM.  
WE hope  
**To:** MIRIAM WEALER <mimiw19320@msn.com>  
**Subject:** To Miriam Wealer - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED  
**Importance:** High

Miriam:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send. Please review the attached.

After I previously informed you of my suspension, I offered Wayne Ely as a potential referral attorney to handle your case. **You are under no obligation to accept this referral, and may hire counsel of your own choosing. If you do not wish to have Wayne represent you in the pending matter, and are unable to locate another attorney to handle the case before 2/21, you need to inform me promptly.** At that point, I will need to file a Petition to Withdraw from the case.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210

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LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

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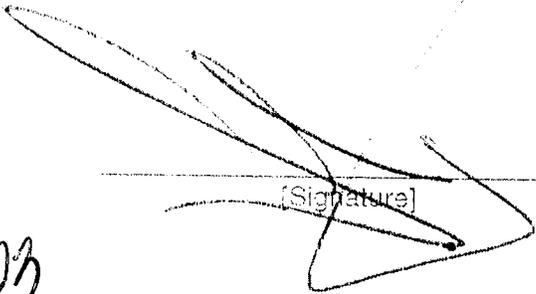
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Miriam Wealer  
[Name of Client]  
Via e-Mail  
[Address]

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/14/21  
[Date]

  
[Signature]

103

LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Candace McCoy  
[Name of Client]  
Via e-Mail  
[Address]

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/14/21  
[Date]

104

[Signature]

**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

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**From:** John Gallagher  
**Sent:** Monday, February 1, 2021 1:19 PM  
**To:** 'MIRIAM WEALER' <[mimiw19320@msn.com](mailto:mimiw19320@msn.com)>  
**Cc:** 'wayne3236@gmail.com' <[wayne3236@gmail.com](mailto:wayne3236@gmail.com)>  
**Subject:** Suspension

Dear Mimi and Candace:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

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As we discussed, a separate e-Mail concerning referral will follow shortly.

I am sorry this occurred, and wish you the very best of luck going forward.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
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IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
JOHN A. GALLAGHER, : Attorney Registration No. 61914  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

107

## John Gallagher

---

**From:** ayman ghobrial <aghobrial62@hotmail.com>  
**Sent:** Monday, February 15, 2021 1:58 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT

Mr. Gallagher,

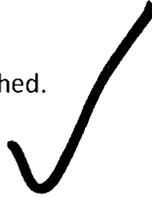
I acknowledge the receipt of this email and the attached.

I appreciate your help and professionalism.

Thanks!

Ayman

Sent from my iPhone



On Feb 15, 2021, at 1:06 PM, John Gallagher <jag@johnagallagher.com> wrote:

Ayman:

As we discussed today, I have been suspended from practicing law as per the attached form that I am required to send.

Although we have no pending matters, I know you may need counsel in the future. I will be sending you a separate e-mail in a little bit for your consideration.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

Check out John's Blog at:

108

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NONLITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

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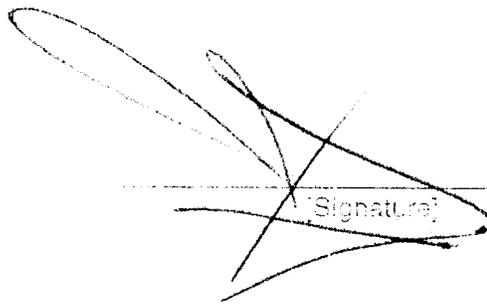
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(a) and Board Rule §91.91]

To: Ayman Ghobrial  
[Name of Client]  
Via e-Mail  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(a) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

It will be necessary, therefore, for you to obtain other counsel to represent you further in the matters for which I had been previously retained.

2/14/21  
[Date]

  
[Signature]

109

## John Gallagher

---

**From:** Salgado, Tanya <Salgadot@whiteandwilliams.com>  
**Sent:** Monday, February 15, 2021 1:31 PM  
**To:** John Gallagher  
**Cc:** Anelli, James  
**Subject:** RE: Suspension Compliance Form - Reinhardt v. Medallion - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

John—

This will acknowledge receipt of your email and the attachments.

Tanya



### Tanya A. Salgado

1650 Market Street | One Liberty Place, Suite 1800 | Philadelphia, PA 19103-7395  
Direct 215.864.6368 | Fax 215.789.7671  
[salgadot@whiteandwilliams.com](mailto:salgadot@whiteandwilliams.com) | [whiteandwilliams.com](http://whiteandwilliams.com)

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**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Monday, February 15, 2021 12:12 PM  
**To:** Salgado, Tanya <Salgadot@whiteandwilliams.com>  
**Cc:** Anelli, James <Anellij@whiteandwilliams.com>  
**Subject:** Suspension Compliance Form - Reinhardt v. Medallion - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.  
**Importance:** High

CAUTION: This message originated outside of the firm. Use caution when opening attachments, clicking links or responding to requests for information.

Tanya:

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I have not entered my appearance in this matter. Regrettably, I will not be doing so. Hence, I cannot accept service of the Complaint.

I have been suspended from practicing law as per the attached (which I previously sent to my clients).

I expect to have replacement counsel shortly, and will advise you of his/her identity as soon as that is locked down.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

**Regards,**

**John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
[www.johnagallagher.com](http://www.johnagallagher.com)**

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
*Over 315,000 views since 2010*

WARNING - FRAUDULENT FUNDING INSTRUCTIONS: Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.

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**From:** Salgado, Tanya <[Salgadot@whiteandwilliams.com](mailto:Salgadot@whiteandwilliams.com)>  
**Sent:** Friday, February 12, 2021 11:33 AM  
**To:** John Gallagher <[jag@johnagallagher.com](mailto:jag@johnagallagher.com)>  
**Cc:** Anelli, James <[Anellij@whiteandwilliams.com](mailto:Anellij@whiteandwilliams.com)>  
**Subject:** RE: Reinhardt v. Medallion

Good morning, Mr. Gallagher—

///

---

NONLITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

---

[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(a) and Board Rule §91.91]

To: Medallion Transport c/o Maj Soueidan

[Name of Client]

*Via e-Mail*

[Address]

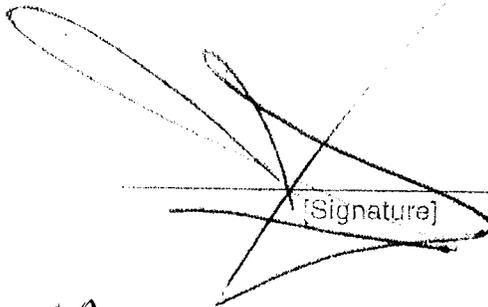
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Pursuant to Rule 217(a) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

It will be necessary, therefore, for you to obtain other counsel to represent you further in the matters for which I had been previously retained.

2/14/21  
[Date]

  
[Signature]

112

**John Gallagher**

---

**From:** Josh Calo <jcalo@postandpost.com>  
**Sent:** Monday, February 15, 2021 1:29 PM  
**To:** John Gallagher  
**Subject:** RE: Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

Received. Thank you.

Joshua T. Calo, Esquire

**POST & POST** LLC  
**A T T O R N E Y S A T L A W**

200 Berwyn Park, Suite 102  
920 Cassatt Rd.  
Berwyn, PA 19312  
Cell Phone: (610)331-4650  
Direct Dial: (484) 913-3044  
Telephone: (610) 240-9180  
Fax: (610) 240-9185  
[www.postandpost.com](http://www.postandpost.com)

POST & POST LLC considers the health and safety of our clients, employees, and friends of the firm as our top priority during the COVID-19 health crisis. As such, many of our attorneys and staff are working remotely. We will respond to your emails and telephone calls as promptly as possible. During this time, email is the most effective means of communication with our attorneys and staff. To the extent possible, please use email correspondence to reach out to us so that we can respond as quickly as possible. Thank you.

Confidentiality Notice: This E-mail is from the law firm Post & Post LLC. This E-mail and any attachments may contain legally privileged or confidential information, and are intended only for the individual or entity identified above as the addressee. If you are not the addressee, or if this message has been addressed to you in error, you are not authorized to read, copy, or distribute this message and any attachments, and we ask that you please delete this message and attachments (including all copies) and notify the sender by return e-mail or by phone at 610-240-9180. Delivery of this message and any attachments to any person other than the intended recipient(s) is not intended in any way to waive confidentiality or a privilege. All personal messages express views only of the sender, which are not to be attributed to Post & Post LLC, and may not be copied or distributed without this statement.

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Monday, February 15, 2021 9:45 AM  
**To:** Josh Calo <jcalo@postandpost.com>  
**Subject:** Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.  
**Importance:** High

Dear Mr. Calo:

We have not spoken, but I was local counsel for plaintiffs in the *Mauro v. McCloskey* matter pending in Delaware County.

This is to advise that I been suspended from practicing law. I have received the attached form that I am required to send. **Please review the attached, and acknowledge receipt of same.**

As you have likely been informed via ecf, I have withdrawn my appearance from the matter, and John Carnes has entered his in my stead.

*JG*

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

**Regards,**

**John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
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114

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LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

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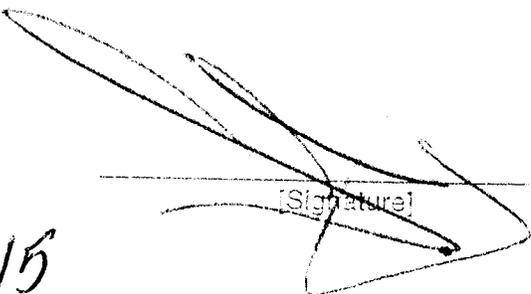
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Terri Adams  
[Name of Client]  
Vincent M. ...  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/14/21  
[Date]

  
[Signature]

115

---

LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

---

[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Gerald Mauro  
[Name of Client]  
Via e-Mail  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/17/21  
[Date]

[Signature]  
116

**John Gallagher**

---

**From:** George Sawicki <George@kpslife.com>  
**Sent:** Monday, February 15, 2021 1:22 PM  
**To:** John Gallagher  
**Subject:** RE: Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT

Hi John and thank you. Received. I will call you tomorrow to catch up on things. Thank you.

George

George Sawicki  
Chief Operating Officer  
**KPS Life**  
10 Valley Stream Parkway, Suite 302  
Malvern, PA 19355  
Direct Dial: 267-884-9976 (cell)  
Email: [George@kpslife.com](mailto:George@kpslife.com)  
Website: [www.kpslife.com](http://www.kpslife.com)



**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Monday, February 15, 2021 11:54 AM  
**To:** George Sawicki <George@kpslife.com>  
**Subject:** Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT  
**Importance:** High

George:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law as per the attached. I have received the attached form that I am required to send.

Although we have no pending matters, I know you may need counsel in the future. I will be sending you a separate e-mail in a little bit for your consideration.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210

117

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NONLITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

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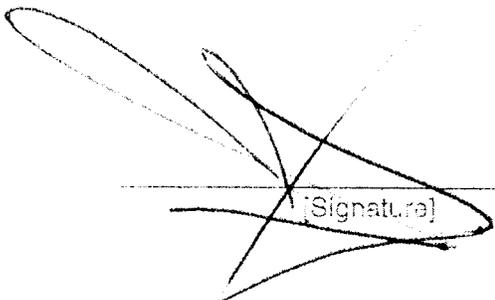
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(a) and Board Rule §91.91]

To: KPS c/o George Sawicki  
[Name of Client]  
Via e-Mail  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(a) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

It will be necessary, therefore, for you to obtain other counsel to represent you further in the matters for which I had been previously retained.

2/14/21  
[Date]

  
[Signature]

118

**John Gallagher**

---

**From:** George Sawicki <George@kpslife.com>  
**Sent:** Wednesday, February 10, 2021 11:33 AM  
**To:** John Gallagher  
**Subject:** Re: SUSPENSION

Hi John and received. Will call you this week to catch up!

On Feb 10, 2021, at 11:19 AM, John Gallagher <jag@johnagallagher.com> wrote:

Dear George:

I hope that all is well on your end. I am sending you written notice of my suspension in follow-up to the initial telephone call we had on January 22, as required pursuant to the rules relating to my suspension.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must “wind up” my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

As we have discussed, I am in the process of securing substitute counsel to stand in my stead during my suspension. We will continue to work through this between now and February 21.

I regret this occurrence and any disruption it may cause to KPS.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Regards,

119

**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

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**Check out John's YouTube videos at:**

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**From:** John Gallagher  
**Sent:** Wednesday, February 10, 2021 11:19 AM  
**To:** George Sawicki <[George@kpslife.com](mailto:George@kpslife.com)>  
**Subject:** SUSPENSION

Dear George:

I hope that all is well on your end. I am sending you written notice of my suspension in follow-up to the initial telephone call we had on January 22, as required pursuant to the rules relating to my suspension.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

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*190*

As we have discussed, I am in the process of securing substitute counsel to stand in my stead during my suspension. We will continue to work through this between now and February 21.

I regret this occurrence and any disruption it may cause to KPS.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

**Regards,**

**John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
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121  
3

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
: Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

127

**John Gallagher**

---

**From:** Dan Pekol <dpekol@hotmail.com>  
**Sent:** Monday, February 15, 2021 11:30 AM  
**To:** John Gallagher  
**Subject:** Re: SUSPENSION

Hello John,

I acknowledge the letter and understanding of the suspension.  
Best of luck with everything in the future.



Take care,  
Dan Pekol

---

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Sunday, February 14, 2021 4:17 PM  
**To:** Dan Pekol <dpekol@hotmail.com>  
**Subject:** SUSPENSION

Dear Dan:

As we discussed today, please see the attached.

**As we discussed, please reply hereto and acknowledge receipt. As I informed you, I am working on referral counsel, which will require you to contact counsel and indicate your preference to work with him. I will address this separately in the near future.**

I regret this occurred, and wish you the very best going forward!

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)

Handwritten initials 'JAG' in black ink, located below the blog link.

NONLITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

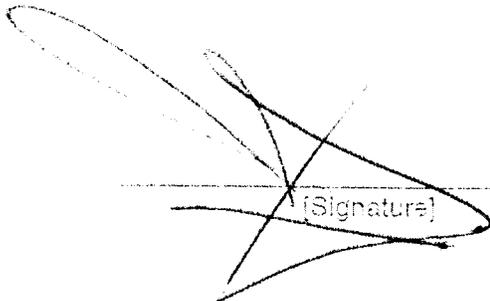
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(a) and Board Rule §91.91]

To: Dan Pekol  
[Name of Client]  
Via e-Mail  
[Address]

Pursuant to Rule 217(a) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

It will be necessary, therefore, for you to obtain other counsel to represent you further in the matters for which I had been previously retained.

2/14/21  
[Date]

  
[Signature]

124

**John Gallagher**

---

**From:** nickmontalto@mmjlaw.com  
**Sent:** Monday, February 15, 2021 10:22 AM  
**To:** John Gallagher  
**Subject:** RE: SUSPENSION Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

Got it



**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Monday, February 15, 2021 9:17 AM  
**To:** nickmontalto@mmjlaw.com  
**Subject:** SUSPENSION Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.  
**Importance:** High

Nick:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send; I have sent the attached to my client and am sending same to you. **Please review the attached, and acknowledge receipt of same.**

Please send me the discovery you referenced on Friday, and let me know your thoughts re: settlement as we discussed.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
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*125*

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LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

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[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.32]

To: Ben Bell  
[Name of Client]  
Via e-Mail  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/11/21  
[Date]

[Signature]  
[Signature]

126

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*Over 315,000 views since 2010*

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**From:** John Gallagher  
**Sent:** Friday, February 12, 2021 6:28 PM  
**To:** 'nickmontalto@mmjlaw.com' <[nickmontalto@mmjlaw.com](mailto:nickmontalto@mmjlaw.com)>  
**Subject:** SUSPENSION

Dear Nick:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

As we discussed, we will seek to work through the matter further next week. Absent resolution, I have substitute counsel in the wings.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Regards,



IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
JOHN A. GALLAGHER, : Attorney Registration No. 61914  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

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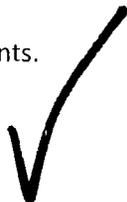
## John Gallagher

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**From:** Adler, Jeff S. <jsadler@burnswhite.com>  
**Sent:** Monday, February 15, 2021 9:51 AM  
**To:** John Gallagher  
**Subject:** RE: Suspension Compliance Form - Wealer and McCoy - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

I acknowledge receipt of the communication and the attachments.

Jeff Adler



Jeffrey S. Adler, Esq.  
Chief Operating Officer, Eastern Region | Member



1001 Conshohocken State Road, STE 1-515 · West Conshohocken, PA 19428  
484-567-5656 (O) · 484-567-5701 (F)  
[jsadler@burnswhite.com](mailto:jsadler@burnswhite.com) · [burnswhite.com](http://burnswhite.com)

As Burns White addresses the concerns raised by COVID-19, the health and safety of our clients, employees and friends of the firm remain our top priority. During this unprecedented time, consistent with the government's recommendations, all Burns White offices are closed at this time, but all of our attorneys are working remotely and will respond to emails and calls as quickly as possible. For more information, please click [here](#).

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Monday, February 15, 2021 9:34 AM  
**To:** Adler, Jeff S. <jsadler@burnswhite.com>  
**Subject:** Suspension Compliance Form - Wealer and McCoy - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.  
**Importance:** High

Jeff:

As referenced in in our prior conversations, I have been suspended from practicing law. I have received the attached form that I am required to send; I have sent the attached to my clients and am sending same to you. **Please review the attached, and acknowledge receipt of same.**

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,



**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

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**From:** Adler, Jeff S. <[jsadler@burnswhite.com](mailto:jsadler@burnswhite.com)>  
**Sent:** Monday, January 25, 2021 5:44 PM  
**To:** John Gallagher <[jag@johnagallagher.com](mailto:jag@johnagallagher.com)>  
**Subject:** Wealer

John

This will confirm our conversation wherein you advised me that you will be needing to obtain substitute counsel in this matter. You can confirm to substitute counsel that I will grant you and the next counsel an extension of time within which to respond to discovery and that I will take no actions without giving you or that counsel at least 2 weeks' notice.  
Best regards,  
Jeff Adler

Jeffrey S. Adler, Esq.  
Chief Operating Officer, Eastern Region | Member



100 Four Falls, Suite 515 · 1001 Conshohocken State Road · West Conshohocken, PA 19428  
484-567-5656 (O) · 484-567-5701 (F)

LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

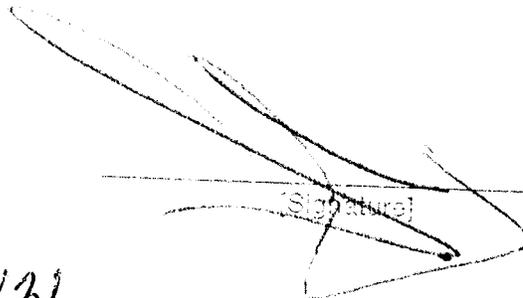
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt - See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Miriam Wealer  
[Name of Client]  
Via e-Mail  
[Address]

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/11/21  
[Date]

  
[Signature]

131

LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

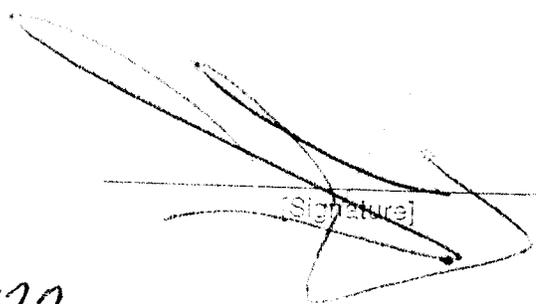
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt - See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Candace McCoy  
[Name of Client]  
Via e-Mail  
[Address]

Pursuant to Rule 217(c) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/11/21  
[Date]

  
[Signature]

132

**John Gallagher**

---

**From:** Graham Baird <GrahamB@ericshore.com>  
**Sent:** Monday, February 15, 2021 9:14 AM  
**To:** John Gallagher  
**Subject:** Re: Suspension Compliance Notice - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

Got it.

GFB

On Feb 15, 2021, at 9:13 AM, John Gallagher <jag@johnagallagher.com> wrote:

Graham:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send; I have sent the attached to my client and am sending same to you. **Please review the attached, and acknowledge receipt of same.**

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
[www.johnagallagher.com](http://www.johnagallagher.com)

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LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
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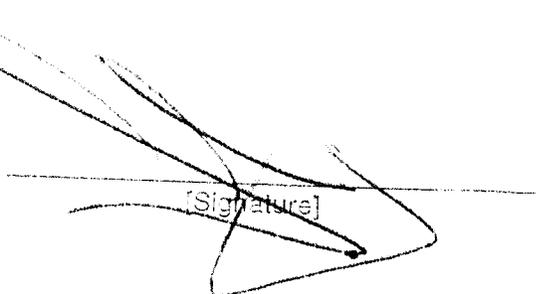
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt - See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Mind Games, c/o Sassan Arias  
[Name of Client]  
Via e-Mail  
[Address]

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/14/21  
[Date]

  
[Signature]

134

**John Gallagher**

---

**From:** Graham Baird <GrahamB@ericshore.com>  
**Sent:** Wednesday, February 10, 2021 10:12 AM  
**To:** John Gallagher  
**Subject:** Re: Suspension

Understood. Received. Best, Graham ✓

**Graham F. Baird, Esquire**  
**Managing Attorney**  
**Employment Litigation Department**  
267-546-0131 (Tel.) · 215-944-6124 (Fax.)  
[grahamb@ericshore.com](mailto:grahamb@ericshore.com)

**Law Offices of Eric A. Shore**  
2 Penn Center, Suite 1240 · 1500 JFK Boulevard · Philadelphia, PA 19102  
4 Echelon Plaza, 8<sup>th</sup> Floor · 201 Laurel Road · Voorhees, NJ 08043

*This email message and any attachments are intended only for the use of the addressee(s) named above and may contain information that is privileged and confidential. If you are not the intended recipient, any display, distribution or copying is strictly prohibited. If you believe you have received this email message in error, please immediately notify the sender by replying to this email message or by telephone to the above number.*

---

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Tuesday, February 9, 2021 5:09 PM  
**To:** Graham Baird <GrahamB@ericshore.com>  
**Subject:** Suspension

Dear Graham:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

As you know, the *Taylor* matter is resolved; the judge issued an Order on 2/3 dismissing the case with prejudice. **My client advised today that it has mailed the settlement check to you; if you do not have by 2/19, let me know. As of 2/21, I am out of pocket, so I will need to act quickly to make sure you have someone to call to follow up as needed.**

I wish you the very best of luck going forward.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

**Regards,**

**John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
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*136*

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
: Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

**ORDER**

**PER CURIAM**

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

137

**John Gallagher**

---

**From:** Ben Bell <Ben.Bell@anytimefitness.com>  
**Sent:** Monday, February 15, 2021 9:08 AM  
**To:** John Gallagher  
**Subject:** Re: Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

Received and acknowledged.

Ben Bell  
Owner  
Anytime Fitness Norristown/Oaks/Pottstown/Chestnut Hill  
610 715 1181



---

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Monday, February 15, 2021 8:57 AM  
**To:** Ben Bell <Ben.Bell@anytimefitness.com>  
**Subject:** Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

Ben:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send. **Please review the attached, and acknowledge receipt.**

As you know, we are hoping to resolve this matter this week. That said, you should consider seeking replacement counsel at this time, just in case. Meanwhile, I do have Wayne Ely lined up as potential replacement counsel for your consideration. Let's see how things go this week.

I am sorry this occurred, and wish you the very best of luck going forward.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

138

LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

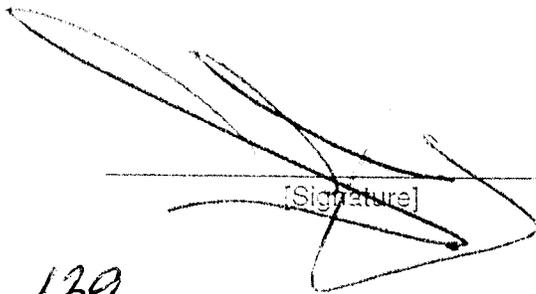
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Ben Bell  
[Name of Client]  
Via e-Mail  
[Address]

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/11/21  
[Date]

  
[Signature]

139

**John Gallagher**

---

**From:** Ben Bell <Ben.Bell@anytimefitness.com>  
**Sent:** Tuesday, February 2, 2021 1:59 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension



All Atty. - Client Communications

Ben Bell  
Owner  
Anytime Fitness Norristown/Oaks/Pottstown/Chestnut Hill  
610 715 1181

---

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Tuesday, February 2, 2021 1:23 PM  
**To:** Ben Bell <Ben.Bell@anytimefitness.com>  
**Subject:** Suspension

Dear Ben:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

As we discussed, given the defendant's apparent willingness to offer some money to settle, as stated in his counsel's January 4 letter, we have agreed that I will reach out to counsel and see if a settlement is achievable. I will charge no fee on any settlement.

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)

*Over 1.675 million views since 2010*

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[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)

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**From:** John Gallagher  
**Sent:** Tuesday, February 2, 2021 1:23 PM  
**To:** 'Ben Bell' <Ben.Bell@anytimefitness.com>  
**Subject:** Suspension  
**Importance:** High

Dear Ben:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

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As we discussed, given the defendant's apparent willingness to offer some money to settle, as stated in his counsel's January 4 letter, we have agreed that I will reach out to counsel and see if a settlement is achievable. I will charge no fee on any settlement.

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2

As I informed you, I do have alternate counsel, Wayne Ely, standing by to take over the case as needed.

I am sorry this occurred.

**Please advise via Reply hereto that you have received and read this e-mail, and thanks.**

**Regards,**

**John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
[www.johnagallagher.com](http://www.johnagallagher.com)**

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*Over 315,000 views since 2010*

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142  
3

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
: Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

143

## John Gallagher

---

**From:** Carmen Brango <cjb0109@aol.com>  
**Sent:** Sunday, February 14, 2021 10:56 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT

John.

I acknowledge receipt of this communication.

Regards,  
Carmen

Sent from my iPhone

On Feb 14, 2021, at 5:11 PM, John Gallagher <jag@johnagallagher.com> wrote:

Carmen:

As we just discussed, I have been suspended from practicing law as per the attached.

Once you acknowledge receipt of this, we can discuss referral counsel. I have someone in mind who I believe will handle the matter just as I agreed to do, so you will not be affected if I refer the matter to him. That said, you are under no obligation to accept this referral, and may hire counsel of your own choosing. We will address the referral separately, as discussed.

For now, **PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

Check out John's Blog at:

144

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LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

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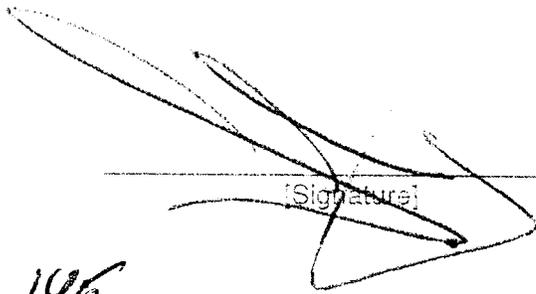
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt- See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Carmen Brango  
[Name of Client]  
Via e-Mail  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/14/21  
[Date]

  
[Signature]

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## John Gallagher

---

**From:** drodgers5@comcast.net  
**Sent:** Sunday, February 14, 2021 6:20 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED

Hi John I acknowledge receipt of communication. Thanks David

David Rodgers  
(215) 262-7078



----- Original Message -----

**From:** John Gallagher  
**To:** drodgers5@comcast.net  
**Sent:** February 14, 2021 at 5:46 PM  
**Subject:** Suspension Compliance Form - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED

David:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send. Please review the attached.

After I previously informed you of my suspension, I offered Wayne Ely as a potential referral attorney to handle your case. You are under no obligation to accept this referral, and may hire counsel of your own choosing. If you do not wish to have Wayne represent you in the pending matter, and are unable to locate another attorney to handle the case before 2/21, you need to inform me promptly. At that point, I will need to file a Petition to Withdraw from the case.

PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED

Regards,

John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
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LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

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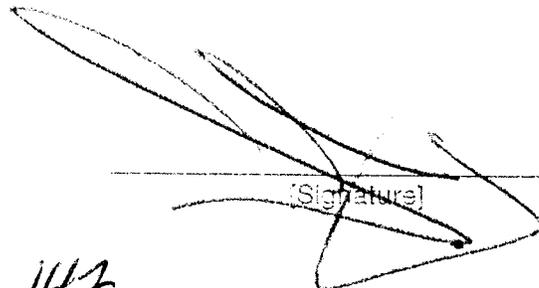
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: David Rodgers  
[Name of Client]  
Via e-Mail  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/14/21  
[Date]

  
[Signature]

147

Check out John's YouTube videos at:

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
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From: John Gallagher [SEP] Sent: Monday, February 8, 2021 1:31 PM [SEP] To: 'drodgers5@comcast.net' <drodgers5@comcast.net> [SEP] Subject: Suspension

Dear David:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

As we discussed, a separate e-Mail concerning referral will follow shortly.

I am sorry this occurred, and wish you the very best of luck going forward.

PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION

Regards,

John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
[www.johnagallagher.com](http://www.johnagallagher.com)

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2

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
: Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

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**John Gallagher**

---

**From:** John Gallagher  
**Sent:** Monday, February 15, 2021 9:36 AM  
**To:** 'Christina Reger'  
**Subject:** Suspension Compliance Form - Savarese - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.  
**Attachments:** Savarese 021421.pdf  
**Importance:** High

Christina:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send; I have sent the attached to my client and am sending same to you. **Please review the attached, and acknowledge receipt of same.**

New counsel, Wayne Ely, will be entering his appearance this week.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

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[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
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LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

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[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Michael Savarese  
[Name of Client]  
Via e-Mail  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 3/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/11/21  
[Date]

  
[Signature]

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**John Gallagher**

---

**From:** Christina Reger <christina@cregerlaw.com>  
**Sent:** Monday, February 15, 2021 10:39 AM  
**To:** John Gallagher  
**Subject:** FW: Suspension Notice

John,

I responded that same evening. Attached is my original response and acknowledgment.

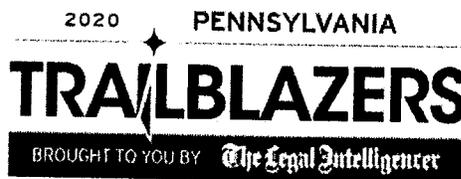
Christina M. Reger, Esq.

**CMR**  
LAW OFFICES OF  
**CHRISTINA REGER**

41 University Drive  
Suite 400  
Newtown, Pa 18940  
[christina@cregerlaw.com](mailto:christina@cregerlaw.com)  
O.: 215.809.2089 C.:215.421.1012  
[www.cregerlaw.com](http://www.cregerlaw.com)

[View my LinkedIn bio](#)

WOMEN  
OWNED  
LAW



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**From:** Christina Reger  
**Sent:** Tuesday, February 9, 2021 8:16 PM  
**To:** John Gallagher <jag@johnagallagher.com>  
**Cc:** Wayne Ely <wayne3236@gmail.com>  
**Subject:** RE: Suspension Notice

Received. Thank you.

158

Christina M. Reger, Esq.

**CMR**  
LAW OFFICE  
**CHRISTINA REGER**

41 University Drive  
Suite 400  
Newtown, Pa 18940  
[christina@cregerlaw.com](mailto:christina@cregerlaw.com)  
O.: 215.809.2089 C.: 215.421.1012  
[www.cregerlaw.com](http://www.cregerlaw.com)

[View my LinkedIn bio](#)

WOMEN  
OWNED  
LAW



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**From:** John Gallagher <[jag@johnagallagher.com](mailto:jag@johnagallagher.com)>  
**Sent:** Tuesday, February 9, 2021 7:09 PM  
**To:** Christina Reger <[christina@cregerlaw.com](mailto:christina@cregerlaw.com)>  
**Cc:** Wayne Ely <[wayne3236@gmail.com](mailto:wayne3236@gmail.com)>  
**Subject:** Suspension Notice  
**Importance:** High

Dear Christina:

I hope that all is well on your end.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

*153*  
(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after

entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

Wayne Ely will take over the handling of the *Savarese* case. A Withdrawal and Entry will be filed shortly.

Please do not hesitate to call as needed.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

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*Over 1.675 million views since 2010*

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154

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
JOHN A. GALLAGHER, : Attorney Registration No. 61914  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

155

## John Gallagher

---

**From:** Angstreich, Steven <SAngstreich@weirpartners.com>  
**Sent:** Tuesday, February 16, 2021 8:52 AM  
**To:** John Gallagher  
**Subject:** RE: Suspension Compliance Form - Patel - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

John

I have sent him 2 emails and left a message. I will keep trying. DO you know where Patel is if I need him to execute a release?

Steve

Steven E. Angstreich

Suite 200 | 20 Brace Rd. | Cherry Hill, NJ 08034

Phone: 856-740-1490 | Fax: 856-740-1491 | Email: [sangstreich@weirpartners.com](mailto:sangstreich@weirpartners.com)



**WEIR & PARTNERS** LLP  
A PENNSYLVANIA LIMITED LIABILITY PARTNERSHIP

PENNSYLVANIA NEW YORK  
NEW JERSEY DELAWARE



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**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Monday, February 15, 2021 9:27 AM  
**To:** Angstreich, Steven <SAngstreich@weirpartners.com>  
**Subject:** [EXTERNAL] Suspension Compliance Form - Patel - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.  
**Importance:** High

This Message originated outside your organization.

Dear Steve:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send; I have sent the attached to my client and am sending same to you.

**Please let me know if your client will agree to dismiss this case by the middle of the week; if not, I will need to file Petition to Withdraw.**

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

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1

LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

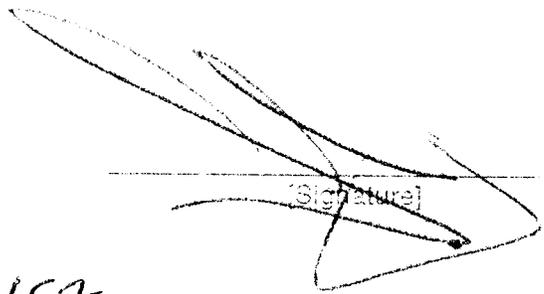
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Samir Patel  
[Name of Client]  
Via e-Mail  
[Address]

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/11/21  
[Date]

  
[Signature]

157

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
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**From:** John Gallagher  
**Sent:** Wednesday, February 10, 2021 5:20 PM  
**To:** 'Angstreich, Steven' <[SAngstreich@weirpartners.com](mailto:SAngstreich@weirpartners.com)>  
**Subject:** RE: Stipulation to Dismiss Defendant Marken LLP Only - GALLAGHER SUSPENSION  
**Importance:** High

Dear Steve:

I hope you are well. I tried to reach you by phone, but was unable to do so.

Combing through all court records and my files, I became aware of the continued pendency of this matter today. Hence, I am sending this to you.

*198*  
2

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must “wind up” my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

I am able to secure substitute counsel for Mr. Patel for this matter, but I want to discuss if your client wishes to have it remain pending first.

Please call me to discuss, and thank you.

I am sorry this occurred, and wish you the very best of luck going forward.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
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IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,  
Petitioner

v.

JOHN A. GALLAGHER,  
Respondent

: No. 2756 Disciplinary Docket No. 3  
:  
: No. 65 DB 2019  
:  
: Attorney Registration No. 61914  
:  
: (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

160

## John Gallagher

---

**From:** Jean Sorzano <jeansorzano@hotmail.com>  
**Sent:** Sunday, February 28, 2021 6:16 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT - Sorzano

I acknowledge that I have received an E mail and attachment stating that John Gallagher has been suspended from practicing law . 

Sent from my iPhone

On Feb 28, 2021, at 3:44 PM, John Gallagher <jag@johnagallagher.com> wrote:

Jean:

I thought I had received an express acknowledgement from you regarding your receipt of the below email and the attachment. However, I cannot seem to locate it.

IT IS EXTREMELY IMPORTANT that I receive your acknowledgement for my ethical compliance.

Can you search and see if you previously acknowledged and send it to me if you did? If not, **CAN YOU KINDLY ACKNOWLEDGE NOW BY REPLY TO THIS EMAIL STATING THAT YOU ACKNOWLEDGE RECEIPT?**

**Best regards,**

**John A. Gallagher**  
**John A. Gallagher Business Consulting, LLC**  
**610-322-4145**  
**[www.johnagallagher.com](http://www.johnagallagher.com)**

**From:** John Gallagher  
**Sent:** Monday, February 15, 2021 2:14 PM  
**To:** Mom <jeansorzano@hotmail.com>  
**Subject:** Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT - Sorzano  
**Importance:** High

Dear Jean:

*lol*

As we discussed, I have been suspended from practicing law as per the attached. I have received the attached form that I am required to send.

As you know, we currently have pending an appeal before the Unemployment Compensation Board of Review. If you win, then you will receive benefits retroactively. If we do not win, then, as we have discussed, it would not be financially worthwhile for you to appeal to the Commonwealth Court of Pennsylvania. I charge no less than \$4,000 for such appeals (not to mention there are costs such as filing fee, copying, and postage which can often exceed \$500 or more), and I may be on the low end of the spectrum where that is concerned. When you are talking cost benefit analysis, as we have discussed in the past, I personally would be disinclined to file and prosecute an appeal on your behalf in this matter.

That said, in the event we should not prevail, and you wish to pursue an appeal, perhaps you want to consider Graham Baird at 267-546-0131. Of course you can look elsewhere as needed, but I wanted to give you Mr. Baird's name just in case.

In all likelihood, the Board's Decision will not arrive by February 21, the last date I can practice law. Of course, if it does, we can discuss. If it does not, however, I will not be able to discuss the Decision in any way. That said, I am confident you know precisely what the issues are and what is at stake based on our prior communications.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
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*167*  
2

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<Sorzano 021521.pdf>

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**John Gallagher**

---

**From:** John Gallagher  
**Sent:** Monday, February 15, 2021 2:14 PM  
**To:** Mom  
**Subject:** Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT - Sorzano  
**Attachments:** Sorzano 021521.pdf  
  
**Importance:** High

Dear Jean:

As we discussed, I have been suspended from practicing law as per the attached. I have received the attached form that I am required to send.

As you know, we currently have pending an appeal before the Unemployment Compensation Board of Review. If you win, then you will receive benefits retroactively. If we do not win, then, as we have discussed, it would not be financially worthwhile for you to appeal to the Commonwealth Court of Pennsylvania. I charge no less than \$4,000 for such appeals (not to mention there are costs such as filing fee, copying, and postage which can often exceed \$500 or more), and I may be on the low end of the spectrum where that is concerned. When you are talking cost benefit analysis, as we have discussed in the past, I personally would be disinclined to file and prosecute an appeal on your behalf in this matter.

That said, in the event we should not prevail, and you wish to pursue an appeal, perhaps you want to consider Graham Baird at 267-546-0131. Of course you can look elsewhere as needed, but I wanted to give you Mr. Baird's name just in case.

In all likelihood, the Board's Decision will not arrive by February 21, the last date I can practice law. Of course, if it does, we can discuss. If it does not, however, I will not be able to discuss the Decision in any way. That said, I am confident you know precisely what the issues are and what is at stake based on our prior communications.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)**

*164*

---

LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

---

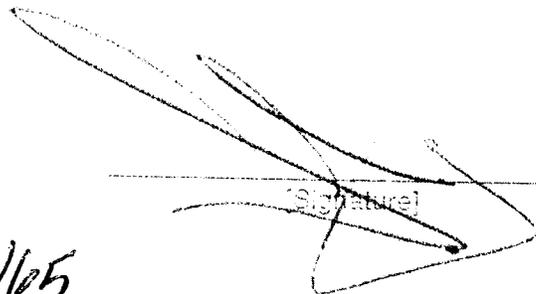
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Jean Sorzano  
[Name of Client]  
Via e-Mail  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/11/21  
[Date]

  
[Signature]

165

**John Gallagher**

---

**From:** susan jones <susanmarie3@gmail.com>  
**Sent:** Sunday, February 28, 2021 4:00 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT

I, Susan Jones, acknowledge receipt of this email.

Sent from my iPhone

On Feb 28, 2021, at 3:45 PM, John Gallagher <jag@johnagallagher.com> wrote:

Susan:

I thought I had received an express acknowledgement from you regarding your receipt of the below email and the attachment. However, I cannot seem to locate it.

**IT IS EXTREMELY IMPORTANT** that I receive your acknowledgement for my ethical compliance.

Can you search and see if you previously acknowledged and send it to me if you did? If not, **CAN YOU KINDLY ACKNOWLEDGE NOW BY REPLY TO THIS EMAIL STATING THAT YOU ACKNOWLEDGE RECEIPT?**

**Best regards,**

**John A. Gallagher**  
**John A. Gallagher Business Consulting, LLC**  
**610-322-4145**  
**[www.johnagallagher.com](http://www.johnagallagher.com)**

**From:** John Gallagher  
**Sent:** Monday, February 15, 2021 2:23 PM  
**To:** 'susan jones' <susanmarie3@gmail.com>  
**Subject:** Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT  
**Importance:** High

Susan:

*166*

As we discussed, I have been suspended from practicing law as per the attached. I have completed the attached form that I am required to send. **Please review and acknowledge receipt by replying to this e-mail.**

Although we have no pending matters, I know you may need counsel in the future. I believe your potential case has potentially substantial value. Where referral counsel is concerned, I will be sending you a separate e-mail in a little bit (prior to 2/21) for your consideration.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

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[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
*Over 315,000 views since 2010*

WARNING - FRAUDULENT FUNDING INSTRUCTIONS: Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.

WARNING: CONFIDENTIAL NOTICE: The Electronic Communications Privacy Act of 1986 (18 U.S.C. 2510 et seq.) provides federal criminal and civil penalties for the unauthorized reading of this e-mail if you are not the intended recipient named above. The message is confidential and may be privileged attorney-client communication. If you are not the intended recipient or an agent responsible to the extended recipient, please notify us immediately by telephone (610) 647-5027. Any review, dissemination, distribution or copying of this document by anyone other than the intended recipient is unauthorized. The review of this information by any individual other than the extended recipient shall not constitute a waiver of the attorney-client, work product, joint defense, and/or other applicable privileges.

<Jones 021521.pdf>

107

## John Gallagher

---

**From:** John Gallagher  
**Sent:** Monday, February 15, 2021 2:23 PM  
**To:** 'susan jones'  
**Subject:** Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT  
**Attachments:** Jones 021521.pdf

**Importance:** High

Susan:

As we discussed, I have been suspended from practicing law as per the attached. I have completed the attached form that I am required to send. **Please review and acknowledge receipt by replying to this e-mail.**

Although we have no pending matters, I know you may need counsel in the future. I believe your potential case has potentially substantial value. Where referral counsel is concerned, I will be sending you a separate e-mail in a little bit (prior to 2/21) for your consideration.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
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[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
*Over 315,000 views since 2010*

*108*

NONLITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

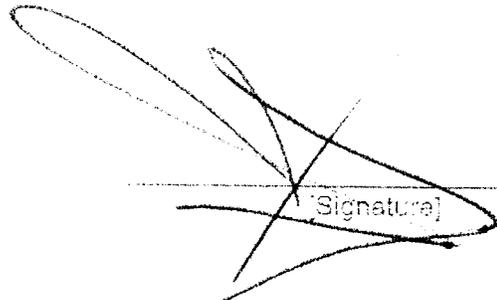
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(a) and Board Rule §91.91]

To: Susan Jones  
\_\_\_\_\_  
[Name of Client]  
Via e-Mail  
\_\_\_\_\_  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(a) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

It will be necessary, therefore, for you to obtain other counsel to represent you further in the matters for which I had been previously retained.

2/14/21  
\_\_\_\_\_  
[Date]

  
\_\_\_\_\_  
[Signature]

109

**John Gallagher**

---

**From:** Maj Soueidan <maj@geoinvesting.com>  
**Sent:** Sunday, February 28, 2021 7:13 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT

Received



Sent from phone

Maj Soueidan  
Co-founder, GeoInvesting  
Favorite Investor: Peter Lynch  
Mobile: 267-246-3263  
Personal Twitter: @MajGeoinvesting  
Company Twitter: @GeoInvesting  
Follow on LinkedIn: Maj Soueidan

On Mon, Feb 15, 2021, 12:00 PM John Gallagher <jag@johnagallagher.com> wrote:

Maj:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law as per the attached. I have received the attached form that I am required to send.

Although the *Reinhardt* case is pending, I have yet to enter my appearance. The Memo I sent you last evening sets forth the entire situation; you will need to retain counsel in the immediate future. I have under prior e-mail this date suggested that you consider Jeff Adler. He is experienced, of high legal and moral quality and I believe reasonable in his billing practices. Of course, there are many competent lawyers out there, and you are free to select counsel of your own choosing.

Jeff is running a conflict of interest search, and if the parties clear same (which he and I expect based upon a preliminary review), I will ask you to call him. Please await word from me on this.

170

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

**Regards,**

**John A. Gallagher, Esquire**

**Gallagher Law Group, P.C.**

**5 Great Valley Parkway, Ste. 210**

**Malvern, PA 19355**

**610-647-5027 (Office)**

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***Over 315,000 views since 2010***

171

NONLITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(a) and Board Rule §91.91]

To: Medallion Transport c/o Maj Soueidan

[Name of Client]

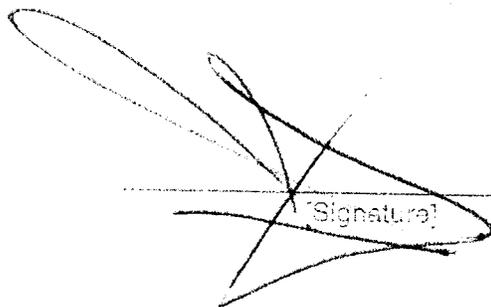
Via e-Mail

[Address]

Pursuant to Rule 217(a) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

It will be necessary, therefore, for you to obtain other counsel to represent you further in the matters for which I had been previously retained.

2/14/21  
[Date]

  
[Signature]

172

## John Gallagher

---

**From:** Maj Soueidan <maj@geoinvesting.com>  
**Sent:** Sunday, February 28, 2021 7:12 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT - For Maj as Individual Defendant

Hello John,

Received.

Thanks

Sent from phone

Maj Soueidan  
Co-founder, GeoInvesting  
Favorite Investor: Peter Lynch  
Mobile: 267-246-3263  
Personal Twitter: @MajGeoinvesting  
Company Twitter: @GeoInvesting  
Follow on LinkedIn: Maj Soueidan

On Mon, Feb 15, 2021, 12:11 PM John Gallagher <jag@johnagallagher.com> wrote:

Maj:

This is for you as the individual defendant (as opposed to the prior one for Medallion the corporate defendant). As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law as per the attached. I have received the attached form that I am required to send.

Although we have no pending matters, I know you may need counsel in the future. I will be sending you a separate e-mail in a little bit for your consideration.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

173  
1

WARNING: CONFIDENTIAL NOTICE: The Electronic Communications Privacy Act of 1986 (18 U.S.C. 2510 et seq.) provides federal criminal and civil penalties for the unauthorized reading of this e-mail if you are not the intended recipient named above. The message is confidential and may be privileged attorney-client communication. If you are not the intended recipient or an agent responsible to the extended recipient, please notify us immediately by telephone (610) 647-5027. Any review, dissemination, distribution or copying of this document by anyone other than the intended recipient is unauthorized. The review of this information by any individual other than the extended recipient shall not constitute a waiver of the attorney-client, work product, joint defense, and/or other applicable privileges.

**From:** John Gallagher  
**Sent:** Monday, February 15, 2021 12:01 PM  
**To:** 'Maj Soueidan' <[maj@geoinvesting.com](mailto:maj@geoinvesting.com)>  
**Subject:** Suspension Compliance Form - PLEASE REPLY TO ACKNOWLEDGE RECEIPT  
**Importance:** High

Maj:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law as per the attached. I have received the attached form that I am required to send.

Although the *Reinhardt* case is pending, I have yet to enter my appearance. The Memo I sent you last evening sets forth the entire situation; you will need to retain counsel in the immediate future. I have under prior e-mail this date suggested that you consider Jeff Adler. He is experienced, of high legal and moral quality and I believe reasonable in his billing practices. Of course, there are many competent lawyers out there, and you are free to select counsel of your own choosing.

Jeff is running a conflict of interest search, and if the parties clear same (which he and I expect based upon a preliminary review), I will ask you to call him. Please await word from me on this.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

174

LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Maj Soueidan (Sent Non-Litigation Notice as well to Medallion)

[Name of Client]  
Via e-Mail  
[Address]

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/17/21  
[Date]

[Signature]

175

## John Gallagher

---

**From:** Maj Soueidan <maj@geoinvesting.com>  
**Sent:** Friday, February 5, 2021 3:22 PM  
**To:** John Gallagher  
**Subject:** Re: Suspension

Thanks for the update ✓

Sent from phone

Maj Soueidan  
Co-founder, GeoInvesting  
Favorite Investor: Peter Lynch  
Mobile: 267-246-3263  
Personal Twitter: @MajGeoInvesting  
Company Twitter: @GeoInvesting  
Follow on LinkedIn: Maj Soueidan

On Thu, Feb 4, 2021, 6:24 PM John Gallagher <jag@johnagallagher.com> wrote:

Dear Maj:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

*JAG*

As we discussed today, I will conclude the write-up that you retained me for pursuant to our fee agreement of January 13, 2021. Meanwhile, I am searching for referral counsel as we discussed and we will certainly put that in place absent resolution of the matter in the coming 17 days.

Let me know if there are any questions concerning the above.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Regards,

**John A. Gallagher, Esquire**

**Gallagher Law Group, P.C.**

**5 Great Valley Parkway, Ste. 210**

**Malvern, PA 19355**

**610-647-5027 (Office)**

**610-889-9726 (Fax)**

[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)

*Over 1.675 million views since 2010*

*177*

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
: Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

**ORDER**

**PER CURIAM**

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

178

## John Gallagher

---

**From:** Sassan <sassan@mindgames.ca>  
**Sent:** Sunday, February 28, 2021 4:38 PM  
**To:** John Gallagher  
**Subject:** RE: Suspension Compliance Notice - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

Confirming receipt on February 20thg

Sassan Aria



**From:** John Gallagher [mailto:jag@johnagallagher.com]  
**Sent:** February 28, 2021 3:41 PM  
**To:** sassan@mindgames.ca  
**Subject:** FW: Suspension Compliance Notice - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.

Sassan:

I thought I had received an express acknowledgement from you regarding your receipt of the below email and the attachment. However, I cannot seem to locate it.

IT IS EXTREMELY IMPORTANT that I receive your acknowledgement for my ethical compliance.

Can you search and see if you previously acknowledged and send it to me if you did? If not, **CAN YOU KINDLY ACKNOWLEDGE NOW BY REPLY TO THIS EMAIL STATING THAT YOU ACKNOWLEDGE RECEIPT?**

Best regards,

**John A. Gallagher**  
**John A. Gallagher Business Consulting, LLC**  
**610-322-4145**  
**[www.johnagallagher.com](http://www.johnagallagher.com)**

**From:** John Gallagher  
**Sent:** Monday, February 15, 2021 9:12 AM  
**To:** 'sassan@mindgames.ca' <sassan@mindgames.ca>  
**Subject:** Suspension Compliance Notice - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.  
**Importance:** High

179

Dear Sassan:

Although the *Taylor* case has settled, the case designated closed and the settlement check issued, I am required to send the attached to you. **Please review the attached, and acknowledge receipt of same.**

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED.**

Regards,

**John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
[www.johnagallagher.com](http://www.johnagallagher.com)**

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
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[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
***Over 315,000 views since 2010***

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**From:** John Gallagher  
**Sent:** Tuesday, February 9, 2021 5:07 PM  
**To:** 'sassan@mindgames.ca' <[sassan@mindgames.ca](mailto:sassan@mindgames.ca)>  
**Subject:** Suspension  
**Importance:** High

Dear Sassan:

150

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

As you know, the *Taylor* matter is resolved; the judge issued an Order on 2/3 dismissing the case with prejudice. That said, I cannot handle any future matters for you until I have served my suspension and been reinstated. If any new matter should arise, I would suggest that you call either Wayne Ely at 215 801 7979 or Jeff Adler at 610 405 8088. They are both very competent and reasonable.

I am sorry this occurred, and wish you the very best of luck going forward.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
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*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

181

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LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
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[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Mind Games, c/o Sassan Arias  
[Name of Client]  
Via e-Mail  
[Address]

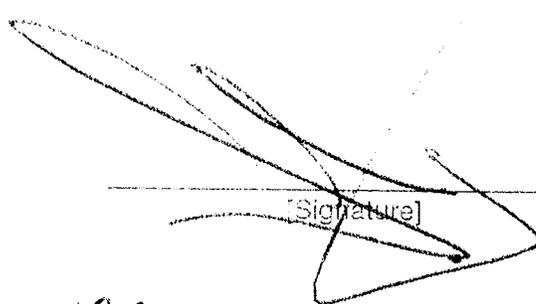
---

---

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/17/21  
[Date]

  
[Signature]

182

**John Gallagher**

---

**From:** sassan@mindgames.ca  
**Sent:** Wednesday, February 10, 2021 5:33 PM  
**To:** John Gallagher  
**Subject:** FW: Suspension  
**Attachments:** Certified Copy - Suspension (1).pdf  
**Importance:** High

✓ Client replied  
w/out  
comment

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** February 9, 2021 5:07 PM  
**To:** sassan@mindgames.ca  
**Subject:** Suspension  
**Importance:** High

Dear Sassan:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

As you know, the *Taylor* matter is resolved; the judge issued an Order on 2/3 dismissing the case with prejudice. That said, I cannot handle any future matters for you until I have served my suspension and been reinstated. If any new matter should arise, I would suggest that you call either Wayne Ely at 215 801 7979 or Jeff Adler at 610 405 8088. They are both very competent and reasonable.

I am sorry this occurred, and wish you the very best of luck going forward.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS  
COMMUNICATION**

183

**Gallagher DB3 Exhibits 327**

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
: Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

**ORDER**

**PER CURIAM**

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

184

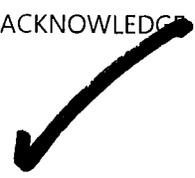
**John Gallagher**

---

**From:** Michael Savarese <michaelsavarese31@gmail.com>  
**Sent:** Monday, March 1, 2021 2:50 PM  
**To:** John Gallagher  
**Cc:** Rosemarie Savarese  
**Subject:** Re: FW: Suspension Compliance Form PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED

I received this on February 14th in the Rosemarie Savarese email

On Mon, Mar 1, 2021, 2:42 PM John Gallagher <jag@johnagallagher.com> wrote:



**Best regards,**

**John A. Gallagher**

**John A. Gallagher Business Consulting, LLC**

**610-322-4145**

**[www.johnagallagher.com](http://www.johnagallagher.com)**

**From:** John Gallagher  
**Sent:** Sunday, February 28, 2021 3:48 PM  
**To:** 'Rosemarie Savarese' <Rosemarie879@outlook.com>  
**Subject:** FW: Suspension Compliance Form PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED  
**Importance:** High

Michael:

I thought I had received an express acknowledgement from you regarding your receipt of the below email and the attachment. However, I cannot seem to locate it.

*185*

IT IS EXTREMELY IMPORTANT that I receive your acknowledgement for my ethical compliance.

Can you search and see if you previously acknowledged and send it to me if you did? If not, **CAN YOU KINDLY ACKNOWLEDGE NOW BY REPLY TO THIS EMAIL STATING THAT YOU ACKNOWLEDGE RECEIPT?**

**Best regards,**

**John A. Gallagher**

**John A. Gallagher Business Consulting, LLC**

**610-322-4145**

**[www.johnagallagher.com](http://www.johnagallagher.com)**

**From:** John Gallagher

**Sent:** Sunday, February 14, 2021 5:41 PM

**To:** 'Rosemarie Savarese' <[Rosemarie879@outlook.com](mailto:Rosemarie879@outlook.com)>

**Subject:** Suspension Compliance Form PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED

**Importance:** High

Michael:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send. Please review the attached.

186

**John Gallagher**

---

**From:** John Gallagher  
**Sent:** Sunday, February 14, 2021 5:41 PM  
**To:** 'Rosemarie Savarese'  
**Subject:** Suspension Compliance Form PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED  
**Attachments:** Savarese 021421.pdf  
**Importance:** High

Michael:

As referenced in the below e-mail I sent to you previously, I have been suspended from practicing law. I have received the attached form that I am required to send. Please review the attached.

After I previously informed you of my suspension, I offered Wayne Ely as a potential referral attorney to handle your case. **You are under no obligation to accept this referral, and may hire counsel of your own choosing. If you do not wish to have Wayne represent you in the pending matter, and are unable to locate another attorney to handle the case before 2/21, you need to inform me promptly.** At that point, I will need to file a Petition to Withdraw from the case.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION AND THE ATTACHED**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

Check out John's Blog at:

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
*Over 1.675 million views since 2010*

Check out John's YouTube videos at:

187

---

LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR  
TRANSFER TO INACTIVE STATUS

---

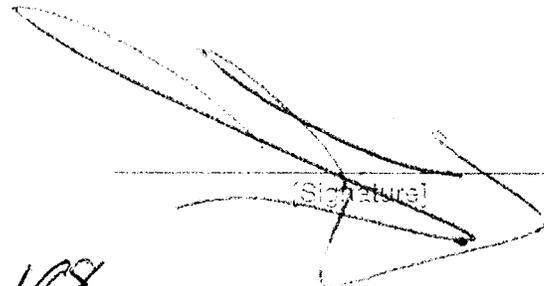
[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: Michael Savarese  
[Name of Client]  
Via e-Mail  
[Address]  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated 1/22/21, I have been  Disbarred  Suspended  Transferred to Disability Inactive Status. Said Order will take effect 2/21/21.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court of agency in which the proceeding is pending for leave to withdraw.

2/14/21  
[Date]

  
[Signature]

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## John Gallagher

---

**From:** John Gallagher  
**Sent:** Monday, February 1, 2021 12:50 PM  
**To:** 'Rosemarie Savarese'  
**Cc:** 'wayne3236@gmail.com'  
**Subject:** Gallagher Suspension and Referral  
**Attachments:** Certified Copy - Suspension (1).pdf  
  
**Importance:** High

Dear Michael:

This follows up on the call we had today. A more formal letter will likely follow in the near future.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must “wind up” my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

As we discussed, a separate e-Mail concerning referral will follow shortly.

I am sorry this occurred, and wish you the very best of luck going forward.

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

Check out John's Blog at:

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IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
 : No. 65 DB 2019  
v. :  
 : Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

**ORDER**

**PER CURIAM**

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

190

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
: :  
Petitioner : No. 65 DB 2019  
: :  
v. : :  
: :  
JOHN A. GALLAGHER, : Attorney Registration No. 61914  
: :  
Respondent : (Chester County)

---

**EXHIBIT “B”**

**DOCUMENTS RELATING TO  
CEASE AND DESIST FROM USING  
ALL FORMS OF  
COMMUNICATION THAT  
EXPRESSLY OR IMPLICITLY  
CONVEY ELIGIBILITY TO  
PRACTICE LAW**

191

**John Gallagher**

---

**From:** John Gallagher  
**Sent:** Monday, February 22, 2021 12:33 PM  
**To:** 'customercare@avvo.com'  
**Subject:** REMOVE LISTING - NO LONGER PRACTICING LAW - JOHN A. GALLAGHER  
  
**Importance:** High

Dear Sir/Madam:

Effective February 23, 2021, I will no longer be licensed to practice law. Therefore, please remove my listing from your site without delay.

Last evening I made a similar through your online contact page.

Thank you.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
*Over 315,000 views since 2010*

WARNING - FRAUDULENT FUNDING INSTRUCTIONS: Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.

WARNING: CONFIDENTIAL NOTICE: The Electronic Communications Privacy Act of 1986 (18 U.S.C. 2510 et seq.) provides federal criminal and civil penalties for the unauthorized reading of this e-mail if you are not the intended recipient named above. The message is confidential and may be privileged attorney-client communication. If you are not the intended recipient or an agent responsible to the extended recipient, please notify us immediately by telephone (610) 647-5027. Any review, dissemination, distribution or copying of this document by anyone other than the intended recipient is unauthorized. The review of

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## John Gallagher

---

**From:** Anna (Avvo) <support@avvocom.zendesk.com>  
**Sent:** Monday, February 22, 2021 1:01 PM  
**To:** John Gallagher  
**Subject:** [Avvo] Re: Avvo Profile

##- Please type your reply above this line -##



**Anna (Avvo)**

Feb 22, 2021, 10:01 AM PST

Hi Attorney John A. Gallagher,

Thank you for contacting Avvo. We do not delete profiles on Avvo.com. The information in a lawyer profile is pulled from public records and publicly available information.

If you are concerned that public information we share on our website is incorrect, please let us know and we will do our best to update it. Please also check with your state bar association to ensure your information is updated in the public records.

Please let me know if you have any other questions.

Thank you,

Anna

Senior Customer Care Representative

Have questions or concerns about how COVID-19 will affect you? Visit us at <https://www.avvo.com/topics/covid-19> to learn more.

Visit Avvo's Support Page: <http://www.avvo.com/support>



**John A. Gallagher**

Feb 21, 2021, 1:58 PM PST

Please delete my profile immediately. As of 2/22/21, I am suspended from practicing law in Pennsylvania for a year and a day.

John A. Gallagher, Pa. Atty. ID 61914

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Attachment(s)

Certified Copy – Suspension (1).pdf

This email is a service from Avvo. Delivered by [Zendesk](#).

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## John Gallagher

---

**From:** Selena Mello <srnello@execofficelink.com>  
**Sent:** Monday, February 22, 2021 10:28 AM  
**To:** John Gallagher; Blair Kalemjian  
**Subject:** RE: INSTRUCTIONS RE: ANSWERING PHONE "JOHN GALLAGHER'S OFFICE" EFFECTIVE TODAY

Good morning John,

No problem, thank you for letting us know.

Betty will be in tomorrow, we will be sure to let her know as well.

Selena

**Selena Mello | Executive Office Link | Administrative Support**  
5 Great Valley Parkway | Malvern, PA 19355  
(610) 251-6850 | [srmello@execofficelink.com](mailto:srmello@execofficelink.com)  
[www.execofficelink.com](http://www.execofficelink.com)

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Monday, February 22, 2021 10:03 AM  
**To:** Blair Kalemjian <bkalemjian@execofficelink.com>  
**Cc:** Selena Mello <srnello@execofficelink.com>  
**Subject:** INSTRUCTIONS RE: ANSWERING PHONE "JOHN GALLAGHER'S OFFICE" EFFECTIVE TODAY  
**Importance:** High

Blair and Selena:

Beginning today, please answer my phone simply saying "John Gallagher's office". If people ask if this is the lawyer or anything like that, simply say, "I can put you through to Mr. Gallagher", and nothing else.

Please make sure that Betty understands these instructions as well. Please call with any questions.

I am putting forwarding on with Verizon, but not sure how long it will take. **Please write back and acknowledge receipt of this.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**

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**John Gallagher**

---

**From:** Anthony Formisano <anthony.formisano@corp.lawyer.com>  
**Sent:** Monday, February 22, 2021 10:21 AM  
**To:** John Gallagher  
**Subject:** Directory Removal For - (John A Gallagher)

Mr. Gallagher,

Thank you for contacting us with updates regarding your bar status.

I have removed your lawyer listing along with your firm page on our directory.

Please contact me if you need any further assistance.

Regards,

Anthony Formisano  
908-838-9761



[Lindsay Lohan unveiled as the face of Lawyer.com!](#)



*Email message or advertisement sent by Lawyer.com  
25 Mountainview Boulevard, Basking Ridge, NJ 07920  
To unsubscribe, reply to this email with your request*

196

Permanently closed

# Law Offices of John A. Gallagher, P.C.



Website

Directions

Save

4.8 31 Google reviews

Employment attorney in Devault, Pennsylvania - 3.2 mi

Right by Executive Office Link

**Address:** 5 Great Valley Pkwy, Malvern, PA 19355

You visited in September 2020

**Phone:** (610) 647-5027

Own this business?



197

google - Blog

Justia Support - Justia Legal Mail

https://supportjustia.com

# USTIA

Other

## Additional Information:

Please provide any additional details below.

Comments (Required):

Please delete my Justia account. I am no longer licensed to practice law in Pennsylvania.

## Contact Information:

Name

John A. Gallagher

Email

jag@johnagallagher.com

I'm not a robot



Type here to search



1978

## John Gallagher

---

**From:** directorysupport@justia.com on behalf of Justia Lawyer Directory Support Team  
<directorysupport@justia.com>  
**Sent:** Tuesday, February 23, 2021 10:44 AM  
**To:** John Gallagher  
**Subject:** Justia Lawyer Directory Inquiry

Hello John,

Thanks for your note. We have removed your jag@johnagallagher.com account and profile from our lawyer directory.

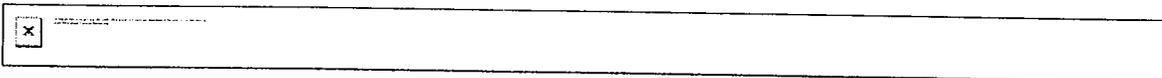
Thank you!



### Lawyer Directory Support

Justia is an online platform that provides the community with open access to the law, legal information, and lawyers.

Find a Lawyer · Ask a Lawyer · Research the Law · Legal Marketing



---- Forwarded message ----

Subject: Support Marketing Contact Form: John A. Gallagher

Details:

Date: Feb 21, 2021 (SUN)

Time: 16:25:04

A user filled out the form with the following information:

Name: John A. Gallagher

First Name: John A.

Last Name: Gallagher

Email: jag@johnagallagher.com

I Need help with: Creating or deleting a Justia account

Urls to block:

Comments: Please delete my Justia account. I am no longer licensed to practice law in Pennsylvania.



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for business



*Yelp  
2/22/21  
Raised!*

# John A. Gallagher Consulting

Edit

0 reviews



Add photo



See reviews



View as consumer

Updates during Coronavirus

*200*

Edit



Give your customers up-to-date information about your hours, services, and any new updates about your business.

[Go to COVID-19 updates →](#)

## Categories and services

Edit

Customers use this information to find your business on Yelp and request your services.

### Professional Services > Business Consulting



What services do you offer? This helps you attract the right customers, as your business will only show up in searches for services you provide.

[Add services →](#)

## Amenities and more

Edit



What are the notable features of your business? This info can differentiate you from similar businesses.

[Add info →](#)

## Hours of operation

Edit

Monday 7:30 AM - 6:00 PM

Tuesday 7:30 AM - 6:00 PM

*201*

Wednesday	7:30 AM - 6:00 PM
Thursday	7:30 AM - 6:00 PM
Friday	7:30 AM - 6:00 PM
Saturday	11:00 AM - 3:00 PM
Sunday	Closed

## Upcoming special hours

Edit



What are your holiday hours? Let your customers know about special hours and closures.

Add special hours →

## From this business

### Specialties

Edit

I help small and large businesses manage various projects relating to resources, marketing, business development, and leadership development in Philadelphia, Montgomery, Delaware, Chester, Bucks, Berks and Lancaster counties.

### History

Edit

Established in 2021.

John A. Gallagher has more than 30 years of experience in helping businesses manage their affairs.

### Meet the Business Owner

Edit

Mr. Gallagher resides in Willistown with wife Katherine Lane. He has 4 children. Daughters Dylan and Amanda graduated from the University of Pittsburgh. Sons Charlies and Sam graduated from St. Josephs University and Drexel University. He also has three step-children, the oldest of whom, Danielle Lane, attends the University of Arizona. Kalli and Olivia Lane attend the Great Valley School District. John loves the Eagles, Sixers and Phillies. In his spare time he hikes, golf, travels and natters around the house.

*202*

golf, travels and putters around the house.



**John G.**  
Business Owner

## Get messaging leads



Enable this feature to give customers an easy way to send inquiries and quote requests to your inbox.

[Learn more](#)

## Business info



### Address

8 Harvey Ln Malvern, PA  
19355



### Call

(610) 322-4145



### Website

<http://johnagallagher.com>



### Service area

Define which areas you provide services for



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**Gallagher DB3 Exhibits 347**

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[Webinars](#)

[Support](#)

English ▾

[Business app for iOS and Android.](#)



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## John Gallagher

---

**From:** noreply@salesforce.com on behalf of General CS email <info@martindale.com>  
**Sent:** Monday, February 22, 2021 1:44 PM  
**To:** John Gallagher  
**Subject:** FW: Martindale Confirmation [ ref:\_00DF068rp.\_5003w1TVN10:ref ]

----- Original Message -----

**From:** Carlton Washington [carlton.washington@martindale.com]  
**Sent:** 2/22/2021 10:37 AM  
**To:** jag@johngallagher.com  
**Subject:** Martindale Confirmation [ ]

Hello John,

This email confirms your profile take down request for Law Offices of John A. Gallagher, P.C. has been submitted. Please allow 24 hours for these changes to take effect on Lawyers.com and Martindale.com

Best,  
CARLTON WASHINGTON  
Representative, Customer Support



ref:\_00DF068rp.\_5003w1TVN10:ref

*informal c 1:30  
that profile has  
been successfully  
removed.*

A handwritten signature in black ink, appearing to be 'CJ' or similar, with a long, sweeping underline that extends to the right.

*205*



**Opendi United States**

## Basic listing on Opendi

Draw attention to your business and benefit from the enormous exposure provided by our website.

[Company information](#) » [Contact information](#) » [Opening Hours](#) » [Categories](#) » [Confirmation](#)

### Company information

John A. Gallagher, Business Consultant,  
Malvern, PA 19355

Helping businesses solve problems by providing solutions.

[Edit company information](#)

### Map

8 Harvey Lane, Malvern, PA 19355,  
19355 Malvern

### Contact person

Mr.  
President Gallagher, John

[edit contact person](#)

### Address and contact information

8 Harvey Lane, Malvern, PA 19355  
19355 Malvern

Telefon: 610-322-4145

E-Mail: [jag@johnagallagher.com](mailto:jag@johnagallagher.com)

Website: <http://johnagallagher.com>

[Edit address and contact information](#)

### The categories you selected

» Management & Consulting

[Edit selected categories](#)

[Company and Legal Information](#) | [Privacy Policy](#)

200

## John Gallagher

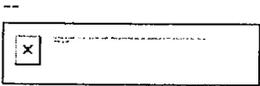
---

**From:** Randolph Scott <randolph@vprmarketing.org>  
**Sent:** Tuesday, February 23, 2021 11:14 AM  
**To:** John Gallagher  
**Subject:** Notification of Closed Listings

Hello John,

As per your request, we filed to close all of your online listings which are related to your legal practice. The changes should reflect online within 2-3 business days.

Please let me know if you need anything else.

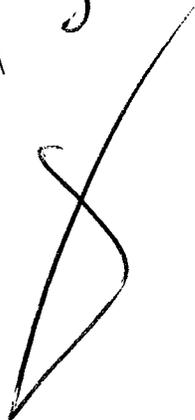


### Randolph Scott

Senior Account Manager

t: (646) 741-3596

e: [randolph@vprmarketing.com](mailto:randolph@vprmarketing.com)

As per the 2/23  
he had been Sick.  


207

**John Gallagher**

---

**From:** Christina (Support) <support@mapquest.zendesk.com>  
**Sent:** Tuesday, February 23, 2021 5:10 PM  
**To:** John Gallagher  
**Subject:** Re: Please Delete My Listing Immediately

Hi there, thanks for contacting MapQuest.

I'll be happy to help remove this listing from MapQuest, but I need a little more information from you to do so. I'm not seeing a listing anywhere on mapquest.com with this business information.

Could you please provide either a direct link to the page or the name, address, and phone number that is shown in the listing? Once I can find the listing in question I will remove it right away.

Please let me know if there's anything else I can do for you!

Kind regards,

Christina  
MapQuest Support  
Help.MapQuest.com

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**John Gallagher**

---

**From:** jaglaw101 <jaglaw101@gmail.com>  
**Sent:** Monday, February 22, 2021 4:35 PM  
**To:** John Gallagher; jaglaw101@gmail.com  
**Subject:** Blog not visible to search engines  
**Attachments:** 20210222\_163441.jpg

Sent from my T-Mobile 4G LTE Device

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Favicon

## Privacy

Visible to search engines

Allow search engines to find your blog



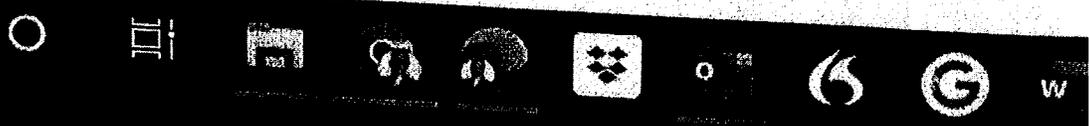
## Publishing

Blog address

employmentlaw101.blogspot.com

Custom domain

*210*



## John Gallagher

---

**From:** jaglaw101 <jaglaw101@gmail.com>  
**Sent:** Monday, February 22, 2021 4:34 PM  
**To:** John Gallagher; jaglaw101@gmail.com  
**Subject:** Blog Unpublished  
**Attachments:** 20210222\_163333.jpg

Sent from my T-Mobile 4G LTE Device

*211*



Search posts

Philadelphia Area  
Employment Lawyer

+ NEW POST

- Posts
- Stats
- Comments
- Earnings
- Pages
- Layout

All (721)

Published (0)

Draft (721)

Scheduled (0)

Non-Compete Agreements Enforcea  
• Feb. 22



Client Reviews of John A. Gallagher, Esq

Draft • Feb 22

Attorney

Disability

Er



Should I Hire a Lawyer for My Unemploy

Draft • Feb 22

Attorney

Board

Penn



Pennsylvania Beginning to Award Unem

Draft • Feb 22

Attorney Gallagher

Posts unpublished

**John Gallagher**

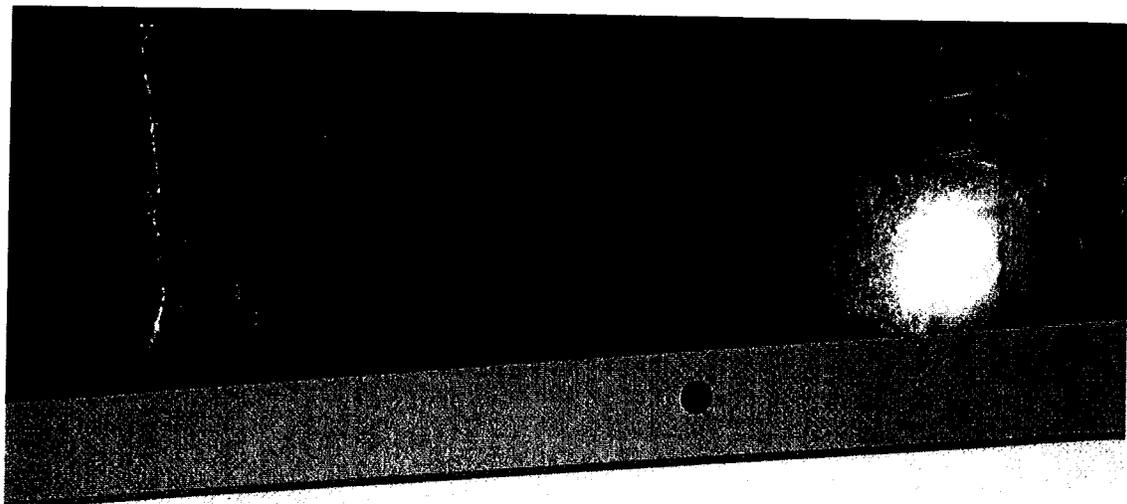
---

**From:** jaglaw101 <jaglaw101@gmail.com>  
**Sent:** Monday, February 22, 2021 7:34 PM  
**To:** John Gallagher; jaglaw101@gmail.com  
**Subject:** Pinterest  
**Attachments:** 20210222\_193255.jpg

Sent from my T-Mobile 4G LTE Device

*Pinterest  
deactivated*

*213*



# Deactivate your account

Deactivating your account means no one will see your Pins or your profile and you won't be linked to YouTube, Etsy or Instagram any more

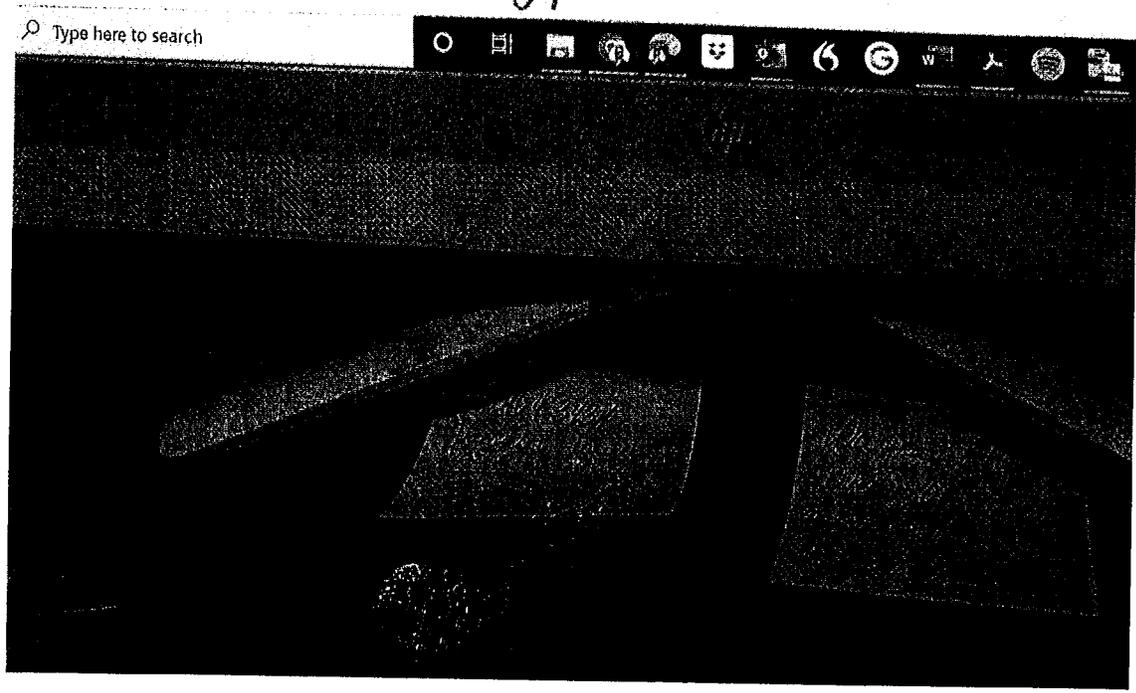
**J John Gallagher**

You can reactivate your account at any time. If you want to use Pinterest again, just log in with:

[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

*2/14*

Continue



✖ Emails aren't getting through to one of your email addresses. Please update or confirm your email. [More info](#)



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John A. Gallagher

Business and Resource Consultant at John A. Gallagher  
Greater Philadelphia · 500+ connections · [Contact info](#)

Open to

Add profile section ▼

More...

Show recruiters you're open to work — you control who sees this  
[Get started](#)



Share this  
candidate  
[Get started](#)

## About

I help small, medium sized and large employers manage their resource

## Featured

215

Gallagher DB3 Exhibits 359



Joseph Mayernick Feb 27  
Joseph: Congrats on the new role! Give me a call and updat...



Arthur Bugay Feb 23  
Arthur: Congrats on the new job



Melissa Lublin Feb 23  
Melissa: Congrats on the new role!



Lisa Shapson Feb 23  
Lisa: Congrats on the new role!



Robert A. Creo Feb 22  
Robert A.: Congrats on the new role!



Jim Yannie Feb 22  
Jim: Congrats on the new role!



Jessica Misse Feb 22  
Jessica: Hey John congrats on the career pivot. Curious if yo...



Andy Mills Feb 22  
Andy: Congratulations on your new role, John! All the best...



Dan Leon Feb 22  
Dan: Congrats on the new role!



Michele Harris Feb 22  
Michele: Congrats on the new role!



Michael Mirsky Feb 22  
Michael: Congrats on the new role!



Janet Louvet Feb 22  
Janet sent an attachment

⊖ Emails aren't getting through to one of your email addresses. Please update or confirm your email. [More info](#) ×



Home My Network Jobs

## Your Dashboard

Private to you

56

Who viewed your profile

206

Post views

### Salary insights

See how your salary compares to others in the community

### My items

Keep track of your jobs, courses and articles

## Activity

1,560 followers

Posts you created, shared, or commented on in the last 90 days are displayed here.

[See all activity](#)

## Experience

### Business and Resource Consultant

John A. Gallagher in Malvern, PA 19355

Feb 2021 - Present · 2 mos

Assisting businesses with managing resources

### President

Gallagher Law Group, PC

Jan 2006 - Feb 2021 · 15 yrs 2 mos

Malvern, PA (Chester County)

Concentrating on representing individuals with employment

216

**Gallagher DB3 Exhibits 360**



Messaging



🔍 Search messages



Joseph Mayernick

Feb 27

Joseph: Congrats on the new role! Give me a call and updat...



Arthur Bugay

Feb 23

Arthur: Congrats on the new job



Melissa Lublin

Feb 23

Melissa: Congrats on the new role!



Lisa Shapson

Feb 23

Lisa: Congrats on the new role!



Robert A. Creo

Feb 22

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Michael Mirsky

Feb 22

Michael: Congrats on the new role!



Janet Louvet

Feb 22

📎 Janet sent an attachment

🔊 Emails aren't getting through to one of your email addresses. Please update or confirm your email. More info X



Home My Network Jobs

High, Swartz, Roberts & Seidel LLC  
1996 – 2006 · 10 yrs

Handled a wide variety of commercial litigation, personal employment law matters. Became a Partner in 1999. Left firm, and I loved my time there and the attorneys that I v

### Attorney

Harvey Pennington  
1991 – 1996 · 5 yrs

Worked in Labor and Employment Department represent personal injury defense cases and represented plaintiffs w

### Education



New England School of Law  
JD, cum laude, Law  
1988 – 1991

Activities and Societies: Graduated cum laude, Senior Cas New England Scholar. Dean's List each semester.

Now President of the Gallagher Law Group, PC, located ir west of Philadelphia. Concentrate on representing individ

Marple Newtown High School  
H.S.  
1978 – 1980

### Skills & endorsements

Take skill quiz

Personnel Management

Marketing

Messaging

🔍 Search messages

Joseph Mayernick Feb 27  
Joseph: Congrats on the new role! Give me a call and updat...

Arthur Bugay Feb 23  
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Michael Mirsky Feb 22  
Michael: Congrats on the new role!

Janet Louvet Feb 22  
 Janet sent an attachment

217

Emails aren't getting through to one of your email addresses. Please update or confirm your email. More info



Home My Network Jobs

Messaging

### Recommendations

Received (8) Given (7)



**Thomas Horton**  
Owner at Horton Financial Solutions  
August 4, 2014, Thomas was a client of John A.'s

I have known John for over 10 years. I always found John to be sensitive matters and in John is intelligent and pe anyone without hesitatio

**Richard Fagley**  
Disabled at Merck Group  
December 26, 2012, Richard was a client of John A.'s

John A. is outstanding at delivered a settlement at that we found to be fair a

Show more

### Interests



**Harvard Business Review Discussion Grou**  
2,027,126 members



**Dr. Dambisa Moyo**  
Global Economist, Author, Investor in the Future, f  
1,414,697 followers



**Neil Barofsky**  
Partner at Jenner & Block  
203,305 followers

See all

218



**Joseph Mayernick** Feb 27  
Joseph: Congrats on the new role! Give me a call and updat...



**Arthur Bugay** Feb 23  
Arthur: Congrats on the new job



**Melissa Lublin** Feb 23  
Melissa: Congrats on the new role!



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**Michele Harris** Feb 22  
Michele: Congrats on the new role!



**Michael Mirsky** Feb 22  
Michael: Congrats on the new role!



**Janet Louvet** Feb 22  
Janet sent an attachment

⊖ Emails aren't getting through to one of your email addresses. Please [update](#) or [confirm your email](#). [More info](#) ×



Sales Solutions

Mobile

Small Business

and private  
Go to your

Home

My Network

Jobs

Messaging



Safety Center

LinkedIn Corporation © 2021

🔍 Search messages



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Joseph: Congrats on the new role! Give me a cali and updat...



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Michael Mirsky Feb 22  
Michael: Congrats on the new role!



Janet Louvet Feb 22  
📎 Janet sent an attachment

219



Donna Macvicar

Kathleen Archer

Wendy Liszewski

**Life Events**

[See All](#)



Started New Job at John A. Gallagher Consulting  
February 2021

Started New Job at Gallagher Law Group, P.C.  
February 2006

220



Edit Cover Photo

# John A. Gallagher

Add Bio

Posts

About

Friends 413

More

Edit Profile



## Intro

- John A. Gallagher Consulting
- Former Partner at High Swartz
- Former Associate at Harvey Pennington
- Studied at New England School of Law
- Studied at West Chester University of PA
- Lives in Malvern, Pennsylvania
- From Broomall, Pennsylvania
- Married
- Joined June 2010



Deleted any posts  
from my blog  
2/21/21

Edit Details

221



Edit Cover Photo

# John A. Gallagher

Add Bio

Posts

About

Friends 413

More

Edit Profile



## About

Overview

Work and Education

Places Lived

Contact and Basic Info

Family and Relationships

Details About You

Life Events



John A. Gallagher Consulting

Past: Gallagher Law Group, P.C. and Gallagher Employment Law Group



Studied at New England School of Law  
Graduated in 1991



Lives in Malvern, Pennsylvania



From Broomall, Pennsylvania



Married since December 27, 2010



(610) 322-4145

Mobile



## Friends

Friend Requests

Find Friends

**Gallagher DB3 Exhibits 366**



# Activity Log

Filter

Johnny Kay pack up

## February 21, 2021



John A. Gallagher added a life event from February: Started New Job at...

February 2021 — President

Public



John A. Gallagher added 8 Harvey Lane as your address.

Your friends



John A. Gallagher changed his About Me.

John A. Gallagher, 610-322-4145 - Problem Solving business and resource consultant

Your friends



John A. Gallagher added work to his timeline — in Malvern, Pennsylvania.

January 2006 — President

Your friends



John A. Gallagher added work to his timeline — in Norristown,...

December 1996 — Partner

Public



John A. Gallagher added work to his timeline.

August 1991 — Associate

Public



You searched Facebook

"John A. Gallagher"

Only me Hidden from profile

223



2/21/21



# Manage Page

View, edit, and manage your page. You can also create and publish content.

[Publish Page](#)



**Gallagher Law Group, P.C.**



Home

News Feed

Inbox

1 new comment

Business App Store

Notifications

114 new

Insights

Publishing Tools

Ad Center

Page Quality

Edit Page Info

Settings

[Edit](#)



## Gallagher Law Group, P.C.

@JGallagherLaw · Labor & Employment Lawyer

[Edit Contact Us](#)

Home

More

Promote



### Add a Live Videos Tab to Your Page

Make it easier for people to find all of your live videos in one place.

[Add Live Tab](#)

### Page Tips

[See All \(1\)](#)



#### How to Create Effective Posts

Short, visual posts created for the right audience are more successful.

[Learn How](#)

### Free Facebook Business Tools

#### Sell Your Products

Put your products in front of millions of potential customers across Facebook.

#### Add Appointment Bookings

Display your services and availability so that people can book an appointment.

#### Host Paid Online Events

Create online events that people can pay to access.

224



2/21/21



## Manage Page

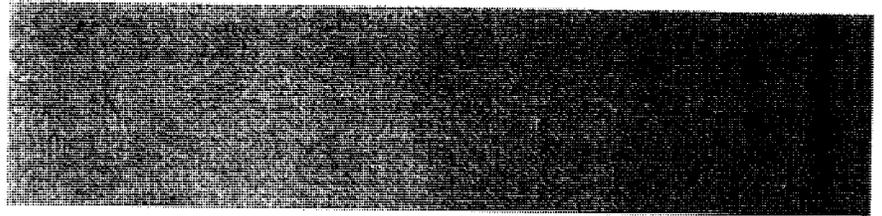


Gallagher Employment Law Group



This Page is visible. You can publish it when you're ready for people to see it.

Public Page



Home

News Feed

Inbox

5 new messages & 1 new comment

Business App Store

Manage Jobs

Notifications

13 new

Insights

Publishing Tools

Ad Center

Page Quality

Edit Page Info

3 new

Settings

3 new



## Gallagher Employment Law Group

Create @Username · Employment Agency

Go to Page

Edit

Home

More

Promote

### Start Selling From Your Page in a Few Steps

It only takes a few minutes to set up your shop. Just enter your business details, add the products you'd like to sell and customize your storefront to fit your brand.

Get Started

Learn More

### Page Tips

See All (2)



#### Get Personalized Ad Recommendations for Gallagher Emplo...

Learn which types of ads are recommended for Gallagher Emplo... by answering a few quick questions.

Get Started



#### How to Create Effective Posts

Short visual posts created for the right audience are more successful.

Learn How

225

Free Facebook Business Tools

Gallagher DB3 Exhibits 369

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 2756 Disciplinary Docket No. 3
Petitioner	:	No. 65 DB 2019
v.	:	
JOHN A. GALLAGHER,	:	Attorney Registration No. 61914
Respondent	:	(Chester County)

---

**EXHIBIT “C”**

**DOCUMENTS RELATING TO  
FINAL WITHDRAWALS FROM  
AND CLOSURE OF IOLTA**

226

**John Gallagher**

---

**From:** sassan@mindgames.ca  
**Sent:** Friday, February 19, 2021 6:27 PM  
**To:** John Gallagher  
**Cc:** 'david'; grace@mindgames.ca; ray@mindgames.ca  
**Subject:** RE: Final Invoice - PLEASE APPROVE AT YOUR FIRST OPPORTUNITY

Please proceed John

Please also send me a statement showing the fees charged as a whole  
So we can put through insurance to claim

Thanks  
Sassan Aria  
Mind Games

416.931.7074

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** February 19, 2021 1:59 PM  
**To:** sassan@mindgames.ca  
**Cc:** 'david' <david@mindgames.ca>  
**Subject:** Final Invoice - PLEASE APPROVE AT YOUR FIRST OPPORTUNITY  
**Importance:** High

Sassan (and David):

I have to close my IOLTA Escrow Account by tomorrow (!), and it has \$50 left in there from Mind Games (re; the *Taylor* matter). The attached Invoice explains that those fees have been earned, and that Mind Games will be **paid in full** once I withdraw the \$50. As you know, *Taylor* is settled and over (no charge for any discussions we had re: California).

If all is in order on your end, please write back and approve the Invoice so I can withdraw the \$50, and thanks! If you have any questions, write me back and we will discuss.

Regards,

John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355

*Actually, it was  
Saturday 2/20/21  
@ 11:29 A.M*

Print  
MONDAY, FEBRUARY 22, 2021 11:29 \*  
Please save this receipt until you have  
verified your account statement  
@1109ana1  
Account Number: XXXXXXXXXXXX0599  
Amount: \$50.00  
New Account  
Balance: \$10.50  
Available Balance: \$10.50

*MIND GAMES  
Final Invoice*

Celler Number: 0111893  
Date: 060  
Branch: 505  
Transaction #: 3503018282

**GALLAGHER LAW GROUP, P.C.**  
5 GREAT VALLEY PARKWAY, SUITE 210  
MALVERN, PA 19355

John A. Gallagher, Esquire

[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

(610) 647-5027

Fax: (610) 647-5024

[www.johnagallagher.com](http://www.johnagallagher.com)

Invoice Date: February 19, 2021

Invoice Number: 2021-012

Client Name: Mind Games, LLC

Services Rendered to Mind Games, LLC – November 28, 2020 through February 19, 2021 re:  
Sarah Taylor Lawsuit (Reference: Fee Letter executed 8/14/20) FINAL INVOICE

DATE	PROFESSIONAL	TIME	RATE	DESCRIPTION OF SERVICES
Various	JAG (All)	2.8	\$250	Further Review, discovery; various conversations with Sassan Aria re: settlement, settlement authority, communications with opposing counsel concerning settlement, achieved settlement, prepared settlement agreement, secured executed settlement agreement, insured that court marked the case settled and ended and that client sent settlement checks
Total Hours		2.8		
Total Due		\$450		2.8 hours x \$250 per hour is \$700. However, I will accept \$450 in payment for services rendered as per conversation with Sassan. The current balance in escrow is \$50 (prior withdraw of \$400 as per conversation with Sassan). Therefore, I will be withdrawing the \$50 upon your approval of this invoice, leaving a balance of \$0

Sincerely,

/s/ JOHN A. GALLAGHER

PLEASE SEND ME AN E-MAIL WITH ANY QUESTIONS OR CONCERNS CONCERNING THE ABOVE.

IF YOU APPROVE OF THE ABOVE AS STATED, PLEASE ADVISE VIA E-MAIL, AT WHICH TIME I WILL WITHDRAW THE INVOICED AMOUNT FROM ESCROW, LEAVING A ZERO BALANCE AS STATED ABOVE.

THANK YOU.

  
Page 1 of 1

Page 11  
MONDAY, FEBRUARY 22, 2021  
11:30

Please save this receipt until you have  
verified your account statement.

Withdrawal

Account Number: XXXXXXXXXXXX0599  
Amount: \$10.50

*To close acct  
closed status  
will show on  
next stmt.*

Teller Number: 0111393  
Bank: 060  
Branch: 503  
Transaction #: 3502018784

**Citizens Bank**

citizensbank.com  
1-800-922-9999  
© 2021 Citizens Bank, N.A.

*Actually, Saturday  
2/20/21 @ 11:30 a.m.*

*29*



*Print out 3/1*

!Type:Bank  
D2/22/21  
PDDA DEBIT  
MClosing Withdrawal  
N3503018284  
T-10.50  
^



D2/22/21  
PDDA DEBIT  
MWithdrawal  
N3503018282  
T-50.00  
^

D2/1/21  
PDDA INTEREST TRANSFER                      6000005168  
MTransfer  
T-0.01  
^

*Last Stmt Not available on 3/1*

*220*



1-800-862-6200

Call Citizens' PhoneBank anytime for account information, current rates and answers to your questions.

Commercial Account Statement

1 OF 2

ROP-450  
PO Box 7000  
Providence RI 02940



Beginning February 01, 2021  
through February 28, 2021

LAW OFFICES OF JOHN A GALLAGHER PC  
IOLTA  
5 GREAT VALLEY PKWY STE 210  
MALVERN PA 19355-1426

Commercial Checking

US 759 1 1

SUMMARY

<b>Balance Calculation</b>		<b>Balance</b>	
Previous Balance	60.51	<i>Average Daily Balance</i>	60.50
Checks	.00 -	<b>Interest</b>	
Debits	60.51 -	<i>Current Interest Rate</i>	.10%
Deposits & Credits	.00 +	<i>Annual Percentage Yield Earned</i>	.00%
Interest Paid	.00 +	<i>Number of Days Interest Earned</i>	21
<b>Current Balance</b>	.00 =	<i>Interest Earned</i>	.00
		<i>Interest Paid this Year</i>	.01

LAW OFFICES OF JOHN A GALLAGHE  
IOLTA  
**IOLTA Checking**  
630497-059-9

Your next statement period will end on March 31, 2021.

Previous Balance

60.51

TRANSACTION DETAILS

Debits

Other Debits

Date	Amount	Description	
02/01	.01	DDA Interest Transfer	6000005168
02/22	50.00	Withdrawal	
02/22	10.50	Closing Withdrawal	

⊖	<b>Total Debits</b>	60.51
⊕	<b>Current Balance</b>	.00

Daily Balance

Date	Balance	Date	Balance	Date	Balance
02/01	60.50	02/22	.00		

NEWS FROM CITIZENS

--Special Provisions for Pass-Through Accounts

If you have opened a deposit account on behalf of the beneficial owner(s) of the funds in the account (for example as a trustee, agent, nominee, guardian, executor, custodian or funds held in some other capacity for the benefit of others), those beneficial owners may be eligible for "pass-through" insurance from the FDIC. This means the account could qualify for more than the standard maximum deposit insurance amount (currently \$250,000 per depositor in the same ownership capacity). If the account has transactional features, you as the account holder must be able to provide a record of the interests of the beneficial owner(s) in accordance with the FDIC's requirements as specified below. The FDIC has published a guide that describes the process to follow and the information you will need to provide in the event Citizens Bank fails. That information can be accessed on the FDIC's website at [www.fdic.gov/deposit/deposits/brokers/part-370-appendix.html](http://www.fdic.gov/deposit/deposits/brokers/part-370-appendix.html).

230A

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 2756 Disciplinary Docket No. 3
Petitioner	:	No. 65 DB 2019
v.	:	
JOHN A. GALLAGHER,	:	Attorney Registration No. 61914
Respondent	:	(Chester County)

---

**EXHIBIT "D"**

**NOTICES OF SUSPENSION  
TO COURTS IN WHICH I WAS ADMITTED  
AND ADMINISTRATIVE AGENCIES IN  
FRONT OF WHOM I HAVE APPEARED  
WITH REGULARITY**

231

**John Gallagher**

---

**From:** Kenneth Loomis <Ken\_Loomis@ca6.uscourts.gov>  
**Sent:** Friday, February 19, 2021 12:35 PM  
**To:** John Gallagher  
**Subject:** RE: NOTICE OF SUSPENSION - Please Acknowledge Receipt of this Communication

It has been received.

Ken Loomis  
513-564-7067

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Friday, February 19, 2021 12:18 PM  
**To:** Kenneth Loomis <Ken\_Loomis@ca6.uscourts.gov>  
**Subject:** NOTICE OF SUSPENSION - Please Acknowledge Receipt of this Communication  
**Importance:** High

**CAUTION - EXTERNAL:**

Dear Mr. Loomis:

Thank You for speaking with me today (I was informed and you confirmed you are in charge of attorney discipline matters for the 6<sup>th</sup> Circuit).

I was issued an Order of Suspension by the Pennsylvania Supreme Court on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21.

I was granted admission into the 6<sup>th</sup> Circuit on or about June 2, 1993. Please take note of my suspension, and thank You.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Note: Mr. Loomis's phone number is 513 564 7067

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)



IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
 : No. 65 DB 2019  
v. :  
 : Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

**ORDER**

**PER CURIAM**

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania



**John Gallagher**

---

**From:** CA10\_Clerk <10th\_Circuit\_clerk@ca10.uscourts.gov>  
**Sent:** Friday, February 19, 2021 12:11 PM  
**To:** John Gallagher  
**Subject:** RE: NOTICE OF SUSPENSION - PLEASE ACKNOWLEDGE RECEIPT

Mr. Gallagher,

We've received your notification that you've been suspended by the Supreme Court of Pennsylvania. We will forward it to the Chief Deputy Clerk, Jane Castro, as she handles disciplinary matters for this court.

Respectfully,

Robert Stephens – Deputy Clerk  
United States Court of Appeals – 10th Circuit  
1823 Stout Street  
Denver, CO 80257  
303-335-2678



**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Friday, February 19, 2021 10:07 AM  
**To:** CA10\_Clerk <10th\_Circuit\_clerk@ca10.uscourts.gov>  
**Subject:** NOTICE OF SUSPENSION - PLEASE ACKNOWLEDGE RECEIPT  
**Importance:** High

**CAUTION - EXTERNAL:**

Dear Judge Tymkovich:

Today my office spoke with Robert in the Clerk's office, and he advised me that he would forward this communication to you (Thank you, Robert).

I was issued an Order of Suspension by the Pennsylvania Supreme Court on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21.

I was granted a lifetime admission into the 10<sup>th</sup> Circuit on May 17, 2019. Please take note of my suspension, and thank You.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Regards,



1

**Gallagher DB3 Exhibits 379**

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
: Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

**ORDER**

**PER CURIAM**

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

225

**John Gallagher**

---

**From:** COD Attorney Services <COD\_AttorneyServices@cod.uscourts.gov>  
**Sent:** Friday, February 19, 2021 1:15 PM  
**To:** John Gallagher  
**Cc:** Mark Fredrickson  
**Subject:** RE: Notice of Attorney Suspension - PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTIFICATION (Thank You)

Thank you for your honesty in reporting this. Your email has been forwarded to the secretary for the Committee on Conduct. If you wish to communicate with him, his name is Mark Fredrickson and he is copied on this email as well.

---

Kelsey  
Attorney Services Division  
U.S. District Court for the District of Colorado  
Pronouns: She/Her/Hers



**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Friday, February 19, 2021 10:40 AM  
**To:** COD Attorney Services <COD\_AttorneyServices@cod.uscourts.gov>  
**Subject:** FW: Notice of Attorney Suspension - PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTIFICATION (Thank You)  
**Importance:** High

**CAUTION - EXTERNAL:**

Dear Mr. Frederickson:

Per Your voicemail, and consistent with my responsibilities concerning reciprocal discipline, I am writing to inform the Court that I was issued an Order of Suspension by the Pennsylvania Supreme Court on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21.

I was granted admission into the Colorado District Court January 22, 2019 (at least that is the date I paid a bi-annual fee to the Court). My Pennsylvania ID No. is 61914.

Please take note of my suspension, and thank You.

Please forward to the Chief Judge of the Court.



**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

p.s. Note: Mr. Frederickson's phone number is 303 335 2060

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
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**From:** John Gallagher

**Sent:** Friday, February 19, 2021 12:29 PM

**To:** 'cod\_attorneyservices@cod.uscourts.gov' <cod\_attorneyservices@cod.uscourts.gov>

**Subject:** Notice of Attorney Suspension - PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTIFICATION (Thank You)

**Importance:** High

Dear Mr. Frederickson:

Per Your voicemail, and consistent with my responsibilities concerning reciprocal discipline, I am writing to inform the Court that I was issued an Order of Suspension by the Pennsylvania



Supreme Court on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21.

I was granted admission into the Colorado District Court January 22, 2019 (at least that is the date I paid a bi-annual fee to the Court). My Pennsylvania ID No. is 61914.

Please take note of my suspension, and thank You.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

p.s. Note: Mr. Frederickson's phone number is 303 335 2060

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

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*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
*Over 315,000 views since 2010*

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3

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
 : No. 65 DB 2019  
v. :  
 : Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

**ORDER**

**PER CURIAM**

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

279

**John Gallagher**

---

**From:** Chambers of Chief Judge Sanchez  
<Chambers\_of\_Chief\_Judge\_Sanchez@paed.uscourts.gov>  
**Sent:** Friday, February 19, 2021 1:55 PM  
**To:** John Gallagher  
**Subject:** Re: Notice of Suspension - John A. Gallagher - Pa Atty. ID 61914 - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION (Thank You)

Received



---

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Friday, February 19, 2021 1:28 PM  
**To:** Chambers of Chief Judge Sanchez <Chambers\_of\_Chief\_Judge\_Sanchez@paed.uscourts.gov>  
**Cc:** Nancy DeLisle <Nancy\_DeLisle@paed.uscourts.gov>  
**Subject:** Notice of Suspension - John A. Gallagher - Pa Atty. ID 61914 - PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION (Thank You)

**CAUTION - EXTERNAL:**

Dear Judge Sanchez:

I hope that You and Yours are well.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21.

Please understand that I regret the occurrences, for which I am solely responsible, that led to my suspension and am committed to correcting my errors of judgment going forward.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
JOHN A. GALLAGHER, : Attorney Registration No. 61914  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

241

**John Gallagher**

---

**From:** Desiree White-Banks <Desiree\_White-Banks@ca3.uscourts.gov>  
**Sent:** Monday, February 22, 2021 4:01 PM  
**To:** John Gallagher  
**Subject:** RE: Order of Suspension

Order received. ✓

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Monday, February 22, 2021 4:00 PM  
**To:** Desiree White-Banks <Desiree\_White-Banks@ca3.uscourts.gov>  
**Subject:** RE: Order of Suspension  
**Importance:** High

**CAUTION - EXTERNAL:**

Thank You. Please acknowledge receipt so that I may satisfy my ethical requirements.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
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this information by any individual other than the extended recipient shall not constitute a waiver of the attorney-client, work product, joint defense, and/or other applicable privileges.

**From:** Desiree White-Banks <[Desiree\\_White-Banks@ca3.uscourts.gov](mailto:Desiree_White-Banks@ca3.uscourts.gov)>

**Sent:** Monday, February 22, 2021 3:58 PM

**To:** John Gallagher <[jag@johnagallagher.com](mailto:jag@johnagallagher.com)>

**Subject:** Order of Suspension

Dear Attorney Gallagher:

Please email the order of suspension to my email address and this Court will determine if reciprocal discipline is necessary.

Thank you,

Desiree,  
Legal Assistant  
267-438-0575

**CAUTION - EXTERNAL EMAIL:** This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.



IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
: Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

ORDER

PER CURIAM

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

244

**John Gallagher**

---

**From:** PDOContact <PDOContact@eoc.gov>  
**Sent:** Monday, February 22, 2021 9:23 AM  
**To:** John Gallagher  
**Subject:** RE: Notice of Suspension - John A. Gallagher, Esquire - PA Atty. ID 61914 - ATTENTION DIRECTOR WILLIAMSON

Mr. Gallagher:

Your notice has been received and forwarded to the District Director.

Sincerely,

**Robert McMeekin**

Acting Supervisory Investigator  
Charge Receipt/Technical Information Unit  
U.S. Equal Employment Opportunity Commission  
Philadelphia District Office  
Direct Line: (267) 589-9736  
[robert.mcmeekin@eoc.gov](mailto:robert.mcmeekin@eoc.gov)

**Access your Charge via EEOC Portal:**

<https://publicportal.eoc.gov/Portal/Login.aspx>

Click on "My Cases" to log in, or

Click on "Register" and follow the instructions

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Monday, February 22, 2021 8:56 AM  
**To:** PDOContact <PDOContact@eoc.gov>  
**Subject:** FW: Notice of Suspension - John A. Gallagher, Esquire - PA Atty. ID 61914 - ATTENTION DIRECTOR WILLIAMSON  
**Importance:** High

Dear Director Williamson:

I hope that You and Yours are well.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21.

I am writing to EEOC because I may be listed as a potential referral counsel and, if so, I should be stricken from such list (I do not have any cases currently pending with EEOC insofar as I am aware).

Please understand that I regret the occurrences, <sup>245</sup> for which I am solely responsible, that led to my suspension and am committed to correcting my errors of judgment going forward.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS  
COMMUNICATION**

**Regards,**

**John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
[www.johnagallagher.com](http://www.johnagallagher.com)**

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
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**From:** John Gallagher  
**Sent:** Friday, February 19, 2021 2:36 PM  
**To:** 'pdocontact@eoc.gov' <pdocontact@eoc.gov>  
**Subject:** Notice of Suspension - John A. Gallagher, Esquire - PA Atty. ID 61914 - ATTENTION DIRECTOR WILLIAMSON  
**Importance:** High

Dear Director Williamson:

I hope that You and Yours are well.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21.

*246*

I am writing to EEOC because I may be listed as a potential referral counsel and, if so, I should be stricken from such list (I do not have any cases currently pending with EEOC insofar as I am aware).

Please understand that I regret the occurrences, for which I am solely responsible, that led to my suspension and am committed to correcting my errors of judgment going forward.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
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247

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
JOHN A. GALLAGHER, : Attorney Registration No. 61914  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

248

**John Gallagher**

---

**From:** John Gallagher  
**Sent:** Friday, February 19, 2021 11:38 AM  
**To:** 'ucboardappeals@pa.gov'  
**Subject:** NOTICE OF SUSPENSION - PLEASE ACKNOWLEDGE RECEIPT - JOHN GALLAGHER 61914  
**Attachments:** Certified Copy - Suspension (1).pdf  
  
**Importance:** High

Dear Board of Review:

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

Please note your records accordingly.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

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247

## John Gallagher

---

**From:** LI, Board Appeals <RA-LI-LIBoardAppeal@pa.gov>  
**Sent:** Friday, February 19, 2021 11:39 AM  
**To:** John Gallagher  
**Subject:** Automatic reply: [External] NOTICE OF SUSPENSION - PLEASE ACKNOWLEDGE RECEIPT - JOHN GALLAGHER 61914

This message serves as confirmation that your e-mail has been received by the Unemployment Compensation Board of Review. Please retain this confirmation for your records. ✓

The Board of Review handles unemployment compensation appeals only. If you have an appeal pending with the Board of Review and are emailing in regard to your appeal, your email will be reviewed by the Board of Review staff and handled promptly.

If you are emailing about your claim for unemployment compensation, Pandemic Unemployment Assistance (PUA) or your Pandemic Emergency Unemployment Compensation (PEUC) and you do not have an appeal pending, this office is not equipped to handle your inquiry. All unemployment claim inquiries must be answered by a representative of the UC Service Center. The UC Service Center phone number is 888-313-7284 and their hours of operation are Monday through Friday from 8am-4pm. There are several alternative methods to communicate with the service center including sending an email to [uchelp@pa.gov](mailto:uchelp@pa.gov) for regular unemployment compensation and PEUC claims, or to [UCPUA@pa.gov](mailto:UCPUA@pa.gov) for PUA claims assistance. You may also contact the UC virtual assistant at 877-978-1295, or visit the UC website at [www.uc.pa.gov](http://www.uc.pa.gov). The Department of Labor & Industry also has a Facebook page with helpful information which may be found at <https://www.facebook.com/PALaborIndustry>, or by searching PA Department of Labor & Industry. The Department of Labor & Industry has received approximately two million applications for UC benefits and the service center is doing their best to assist those whose jobs were affected by this pandemic. Your patience and understanding is greatly appreciated.

250

IN THE SUPREME COURT OF PENNSYLVANIA

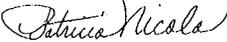
OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
: Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

ORDER

PER CURIAM

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

251

FROM THE DESK OF JOHN A. GALLAGHER  
Pennsylvania Attorney ID No. 61914

NOTICE OF SUSPENSION OF LICENSE

February 22, 2021

**Via Certified Mail, Return Receipt Requested**

U.S. Court of Appeals for the 3<sup>rd</sup> Circuit  
Honorable D. Brooks Smith, Chief Judge  
21400 U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106-1790

Dear Judge Smith:

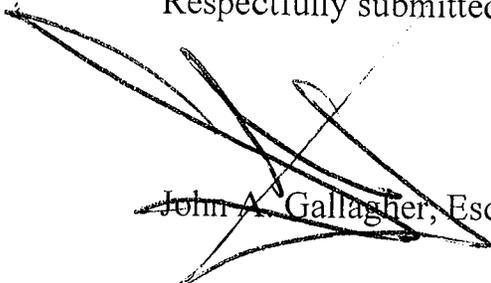
I hope that You and Yours are well.

I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21 (yesterday, a Sunday). I have been trying to get in touch with someone at the Court for a few days, but I expect the Coronavirus and recent snowstorms have hampered that effort.

I am writing to You because I am admitted to practice before the Third Circuit.

Please understand that I regret the occurrences, for which I am solely responsible, that led to my suspension and am committed to correcting my errors of judgment going forward.

Respectfully submitted,

  
John A. Gallagher, Esquire

*Already have e-mail  
confirm - no cert  
RR as of 2/1/21*

252



MALVERN  
 33 W KING ST  
 MALVERN, PA 19355-9998  
 (800)275-8777

02/22/2021 12:03 PM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		\$0.55
Philadelphia, PA 19106			
Weight: 0 lb 0.60 oz			
Estimated Delivery Date Thu 02/25/2021			
Certified Mail®			\$3.60
Tracking #: 70201290000046215087			
Return Receipt			\$2.85
Tracking #: 9590 9402 6420 0303 6386 65			
<b>Total</b>			<b>\$7.00</b>

Judge D. Brooks Smith

First-Class Mail® Letter	1		\$0.55
Glenside, PA 19038			
Weight: 0 lb 0.80 oz			
Estimated Delivery Date Thu 02/25/2021			
Certified Mail®			\$3.60
Tracking #: 70200640000001262556			
Return Receipt			\$2.85
Tracking #: 9590 9402 6420 0303 6386 72			
<b>Total</b>			<b>\$7.00</b>

Letitia Washington

First-Class Mail® Letter	1		\$0.55
Drexel Hill, PA 19026			
Weight: 0 lb 0.70 oz			
Estimated Delivery Date Thu 02/25/2021			
Certified Mail®			\$3.60
Tracking #: 70200640000001262549			
Return Receipt			\$2.85
Tracking #: 9590 9402 6420 0303 6386 89			
<b>Total</b>			<b>\$7.00</b>

Gerald Mauro

Terri Adams

253

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 2756 Disciplinary Docket No. 3
Petitioner	:	No. 65 DB 2019
v.	:	
JOHN A. GALLAGHER,	:	Attorney Registration No. 61914
Respondent	:	(Chester County)

---

**EXHIBIT "E"**

**DOCUMENTS RELATING TO  
PETITIONS TO WITHDRAW FROM  
PENDING MATTERS WHERE NO  
SUBSTITUTE COUNSEL  
RETAINED**

254

FRANCISCO SALVA; LISA NAVARETTE : IN THE COURT OF COI

Plaintiffs, : CHESTER COUNTY, PA

vs.

: CIVIL ACTION - LAW

BRENT MORGAN CONSTRUCTION, LLC; : NO. 2018-03165-CT  
MATTHEW T. MCGEEVER

Defendants.

✓  
Filed and Attested by  
PROTHONOTARY  
17 Feb 2021 02:08 PM  
S. Peery

*Scott M. Rothman, Esquire and Taylor M. Lindline, Esquire, for Plaintiffs*  
*John A. Gallagher, Esquire, for Defendant Brent Morgan Construction, LLC*  
*Defendant Matthew T. McGeever, appearing pro se*

**ORDER**

AND NOW, this 17<sup>th</sup> day of February, 2021, upon review and consideration of the Motion to Withdraw as Counsel filed by John A. Gallagher, Esquire<sup>1</sup>, it is hereby **ORDERED** and **DECREED** that the Motion is **GRANTED** and the Prothonotary is directed to mark John A. Gallagher's appearance as attorney of record for Defendant, Brent Morgan Construction, LLC, as withdrawn.<sup>2</sup>

BY THE COURT:

  
WILLIAM P. MAHON J.

<sup>1</sup> Attorney Gallagher's attorney registration number is 61914.

<sup>2</sup> Attorney Gallagher was suspended from the Bar of the Commonwealth of Pennsylvania for a period of one year and one day by order of the Pennsylvania Supreme Court entered January 22, 2021. Pennsylvania Rule of Disciplinary Enforcement 217(d) provides: "Orders imposing suspension ... shall be effective 30 days after entry," and that, "during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date." Pa. R.D.E. 217(d)(1). Attorney Gallagher filed the instant motion on February 11, 2021. Accordingly, the motion was properly filed during the 30 day "wind up" period between entry of the Pennsylvania Supreme Court's order of suspension and its effective date. The motion is therefore granted and Attorney Gallagher's appearance on behalf of Defendant Brent Morgan Construction, LLC, shall be marked as withdrawn.

Defendant Brent Morgan Construction, LLC is granted sixty (60) days from entry of this Order to retain new counsel of record.

255

2018-03165-CT

**Type:** ORDER  
**Case Number:** 2018-03165-CT  
**Case Title:** SALVA, FRANCISCO ET AL VS. BRENT MORGAN  
CONSTRUCTION LLC

So Ordered

A handwritten signature in black ink, appearing to read "William P Mahon", with a long horizontal flourish extending to the right.

/s/ William Mahon

Electronically signed on 2021-02-17 14:08:46 page 2 of 2

256

2018-03165-CT

**Gallagher DB3 Exhibits 401**

IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY, PENNSYLVANIA

Gallagher Law Group, P.C.  
John A Gallagher, Esq.  
Atty. ID Number 61914  
5 Great Valley Pkwy., Suite 210  
Malvern, PA 19355  
610-647-5027  
610-889-8926 (fax)

Counsel for Defendant, Brent Morgan Construction LLC

FRANCISO SALVA, *et al.*

Plaintiffs

v.

BRENT MORGAN CONSTRUCTION LLC, *et al.*

Defendants

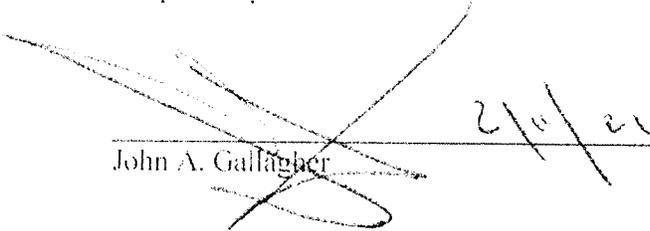
Civil Action No. 2018-3165

PRAECIPE FOR DETERMINATION

TO THE PROTHONOTARY:

Kindly submit the attached unopposed Motion for **expedited consideration** by the Judge. As per the Motion, I have to until February 21, 2021 to withdraw from any pending matters.

Respectfully submitted:

  
John A. Gallagher

257

**IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY, PENNSYLVANIA**

Gallagher Law Group, P.C.  
John A Gallagher, Esq.  
Atty. ID Number 61914  
5 Great Valley Pkwy., Suite 210  
Malvern, PA 19355  
610-647-5027  
610-889-8926 (fax)

Counsel for Defendant, Brent Morgan Construction LLC

---

FRANCISO SALVA, <i>et al.</i>	:	
	:	
Plaintiffs	:	Civil Action No. 2018-3165
	:	
v.	:	
	:	
BRENT MORGAN CONSTRUCTION LLC, <i>et al.</i>	:	
	:	
Defendants	:	

---

**MOTION TO WITHDRAW AS COUNSEL**

1. The undersigned is currently counsel for defendant Brent Morgan Construction LLC (“BMC”).
2. On January 22, 2021, counsel was issued an Order of Suspension on January 22, 2021. See Order attached hereto as Exhibit “A.”
3. The effective date of suspension of 2/21/21, and counsel must “wind up” his existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

258

4. Counsel and the owner of BMC, Matthew T. McGeever, have endeavored to find substitute counsel for BMC but have so far been unsuccessful.

5. Insofar as counsel is prohibited from remaining on the matter as counsel for defendant, he respectfully requests that the attached Order be entered prior to February 21, 2021.

6. Mr. McGeever does not oppose the granting of this Motion. See Certification attached hereto as Exhibit "B."

7. Scott M. Rothman, esquire, counsel for plaintiffs, does not oppose the granting of this Motion. See February 11, 2021 e-Mail attached hereto as Exhibit "C."

8. This matter is currently listed for the February 2021 Trial Pool.

9. On January 21, 2021, counsel for plaintiffs sought to continue any trial listing in this matter to until no earlier than the May 2021 Trial Pool.

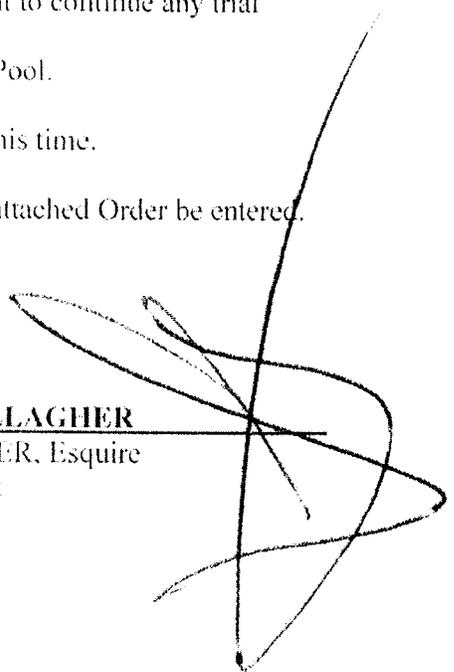
10. This request, which is unopposed, is pending at this time.

WHEREFORE, it is respectfully requested that the attached Order be entered.

Respectfully submitted,

February 11, 2021

BY: /s/ JOHN A. GALLAGHER  
JOHN A. GALLAGHER, Esquire  
Counsel for Defendant

A large, stylized handwritten signature in black ink, appearing to read 'John A. Gallagher', is written over the signature line and extends upwards and to the right.

259

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
JOHN A. GALLAGHER, : Attorney Registration No. 61914  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania



IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY, PENNSYLVANIA

FRANCIS M. WAGNER,

Plaintiff,

v.

BRENT MORGAN CONSTRUCTION, LLC, et al.

Defendants.

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1

2

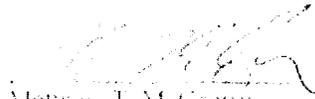
3

Civil Action No. 2018-3165

CERTIFICATION OF NO OPPOSITION TO MOTION TO WITHDRAW

1. I am the President of Brent Morgan Construction, LLC.
2. I have reviewed the Motion to Withdraw filed by John A. Gallagher.
3. By my signature below, I certify that I do not oppose the granting of the Motion.
4. I understand that this Certification will be attached to the Motion as Exhibit "B."

February 10, 2021

  
Matthew T. McGreevy

3  
261

**John Gallagher**

---

**From:** Scott Rothman <SRothman@curleyrothman.com>  
**Sent:** Thursday, February 11, 2021 10:03 AM  
**To:** John Gallagher  
**Subject:** RE: SUSPENSION

John,

I do not object to your request to withdraw from the case.

Scott M. Rothman  
Curley & Rothman, LLC  
Spring Mill Settlement Services  
[www.curleyrothman.com](http://www.curleyrothman.com)

Spring Mill Corporate Center  
1100 E. Hector St., Suite 425  
Conshohocken, PA 19428  
(610) 834-8819 (main)  
(484) 362-6287 (direct)

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Wednesday, February 10, 2021 12:18 PM  
**To:** Scott Rothman <SRothman@curleyrothman.com>  
**Subject:** RE: SUSPENSION

Scott:

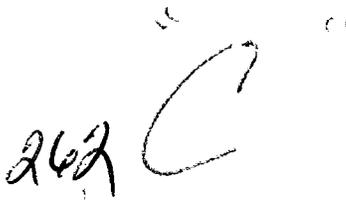
That is very gracious of you.

If I can get your stated approval to this, it would be helpful. I would then a paragraph stating no opposition from you, and include reference to there being no opposition in the proposed Order and file.

Please advise, and thank you.

Regards,

John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
[www.johnagallagher.com](http://www.johnagallagher.com)



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[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
*Over 1.675 million views since 2010*

Check out John's YouTube videos at:

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
*Over 315,000 views since 2010*

**WARNING - FRAUDULENT FUNDING INSTRUCTIONS:** Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an internet bank account.

**WARNING: CONFIDENTIAL NOTICE:** The Electronic Communications Privacy Act of 1986 (18 U.S.C. 2510 et seq.) provides federal criminal and civil penalties for the unauthorized reading of this e-mail if you are not the intended recipient named above. The message is confidential and may be privileged attorney-client communication. If you are not the intended recipient or an agent responsible to the extended recipient, please notify us immediately by telephone (610) 647-5027. Any review, dissemination, distribution or copying of this document by anyone other than the intended recipient is unauthorized. The review of this information by any individual other than the extended recipient shall not constitute a waiver of the attorney-client, work product, joint defense, and/or other applicable privileges.

**From:** Scott Rothman <SRothman@curleyrothman.com>  
**Sent:** Wednesday, February 10, 2021 11:58 AM  
**To:** John Gallagher <jag@johnagallagher.com>  
**Subject:** RE: SUSPENSION

John,

I'm sorry to hear this. Hang in there, and best wishes getting through it.

Scott M. Rothman  
Curley & Rothman, LLC  
Spring Mill Settlement Services  
[www.curleyrothman.com](http://www.curleyrothman.com)

Spring Mill Corporate Center  
1100 E. Hector St., Suite 425  
Conshohocken, PA 19428  
(610) 834-8819 (main)  
(484) 362-6287 (direct)

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Wednesday, February 10, 2021 11:36 AM  
**To:** Scott Rothman <SRothman@curleyrothman.com>  
**Subject:** SUSPENSION

Dear Mr. Rothman:



I was issued an Order of Suspension on January 22, 2021. See attached Order. The effective date of suspension of 2/21/21, and I must "wind up" my existing matters by that date. See Pa.R.Disc. Inf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

No substitute counsel for BMC has been located as of this date. I will be filing a Petition to Withdraw as counsel for BMC in the near future, and will copy you on same.

**PLEASE REPLY HERETO TO ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

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*Over 1.675 million views since 2010*

Check out John's YouTube videos at:

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
*Over 315,000 views since 2010*

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**John Gallagher**

---

**From:** support@montcopa.org  
**Sent:** Friday, February 19, 2021 11:27 AM  
**To:** John Gallagher; kml@johnagallagher.com; rmd@johnagallagher.com  
**Subject:** Filing Accepted on Case 2019-20814 - YOURWAY TRANSPORT INC vs. PATEL, SAMIR B

Dear JOHN GALLAGHER,

Your filing has been accepted by the Prothonotary of Montgomery County, and may be viewed along with other filings in your case by logging into the Montgomery County Prothonotary Case viewer. Please be advised that Certificates of Service, where appropriate, must still be filed pursuant to Pennsylvania and Montgomery County Rules of Civil Procedure.

**Filing Details:**

**Case Number:**2019-20814

**Caption:**YOURWAY TRANSPORT INC vs. PATEL, SAMIR B

**Filing Fee:**\$0.00

**Filing Type:**Petition To Withdraw As Counsel For

To view this filing go to <https://courtsapp.montcopa.org/prothyefiling/Filing.aspx?action=edit&EFilingId=1732008>

The following parties are registered for Montgomery County Prothonotary E-Filing and will receive notification:  
ANGSTREICH, STEVEN E representing YOURWAY TRANSPORT INC  
BRANDT, AMY R representing YOURWAY TRANSPORT INC  
DILorenzo, BENJAMIN representing MARKEN A UPS COMPANY

The following will not receive an email and should be notified through the normal methods:  
MARCUS, JED L ESQ (No representation)

Ref#5003

265  
1

Case# 2019-20814-36 Docketed at Montgomery County Prothonotary on 02/19/2021 11:22 AM, Fee = \$0.00. The filer certifies that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

IN THE COURT OF COMMON PLEAS OF  
MONTGOMERY COUNTY, PENNSYLVANIA

YOURWAY TRANSPORT, INC.

Plaintiff,

v.

PATEL, et al.

Defendants.

YOURWAY TRANSPORT, INC.

Plaintiff,

v.

PATEL, et al.

Defendants.

2019-20814

ORDER

AND NOW, this 23<sup>rd</sup> day of February, 2021, upon consideration of the Unopposed Petition to Withdraw filed by John A. Gallagher, counsel for defendant Samir Patel, it is hereby ORDERED and DECREED that the Petition is GRANTED.

The Prothonotary SHALL promptly amend the docket to reflect that John A. Gallagher is no longer counsel for record for defendant Samir Patel.

Samir Patel is hereby granted a period of sixty (60) days to secure new counsel.

BY THE COURT:



2019-20814-0038 2/23/2021 2:48 PM # 13023148  
Rcpt#Z4012952 Fee:\$0.00 Order  
Mail (Public)  
MontCo Prothonotary

RULE 236 NOTICE PROVIDED ON 02/23/2021

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Gallagher DB3 Exhibits 411

IN THE COURT OF COMMON PLEAS OF  
MONTGOMERY COUNTY, PENNSYLVANIA

YOURWAY TRANSPORT, INC.  
Plaintiff,  
v.  
PATEL, *et al.*  
Defendants.

YOURWAY TRANSPORT, INC.  
Plaintiff,  
v.  
PATEL, *et al.*  
Defendants.

**ORDER**

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, upon consideration of the Unopposed Petition to Withdraw filed by John A. Gallagher, counsel for defendant Samir Patel, it is hereby **ORDERED** and **DECREED** that the Petition is **GRANTED**.

The Prothonotary **SHALL** promptly amend the docket to reflect that John A. Gallagher is no longer counsel for record for defendant Samir Patel.

Samir Patel is hereby granted a period of sixty (60) days to secure new counsel.

BY THE COURT:

\_\_\_\_\_  
,j.

267

**IN THE COURT OF COMMON PLEAS OF  
MONTGOMERY COUNTY, PENNSYLVANIA**

John A. Gallagher, Esq.  
Atty. ID No. 61914  
GALLAGHER LAW GROUP, P.C.  
5 Great Valley Parkway, Suite 210  
Malvern, PA 19355  
Tel. 610 647-5027  
610-889-9726 (Fax)  
[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

Counsel for Defendant, Samir Patel

**YOURWAY TRANSPORT, INC.**

Plaintiff,

v.

**PATEL, et al.**

Defendants.

**CIVIL ACTION NO. 2019-20814**

**JURY TRIAL DEMANDED**

**UNOPPOSED PETITION TO WITHDRAW AS COUNSEL**

1. The undersigned is currently counsel for Defendant, Samir Patel.
2. On January 22, 2021, counsel was issued an Order of Suspension on January 22, 2021. See Order attached hereto as Exhibit "A."
3. The effective date of suspension of 2/21/21, and counsel must "wind up" his existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

268

4. Counsel has informed both his client and opposing counsel of his impending suspension.

5. The undersigned and Samir Patel, have endeavored to find substitute counsel for Samir Patel, but have so far been unsuccessful.

6. The pleadings in this matter are open, and matter is not on a trial list of any sort.

7. I certify that I have confirmed with my client, defendant, Samir Patel, and plaintiff's counsel, Steven Angstreich, Esquire, that this Petition is UNOPPOSED. See confirmations attached as Exhibit "B" hereto.

8. Insofar as counsel is prohibited from remaining on the matter as counsel for defendant, **he respectfully requests that the attached Order be entered prior to February 21, 2021.**

WHEREFORE, it is respectfully requested that the attached Order be entered.

Respectfully submitted,

February 18, 2021

BY:           /s/ JOHN A. GALLAGHER            
JOHN A. GALLAGHER, Esquire  
Counsel for Plaintiff

269  
2

# EXHIBIT "A"

270

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
JOHN A. GALLAGHER, : Attorney Registration No. 61914  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

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# EXHIBIT "B"

272

**John Gallagher**

---

**From:** Samir Patel <psamir1979@gmail.com>  
**Sent:** Friday, February 19, 2021 10:37 AM  
**To:** John Gallagher  
**Subject:** Re: Samir

John,

I do not oppose your Withdrawal

Thank you,  
Samir Patel  
Sent from my iPhone

On Feb 19, 2021, at 10:34 AM, John Gallagher <jag@johnagallagher.com> wrote:

Please confirm that you do not oppose my filing of a Petition to Withdraw.

Thank you.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
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*Over 1.675 million views since 2010*

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[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
*Over 315,000 views since 2010*

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**John Gallagher**

---

**From:** Angstreich, Steven <SAngstreich@weirpartners.com>  
**Sent:** Thursday, February 18, 2021 2:42 PM  
**To:** John Gallagher  
**Subject:** RE: SEEKING YOUR CONSENT TO ME FILING THE ATTACHED

You have my agreement to file it as unopposed.

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Thursday, February 18, 2021 12:46 PM  
**To:** Angstreich, Steven <SAngstreich@weirpartners.com>  
**Subject:** [EXTERNAL] SEEKING YOUR CONSENT TO ME FILING THE ATTACHED  
**Importance:** High

This Message originated outside your organization.

Steve:

I know we are trying to wrap this up, but I cannot remain on the docket without filing the attached prior to 2/21.

Consequently, I would like to file the attached today, just in case.

**Please advise if I can state that you do not oppose by Reply hereto.**

Thanks.

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
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*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

274

John Gallagher

*Sent after Pet. to WD*

**From:** John Gallagher  
**Sent:** Thursday, February 18, 2021 3:32 PM  
**To:** 'Angstreich, Steven'  
**Subject:** RE: SEEKING YOUR CONSENT TO ME FILING THE ATTACHED  
**Importance:** High

*Filed*

Dear Steve:

As you know, I am going to file a Petition to Withdraw and will ask the court to give my client 60 days to obtain new counsel.

If at any time going forward before my client has new counsel, you need to reach my client, he has asked you send him all documents **ONLY via certified mail, return receipt requested to the following address:**

Samir Patel  
275 Sumner Court  
Harleysville, PA 19438

Thank you.

Regards,

John A. Gallagher, Esquire  
Gallagher Law Group, P.C.  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355  
610-647-5027 (Office)  
610-889-9726 (Fax)  
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*Over 1.675 million views since 2010*

Check out John's YouTube videos at:

*275*

**John Gallagher**

*✓ Complete*

**From:** support@montcopa.org  
**Sent:** Wednesday, February 17, 2021 2:18 PM  
**To:** John Gallagher; kml@johnagallagher.com; rmd@johnagallagher.com  
**Subject:** Filing Accepted on Case 2015-29637 - DISCOVER BANK vs. SLOANE, NEIL

Dear JOHN GALLAGHER,

Your filing has been accepted by the Prothonotary of Montgomery County, and may be viewed along with other filings in your case by logging into the Montgomery County Prothonotary Case viewer. Please be advised that Certificates of Service, where appropriate, must still be filed pursuant to Pennsylvania and Montgomery County Rules of Civil Procedure.

**Filing Details:**

**Case Number:**2015-29637

**Caption:**DISCOVER BANK vs. SLOANE, NEIL

**Filing Fee:**\$0.00

**Filing Type:**Petition To Withdraw As Counsel For

To view this filing go to <https://courtsapp.montcopa.org/prothyefiling/Filing.aspx?action=edit&EFilingId=1731098>

The following parties are registered for Montgomery County Prothonotary E-Filing and will receive notification:  
CAWLEY, JONATHAN PAUL representing DISCOVER BANK

The following will not receive an email and should be notified through the normal methods:

Ref#5003

*276*

Case# 2015-29637-11 Docketed at Montgomery County Prothonotary on 02/19/2021 11:58 AM, Fee = \$0.00. The filer certifies that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

**IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA**

**DISCOVER BANK**

**Plaintiff**

**v.**

**NEIL SLOANE**

**Defendant**

**CIVIL ACTION -  
DOCKET NO. 15-29637**

**ORDER**

**AND NOW, this 19th day of February, 2021, upon**

**consideration of the Unopposed Petition to Withdraw filed by John A. Gallagher, counsel for defendant Neil Sloane, it is hereby ORDERED and DECREED that the Petition is GRANTED.**

**The Prothonotary SHALL promptly amend the docket to reflect that John A. Gallagher is no longer counsel for record for defendant Neil Sloane.**

**BY THE COURT:**



\_\_\_\_\_

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RULE 236 NOTICE PROVIDED ON 02/19/2021

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA

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DISCOVER BANK	:	CIVIL ACTION –
	:	DOCKET NO. 15-29637
Plaintiff	:	
	:	
v.	:	
	:	
NEIL SLOANE	:	
	:	
Defendant	:	

**O R D E R**

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, upon consideration of the Unopposed Petition to Withdraw filed by John A. Gallagher, counsel for defendant Neil Sloane, it is hereby **ORDERED** and **DECREED** that the Petition is **GRANTED**.

The Prothonotary **SHALL** promptly amend the docket to reflect that John A. Gallagher is no longer counsel for record for defendant Neil Sloane.

BY THE COURT:

\_\_\_\_\_  
,j.

278

**IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA**

Gallagher Law Group, P.C.  
John A Gallagher, Esq.  
Atty. ID Number 61914  
5 Great Valley Pkwy., Suite 210  
Malvern, PA 19355  
610-647-5027  
610-889-8926 (fax)

Counsel for Defendant, Neil Sloan, M.D.

---

DISCOVER BANK	:	CIVIL ACTION –
	:	DOCKET NO. 15-29637
Plaintiff	:	
	:	
v.	:	
	:	
NEIL SLOANE	:	
	:	
Defendant	:	

---

**UNOPPOSED PETITION TO WITHDRAW AS COUNSEL**

1. The undersigned is currently counsel for defendant Neil Sloane, M.D..
2. On January 22, 2021, counsel was issued an Order of Suspension on January 22, 2021. See Order attached hereto as Exhibit "A."
3. The effective date of suspension of 2/21/21, and counsel must "wind up" his existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

279

4. Counsel has informed both his client and opposing counsel<sup>1</sup> of his impending suspension.
5. The undersigned and Dr. Sloane, have endeavored to find substitute counsel for Dr. Sloane, but have so far been unsuccessful.
6. There has been no docket activity in this matter since May 19, 2016, when a Motion to Strike default was entered.
7. I certify that I have confirmed with my client, Mr. Sloane, and plaintiff's counsel, Mr. Scott, that this Petition is UNOPPOSED. See confirmations attached as Exhibit "B" hereto.
8. Insofar as counsel is prohibited from remaining on the matter as counsel for defendant, **he respectfully requests that the attached Order be entered prior to February 21, 2021.**

WHEREFORE, it is respectfully requested that the attached Order be entered.

Respectfully submitted,

February 17, 2021

BY:           /s/ JOHN A. GALLAGHER            
JOHN A. GALLAGHER, Esquire  
Counsel for Defendant

---

<sup>1</sup> Initial counsel of record in this matter, Jonathan P. Cawley, Esquire, is no longer handling this matter as he is no longer employed with his then-firm, Zwicker & Associates. Counsel called Zwicker and was informed that Morris A. Scott of that firm was no handling the matter (although he has yet to enter an appearance).

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# EXHIBIT "A"

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IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
 : No. 65 DB 2019  
v. :  
 : Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

ORDER

PER CURIAM

AND NOW, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

282

# EXHIBIT “B”

*283*

**From:** Morris Scott, Esq.  
**To:** John Gallagher  
**Subject:** RE: Please Agree Motion to Withdraw UNOPPOSED - Discover v. Sloane  
**Date:** Tuesday, February 16, 2021 5:44:42 PM  
**Attachments:** image001.png  
imageb83338.PNG

That's fine. We will not oppose motion to withdraw as counsel.

**Morris Scott, Esq.**

Attorney  
[msscott@zwickerpc.com](mailto:msscott@zwickerpc.com)  
1.877.297.1183 ext.254

**Zwicker & Associates, P.C.**

Attorneys at Law  
3220 Tillman Drive  
Suite 215  
Bensalem, PA 19020  
1.877.297.8908 fax  
A Law Firm Engaged in Debt Collection

This communication, including any documents transmitted with it, is intended solely for the individual or entity to whom it is addressed and may contain information subject to the attorney-client privilege and/or the work product rule, or otherwise confidential and exempt from disclosure under applicable law. The transmission, accidental or otherwise, of the information set forth in this communication and/or any accompanying attachments to any person or entity other than the identified recipients of this communication as set forth above is completely inadvertent. Such transmission is not intended by the sender or by any of our clients to waive any applicable privilege, the protection against disclosure afforded by any rule or any other right of confidentiality or exemption from disclosure available under applicable law. If you are not an identified recipient of this communication (or the employee or agent responsible for the delivery of this communication and any attachments to an identified recipient), any dissemination, distribution or copying of this communication or of any attachment is strictly prohibited. If you have received this communication in error, please notify the sender by email or U.S. Mail at the above address and delete the communication and any attachments. Thank you.  
[v.1.1.2]

**Morris Scott, Esq.**

Attorney  
[msscott@zwickerpc.com](mailto:msscott@zwickerpc.com)  
1.877.297.1183 ext.254

**Zwicker & Associates, P.C.**

Attorneys at Law  
3220 Tillman Drive  
Suite 215  
Bensalem, PA 19020  
1.877.297.8908 fax

A Law Firm Engaged in Debt Collection

284

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Tuesday, February 16, 2021 5:24 PM  
**To:** Morris Scott, Esq. <mscott@zwickerpc.com>  
**Subject:** RE: Please Agree Motion to Withdraw UNOPPOSED - Discover v. Sloane  
**Importance:** High

**⚠ EXTERNAL EMAIL - CAUTION**

DO NOT open attachments or click on links from unknown senders  
or unexpected emails

Mr. Scott – may I file the Motion as UNOPPOSED where you are concerned?  
My client has agreed to such designation on his end.

Please let me know ASAP, and thank you.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
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**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video) *285*

***Over 315,000 views since 2010***

WARNING - FRAUDULENT FUNDING INSTRUCTIONS: Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract or internet, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.

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**From:** John Gallagher  
**Sent:** Tuesday, February 16, 2021 1:44 PM  
**To:** 'Morris Scott, Esq.' <[msscott@zwickercpc.com](mailto:msscott@zwickercpc.com)>  
**Subject:** Please Agree Motion to Withdraw UNOPPOSED - Discover v. Sloane  
**Importance:** High

Mr. Scott:

I spoke with my client and he does not oppose the Motion.

Please confirm that you do not oppose the Motion so I can file as unopposed.  
Thank you.

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
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**From:** John Gallagher  
**Sent:** Tuesday, February 16, 2021 10:03 AM  
**To:** 'Morris Scott, Esq.' <[mscott@zwickerpc.com](mailto:mscott@zwickerpc.com)>  
**Subject:** Need to File the Attached  
**Importance:** High

Mr. Scott (and Dr. Sloan via blind copy):

I am going to file later today; just wanted to let you know.

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
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[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)

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**From:** [John Gallagher](#)  
**To:** [neal@tinsonjr@gmail.com](mailto:neal@tinsonjr@gmail.com)  
**Subject:** FW: Need to File the Attached  
**Date:** Wednesday, February 17, 2021 10:57:00 AM  
**Attachments:** [Prop Order Motion to Withdraw AS FILED 021621.docx](#)  
[Motion to Withdraw 021621.docx](#)  
**Importance:** High

---

Neal;

This confirms our conversation yesterday wherein you advised that you do not oppose my filing of a Motion to Withdraw.

Thanks, and be well.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
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*289*

**From:** John Gallagher  
**Sent:** Tuesday, February 16, 2021 10:03 AM  
**To:** 'Morris Scott, Esq.' <msscott@zwickerpc.com>  
**Subject:** Need to File the Attached  
**Importance:** High

Mr. Scott (and Dr. Sloan via blind copy):

I am going to file later today; just wanted to let you know.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
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**John Gallagher**

---

**From:** John Gallagher  
**Sent:** Saturday, February 20, 2021 1:37 PM  
**To:** 'Morris Scott, Esq.'  
**Subject:** Neil Sloan Address Request that Future Notices be Sent Via Certified Mail  
**Importance:** High

Mr. Scott:

I understand from the Court Administrator an Order granting my withdrawal will be entered on Monday, effective 2/21.

Should you need to contact Dr. Sloan in the future, please note that, insofar as I know, his current mailing address is the same as is identified in the Complaint.

Kindly send any written notices to Dr. Sloan via first class and certified mail, RRR, to insure he receives proper notice until such time as he should retain new counsel.

Thank you.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
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**John Gallagher**

---



**From:** support@montcopa.org  
**Sent:** Friday, February 19, 2021 11:13 AM  
**To:** John Gallagher; kml@johnagallagher.com; rmd@johnagallagher.com  
**Subject:** Filing Accepted on Case 2020-15890 - BELL FITNESS LLC vs. DEANE, JORDAN

Dear JOHN GALLAGHER,

Your filing has been accepted by the Prothonotary of Montgomery County, and may be viewed along with other filings in your case by logging into the Montgomery County Prothonotary Case viewer. Please be advised that Certificates of Service, where appropriate, must still be filed pursuant to Pennsylvania and Montgomery County Rules of Civil Procedure.

**Filing Details:**

**Case Number:**2020-15890

**Caption:**BELL FITNESS LLC vs. DEANE, JORDAN

**Filing Fee:**\$0.00

**Filing Type:**Petition To Withdraw As Counsel For

To view this filing go to <https://courtsapp.montcopa.org/prothyefiling/Filing.aspx?action=edit&EFilingId=1731948>

The following parties are registered for Montgomery County Prothonotary E-Filing and will receive notification:  
MONTALTO, NICHOLAS R representing DEANE, JORDAN; CUTLOOSE LLC  
STERN, EDWARD A representing DEANE, JORDAN; CUTLOOSE LLC

The following will not receive an email and should be notified through the normal methods:

Ref#5003

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Case# 2020-15890-12 Docketed at Montgomery County Prothonotary on 02/19/2021 4:00 PM, Fee = \$0.00. The filer certifies that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

**IN THE COURT OF COMMON PLEAS OF  
MONTGOMERY COUNTY, PENNSYLVANIA**

**John A. Gallagher, Esq.**  
Atty. ID No. 61914  
**GALLAGHER LAW GROUP, P.C.**  
5 Great Valley Parkway, Suite 210  
Malvern, PA 19355  
Tel. 610 647-3027  
610-889-9726 (Fax)  
[jag@jaglawgroup.com](mailto:jag@jaglawgroup.com)

**Counsel for Plaintiff**

**BELL FITNESS, LLC**

**Plaintiff**

**v.**

**JORDAN BEANE, et al.**

**Defendant**

**CIVIL ACTION NO. 2020-15890**

**JURY TRIAL DEMANDED**

**ORDER**

**AND NOW**, this 19th day of February, 2021, upon consideration of the Unopposed Petition to Withdraw filed by John A. Gallagher, counsel for plaintiff Bell Fitness, LLC, it is hereby **ORDERED** and **DECREED** that the Petition is **GRANTED**.

The Prothonotary **SHALL** promptly amend the docket to reflect that John A. Gallagher is no longer counsel for record for plaintiff Bell Fitness, LLC.

Bell Fitness, LLC is hereby granted a period of sixty (60) days to secure new counsel.

**BY THE COURT:**

  
\_\_\_\_\_  
.j.

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RULE 236 NOTICE PROVIDED ON 02/19/2021

IN THE COURT OF COMMON PLEAS OF  
MONTGOMERY COUNTY, PENNSYLVANIA

John A. Gallagher, Esq.  
Atty. ID No. 61914  
GALLAGHER LAW GROUP, P.C.  
5 Great Valley Parkway, Suite 210  
Malvern, PA 19355  
Tel. 610 647-5027  
610-889-9726 (Fax)  
[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

Counsel for Plaintiff

**BELL FITNESS, LLC**

Plaintiff,

v.

**JORDAN DEANE, et al.**

Defendants.

**CIVIL ACTION NO. 2020-15890**

**JURY TRIAL DEMANDED**

**ORDER**

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, upon consideration of the Unopposed Petition to Withdraw filed by John A. Gallagher, counsel for plaintiff Bell Fitness, LLC, it is hereby **ORDERED** and **DECREED** that the Petition is **GRANTED**.

The Prothonotary **SHALL** promptly amend the docket to reflect that John A. Gallagher is no longer counsel for record for plaintiff Bell Fitness, LLC.

Bell Fitness, LLC is hereby granted a period of sixty (60) days to secure new counsel.

BY THE COURT:

\_\_\_\_\_  
, J.

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IN THE COURT OF COMMON PLEAS OF  
MONTGOMERY COUNTY, PENNSYLVANIA

John A. Gallagher, Esq.  
Atty. ID No. 61914  
GALLAGHER LAW GROUP, P.C.  
5 Great Valley Parkway, Suite 210  
Malvern, PA 19355  
Tel. 610 647-5027  
610-889-9726 (Fax)  
[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

Counsel for Plaintiff

**BELL FITNESS, LLC**

Plaintiff,

v.

**JORDAN DEANE, et al.**

Defendants.

**CIVIL ACTION NO. 2020-15890**

**JURY TRIAL DEMANDED**

**UNOPPOSED PETITION TO WITHDRAW AS COUNSEL**

1. The undersigned is currently counsel for plaintiff, Bell Fitness, LLC.
2. On January 22, 2021, counsel was issued an Order of Suspension on January 22, 2021. See Order attached hereto as Exhibit "A."
3. The effective date of suspension of 2/21/21, and counsel must "wind up" his existing matters by that date. See Pa.R.Disc. Enf. 217(d) which reads as follows:

(d) (1) Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

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4. Counsel has informed both his client and opposing counsel of his impending suspension.

5. The undersigned and Bell Fitness, have endeavored to find substitute counsel for Bell Fitness, but have so far been unsuccessful.

6. Discovery in this matter has recently commenced, and matter is not on a trial list of any sort.

7. I certify that I have confirmed with my client, Bell Fitness owner Ben Bell, and defense counsel, Nick Montalto, Esquire, that this Petition is UNOPPOSED. See confirmations attached as Exhibit "B" hereto.

8. Insofar as counsel is prohibited from remaining on the matter as counsel for defendant, **he respectfully requests that the attached Order be entered prior to February 21, 2021.**

WHEREFORE, it is respectfully requested that the attached Order be entered.

Respectfully submitted,

February 18, 2021

BY:           /s/ JOHN A. GALLAGHER            
JOHN A. GALLAGHER, Esquire  
Counsel for Plaintiff

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# EXHIBIT "A"

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IN THE SUPREME COURT OF PENNSYLVANIA

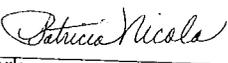
OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 65 DB 2019  
: Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

ORDER

PER CURIAM

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

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# EXHIBIT "B"

*299*

**From:** [Ben Bell](#)  
**To:** [John Gallagher](#)  
**Subject:** Re: Request for Statement of Non-Opposition to Withdraw  
**Date:** Thursday, February 18, 2021 10:09:11 AM

---

I do not oppose.

Ben Bell  
Owner  
Anytime Fitness Norristown/Oaks/Pottstown/Chestnut Hill  
610 715 1181

---

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Thursday, February 18, 2021 9:18 AM  
**To:** Ben Bell <Ben.Bell@anytimefitness.com>  
**Subject:** Request for Statement of Non-Opposition to Withdraw

Nick:

As we discussed this morning, I need to file a Motion to Withdraw as counsel in this matter due to my suspension.

Please write back and advise if I can state that you do not oppose same.

**Please reply hereto with your agreement of non-opposition.**

Regards,

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

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**From:** [nickmontalto@mmjlaw.com](mailto:nickmontalto@mmjlaw.com)  
**To:** John Gallagher  
**Subject:** RE: Unopposed Petition - Seek your Consent  
**Date:** Thursday, February 18, 2021 12:14:20 PM

---

I don't oppose

**From:** John Gallagher <jag@johnagallagher.com>  
**Sent:** Thursday, February 18, 2021 10:20 AM  
**To:** nickmontalto@mmjlaw.com  
**Subject:** Unopposed Petition - Seek your Consent  
**Importance:** High

Nick:

I would feel better if I had your statement of non-opposition on this.

Please review and advise.

**I need to file ASAP.**

Thanks.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

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303

**John Gallagher**

*Sent after Pet to WD Filed*

**From:** John Gallagher  
**Sent:** Saturday, February 20, 2021 1:33 PM  
**To:** 'nickmontalto@mmjlaw.com'  
**Cc:** 'Ben Bell'  
**Subject:** ADDRESS FOR BELL FITNESS  
**Importance:** High

Nick:

I understand from the Court Administrator an Order granting my withdrawal will be entered on Monday, effective 2/21.

Should you need to contact my client in the future, please note that its address is as identified in the Complaint.

Further, kindly e-Mail Ben Bell at Bell Fitness any pertinent communications at time of mailing same. His e-Mail address is as reflected herein.

I will remain eligible to practice through Monday, 2/22 (my suspension date falls on a Sunday), so if there is any settlement offer between now and then, let me know. My cell is 610 322 4145.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video) *304*  
*Over 315,000 views since 2010*

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 2756 Disciplinary Docket No. 3
Petitioner	:	No. 65 DB 2019
v.	:	
JOHN A. GALLAGHER,	:	Attorney Registration No. 61914
Respondent	:	(Chester County)

---

**EXHIBIT “F”**

**DOCUMENTS RELATING TO  
SUBSTITUTION OF COUNSEL IN  
PENDING MATTERS**

*305*

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL L. SAVARESE

Plaintiff

v.

TITAN INTERNATIONAL, INC.

Defendant

:  
: CIVIL ACTION NO. 5:20-04243-JFL  
:  
: JURY TRIAL DEMANDED  
:  
:  
:

WITHDRAWAL OF APPEARANCE

TO THE CLERK OF COURT:

Kindly **WITHDRAW** my appearance as counsel for plaintiff, Michael L. Savarese.

February 19, 2021

/s/ JOHN A. GALLAGHER  
John A. Gallagher, Esquire  
Attorney I.D. No. 61914  
5 Great Valley Parkway, Suite 210  
Malvern, PA 19355  
(610) 647-5027  
(610) 889-9726 (fax)  
[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

ENTRY OF APPEARANCE

TO THE CLERK OF COURT:

Kindly **ENTER** my appearance as counsel for plaintiff, Michael L. Savarese.

February 19, 2021

/s/ WAYNE A. ELY  
Wayne A. Ely, Esquire  
225 Lincoln Highway  
Building A, Suite 150  
Attorney I.D. No. 69670  
Fairless Hills, Pennsylvania 19030  
(215) 801-7979  
[wayne3236@gmail.com](mailto:wayne3236@gmail.com)

306

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MIRIAM WEALER, *et al.*

Plaintiffs

v.

BOARD OF DIRECTORS OF COMMUNITY  
YOUTH & WOMEN'S ALLIANCE, *et al.*

Defendants

CIVIL ACTION NO. 2:20-cv-04947

JURY TRIAL DEMANDED

WITHDRAWAL OF APPEARANCE

TO THE CLERK OF COURT:

Kindly **WITHDRAW** my appearance as counsel for plaintiffs, Miriam Wealer and Candace McCoy.

February 19, 2021

/s/ JOHN A. GALLAGHER

John A. Gallagher, Esquire  
Attorney I.D. No. 61914  
5 Great Valley Parkway, Suite 210  
Malvern, PA 19355  
(610) 647-5027  
(610) 889-9726 (fax)  
[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

ENTRY OF APPEARANCE

TO THE CLERK OF COURT:

Kindly **ENTER** my appearance as counsel for plaintiffs, Miriam Wealer and Candace McCoy.

February 19, 2021

/s/ WAYNE A. ELY

Wayne A. Ely, Esquire  
225 Lincoln Highway  
Building A, Suite 150  
Attorney I.D. No. 69670  
Fairless Hills, Pennsylvania 19030  
(215) 801-7979  
[wayne3236@gmail.com](mailto:wayne3236@gmail.com)

307

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAVID RODGERS

Plaintiff

v.

SEDGWICK CLAIMS MANAGEMENT  
SERVICES, INC.

Defendant

CIVIL ACTION NO.: 2:21-cv-00471-CMR

JURY TRIAL DEMANDED

WITHDRAWAL OF APPEARANCE

TO THE CLERK OF COURT:

Kindly **WITHDRAW** my appearance as counsel for plaintiff, David Rodgers.

February 19, 2021

/s/ JOHN A. GALLAGHER

John A. Gallagher, Esquire  
Attorney I.D. No. 61914  
5 Great Valley Parkway, Suite 210  
Malvern, PA 19355  
(610) 647-5027  
(610) 889-9726 (fax)  
[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

ENTRY OF APPEARANCE

TO THE CLERK OF COURT:

Kindly **ENTER** my appearance as counsel for plaintiff, David Rodgers.

February 19, 2021

/s/ WAYNE A. ELY

Wayne A. Ely, Esquire  
225 Lincoln Highway  
Building A, Suite 150  
Attorney I.D. No. 69670  
Fairless Hills, Pennsylvania 19030  
(215) 801-7979  
[wayne3236@gmail.com](mailto:wayne3236@gmail.com)

308

## John Gallagher

---

**From:** ecf\_paed@paed.uscourts.gov  
**Sent:** Monday, February 22, 2021 3:26 PM  
**To:** paedmail@paed.uscourts.gov  
**Subject:** Activity in Case 2:20-cv-04947-CDJ WEALER et al v. BOARD OF DIRECTORS OF COMMUNITY YOUTH & WOMEN'S ALLIANCE, INC. et al Notice of Appearance

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

United States District Court

Eastern District of Pennsylvania

### Notice of Electronic Filing

The following transaction was entered by ELY, WAYNE on 2/22/2021 at 3:25 PM EST and filed on 2/22/2021

**Case Name:** WEALER et al v. BOARD OF DIRECTORS OF COMMUNITY YOUTH & WOMEN'S ALLIANCE, INC. et al  
**Case Number:** 2:20-cv-04947-CDJ  
**Filer:** CANDACE MCCOY  
MIRIAM WEALER  
**Document Number:** 13

#### Docket Text:

**NOTICE of Appearance by WAYNE A. ELY on behalf of CANDACE MCCOY, MIRIAM WEALER with withdrawal of appearance of JOHN A. GALLAGHER(ELY, WAYNE)**

2:20-cv-04947-CDJ Notice has been electronically mailed to:

JEFFREY S. ADLER jsadler@burnswhite.com, jnhyduke@burnswhite.com

JOHN A. GALLAGHER jag@johnagallagher.com

WAYNE A. ELY wayne3236@gmail.com

2:20-cv-04947-CDJ Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

309



**John Gallagher**

---

**From:** ecf\_paed@paed.uscourts.gov  
**Sent:** Monday, February 22, 2021 3:23 PM  
**To:** paedmail@paed.uscourts.gov  
**Subject:** Activity in Case 5:20-cv-04243-JFL SAVARESE v. TITAN INTERNATIONAL, INC. Notice of Appearance

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

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United States District Court

Eastern District of Pennsylvania

**Notice of Electronic Filing**

The following transaction was entered by ELY, WAYNE on 2/22/2021 at 3:23 PM EST and filed on 2/22/2021

**Case Name:** SAVARESE v. TITAN INTERNATIONAL, INC.

**Case Number:** 5:20-cv-04243-JFL

**Filer:** MICHAEL L. SAVARESE

**Document Number:** 13

**Docket Text:**

**NOTICE of Appearance by WAYNE A. ELY on behalf of MICHAEL L. SAVARESE with withdrawal of appearance of JOHN A. GALLAGHER(ELY, WAYNE)**

**5:20-cv-04243-JFL Notice has been electronically mailed to:**

CHRISTINA MARIA REGER christina@cregerlaw.com, morgant@cregerlaw.com

JOHN A. GALLAGHER jag@johnagallagher.com

WAYNE A. ELY wayne3236@gmail.com

**5:20-cv-04243-JFL Notice will not be electronically mailed to:**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1001600548 [Date=2/22/2021] [FileNumber=17445653-

*311*

**IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL L. SAVARESE	:	
	:	CIVIL ACTION NO. 5:20-04243-JFL
Plaintiff	:	
v.	:	
	:	JURY TRIAL DEMANDED
TITAN INTERNATIONAL, INC.	:	
	:	
Defendant	:	

**WITHDRAWAL OF APPEARANCE**

**TO THE CLERK OF COURT:**

Kindly **WITHDRAW** my appearance as counsel for plaintiff, Michael L. Savarese.

February 19, 2021

/s/ JOHN A. GALLAGHER  
 John A. Gallagher, Esquire  
 Attorney I.D. No. 61914  
 5 Great Valley Parkway, Suite 210  
 Malvern, PA 19355  
 (610) 647-5027  
 (610) 889-9726 (fax)  
[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

**ENTRY OF APPEARANCE**

**TO THE CLERK OF COURT:**

Kindly **ENTER** my appearance as counsel for plaintiff, Michael L. Savarese.

February 19, 2021

/s/ WAYNE A. ELY  
 Wayne A. Ely, Esquire  
 225 Lincoln Highway  
 Building A, Suite 150  
 Attorney I.D. No. 69670  
 Fairless Hills, Pennsylvania 19030  
 (215) 801-7979  
[wayne3236@gmail.com](mailto:wayne3236@gmail.com)

*3/2*

**John Gallagher**

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**From:** ecf\_paed@paed.uscourts.gov  
**Sent:** Monday, February 22, 2021 3:21 PM  
**To:** paedmail@paed.uscourts.gov  
**Subject:** Activity in Case 2:21-cv-00471-CMR RODGERS v. SEDGWICK CLAIMS MANAGEMENT SERVICES, INC. Notice of Appearance

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**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

United States District Court

Eastern District of Pennsylvania

### Notice of Electronic Filing

The following transaction was entered by ELY, WAYNE on 2/22/2021 at 3:20 PM EST and filed on 2/22/2021

**Case Name:** RODGERS v. SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.

**Case Number:** 2:21-cv-00471-CMR

**Filer:** DAVID RODGERS

**Document Number:** 3

#### Docket Text:

**NOTICE of Appearance by WAYNE A. ELY on behalf of DAVID RODGERS with withdrawal of appearance of JOHN A. GALLAGHER(ELY, WAYNE)**

**2:21-cv-00471-CMR Notice has been electronically mailed to:**

JOHN A. GALLAGHER jag@johnagallagher.com

WAYNE A. ELY wayne3236@gmail.com

**2:21-cv-00471-CMR Notice will not be electronically mailed to:**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

*313*

[STAMP dcecfStamp\_ID=1001600548 [Date=2/22/2021] [FileNumber=17445639-0] [68516a4681e9d74ec98027c30248cad205dc35d0efe8203d1a9872bca6fbca640d3900ee68ba7feaa4eb36ee821f2ce4344571fb2e8163d5af3675611cea98b5]]

**IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DAVID RODGERS

Plaintiff

v.

SEDGWICK CLAIMS MANAGEMENT  
SERVICES, INC.

Defendant

:  
:  
: CIVIL ACTION NO.: 2:21-cv-00471-CMR  
:  
:  
: JURY TRIAL DEMANDED  
:  
:  
:  
:

---

**WITHDRAWAL OF APPEARANCE**

**TO THE CLERK OF COURT:**

Kindly **WITHDRAW** my appearance as counsel for plaintiff, David Rodgers.

February 19, 2021

/s/ JOHN A. GALLAGHER

John A. Gallagher, Esquire  
Attorney I.D. No. 61914  
5 Great Valley Parkway, Suite 210  
Malvern, PA 19355  
(610) 647-5027  
(610) 889-9726 (fax)  
[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

---

**ENTRY OF APPEARANCE**

**TO THE CLERK OF COURT:**

Kindly **ENTER** my appearance as counsel for plaintiff, David Rodgers.

February 19, 2021

/s/ WAYNE A. ELY

Wayne A. Ely, Esquire  
225 Lincoln Highway  
Building A, Suite 150  
Attorney I.D. No. 69670  
Fairless Hills, Pennsylvania 19030  
(215) 801-7979  
[wayne3236@gmail.com](mailto:wayne3236@gmail.com)

314

**John Gallagher**

---

**From:** John Gallagher  
**Sent:** Friday, February 19, 2021 12:49 PM  
**To:** 'DC38113@MONTCOPA.ORG'  
**Cc:** Wayne Ely; 'Carmen Brango'  
**Subject:** Withdraw and Entry of Counsel - MJ-38113-cv-0000016-2021  
**Attachments:** Withdrawal and Entry of Appearance for Brango.pdf  
  
**Importance:** High

Dear Judge Bernhardt:

Kindly note the attached Withdraw and Entry of Appearance on behalf of claimant Carmen Brango in this matter. Please Strike John A. Gallagher as counsel of record for claimant Brango, and enter Wayne A. Ely as Mr. Brango's new counsel.

Thank You.

**Regards,**

**John A. Gallagher, Esquire**  
**Gallagher Law Group, P.C.**  
**5 Great Valley Parkway, Ste. 210**  
**Malvern, PA 19355**  
**610-647-5027 (Office)**  
**610-889-9726 (Fax)**  
[www.johnagallagher.com](http://www.johnagallagher.com)

*Confirmed  
Wayne Ely Now  
Counsel of Record  
Asked for written  
confirm*

**Check out John's Blog at:**

[www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com)  
*Over 1.675 million views since 2010*

**Check out John's YouTube videos at:**

[www.youtube.com/user/johngallagheresq/video](http://www.youtube.com/user/johngallagheresq/video)  
*Over 315,000 views since 2010*

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315  
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COMMONWEALTH COURT OF PENNSYLVANIA COUNTY OF MONTGOMERY  
MAGISTERIAL DISTRICT COURT 38-1-13

CARMEN BRANGO :  
 : DOCKET NO. MJ-38113-CV-0000016-2021  
Plaintiff :  
v. :  
 :  
ADAPTHEALTH, CORP. :  
 :  
Defendant :

---

WITHDRAWAL OF APPEARANCE

TO THE CLERK OF COURT:

Kindly **WITHDRAW** my appearance as counsel for plaintiff, Carmen Brango.

February 19, 2021

/s/ JOHN A. GALLAGHER  
John A. Gallagher, Esquire  
Attorney I.D. No. 61914  
5 Great Valley Parkway, Suite 210  
Malvern, PA 19355  
(610) 647-5027  
(610) 889-9726 (fax)  
[jag@johnagallagher.com](mailto:jag@johnagallagher.com)

-----  
ENTRY OF APPEARANCE

TO THE CLERK OF COURT:

Kindly **ENTER** my appearance as counsel for plaintiff, Carmen Brango.

February 19, 2021

/s/ WAYNE A. ELY  
Wayne A. Ely, Esquire  
225 Lincoln Highway  
Building A, Suite 150  
Fairless Hills, Pennsylvania 19030  
(215) 801-7979  
[wayne3236@gmail.com](mailto:wayne3236@gmail.com)

316

**John Gallagher**

---

**From:** Lowrie, Marie <MLowrie@montcopa.org>  
**Sent:** Monday, March 1, 2021 2:14 PM  
**To:** John Gallagher  
**Subject:** CV-16-2021



Good afternoon Mr. Gallagher,  
I am confirming you are completely removed from CV-16-21 Carmen Brango vs AdaptHealth Corp. and replaced by Wayne A. Ely, Mr. Brango's new counsel.

Best regards,  
DC-38-1-13

Marie

317



THE DISCIPLINARY BOARD  
OF THE  
SUPREME COURT OF PENNSYLVANIA

Pennsylvania Judicial Center  
601 Commonwealth Avenue, Suite 5600  
PO Box 62625  
Harrisburg, PA 17106-2625  
Phone: (717) 231-3380 Fax: (717) 231-3381  
[www.padisciplinaryboard.org](http://www.padisciplinaryboard.org)

January 19, 2022

John A. Gallagher  
8 Harvey Ln  
Malvern, PA 19355

RE: No. 65 DB 2019  
Attorney Registration No. 61914  
Date of Decision: 1/22/2021  
Disposition of Matter: Suspension

Dear John A. Gallagher:

You have been previously advised that you have an outstanding obligation to the Disciplinary Board of the Supreme Court of Pennsylvania.

This letter confirms that you have satisfied your obligation to pay Taxed Expenses to the Disciplinary Board in the above-referenced matter.

Very truly yours,

A handwritten signature in black ink that reads "Meghan Sloan".

Meghan L. Sloan  
Finance Coordinator

MLB/  
Enclosure

cc: Daniel S. White, Disciplinary Counsel, District II  
Thomas J. Farrell, Chief Disciplinary Counsel



THE DISCIPLINARY BOARD  
OF THE

SUPREME COURT OF PENNSYLVANIA

Pennsylvania Judicial Center  
601 Commonwealth Avenue, Suite 5600  
PO Box 62625  
Harrisburg, PA 17106-2625  
Phone: (717) 231-3380 Fax: (717) 231-3381  
[www.padisciplinaryboard.org](http://www.padisciplinaryboard.org)

March 9, 2023

John A. Gallagher  
8 Harvey Ln  
Malvern, PA 19355

RE: No. 65 DB 2019 R  
Attorney Registration No. 61914  
Date of Decision: 9/28/2022  
Disposition of Matter: Reinstatement Withdrawn

Dear John A. Gallagher:

You have been previously advised that you have an outstanding obligation to the Disciplinary Board of the Supreme Court of Pennsylvania.

This letter confirms that you have satisfied your obligation to pay Taxed Expenses to the Disciplinary Board in the above-referenced matter.

Very truly yours,

A handwritten signature in black ink that reads "Meghan Sloan".

Meghan L. Sloan  
Finance Coordinator

MLS/  
Enclosure

cc: Daniel S. White, Disciplinary Counsel, District IV  
Samuel C. Stretton, Counsel for Petitioner  
Thomas J. Farrell, Chief Disciplinary Counsel

THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA  
601 Commonwealth Avenue, Suite 5600, PO Box 62625, Harrisburg, PA 17106-2625  
(717) 231-3380

In Re: PETITION OF : No. 65 DB 2019  
John A. Gallagher :  
: FOR REINSTATEMENT TO THE  
: BAR OF THE SUPREME COURT  
: OF PENNSYLVANIA

**REINSTATEMENT QUESTIONNAIRE**  
**ANSWERS MUST BE TYPEWRITTEN**  
(To be filed in quadruplicate)

Petitioner must answer all questions fully and precisely, with awareness that false statements made herein are subject to the criminal penalties of 18 Pa. C.S. Section 4904(b) and that all statements made herein become a part of the record in the reinstatement proceedings [Disciplinary Board Rule 89.275(16)(b)]. If the space provided for an answer is not sufficient continue the answer on a separate sheet of paper.

1. (a) Full name: John Gallagher  
(b) Attorney I.D. No.: 61914  
(c) Current home address: 8 Harvey Lane, Malvern, PA 19355  
Telephone No.: 610-322-4145 Fax No.: None  
(d) Current business address: None  
Telephone No.: Fax No.:  
(e) Date and place of birth: June 11, 1962 Broomall, Pennsylvania 19008

(f) Have you ever used another name?  Yes  No  
Has your name ever been legally changed by court order or marriage?  
 Yes  No

If Yes to either of the above, complete the following:

Name	Name Change	Reason	When
-----			

If current name is different than Attorney Registration records or the Order of disbarment or suspension indicate, attach a copy of the order, certificate or decree by which the name change was made.

**FILED**  
**01/12/2022**  
**The Disciplinary Board of the**  
**Supreme Court of Pennsylvania**

2. (a) State all schools (above high school) you have attended, the dates of attendance, the degrees received or to be received, and the dates conferred.

School/College	Address	From (Mo.&Yr.)	To (Mo.&Yr.)	Degree	Date
Indiana Univ. of Pa	☒ Punxatawney, PA	☒ 09/1980	02/1981	None	☒
West Chester University	West Chester, PA	09/1981	05/1985	B.A.	☒ 5/1985

Law School	Address	From (Mo.&Yr.)	To (Mo.&Yr.)	Degree	Date
New England Law	☒ 154 Stuart Street,	☒ 09/2088	05/2091	JD	☒ 5/91

(b) Date, place and court of initial admission to the Bar of Pennsylvania:  
 10/91, Philadelphia, Pa. Supreme Court

(c) Have you ever applied for admission to practice as an attorney or counselor in any other state or country or before a federal court or an administrative agency?

Yes       No

If Yes, complete:

Date	Application Filed Place	Disposition	Motion/Bar Exam.	Admission Date	Place
7/91	New Jersey	Admitted	7/91	10/91	NJ Supreme Court
N/A	☒ Philadelphia	Admitted	<i>Cert. returned</i>	1992	E.D. Pa

*6th Circuit  
 10th Circuit  
 D. Colorado* } *all notified, certifications returned to Pa. where available*

*\* voluntarily administratively revoked 1/28/92 (#38621991)*



3. (a) What was the finding of misconduct upon which your present suspension/disbarment is based?

Misuse of IOLTA and Failure to Maintain Required Records (RPC 1.15(b), RPC 1.15(c)(1), RPC 1.15(c)(2) and RPC 1.15(h)), RPC 1.15(i) and RPC 1.15(m); Unauthorized Practice of Law (RPC 1.15(e), RPC 1.16(a)(1), RPC 1.16(d), RPC 5.5(a), RPC 5.5(b)(2), RPC 1.16(d), Pa.R.D.E. 217(a), Pa.R.D.E. 217(b), Pa.R.D.E. 217(d)(I), Pa.R.D.E. 217(e)(1), Pa.R.D.E. 217(j)(4) (iv), Pa.R.D.E. 217(j)(4)(v), Pa.R.D.E. 217(j)(4)(vi) and Pa.R.D.E. 217(j)(4)(x)); Failure to Report 2004 DUI Conviction

(b) Provide the following detailed information (or attachments):

i. **Attach a Certified copy of your disbarment/suspension/transfer to disability inactive status order with copy of any opinion which may have accompanied said order**

*Attach # 1*

ii. List below the caption and docket number of proceeding in which order entered:

No. 2756 Disciplinary Docket No. 3  
 No. 65 DB 2019

iii. **Attach copy of the report and recommendations of the Disciplinary Board or other similar body existing prior to the establishment of the Board or existing in another jurisdiction.**

*Attach # 2*

iv. **Attach copy of the findings of the hearing committee or other similar body (if different from iii. above) which heard the evidence.**

*Attach # 3*

v. **Attach copy of Statement of Resignation or Joint Petition for Discipline if suspended or disbarred on consent.**

vi. List below the citation or other reference to the disbarment/suspension or transfer to disability inactive proceeding if reported in any bound volume(s) of reports.

Unknown

vii. List below the names and addresses of complaining or aggrieved parties:

Name	Address
Bonnie Rexroth	Not available to me (she did not testify at proceeding and had <input checked="" type="checkbox"/>

4. If your disbarment/suspension was based on a conviction of a crime in this or any other jurisdiction (including federal) provide the following detailed information (or attachments):

(a) Nature of charges against you and citation(s) to criminal statute(s):

Charge(s)	Citation(s)
Driving Under Influence	75 Pa.C.S. 3731(a)

(b) Names and addresses of complaining witnesses:

Name	Address
Malvern Boro Police Dept.	1 E. 1st Avenue, Malvern, PA 19355

(c) Attach certified copy of indictment (or information), docket entries, and judgment and probation/commitment order (or equivalent thereof) and opinion(s).

*Attach 4*

(d) Name, court and address of trial judge (if different from that or not listed in any documents in (c) above).

(e) Name, organization and address of prosecutor (if different from that or not listed in any documents in (c) above).

(f) Citation or other reference to your criminal case, if reported in any bound volume(s) of reports:  
None I am aware of

5. If a charge or finding of commingling, withholding, misusing or neglecting to pay money to or on behalf of clients or any other similar charge involving improper handling of funds was involved in your disbarment/suspension/transfer to disability inactive status, itemize the following:

(a) Name and address of any person(s) involved and amount(s) withheld:

Name	Address	Amount
Bonnie Rexroth	Not available	\$500

(b) As to each of the foregoing, in what fashion and/or for what purpose was the money expended? Give full details:

\* Ms. Rexroth contacted me on Tuesday December 13, 2016, at which time I was administratively suspended. She located me via the Internet, and sent me an e-mail at 4:09 p.m. on December 13 requesting that I contact her for legal assistance. ODC 27. I should not have been holding myself

(c) To what extent, if any, has restitution been made? State, as to each client, when and by whom restitution has been made and whether any interest was paid:

I sent the Ms. Rexroth a money order for \$500 on July 10, 2017. I did not include any interest to Ms. Rexroth although, in hindsight, I should have done so.

(d) Has any surety, guarantor or bar association fund made any restitution payment? Give details:

Yes  No

If Yes, have you reimbursed said surety, guarantor or fund who has made restitution? Give details:

\* Please See Supplemental Answers to Petition for Reinstatement, attached as Exhibit "A"

5. (e) Has the Pennsylvania Lawyers Fund for Client Security made any disbursements to your former clients?

Yes  No

If Yes, attach proof that full restitution has been made to the Pennsylvania Lawyers Fund for Client Security.

**Note:** Either the Yes or No box must be checked for this question or the Questionnaire will be considered incomplete.

6. After entry of your disbarment/suspension/disability inactive status order, did you file with the Disciplinary Board Prothonotary:

- (a) Copies of notices substantially in the language of Form DB-23 (non-litigation notice of disbarment, suspension or transfer to disability inactive status) sent to clients pursuant to Pa.R.D.E. 217(a) and Disciplinary Board Rule 91.91?

Yes  No

If Yes, state the date on which such filing was made. March 2, 2021

If No, explain.

- (b) Copies of notices substantially in the language of Form DB-24 (litigation notice of disbarment, suspension or transfer to disability inactive status) sent to clients pursuant to Pa.R.D.E. 217(b) and Disciplinary Board Rule 91.92?

Yes  No

If Yes, state the date on which such filing was made. March 2, 2021

If No, explain.

- (c) Copy of the affidavit required by Pa.R.D.E. 217(e) and Disciplinary Board Rule 91.95?

Yes  No

If Yes, state the date on which such filing was made and attach a copy of the Affidavit. 3/2/21

If No, explain.

*Attach 5*

6. (d) Were any costs taxed by the Supreme Court of Pennsylvania in its order of disbarment, suspension, transfer to disability inactive status or denial of reinstatement?

Yes  No

If Yes, attach the itemization of costs and proof that the Disciplinary Board has been paid in full. **Note:** Board Rule 89.272(b) prohibits an attorney from filing for reinstatement before the costs have been paid in full.

*Attach - 6*

7. (a) Were you ever disciplined by a court of any other jurisdiction, including any state or federal administrative agency?

Yes  No

If Yes, provide the following information (or attachments) as to each instance of discipline in another jurisdiction:

Court/Agency	Jurisdiction	Docket No.	Discipline Imposed	Date
ED Pa	■ Pennsylvania	2:21-mc-17-U	Susp. 1 Yr. 1 day	1/22/21
3rd Circuit	3rd Circuit	21-8018	Susp. 1 yr. 1 day	1/22/21

(b) Attach a certified copy of any order entered or any acknowledgment signed in any case listed in 7(a) above.

*Attach 7*

(c) Citation or other reference to the disciplinary proceedings listed in 7(a) above if reported in any bound volume(s) of reports:

None (reciprocal discipline arising out of this matter)

(d) If there is no citation or other reference to a bound volume of reports, attach a copy of the finding(s) and/or opinion(s) of the court(s).

*Both Cir. D. Colo*      *Both Cir. Colorado*      *21-801*      *Susp 1 yr 1 day*      *9/8/21*  
*N/A*      *Admn Removal*      *n/a*  
*(admitted 7/11/19)*

8. (a) To the best of your knowledge have you ever been the subject of a disciplinary complaint not revealed hereinabove, to include any complaint made against you in law school?

Yes  No

*Also - See Supplement, Exhibit "A"*

If Yes, provide the following information as to each instance:

Complainant Name & Address	Rachel E. Neufeld (address not available to me)
Court, Agency or Other Body to Whom the Complaint was Made	Pa. Disciplinary Board
Charge & Date Made	I received notice via letter dated 6/7/14
Disposition & Date Thereof	Informal admonition, April 5, 2016
Docket Number or Other Identifier	C2-14-108
Citation or Other Reference	OH RPC 1.3, 1.7(a)(2), 1.7(b), 1.9(a), 1.16(a)(10), 1.9(c)(1), 1.16(c), 1.16(d), 1.4(a), 1.4(a)(3) 1.4(a)(4), 1.4(b), 1.5(b).

(b) If there is no citation or other reference to a bound volume of reports attach a copy of findings for each of the above or indicate where available on record:

Findings re: Prior Discipline at ODC 39A & B, and 39 A & B

9. Have you ever been investigated, arrested or prosecuted for any crime (other than a summary motor vehicle violation) which is not set forth in paragraph 4 hereinabove?

Yes  No

If Yes, provide the following information (or attachment) as to each offense:

(a) Nature of charges against you and citation(s) to criminal statute(s):

Charge(s)	Citation(s)
18 s 903 A1	See attached
75 s 3731 A1	See attached

9. (b) Names and addresses of complaining witnesses: *See Supplemental Ex. "A"*

Name(s)	Address(es)
Attached	
Attached	

(c) **Attach certified copy of indictment (or information), docket entries, and judgment and probation/commitment order (or equivalent thereof) and opinion(s).**

*Attach 8*

(d) Name, court and address of trial judge (if different from that or not listed in any documents in (c) above).

(e) Name, organization and address of prosecutor (if different from that or not listed in any documents in (c) above).

(f) Citation or other reference to your criminal case, if reported in any bound volume(s) of reports:  
None

10. (a) Have you ever been involved in a civil action as a party or as one who claimed an interest?

Yes       No

(b) Has any action in the nature of a malpractice action been filed against you?

Yes       No

(c) Are there any judgments against you currently on court records as unsatisfied?

Yes  No

If any of the answers to questions (a), (b) and (c) above were Yes, provide the following information (or attachments) as to each matter: (Use additional pages to answer if necessary):

*See Supplement, Ex. "A"*

Plaintiff's Name(s)	Patrick Bullock
Case Name	Bullock v. Gallagher
Nature of Action	Financial debt due; I was not involved in underlying transactions
Court	MJ-15102
Court Term & Number	CV-268-2018
Docket Number	MJ-15102
Court Record Index Number	
Disposition	Default Judgment for Plaintiff
Amount of judgment	\$4,184.50
Balance of judgment unsatisfied	\$4,184.50

Attach a current copy of docket entries for each case listed, to include appellate docket entries, if applicable.

*Attach 9*

(d) Do you have any debts which are 90 days past due?

Yes  No

*See Supplement, Ex. "A"*

If the answer to 10(d) is Yes, provide the names and addresses of creditors, amounts due, dates and nature of debts, and the reason for nonpayment.

US Dept of Education balance \$82,429 in collection - closed account

It went into collection in June of 2020. There is a second loan for \$3,392 that also went into collection in June 2020. However, the accounts were consolidated. I fell behind on this (these) monthly payment(s) in 2017-18, and was unable to get it caught back up before it went into collections.

I have account with WSFS Bank that does not show up on any credit report I could find. However, I am behind more than 90 days, and the balance is over \$150,000. This is another account I fell behind on in 2017-18, and fell too far behind to get caught up.

I also have outstanding balances with the IRS and the Pa. Dept. of Revenue.

- (e) Since your suspension, disbarment or transfer to disability inactive status, have you timely filed state and federal tax returns for each and every year?

Yes  No

If No, provide the year, taxing authority and the current status of the delinquency for each year in which you did not timely file a tax return.

Tax Year	Taxing Authority	Current Status

11. (a) List in chronological order all occupations, jobs, business associations or other ventures of any kind whatsoever (full-time, part-time and temporary, whether with or without compensation) which you had during the period of your suspension/disbarment/disability inactive status. As to each, identify by name and address your employer (or partner or associate in business), state the amount of your salary or other form of compensation, if "other compensation" state the type and terms thereof and list the dates and duration of each. If any employer was a relative of yours or, in the case of a corporation or other business, was owned or controlled by you or by a relative, so note, giving the name of the relative and his/her position in the business.

Name & Address of Employer, Partner Associate or Supervising Attorney	Type of Compensation & Amount	Duration	Reason for Leaving
Charles D. Mandracchia, Esquire	\$35 per hr.	5.5 Months	N/A
Rentwell Construction	\$17 per hour	1 week	Engagement limited
Rentwell Services	\$400	2 weeks	Still pending further engagement

11. (b) If any of the employment listed above involved law-related activity, did you and your supervising attorney file a notice of employment with the Disciplinary Board pursuant to Pa.R.D.E. 217(j)(5)?

Yes       No

If Yes, attach proof of compliance.

(c) If such law-related activity has terminated, did you and your supervising attorney file a notice with the Disciplinary Board pursuant to Pa.R.D.E. 217(j)(5)?

Yes       No

If Yes, attach proof of compliance.

*Attach - 10*

If No, to either 11(b) or (c) above, explain.

Additional Comments:

12. List any income in excess of \$500 which you received in any one year during the period of your disbarment/suspension/transfer to disability inactive status or the ten years next preceding the filing of this petition, whichever is less, and which is not listed in 11 above. List each source of such income and, if a periodic income, the approximate amount of monthly income as to each source.

Source	Year	Amount Received	Monthly Amount (If Periodic)
Charles	2021	\$5,858	1,169.60
Rentwell	2021	\$512	n/a

*See Supplement,  
 Ex. "A"*

13. List, in chronological order, all residences which you have maintained during the period of your disbarment/suspension/transfer to disability inactive status or during the ten years next preceding the filing of this petition, whichever is less, and as to each, identify your landlord(s), if any, by name and address.

Number & Street	City, State & Zip	Dates	Landlord
8 Harvey Lane	Malvern, PA 19355	All	Own home

14. Identify your present dependents by name, age, residence, relationship to you and pr oportion of their income they derive from you.

Name	Age	Residence	Relationship	Proportion of Income
Olivia Lane	17	8 Harvey Lane	Step-Daughte	50%

15. As of the date of the within answers, do you have any fixed financial obligations or other notable requirements for payment, such as for alimony or support?

Yes       No

If Yes, as to each obligation, list the name and address of each creditor or obligee, the date on which the obligation was incurred, the balance outstanding for each obligation as of the date of filing of the within answers and the monthly payment for each.

Name & Address of Creditor or Obligee	Date Obligation Incurred	Balance Outstanding	Monthly Payment
BSI Financial (Transferred to	12/30/05	\$604,191	\$2,738
CapitalOne Bank	7/01/19	\$294	\$35

*See Supplement, "A"*

16. Have you ever made application for a permit or license (other than admission to the Pennsylvania bar) which required proof of good character (including CPA, Real Estate Broker, liquor license, etc.)?

Yes  No

If Yes, as to each application, list the name and address of the body or authority to whom the application was addressed, the date of the application, the disposition of the application and the date of disposition.

Authority to Whom Application Addressed	Date of Application	Disposition	Date of Disposition
-----			

Attach a true and correct copy of each such application.

17. Have you, as a member of any profession or organization or the holder of any office or license, been the subject of any proceeding or inquiry which involved censure, removal, suspension, revocation of license, or discipline (not including the proceeding which led to your present disbarment/suspension/transfer to disability inactive status and not including any matter listed in 7 and 8 above)?

Yes  No

If Yes, as to each such proceeding or inquiry, list the nature of the complaint or action which led to the institution of the proceeding or inquiry, the factual basis and allegations, the date filed (or communicated to you if the filing date is not known), the disposition of the matter and date thereof and the identity and address of the authority in possession of the record of the proceeding.

Nature of Complaint or Action Leading to Inquiry and Factual Basis	Date Filed	Disposition & Date	Authority in Possession of Record
-----			

18. Where do you intend to practice law if you are reinstated and what type of practice do you intend to pursue?

During my suspension, I have been in contact with two companies that have demonstrated an interest in hiring me as general counsel upon reinstatement, should same be forthcoming. If such offers are formally made to me if reinstated, I would accept the one that I believe offers me the best opportunity for personal and professional growth. Should those opportunities not be forthcoming, I would pursue employment within a law firm. If there exists a lapse of time in between reinstatement and securing a job opportunity with a firm, I would consider private practice in an office environment, utilizing a book keeper.

19. Action taken to maintain currency, competency and learning in the law:

- (a) If you have been disbarred or suspended for more than one year, or transferred to disability inactive status, list specifically the courses and lectures meeting the requirements of the current schedule of continuing legal education courses published by the Disciplinary Board, **which you have taken within the one year preceding the filing of your petition for reinstatement** which will satisfy the requirements of Disciplinary Board Rules 89.275(a)(15) and 89.279(a)

Course Title	Location	Date	No. of Credit Hours	Ethics *
Iolita Accounts - More Questions & More Answers To The Most Commonly Asked <input checked="" type="checkbox"/>	Virtual	3/31/21	1.0	x
Law Practice Marketing: Practical & Ethical Considerations <input checked="" type="checkbox"/>	'	4/12/21	1.0	x
Exp: Understanding And Addressing Unconscious Bias At Work <input checked="" type="checkbox"/>	'	4/12/21	1.0	x
Exp: Tax Issues In Employment Claims <input checked="" type="checkbox"/>	'	4/12/21	1.0	
Exp: Investigation Practices In The Wake Of #metoo <input checked="" type="checkbox"/>	'	4/12/21	1.0	
Exp: Effective Communication 101: Ada, Rehabilitation Act And The Affordable Care Act <input checked="" type="checkbox"/>	'	4/13/21	1.0	
Exp: Coronavirus And Your Mental Health: Coping With Isolation, Anxiety, And Fear <input checked="" type="checkbox"/>	'	4/13/21	1.0	x
Exp: Cell Phone Forensics <input checked="" type="checkbox"/>	'	4/13/21	1.0	
Exp: Striving For A (Realistic) Work/life Balance <input checked="" type="checkbox"/>	'	4/14/21	1.0	x
Exp: Supreme Court 2019-20 Review: Part 1 <input checked="" type="checkbox"/>	'	4/14/21	2.0	
Exp: No One Makes It Out Unscathed: The Effects Of Personal Trauma And Stress On <input checked="" type="checkbox"/>	'	4/14/21	1.0	x
Exp: Everything You Always Wanted To Know About Impaired Lawyers - / But Were <input checked="" type="checkbox"/>	'	4/14/21	1.0	x
Exp: Update On Non-Compete Agreements <input checked="" type="checkbox"/>	'	4/14/21	1.5	
Please see attached for rest				
Total Credit Hours: 42.5 <i>20(e), 22.5(s) See attached for balance</i>				

\*[X] the Ethics Column to indicate courses taken to meet the minimum 12 hours in the area of Ethics required in the Current Schedule.

Effective December 1, 2011, the Bridge the Gap Course must be taken through an accredited PA CLE provider as part of the 36 hours of credits.

Attach proof of attendance for all courses listed above. *See attach. 11*

19. (b) What legal periodicals, official reporters, or advance sheets, if any, have you subscribed to or read during the period of your disbarment/suspension/transfer to disability inactive status? Give details.

I read the e-Mails from the Pa. Disciplinary Board that arrive in my e-Mail, the EmploymentLaw360 Newsletter, the Pennsylvania Bar Bulletin Newsletter, keep on top of new cases via the Internet.

- (c) What other continuing legal education courses including law school courses, if any, have you attended during the period of your disbarment/suspension/disability inactive status? Give details in space provided below if any attended.

None

- (d) As to the purchase of any law books during the period of your disbarment/suspension/disability inactive status, provide the following information:

Title	Publisher	Date of Purchase
-----		

- (e) What legal research, if any, have you performed during the period of your disbarment/suspension/disability inactive status? If such research has been performed, provide details in the space below.

Person for Whom Research Performed	Topic	Date on Which Completed	Amount Paid
Charles D. Mandracchia	Various (see attached <input checked="" type="checkbox"/>	3/21 - 9/21	\$5858 for all <input checked="" type="checkbox"/>
Self	Various (see attached)	3/21 - 9/21	\$0

*See Supplement,  
 Exhibit "A"*

19. (f) What bar examination(s) or other test for admission to practice in this or any other jurisdiction have you taken during the period of your disbarment/suspension/disability inactive status? Give details and results. **Attach as exhibits copies of notification from the testing authority.**

None

20. State concisely any other additional facts or matters you desire to have considered relating to your current disbarment/suspension/disability inactive status (other than those appearing on record) which the Disciplinary Board should know and consider:

I am solely responsible for the transgressions that resulted in my suspension. I deeply regret my actions, and the shame I have brought upon the profession. I have spent a great deal of time and effort during my suspension working on understanding the root causes of my failures, and I how I can prevent any future transgressions. It begins with full transparency and honesty in this answer. Although I had been clean and sober since April 25, 2017, I failed to disclose to the Board prior to or during my December 3/4, 2019 Hearing that, following a motorcycle accident in September 2015, I developed an addiction to opioids. I did not tell the Board because I was ashamed, embarrassed and afraid that such a disclosure would result in negative consequences, real or imagined. My internal debate concerning disclosure, which ultimately resulted in an error of judgment in the form of my silence, first manifested on July 11, 2017, when I responded to a DB-7 dated June 9, 2017. ODC 39B. At the outset of my response, I stated "I had by some time during 2016 fallen into a deep state of depression...I began receiving treatment in late 2016, and began taking ameliorative medicine in 2017. In addition, I contacted Lawyers Concerned for Lawyers, and benefitted from the literature and connections provided to me by LCL. In addition to exercising regularly, I routinely attend support group meetings, which have been extremely helpful." All of these statements were true. But I omitted that my addiction even though it was in remission. In 2016, I tried on numerous occasions to overcome withdrawal, but could not. However, when I allowed my license to expire, and thereafter practiced without a license for more than a month in late 2016, I realized that my life was truly unmanageable, and reached out for help. Since January 2017, I have attended more than 1,000 12-step meetings. I have a sponsor with whom I work closely on the Twelve Steps, have served as a General Service Representative for my home group, routinely fulfill one-month obligations to chair meetings and have sponsor-relationships. In addition, I regularly attend LCL Meetings. which have been hugely beneficial. I work closely with my LCL Peer Volunteer, Brian S. Quinn, Esquire, with whom I am in regular contact and who has been immensely helpful. In addition, I am a Peer Volunteer for LCL and hope to continue that work, which is extremely rewarding. I have been seeing an LCL-recommended therapist since April 2017. She has really helped me understand and address underlying issues that contributed to my errors in judgment, ethical or otherwise. I have a network of healthy friends that I am with whom I am regularly in close contact. The Court's decision to suspend me for a year and a day was the most painful experience of my life, and I have made every effort to work through the grief stages diligently and with open mindedness. I have come to understand that the suspension was what was needed in order for me to take an honest and through inventory of my life and actions. It created a willingness on my part to embrace spiritual growth that I had not earnestly sought before. It made me realize that my transgressions could not be excused by my perceptions that I was a "diligent, caring and competent lawyer" or a "good father." The suspension caused me crushing pain, but it has served as the touchstone of true growth for me. I am a different, better man because of the suspension. I have always loved to practice law, and the absence of doing so created a vast chasm in my soul. If reinstated, I believe I will be a far better lawyer than I ever was, or ever imagined I could be.

21. State concisely those facts upon which you rely to justify your reinstatement to the Bar of this Commonwealth, relating such facts to the requirements of Rule 218(c) of the Pennsylvania Rules of Disciplinary Enforcement:

I completed my RPC 217 obligations by my February 22, 2021 suspension and provided certification of same on March 2, 2021. During my suspension, I have not engaged in any proscribed law-related activities and I have completed 42.5 hours of CLE (20 ethics), including the Bridging the Gap course. As reported to the Court, I have worked as a paralegal performing research and preparing pleadings and memorandums. Further, I have read many cases and materials on a variety of matters and have written a number of unattributed articles discussing same. I have kept abreast of legal developments via periodic review of legal publications and newsletters. Perhaps my most significant efforts have been directed towards identifying and addressing the character defects that resulted in my suspension. I have done this via daily meditation and prayer, reading of recovery-related materials and publications designed to aid one in spiritual growth, establishing and strengthening a network of like-minded individuals, active participation in 12-Step groups, working closely with my long-time sponsor as well as my LCL Peer Volunteer, regularly attending LCL group meetings and working diligently with a therapist with whom I meet on at least a bi-weekly basis. I serve as an LCL Peer Volunteer, and as a sponsor to an individual in recovery. I have been clean and sober since April 27, 2017, and am committed to remaining so, one day at a time. I have come to learn that my transgressions were the result of shortcomings that can be overcome only with open mindedness and willingness to change. While I remain a work in progress, I am confident that the tools that I have developed over these past 4+ years will enable me to be rigorous and thorough where all of my ethical obligations are concerned. I was and am deeply ashamed, embarrassed and remorseful for the disservice I have done to my profession through my inexcusable misconduct. If reinstated, I pledge to do everything within my power to make amends to the Court, the Board, the legal community and my past and future clients by living a life that is fully in accord with my duties as an attorney, and as a human being. +

I certify that the foregoing answers are true and correct to the best of my knowledge, information and belief. Further I acknowledge that I am aware that said answers will become a part of the record of my reinstatement proceeding and false statements made herein are subject to the criminal penalties of 18 Pa. C.S. Section 4904(b).

9/10/21

Date

Signature of Petitioner



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# EXHIBIT “A”

**SUPPLEMENTAL ANSWERS TO PETITION FOR  
REINSTATEMENT FOR JOHN A. GALLAGHER**

**QUESTION 5(b):**

Ms. Rexroth contacted me on Tuesday December 13, 2016, at which time I was administratively suspended. She located me via the Internet, and sent me an e-mail at 4:09 p.m. on December 13 requesting that I contact her for legal assistance. ODC 27. I should not have been holding myself out as an attorney or advertising my services on December 13, because I was at that time administratively suspended due to failure to complete my annual registration and pursuant to notice sent to me on or about October 4, stating an effective suspension date of November 4 absent my compliance (and I failed to comply so that I became administratively suspended on November 4, 2016). I called Ms. Rexroth and did not inform her that I could not represent her. I should not have been advertising my services as an attorney, holding myself out as an attorney, accepting any new representations or engaging in any law-related activities at that time. We spoke about her situation for about 30 minutes. The circumstances were exigent. I outlined what services I could provide. We agreed that she would send me medical records and e-mails with her employer, and that we would speak the following afternoon. That evening sent the client a fee letter outlining my services, stating in pertinent part:

-----  
About Our TeleConsultation

It was a pleasure speaking with you today yesterday [sic].

I write to confirm our TC beginning tomorrow at 1:00 p.m. In addition, below find a description of the legal services to be provided to you by the Gallagher Law Group, LLC ("GLG") commencing with the TC, and the financial terms related thereto.

**SCOPE OF RETAINER-BASED REPRESENTATION - "THE SERVICES"**

The purpose of the TC is to make significant inroads into completing our initial analysis of your current leave of absence, including evaluation of your FMLA rights and perhaps rights to a reasonable accommodation under the Americans With Disabilities Act, and your best possible approaches for achieving your objectives relating thereto.

The Services to provide in connection therewith are as follows:

- a) initial TC including review and discussion of any relevant written communications between you and the employer~ relevant company policies etc.;
- b) follow-up review of any relevant policies. e-mails, letters , etc;
- c) follow-up telephone/e-mail communications with you and/or on your behalf to the employer- this may include preparation by me of one or more "ghost" e-mails to be sent by you to the employer~ and my review of any response thereto, with follow up thereto. etc.; and,
- d) any other services necessary to complete your objectives (which are to make sure your rights under FMI.A and ADA, etc., are protected and advanced).

#### RETAINER FOR THE SERVICES

The fee for The Services will be \$500 ["Retainer").

NOTE: Under no circumstances will you be charged any fees or costs in excess of the Retainer for the Services. If, down the road, we agree that additional work not discussed in this fee letter is necessary, we will discuss at that time and reduce any subsequent fee arrangement to writing. However, under no circumstances will GLG seek additional compensation from you prior to such subsequent discussion/written agreement.

-----

The fee letter did not state that the fee was earned when paid, and thus any payment made by Ms. Rexroth should have been placed into IOLTA until earned. The client paid the requested fee at approximately 9:20 p.m. in the evening on December 13 via Paypal. When I received the fee, I had not performed any services to the client. I left the money in my Paypal account, which was wrong even if I had been licensed to practice. It should have been moved immediately to my IOLTA account. By the following morning, Ms. Rexroth had sent me approximately 34 pages of medical records and a 5-page timeline of events, which I reviewed for approximately 1.5 hours before our phone call. I was very sick on December 14, so during the phone call I was in bed and my wife held the phone and I communicated with Ms. Rexroth via speakerphone. During the call, I had my wife take notes on dates, important events and strategical

matters. Immediately after the call, I went downstairs with my wife and I dictated the following e-Mail to Ms. Rexroth, which was typed up by my wife and sent at 2:40 p.m. on December 14:

-----  
From : Katherine M. Lane <kml@johngallagher.hostpilotcom>  
Subject : Follow Up On Our Conversation Today  
To: bjrexroth@comcast.net  
Cc : John A. Gallagher jag@johnagallagher.mm

Dear Bonnie:

As we discussed today, the first thing that needs to be done is a determination must be made by your physicians, in consultation with you, as to whether they believe

- 1) you are a candidate for total social security disability; or,
- 2) that you can perform your job with reasonable accommodation and, if so, what would be the nature of such accommodation.

As of right now, it appears that the only accommodation may be a schedule where you work four hours a day in the office and four hours a day at home. As we discussed, however, a reasonable accommodation is only required if it enables the employee to do his or her job just as if the employee did not have an accommodation. In other words, an accommodation is not appropriate if it eliminates duties or responsibilities.

If your physicians do not believe that you can perform your job with any sort of reasonable accommodation, then the question is whether one or more of your physicians would support your now pending application for Social Security Disability Benefits. Bear in mind, also, that since you recently applied for SSDBs on the basis that you're unable to work, it is somewhat contradictory to thereafter seek a reasonable accommodation.

We agreed that the physicians you should speak with are your pain management physician Dr. Christo and your primary care physician Dr. Patel.

So, as we agreed, you will be scheduling an appointment with Dr. Christo as soon as possible to have the necessary conversation. Also you will be keeping the December 19 appointment you presently have scheduled with Dr. Patel. After

these appointments are over, and we have competent medical opinions on what is the appropriate path, we can develop a legal strategy designed to maximize all of your rights. In this regard, you may want to click on the below link, which you may find informative:

<http://employmentlaw101.blogspot.com/2012/07/fmla-and-shortterm-disability-and.html>

Please advise John of the date of your appointment with Dr. Christo so that he may prep you prior to same.

Once again, it was very nice to speak with you.

-----  
At 3:47 p.m. on December 14, Ms. Rexroth replied to that e-Mail, advising her appointment with Dr. Patel was actually on December 23, and requesting a time for prepping with me for her December 20 consultation with Dr. Cristo. ODC 31.

My sworn testimony is that on December 16, 2016, I received an e-mail from opposing counsel in another matter, Rufus Jennings, informing me that I was administratively suspended. ODC 37-B at 13 (12/16/16 e-Mail from Mr. Jennings at 12:41 p.m.) I testified that it was this e-Mail that prompted me to shut down my practice. December 4, 2019 Transcript at 191-192. That testimony was true and accurate although, as I testified, I had been provided actual notice of my suspension, as referenced above.

Within an hour of receiving Mr. Jennings e-Mail, I confirmed that I was administratively suspended, shut down my practice and began to take steps to cure my suspended status. I was aware that I was not to have any contact with any clients other than to advise them of my suspension in writing, was not to accept any new engagements, was not to hold myself out as an attorney and was not to engage in any law-related activities. I was aware that I was to remove any reference to myself as an attorney on the Internet (and elsewhere) and that I was write and inform courts, opposing counsel and my clients that I was administratively suspended. I made my wife aware of such circumstances. I began to take such steps.

On Monday December 19, 2016 at 2:33 p.m. Ms. Rexroth sent me an e-Mail requesting help with preparing for her appointment the following day with Dr. Cristo. ODC 31. I wrongly did not respond directly to this e-Mail. Instead, there is record of an auto reply e-Mail from me to Ms. Rexroth on December 19 at 3:20

p.m. stating in the body that I would be unavailable in between December 13 and December 16; the Subject line says:

"AutoReply re: Unavailability 12/14-16." ODC 32.

I am not sure how or why this auto reply was sent nearly an hour after Ms. Rexroth's 2:33 p.m. e-Mail (Ms. Rexroth did not testify and I do not know whether she sent another e-Mail on December 19), nor do I know why it referenced the dates December 13 (or 14) and December 16. I believe but do not know that I put that auto reply on December 14 when I became sick. However, I do not have any e-Mails that I sent in December 2016 (nor did I when preparing for the Hearing in this matter), so I cannot confirm that belief. In any event, there can be no doubt that as of December 19 I was taking steps to cure my administrative suspension, and without question my first order of business should have been to inform Ms. Rexroth immediately. I was absolutely wrong in not doing this.

On December 21, 2016, I sent out a series of e-Mails and certified letters to clients I was representing in court, before administrative agencies and on general non-litigation matters. ODC 35. The notice informed clients I was administratively suspended, but did not state the effective date of my suspension. The letter should have stated the effective date of my suspension. I was wrong in not setting forth the effective date of my administrative suspension.

The e-Mail I sent to Ms. Rexroth (and all other non-litigation clients) was sent at 1:58 p.m. on Wednesday December 21. ODC 34.

My recollection is that it was at some point late in the day on Thursday December 22, I learned that I had been reinstated.

On December 22 at 4:32 p.m. Ms. Rexroth sent me an e-Mail, responding to the Notice of Suspension she had received the day before. Ms. Rexroth, *inter alia*, demanded a refund by 3:00 p.m. on Monday December 26 and stated that absent same she would be forced to pursue the matter.

I testified that I did not see this e-Mail on December 22, owing to the fact that following news of my reinstatement, I began to prepare for the Christmas Holiday that coming Sunday. 12/4 N.T. at 142. That testimony was true and accurate.

I have testified under oath that I did not see her December 22 e-Mail the following week when I reopened my office after the Holiday. That testimony was true and accurate.

There is no excuse for my failures where Ms. Rexroth is concerned. She should have been foremost in my mind, as her representation started only the week before. Her request for a refund was reasonable, and I should have issued such refund without delay. I failed in my duties in all regards where Ms. Rexroth is concerned. I regret this because she deserved better. She was a client with a serious issue who was worried and entrusted me to do my best to help her. She deserved my diligence and most forthright candor (as do all clients) and I failed to provide this to her. She paid me fairly and with the reasonable expectation that I would honor the terms of my fee letter (for an engagement that in and of itself was unethical due to my suspended status). I did not honor the terms of my fee letter, and I should have refunded her money immediately.

On June 9, 2017, ODC sent to me a DB-7 setting forth, *inter alia*, Ms. Rexroth's correct assertion that I had not refunded her the \$500 payment despite demand. I issued a refund in the amount of \$500 to Ms. Rexroth on July 10 via money order. My covering letter to Ms. Rexroth included an apology. ODC 37-B at p.14. On July 11, I sent a response to the DB-7, including proof of refund payment.

I committed a litany of ethical violations where Ms. Rexroth is concerned, and I regret all of them. Such errors reflect poorly on all attorneys, and are inconsistent with our duties to serve our clients faithfully, with care and utmost honesty. Ms. Rexroth came to me with a perilous situation and trusted me to help her. I failed to do so, and I am deeply remorseful.

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#### QUESTION 8(a):

- Pa. Disciplinary Board (no complaining client).  
File No. C2-16-67.

I received an informal admonition on February 8, 2017.  
Violation of RPC 1.15(b) (h), (c) (1) (2), Pa RDE 203 (b) (7), and 219 (d) (1) (iii).

- Complaint of Russell Carfagno  
File No. C2-14-238

No discipline imposed.

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**QUESTION 9:**

3/2/21 – 67 s. 1543 (found not guilty). Citation and refund check attached.

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**QUESTION 10(b):**

J. Kenneth Croney

*J. Kenneth Croney v. Law Offices of John A. Gallagher*

Negligence case. Federal judge issued default judgment for failure to file Answer within 10 days after Motion to Dismiss denied. Appeal to 3<sup>rd</sup> Circuit taken. While appeal pending, Mr. Croney filed suit. The 3<sup>rd</sup> Circuit vacated default judgment. Malpractice case settled thereafter.

Philadelphia Court of Common Pleas, March Term, 2010,  
Case. No. 00375

Case ID: 100300375

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**QUESTION 10(c):**

*Capital One Bank v. John Gallagher*, credit card debt. MJ-15102-CV-366-2013. Default judgment for plaintiff. \$2,799.32 on 11/20/2013. This was not certified to Court of Common Pleas and I *believe* I resolved this years ago. I say that based upon recollection, and also because I have had a new Capital One card since at least July 2019.

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**QUESTION 12 (additional sources of income):**

Source	Year	Amt.	Monthly Amt.
Law Offices of John A. Gallagher (Payroll for Pre-Suspension Work)	2021	\$16,000	\$5.333
Law Offices of Eric A. Shore (Three Month Lease of Blog)	2021	\$6,000	\$2,000 (for 3 months ending May 2021)
Letitia Washington (Pre-Suspension Settlement Funds Received)	2021	\$2,500	n/a
John Stabilo (Pre-Suspension Judgment Paid)	2021	\$5,038	n/a
Class Action Redress (my lender Nationstar was sued, I was a class member)	2021	\$2,333.42	n/a
U.S. Govt. (my half of Covid Relief pmt.)	2021	\$1,400	n/a
Acorns (early Rmt. W/Draw)	2021	\$1,000	n/a
Acorns (early Rmt. WD)	2021	\$2,000	n/a
Acorns (early Rmt. WD)	2021	\$2,000	n/a
Acorns (Dividends estimate)	2021	\$47	\$8.00
Robin Hood (sale of investments)	2021	\$8.00	n/a
Diversyfund	2021	\$48	\$8
Acorns (early Rmt. WD)	2021	\$4,714	n/a
Emerson Springs (rents room)	2021	\$2,500	\$500
Comm. of Pa	2021	n/a	Wife applied for food stamps & med. benefits on 5/4/21

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**QUESTION 15 (fixed financial**

**obligations):**

Name/Address Creditor	Date Obligation Incurred	Balance Outstanding	Monthly Payment
CreditOne Bank 6801 S. Cimarron Rd.	Revolving	\$605	\$35

Las Vegas, NV 89113			
CreditOne Bank "	Revolving	\$625	\$35
WSFS Bank 500 Delaware Avenue Wilmington, DE 19801	2009	\$165,000	\$1,000

**QUESTION 19(a) (CLE Courses during current year) (all classes virtual):**

Date	Course	E	S
07/02/2021	Exp: Hot Topics In Commercial Leasing		1.5
07/02/2021	Exp: Examining The Ethical Ebb & Flow of E-Discovery	1.0	
07/02/2021	Exp: The Mechanics Of Attorney-Client Privilege		1.0
07/01/2021	Your Time To Thrive: A Journey To Wellness In The Legal Profession	1.0	
06/26/2021	Don't Give Up Five Minutes Before The Miracle (Update)	1.0	
04/23/2021	Bridge The Gap Via Zoom	4.0	
04/17/2021	Exp: Being An Ethical Lawyer On The Internet	1.0	
04/17/2021	Exp: The Law Of Fiduciary Duties In The 21 <sup>st</sup> Century		1.0
04/17/2021	Exp: America's Opioid Epidemic & The Law		1.0
04/17/2021	Exp: Sustainable Compliance Manuals		1.0
04/17/2021	Exp: Motion Practice In Civil Litigation: Drafting & Advocacy – Part I		1.0
04/16/2021	Exp: Ethics & Privilege Issues: Witnesses	1.0	
04/16/2021	Exp: Motion Practice In Civil Litigation: Drafting & Advocacy – Part II		1.0
04/16/2021	Exp: What Civil And Family Attorneys Need To Know About Criminal Law		1.0

04/16/2021	Exp: Recognizing And Addressing 'bro Cultural and Other Barriers To Gender Inclusion In The Legal Profession	1.0		
04/16/2021	Exp: The Ethics Of Multijurisdictional Practice	1.0		
04/16/2021	Exp: Risk Management For Lawyers: Cyber-Based Professionalism Claims And Ethical Consideration	1.0		
04/15/2021	Exp: Legal Considerations When Assisting A Client Form A Business		1.0	
04/15/2021	Exp: Authentication Of Handwriting		1.0	
04/15/2021	Exp: Understanding Asset Protection Tools And Planning		1.0	
04/15/2021	Exp: Consumer Electronics And The lot: Digital Evidence		1.0	
04/15/2021	Exp: Practical Implications For Title IX Compliance		1.5	1.5
04/15/2021	Exp: Gambling: The 'secret' Addiction		1.0	
		1.0		

**QUESTION 19(e) (Legal Research Since Suspension):**

In addition to the many cases and materials I have examined in connection to my work as a paralegal on behalf of Mr. Mandracchia, as reflected in the attached Invoices, I have also examined the following cases, topics and/or materials:

**RPC 217, RPC 218 and/or Reinstatement Related Research:**

- Closely read Rule 217 and 218 on numerous occasions. The informative 217 and 218 cases I read include, but are not limited to:
- *In The Matter of the Application of Mark W. for Admission to the Bar of Maryland*, 303 Md. 1, 491 A.2d 576 (1985) (employment as hearing officer does not constitute practice of law) (and cases cited therein);
- *In Matter of Perrone*, No. 959 Disc. Docket No. 2 (2006) (law-related activities as paralegal, work from home, failed to file notice, reinstated,

satisfied spirit, closely supervised, remote work OK) (and cases cited therein);

- *Dauphin County Bar Assoc. v. Mazzacaro*, 465 Pa. 545, 351 A.2d 229 (1976) (licensed casualty broker involved in unauthorized practice of law) (and cases cited therein);
- *Gmerek v. State Ethics Commission*, 751 A.2d 1241 (Cmwlth. Ct. 2000) (are lobbying efforts the practice of law) (and cases cited therein);
- *Lukas v. Bar Assoc. of Mont, Cty. of Md.*, 35 Md. App. 442, 371 A. 2d 669 (Ct. of Special Appeals 1976) (representation of employees before state Personnel Board constituted practice of law because legal knowledge and technique required) (and cases cited therein);
- *Shortz v. Farrell*, 193 A. 20 (Pa. 1937) (claims adjuster engaged in practice of law) (and cases cited therein).
- *Philadelphia News, Inc. v. Disciplinary Board of the Supreme Court of Pennsylvania*, 363 A.2d 779, 780-781 (Pa. 1976) (where reinstatement application is concerned, "The object of concern is not solely the transgressions that gave rise to the lawyer's suspension, but rather, the nature and extent of the rehabilitative efforts made since the time the sanction was imposed and the degree of success achieved in the rehabilitative process." (and cases cited therein);
- *In the Matter of Stacy Parks Miller*, No. 32 DB 2017, 2436 Disc. Docket No. 3 (8/31//2021) (acceptance of responsibility, genuine remorse, rehabilitation);
- *In the Matter of Benjamin Hart Perkel*, No. 23 DB 2014 (D. Bd. Rpt. 1/28/2021) (S. Ct. Order 3/15/2021) (acceptance of responsibility, genuine remorse, rehabilitation);
- *In the Matter of James Francis Donohue*, No. 112 DB 2013 (D. Bd. 6/10/2020) (S. Ct. Order 7/6/2020) (acceptance of responsibility, genuine remorse, rehabilitation);

- *In the Matter of Harry Vincent Cardoni*, No. 49 DB 2011 (D. Bd. Rpt. 2/5/2020) (S. Ct. Order 3/12/2020) (acceptance of responsibility, genuine remorse, rehabilitation);
  - *In the Matter of Benjamin Hart Perkel*, No. 23 DB 2014, 2036 Disc. Docket No. 3 (S. Ct. Order 1/28/2021) (acceptance of responsibility, genuine remorse, rehabilitation)
  - *In the Matter of Robert Turnbull Hall*, No. 210 DB 2010 (D. Bd. Rpt. 6/8/2020) (S. Ct. Order 7/6/2020) (acceptance of responsibility, genuine remorse, rehabilitation);
  - *In the Matter of Robert Toland, II*, No. 104 DB 2009 (D. Bd. Rpt. 11/1/2019) (S. Ct. Order 12/3/2019) (acceptance of responsibility, genuine remorse, rehabilitation);
  - *In the Matter of Peter C. Ibe*, No. 7 DB 2014 (D. Bd. Rpt. 10/28/2019) (S. Ct. Order 12/3/2019) (acceptance of responsibility, genuine remorse, rehabilitation); and,
  - *In the Matter of Robert P. Maisel*, No. 28 DB 2014 (D. Bd. Rpt. 10/15/2018) (S. Ct. Order 11/16/2018) (acceptance of responsibility, genuine remorse, rehabilitation).
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#### **Pa. Disciplinary Board Newsletter Research:**

I routinely engage in a close read of the Pa. Disciplinary Board Newsletter, with particular attention to Discipline, Reinstatement, Attorney Well-Being and Interesting Issues of Practice-related matters. Some of the pertinent RPC 218 reinstatement matters I have reviewed include (Newsletter synopsis follows citation):

Sabrina L. Spetz, No. 31 DB 2011, sought reinstatement from disbarment in 2011, arising from a criminal conviction for mail and wire fraud emerging from financial improprieties in a closing company. Her application was denied on the grounds that she omitted or downplayed information on her misconduct and prior discipline; failed to list judgments on her application; failed to show she had taken CLE courses, read legal journals, or otherwise

kept current on the law; did not do any community or charitable service; and did not call any witnesses to testify as to her reputation and rehabilitation. The Board found that none these failures were disqualifying in themselves, but that collectively they led to a conclusion that Spetz failed to meet her burden of proof for reinstatement.

James D. Hayward, Jr., No. 123 DB 2009, was suspended for misconduct in bankruptcy proceedings in three separate cases in 2011. He applied for reinstatement in 2018. He testified as to his remorse and as to personal problems that led him to seek treatment with a psychologist. However, the Board found that he had not met his burden to show present fitness to practice. The Board cited the testimony of his therapist, who noted that he had no contact from Hayward for a period of three to four months, and declined to testify to a medical certainty that Hayward had overcome the problems that led to his misconduct. The Board also noted that Hayward had not held law-related employment, that he had large amounts of debt with no apparent plan to repay it, and that he intended to return to the same kind of practice that had led to his previous issues with no plans for coping with those issues.

James Daniel Harrison, No. 54 DB 2000, was disbarred in 2000 on a reciprocal basis with New Jersey for having misappropriated funds and forged client signatures. His testimony showed that he had taken the minimum number of CLE hours and had worked extensively to overcome his alcoholism, living in sober houses for much of the past twenty years. While noting his efforts to obtain sobriety, the Board expressed concern that he had no employment history during this time, and had no reasonable prospects for legal employment, and had shown no initiative to keep current with legal events or seek resources that might help him reestablish a place in the legal community. The case illustrates that the lawyer seeking reinstatement cannot merely rely on good intentions, but must show progress toward demonstrating the skills to practice upon reinstatement.

### **New Jersey Bars Lawyer Reinstatement Unless Wife Sequestered**

The Disciplinary Review Board of New Jersey is refusing to reinstate a suspended lawyer unless he provides proof that his wife, an employee in his office, has no access to his trust accounts.

Nelson Gonzales was suspended for three months by the state Supreme Court in an Order dated April 9, 2020. The discipline was based on several violations, including failure to safeguard funds, negligent misappropriation, and failure to comply with recordkeeping requirements. Gonzales had entrusted much of the management of his trust accounts to his wife, even after serious issues with her handling of these matters came to light. She prepared false account statements to hide errors, and hid from Gonzales a fee arbitration matter and two ethics grievances that had been filed against him. A psychologist testified that these problems arose from her desire to avoid conflict.

The Court ordered that Gonzales not employ his wife or give her access to his law practice or his attorney accounts, books and records, and required him to provide proof he had done so to the Office of Attorney Ethics prior to reinstatement to practice.

## **CLE Requirements for Reinstatement Can Be Fulfilled by Distance Learning**

**HARRISBURG, PA | April 17, 2020**

Pursuant to the April 15, 2020 Order of the Supreme Court, formerly admitted attorneys petitioning for reinstatement may fulfill all CLE requirements through distance learning. The May 2, 2020 edition of the *Pennsylvania Bulletin* will contain an updated schedule of continuing legal education courses required for Reinstatement under Disciplinary Board Rules §§ 89.275 and 89.279 to effectuate the Court's Order.

***Reviewed:*** On January 25, 2021, Lawyers Concerned for Lawyers issued its 2020 Report, which included the following items that I found helpful (I have been seeing an LCL-selected therapist since in or around April, 2021), reassuring (because I know I am not alone, I regularly attend LCL meetings) and gave me a sense of purpose (I am now an LCL Peer Review Volunteer):

- 504 judges, lawyers, family members, and law students contacted LCL to request confidential services and support in 2020.
  - 3, 133 concerned parties contacted LCL requesting intervention assistance due to concerns about a colleague or family member (26% of all callers). Upon completion of an intervention, 46% of the approached parties agreed to undergo a mental health and/or substance use evaluation or treatment.
  - A record 81% of approached parties engaged at least one LCL service.
  - 95 clients underwent a comprehensive mental health and/or substance use evaluation upon the recommendation of LCL staff, 67 of which were funded by LCL.
  - Our clients benefit from a network of 149 contracted, qualified medical professionals at 254 locations statewide.
  - 172 clients engaged LCL's invaluable peer support network of 296 statewide volunteers who have the lived experience of successfully navigating and overcoming their own mental health and/or substance use challenges.
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## **Personal**

*Open PA Schools v. Department of Education of the Commonwealth of Pennsylvania*, No. 504 M.D. 2020 (Commwlth. Ct.) (parent group opposes opening schools to begin year with remote learning).

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## **Blog Posts Involving Strictly Legal Topics Posted (Anonymously) Since February 22, 2021**

Below are Posts that written and published on a Blog, [www.employmentlaw101.blogspot.com](http://www.employmentlaw101.blogspot.com), since February 22, 2021. The Blog was scrubbed of any and all references to me (or any law firm) effective February 22,

2021. All of the Posts required research to various degrees, some of it legal, some of it historical. I viewed the Posts of having at least three benefits, to wit: 1) keeping me apprised of current legal events, employment and social trends, etc.; 2) for the good of society on the whole; and, 3) a means of making myself useful while I searched for work. The Blog has never had any subscribers, and I have never e-mailed or otherwise associated myself with any of these Posts since February 22, 2021. The Posts are without attribution, and the Blog includes a legend on each page stating:

**NOT LEGAL ADVICE!**

This Blog is not intended, nor should be construed to, provide legal advice. It is for informational purposes ONLY. If you need legal guidance, please seek out counsel of your choosing. If you would like to contact an attorney, please use the **Contact Form** or call **610-647-5027** for a **Free Consultation**. NOTE: *Some or all of this Blog is or may be deemed attorney advertising.* NOTICE: Posts published subsequent to February 21, 2021 were by a formerly admitted attorney not licensed to practice law.<sup>1</sup>

Here are the Posts, in reverse chronological order (date of publication) and (page views):

Election Audit in Pennsylvania? PA Department of State Issues Strong Statement Urging All Pennsylvania Counties to Reject Any Effort to Instigate Review of "Sham" Elections (8/3/21) (17 views)

Texas Federal Ct. Rules Covid-19 Vaccine Requirement for Healthcare Workers at Houston Methodist Hospital is Legal - Houston Methodist Hospital Action Filed by Health Care Workers Dismissed (6/14) (273)

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<sup>1</sup> Calls are handled by Law Offices of Eric A. Shore, with whom I have had one contact since our Lease was terminated on May 12, 2021. That contact was discussing potential referral of a contract analysis question that came in from a former client of mine. I have zero expectation of receiving any payment from Mr. Shore's office as relates to any calls that have come into his office. Mr. Shore's office and I have a clear understanding that I cannot receive referral payments on any cases that came into his office as a result of our Lease. I do not have any insight or knowledge concerning how the calls are handled since Lease termination, whether they have resulted in any cases being taken by Mr. Shore's office, etc. The Blog is hopefully of help to the general public.

EEOC: It is Legal for Employers to Require Covid-19 Vaccines of All Employees Who Enter the Workplace - Covid Vaccination Requirement at Work Not Illegal (6/10) (1,259)

Most Common Interview Questions in June 2021 - Motivation and Work From Home Inquiries Atop the List in Post-Pandemic Work World (6/9) (194)

List: Top 15 Most Valuable Bachelor's Degrees 2021 - How Many Bachelor's Degree Programs Are There? (6/8) (168)

What is the Average Starting Salary for Someone with an MBA? How Much is an MBA Worth in the Long Run? Which MBAs Are Most Valuable? (6/7) (139)

Forbes.com List of 50 Highest Paid Athletes in 2021 Incorrectly Fails to Include Any Major League Baseball Players! Breaking Down Forbes 2021 List of Highest Paid Athletes by Gender and Sport (6/4) (193)

Covid Case of the Week: *Carter v. Gardaworld Security Services* - Fed. Judge: Employee Who Complains About Employer's Lack of Covid Precautions Not Protected Under FFCRA From Retaliatory Termination (6/4) (1,798)

Can Employees Intentionally "Self-Terminate" Themselves Through Poor Performance or Misbehavior? Pa. Fed. Judge Says No to "Constructive Quit" Theory (5/31) (858)

Covid Case of the Week - *Sanchez v. Treesmiths, Inc.* - Is an Arborist a First Responder Immune from Suit Under FFCRA? (5/28) (724)

Covid Case of the Week: *Haney-Fillipone v. Agora Cyber Charter School* - Teacher Wins Right to Covid-Based Leave - Private Charter School a "Public Agency" Pursuant to FMLA, Required to Follow FFCRA (5/22) (1,419)

List: Companies That Are Offering Cash Bonuses and Other Incentives to Employees Who Get Coronavirus Covid-19 Vaccination Shots (5/21) (1,203)

Is My Employer Required by Federal or State Laws to Give Me Paid Leave or Paid Time Off If I Get a Covid-19 Coronavirus Vaccine? (5/21) (1,128)

Are Public, Private and Charter Schools Required to Provide Family and Medical Leave Under FMLA? (5/21) (1,128)

Supreme Court Agrees to Hear Arguments on Mississippi Law Challenging Viability of *Roe v. Wade* - *Jackson Women's Health Organization v. Dobbs* (5/17) (346)

Did You Know: 12 States Still Have Statutes Banning Gay Marriage? The History of Same-Sex Marriage Laws in the United States (5/9) (821)

June is Gay Pride Month - The History of America's LGBTQ+ Movement in Stories, Definitions, Pictures and Symbols (5/9) (158)

Covid Case of the Week: *Colombe v. SGN, Inc.* - Ky. Fed. Judge Finds Registered Nurse is NOT a "Health Care Provider" Under FMLA, Dismisses EPSLA Paid Leave Claim - Retaliation Action Dismissed As Well (5/8) (1,200)

Covid Case of the Week - *Gomes v. Steere House* - Rhode Island Federal Judge Rules Failure to Specifically Request Paid Leave Under EPSLA Dooms Claim for Paid Leave, While Upholding FMLA Retaliation Claim (5/2) (2,350)

The Demographics of Unemployment in Early 2021 - How Many Quit During Pandemic? Unemployment Rates Among Women, Men and Minority Races - Unemployment in Lower Paying Jobs Versus Others (5/2) (204)

What Was National Unemployment Rate in March 2021 as Compared to March 2020? Which States Have Highest and Lowest Unemployment Rates in March 2021? (5/2) (548)

Covid Case of the Week - *Payne v. Woods Services* - Pennsylvania Federal Judge Finds Positive Covid Diagnosis is a "Serious Health Condition" Pursuant to FMLA but Is Not Automatically a "Disability" Under the ADA (4/24) (1,015)

U.S. Workers Average Pay by Age, Sex and Race - What Race Makes the Most Per Week in the United States in 2021? Asian Men Top Annual Earnings of U.S. Workforce in 2021 (4/23) (1,079)

2021 Breakdown of the U.S. Workforce Based Upon Sex and Race - What Jobs Are Most Common for Women, Blacks, Asians and Hispanics? (4/23) (1,875)

April 22 is Earth Day - See Google Timelapse for Forests, Cities and Oceans - Make a Difference Today, for Tomorrow (4/22) (62)

How Do the Families First Coronavirus Act ("FFCRA"), the Emergency Paid Sick Leave Act ("EPSLA") and the Fair Labor Standards Act ("FLSA") Work Together? *Toro v. Acme Barricades* (M.D. Fl. 2021) - Covid-19 Paid Sick Leave and Retaliation Case (4/17) (1,199)

The 16 States (Plus D.C.) That Have Mandatory Paid Sick Leave Policies (4/16) (327)

Here Are Some Major Cities That Have Mandatory Paid Sick Leave Laws for Employees of Private Employers (4/16) (487)

What 34 States Do Not Have Any Paid Sick Leave Laws For Private Employers? (4/16) (3/22)

Is There a Federal Law That Requires That Employees Receive Vacation, be Paid Holiday or Sick Pay or be Given Break, Rest or Meal Time? (4/15) (1,120)

The Minimum Wage Rate in Each State - States With Highest and Lowest Minimum Wage Rate (4/15) (1,299)

List: 20 Work From Home Telework Jobs That Pay > \$100k! You Can Earn a Six Figure Income Working from Home – Really (4/10) (1,295)

Covid Case of the Week - *Kofler v. Sayde Steeves Cleaning Service, Inc.* - Termination of Employee Seeking FFCRA Leave a Violation of Anti-Retaliation Provisions of FLSA (4/9) (1,929)

Drug Testing Remote Work From Home Employees Via Oral Fluid Collection Kits or Urine Tests - Work From Home Employee Drug Testing Strategies (4/9) (151)

Survey of State Drug Testing Laws - What States Have Laws Authorizing Random Drug Tests? (4/8) (96)

Workplace Drug Testing Data – Marijuana Most Commonly Detected Drug, Fentanyl Use Skyrockets During Pandemic (4/8) (118)

Covid Case of The Week - Wage and Hour Claims Added to Retaliation Claim - *Aguayo v. Shield N Seal* (4/3) (2,177)

2021 Employment Litigation Trends - How Many Covid-19-Related Cases Have Been Filed in State and Federal Courts? (4/30) (3,155)

Covid-19 Pandemic Class Action Lawsuit Statistics - Wage and Hour Class Actions Most Common (4/3) (1,785)

5 Biggest Challenges Facing Employers in the Post-Pandemic World - and Some Potential Strategies and Solutions (4/1) (948)

List: Which Universities in U.S.A. Receive the Most Applications? Here Are the Top Ten (3/29) (51)

What Were the Most Common Charges of Discrimination Filed with the Equal Employment Opportunity Commission (EEOC) in 2019 and 2020? Were There More or Less Discrimination Charges Filed with EEOC in 2020 as Compared to 2019? (

How Many American Workers Are Currently Working from Home? What Are the Biggest Obstacles to Working from Home? Will Telework Continue When Pandemic Ends? (3/29) (2,953)

List: Seven Great Strategies for Retaining, Developing and Motivating Remote Workers in 2021 (3/24) (1,416)

List: Oldest Colleges and Universities in Each State of the United States (3/24) (120)

2021 Employment Trends? Soft Skills, Flexible Work Arrangements, Pay  
Transparency (!) and more! (3/23/21) (3,268)

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*End of Supplement/jag 09/02/21*

# ATTACHMENT 1

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2756 Disciplinary Docket No. 3  
Petitioner :  
 : No. 65 DB 2019  
v. :  
 : Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

ORDER

PER CURIAM

**AND NOW**, this 22<sup>nd</sup> day of January, 2021, upon consideration of the Report and Recommendations of the Disciplinary Board and Respondent's Petition for Review, the Petition for Review is denied. John A. Gallagher is suspended from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola  
As Of 01/22/2021

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

# ATTACHMENT 2



THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA  
601 Commonwealth Avenue, Suite 5600  
PO Box 62625  
Harrisburg, PA 17106-2625  
(717) 231-3380

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REQUEST FOR SUPREME COURT ACTION

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Prothonotary  
Supreme Court of Pennsylvania  
Western District Office  
801-City-County Building  
Pittsburgh, PA 15219

September 29, 2020

Attention: John A. Vaskov, Esq.  
Deputy Prothonotary

Re: Office of Disciplinary Counsel  
v. JOHN A. GALLAGHER  
No. \_\_\_\_ Disciplinary Docket No. 3  
No. 65 DB 2019  
Attorney Registration No. 61914  
(Chester County)

Dear Prothonotary:

Pursuant to the provisions of Rule 208(d)(2)(iii) of the Pennsylvania Rules of Disciplinary Enforcement, the undersigned submits herewith the original findings and recommendations of The Disciplinary Board of the Supreme Court of Pennsylvania in the above proceeding, together with the entire record. A suggested Order is enclosed. **An electronic copy of this filing is also being sent.**

The mailing address of Mr. Gallagher is: 5 Great Valley Parkway, Ste 210, Malvern, PA 19355. Mr. Gallagher is not represented in this proceeding.

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Marcee D. Sloan  
Board Prothonotary

MDS/mb

cc: (w/encl.)  
Respondent – John A. Gallagher  
Chief Disciplinary Counsel – Thomas J. Farrell  
Disciplinary Counsel – Daniel S. White  
Members of the Hearing Committee:  
Cheryl L. Young, Chair  
Kelley Brisbon Hodge, Member  
Allan D. Goulding, Jr., Member

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. \_\_\_\_\_ Disciplinary Docket No. 3  
Petitioner :  
 : No. 65 DB 2019  
v. :  
 : Attorney Registration No. 61914  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

ORDER

PER CURIAM

**AND NOW**, this this \_\_\_\_ day of \_\_\_\_\_, 2020, upon consideration of the Report and Recommendations of the Disciplinary Board, John A. Gallagher is suspended from the Bar of this Commonwealth for a one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board pursuant to Pa.R.D.E. 208(g).

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 65 DB 2019
Petitioner	:	
	:	
v.	:	Attorney Registration No. 61914
	:	
JOHN A. GALLAGHER,	:	
Respondent	:	(Chester County)

REPORT AND RECOMMENDATIONS OF  
THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

TO THE HONORABLE CHIEF JUSTICE AND JUSTICES  
OF THE SUPREME COURT OF PENNSYLVANIA:

Pursuant to Rule 208(d)(2)(iii) of the Pennsylvania Rules of Disciplinary Enforcement, the Disciplinary Board of the Supreme Court of Pennsylvania (“Board”) herewith submits its findings and recommendations to your Honorable Court with respect to the above-captioned Petition for Discipline.

I. HISTORY OF PROCEEDINGS

By Petition for Discipline filed on March 27, 2019, Petitioner, Office of Disciplinary Counsel, charged Respondent, John A. Gallagher, with violations of the Rules of Professional Conduct and Pennsylvania Rules of Disciplinary Enforcement arising from allegations of Respondent’s misuse of his IOLTA accounts, failure to maintain required records, and unauthorized practice of law. Respondent filed an Answer to Petition for Discipline on May 13, 2019.

Following a prehearing conference on October 30, 2019, a District II Hearing Committee ("Committee") conducted a disciplinary hearing on December 3, 2019 and December 4, 2019. Respondent appeared pro se. Prior to the hearing, the parties agreed to extensive stipulations of fact and law. Additionally, the parties stipulated to select facts and rule violations not set forth in the Petition for Discipline arising from Respondent's 2004 criminal conviction for driving under the influence. The parties jointly requested to consolidate this misconduct with that alleged in the Petition, and the Petition was formally amended to include such.

At the hearing, Petitioner offered into evidence, without objection, exhibits ODC-1 through ODC-26, ODC-33 through ODC-36, ODC-37B, ODC-38, ODC-39B and ODC-42 through ODC-43. Exhibits ODC-27 through ODC-32, ODC-37A, ODC-39A, ODC-40 and ODC-44 were admitted over Respondent's objections. Respondent testified on his own behalf and presented the testimony of Paul Nofer, Esquire; Carolyn Milden; Ronald Redden; and Dr. Gina Colamarino. Respondent offered into evidence, without objection, exhibits R-3 through R-4, R-7 through R-10, R-13, R-16, R-18, R-22 through R-23, R-25, R-28 through R-29, and R-32. Exhibits R-12, R-27 and R-34 through R-35 were admitted over Petitioner's objections.

On January 8, 2020, Petitioner filed a Brief to the Committee and requested that the Committee recommend to the Board that Respondent be suspended for a period of one year and one day. On February 10, 2020, Respondent filed a Brief to the Committee and requested discipline commensurate with his violations, which he argued should not entail active suspension.

By Report filed on May 14, 2020, the Committee recommended that Respondent be suspended for a period of one year, with the suspension stayed in its

entirety and Respondent placed on probation for a period of one year subject to conditions.

On May 22, 2020, Petitioner filed a Brief Opposing Exceptions and requested that the Board recommend to the Supreme Court that Respondent be suspended for one year and one day. On June 22, 2020, Respondent filed a Brief on Exceptions and requested that the Board adopt the Report and recommendation of the Hearing Committee.

On June 22, 2020, Respondent filed a Brief Opposing Petitioner's Exceptions. On June 23, 2020, Petitioner filed a Brief Opposing Respondent's Exceptions.

The Board adjudicated this matter at the meeting on July 23, 2020.

## II. FINDINGS OF FACT

The Board makes the following findings:

1. Petitioner, whose office is situated at Pennsylvania Judicial Center, 601 Commonwealth Avenue, Suite 2700, P.O. Box 62485, Harrisburg, Pennsylvania 17106, is vested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement, with the power and duty to investigate all matters involving alleged misconduct of any attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of said Rules.

2. Respondent is John A. Gallagher, born in 1962 and admitted to practice law in the Commonwealth in 1991. He maintains his office at 5 Great Valley

Parkway, Suite 210, Malvern, PA 19355. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

3. Respondent has a prior record of discipline. On February 8, 2017, he received an Informal Admonition for failing to safekeep property pursuant to RPC 1.15 and depositing personal funds into his IOLTA account. A condition to the admonition required Respondent to attend a CLE on the Disciplinary Board rules. On May 11, 2016, he received an Informal Admonition for undertaking a representation involving a concurrent conflict of interest without obtaining the necessary informed consent, neglecting the client matter and failing to communicate.

Misuse of IOLTA and Failure to Maintain Required Records

4. From in or before September 2016 through April 2018, Respondent used an IOLTA account he maintained at Citizens Bank to hold funds of more than one client. ODC-1, Stip. 4; Answer ("Ans.") at ¶ 5.

5. From in or before September 2016 through April 2018, Respondent continuously failed to maintain individual ledgers for each trust client on whose behalf he held funds in the IOLTA, showing the source, amount and nature of all funds received from or on behalf of the client, the description and amounts of charges or withdrawals, the names of all persons or entities to whom such funds were disbursed, and the dates of all deposits, transfers, withdrawals and disbursements. Ans. at ¶ 6.

6. On September 26, 2016, Respondent maintained a balance of \$4.75 in the IOLTA Account. ODC-1, Stip. 5.

7. On September 26, 2016, the following transactions against the IOLTA were returned due to insufficient funds:

a. an ACH transaction in the amount of \$479.16 payable to "ATT"; and

b. an ACH transaction in the amount of \$25.00 payable to "ATT."

ODC-1, Stip. 6.

8. These transactions were not executed on behalf of a client or third party on whose behalf Respondent was holding funds in the IOLTA and were submitted in payment of Respondent's personal or business expenses. ODC-1, Stip. 7.

9. In Respondent's July 2017 Statement of Position regarding IOLTA overdrafts, (ODC-1, Stip. 18), Respondent claimed that, *inter alia*, his wife, Katherine Lane, initiated two payments to AT & T in September 2016 against the IOLTA, without his knowledge. Ans. at ¶ 21(a), ODC-18D at 2.

10. On October 18, 2016, the balance in the IOLTA was \$726.59. ODC-1, Stip. 8.

11. On October 18, 2016, the following checks drawn against the IOLTA were presented for payment:

a. check number 1081 in the amount of \$200.00, made out to "Cash" for a "Pay Advance";

b. check number 1086 in the amount of \$505.00, payable to "U.S. Dist. Ct." for "Haymaker Appeal";

c. check number 1087 in the amount of \$400.00, payable to "U.S. Dist. Ct." for "Reese Complaint"; and

d. check number 1089 in the amount of \$200.00, payable to Katherine Lane.

ODC-1, Stip. 9.

12. The latter two checks were returned for insufficient funds. ODC-1, Stip. 10.

13. Respondent claimed that two checks were written by his wife, without his knowledge, and to which she had forged his signature. ODC-1, Stip. 10; Ans. at 21(b); ODC-18D at 3-4.

14. On June 1, 2017, the balance in the IOLTA was \$15.46. ODC-1, Stip. 11.

15. On June 1, 2017, check number 1116, drawn against the IOLTA in the amount of \$88.10 and made payable to the "Sheriff of Delaware County" for "Zimmerman v. Thompson et al," was returned due to insufficient funds. ODC-1, Stip. 12.

16. On June 7, 2017, Petitioner requested Respondent's Statement of Position regarding the September 2016 and October 2016 overdrafts, and requested all records of the IOLTA account. ODC-1, Stips. 13, 14.

17. On June 15, 2017, Petitioner requested Respondent's Statement of Position regarding the June 1, 2017 overdraft. ODC-1, Stip. 15.

18. By email to Disciplinary Counsel dated July 7, 2017, Respondent provided copies of the monthly statements relating to the IOLTA for the period of June 2016 through June 2017, copies of all checks drawn against the IOLTA for the period of June 2016 through June 2017, and copies of all ACH notices issued between June 2016 and June 2017. ODC-1, Stip. 17.

19. By email to Disciplinary Counsel dated July 10, 2017, Respondent provided his Statement of Position regarding the September 26, 2016 Overdrafts and the

October 18, 2016 Overdrafts (hereinafter the "First Statement of Position"). ODC-1, Stip. 18.

20. In the First Statement of Position, Respondent conceded that his conduct violated RPC 1.15(b), RPC 1.15(c)(1), RPC 1.15(c)(2) and RPC 1.15(h). ODC-1, Stip. 19.

21. Respondent failed to produce copies of any monthly reconciliations for the IOLTA with the First Statement of Position or at any time thereafter. ODC-1, Stip. 20.

22. Respondent failed to produce copies of any deposited items for the IOLTA with the First Statement of Position. ODC-1, Stip. 21.

23. By letter to Respondent dated July 11, 2017, Disciplinary Counsel requested "all contemporaneous records [Respondent] maintained per Rule 1.15(c), including but not limited to client ledgers and all other required records" and "a copy of the engagement letter and any materials reflecting settlements and the distributions of settlement funds" regarding any client reflected in such records. ODC-1, Stip. 22.

24. By email dated March 13, 2018, Respondent, through counsel, provided his Statement of Position regarding the June 1, 2017 Overdraft (hereinafter the "Second Statement of Position"). ODC-1, Stip. 23.

25. Through counsel, Respondent claimed that the June 1, 2017 overdraft was the result of a "mathematical error" by his wife, Ms. Lane. Ans. at ¶ 27; ODC-18F at 3.

26. Through counsel, Respondent claimed that his engagement letters were often sent "by Outlook calendar invite," which were "purged" when Respondent

switched to a new email provider in February of 2017 and “could not be retrieved.” ODC-1, Stip. 26.

27. Respondent did not produce individual ledgers or monthly reconciliations associated with his IOLTA account. ODC-1, Stips. 27, 28.

28. On January 1, 2018, more than six months after receiving Petitioner’s first request for Respondent’s Statement of Position, the balance in the IOLTA was \$5,076.80. ODC-1, Stip. 29.

29. On January 5, 2018, Bentrans debited the IOLTA in the amount of \$24.95. ODC-1, Stip. 30.

30. On January 8, 2018, Health Insurance Innovations debited the IOLTA in the amount of \$861.17. ODC-1, Stip. 31.

31. Neither transaction was executed for a client, and were for payment of Respondent’s personal expenses. ODC-1, Stip. 32.

32. On January 10, 2018, Respondent deposited Official Check number 501528745-0 in the amount of \$8,300.00 into the IOLTA; this check represented legal fees that Respondent had already earned in a client matter. ODC-1, Stip. 33.

33. On January 22, 2018, Respondent deposited check number 1888 in the amount of \$250.00 into the IOLTA; this check represented legal fees that Respondent had already earned in a client matter. ODC-1, Stip. 35.

34. On January 22, 2018, T-Mobile debited the IOLTA in the amount of \$337.74. ODC-1, Stip. 36.

35. On January 23, 2018, Verizon and Billmatrix debited the IOLTA account for \$188.32 and \$3.50, respectively. ODC-1, Stips. 37, 38.

36. The transactions set forth in paragraphs 34-35 *supra* were not executed on behalf of a client or third party on whose behalf Respondent was holding funds in the IOLTA and were submitted in payment of Respondent's personal or business expenses. ODC-1, Stip. 39.

37. This pattern was repeated numerous times over the next several months. Between January 25, 2018 and April 17, 2018, the IOLTA account was debited or drawn on for expenses and matters not executed for a client on ten occasions. ODC-1, Stips. 42, 43, 47, 50, 51, 55, 59, 60, 64, 66.

38. The transactions stipulated to at 50, 51, 55, 59, and 60 were returned due to insufficient funds. ODC-1, Stips. 53, 57, 62.

39. On seven occasions, Respondent deposited earned legal fees into his IOLTA account as opposed to depositing them into his operating account or another appropriate account. ODC-1, Stips. 40, 41, 46, 63, 69, 72, 73.

40. On February 6, 2018, Respondent called Citizens Bank and attempted to put a stop payment on any "auto debits" against the IOLTA. ODC-1, Stip. 45.

41. The majority of the "auto debits" or personal expense debits from the IOLTA account occurred after Respondent provided this instruction to Citizens Bank.

42. By letter dated April 3, 2018, Mackenzie Shivery, Contact Center Assistant Manager for Citizens Bank, advised Respondent that "[a]s the following charges on March 1st, March 6th, and March 8th were requested to be blocked, and they were unauthorized on [the IOLTA], [the IOLTA] should not have become overdrawn." ODC-1, Stip. 71.

43. On April 17, 2018, Respondent closed the IOLTA and opened a new IOLTA at Citizens Bank. ODC-1, Stips. 75, 76.

44. By letter to Respondent dated May 21, 2018, Disciplinary Counsel requested Respondent's Statement of Position regarding overdrafts in March 2018. ODC-1, Stip. 78.

45. This letter directed Respondent to produce copies of all records regarding the IOLTA that he was required by RPC 1.15(c) to maintain for the period of January 1, 2018, through the date of the letter, including deposited items, monthly reconciliations and individual client ledgers for any client on whose behalf Respondent held funds in the IOLTA. ODC-1, Stip. 79.

46. By letter to Disciplinary Counsel dated June 25, 2018, Respondent, through counsel, provided his Statement of Position regarding the March 2018 Overdrafts. ODC-1, Stip. 80.

47. Through counsel, Respondent claimed that, *inter alia*:

a. Ms. Lane had executed all of the transactions against the IOLTA that were not executed on behalf of clients or third parties on whose behalf Respondent was maintaining funds in the IOLTA (Ans. at ¶ 83; ODC-19B at 1- 4 (¶¶ 2, 4, 6, 8, 10, 14, 17));

b. Ms. Lane had "surreptitiously accessed" the books and records associated with the IOLTA. Ans. at ¶ 83; ODC-19B at 2 (¶ 2).

48. Respondent failed to produce any individual client ledgers associated with the IOLTA. ODC-1, Stip. 81.

Failure to Maintain Rule 1.15 Funds

49. Respondent maintains an operating account at Citizens Bank titled Law Offices of John A. Gallagher PC. ODC-1, Stip. 82.

50. On June 5, 2018, Respondent agreed to a fixed fee agreement with Kim Edwards to represent her in an unemployment matter, which included appearing at a June 12, 2018 hearing. ODC-1, Stip. 83

51. On June 6, 2018, Respondent accepted a legal fee in the amount of \$780.00 from Ms. Edwards, which he deposited into his operating account. ODC-1, Stip. 85.

52. At the time he deposited the monies into his operating account, Respondent had not attended the hearing with his client, but he attended the hearing on June 12, 2018.

53. Wendy Stone retained Respondent on August 7, 2018 to represent her at an upcoming Unemployment Compensation Hearing, which included a "prep session" on August 14, 2018. ODC-1, Stip. 87; ODC-1, Stip. 92.

54. Respondent accepted a legal fee of \$500 from Ms. Stone on August 13, 2018, which he deposited into his operating account. ODC-1, Stip. 89.

55. At the time he deposited the monies into his operating account, Respondent had not completed all of the services associated with the fixed fee, but he did eventually provide all of the services covered by the fee in a timely manner.

56. Respondent engaged in a fix fee agreement with Monica Harrell on August 30, 2018, in which he agreed to register her appeal with the Unemployment Compensation Board of Review, obtain a copy of the transcript and exhibits from the hearing referee, and review and discuss with Ms. Harrell. ODC-1, Stip. 94.

57. Respondent accepted a legal fee from Ms. Harrell on August 31, 2018 in the amount of \$500.00, which he deposited into his operating account. ODC-1, Stip. 95.

58. At the time of the deposit of the monies into his operating account, Respondent had not performed all of the services associated with the fixed fee, but Respondent did provide those services in a timely manner.

Unauthorized Practice of Law

59. Respondent failed to submit his 2016-2017 PA Attorney's Annual Fee Form on or before July 1, 2016. ODC-1, Stip. 98.

60. By Order dated October 5, 2016, effective thirty (30) days thereafter, the Supreme Court of Pennsylvania placed Respondent on Administrative Suspension. ODC-1, Stip. 99.

61. By letter to Respondent dated October 5, 2016, Suzanne E. Price, Attorney Registrar, enclosed a copy of the October 5, 2016 Order and advised Respondent that he would be placed on Administrative Suspension on November 4, 2016, if he failed to submit his 2016-2017 PA Attorney's Annual Fee Form on or before that date. ODC-1, Stip. 100.

62. The October 5, 2016 letter was delivered to Respondent's mailing address as listed on his 2015-2016 annual fee form, at John A. Gallagher PC, 1055 Westlakes Dr. Fl. 3, Berwyn, PA 19312. ODC-26C.

63. Respondent received this letter. ODC-1, Stip. 132(b); ODC-18F at 2 ("Mr. Gallagher now believes that the letters from the Administrative Office were forwarded to his home..."); N.T. 12/4/19 at 244-249.

64. Respondent failed to submit his 2016-2017 PA Attorney's Annual Fee Form on or before November 4, 2016, and was placed on Administrative Suspension. ODC-1, Stip. 101.

65. Respondent failed to file a Statement of Compliance with the Board on or before November 14, 2016, as required by Pa.R.D.E. 217(e)(1). ODC-1, Stip. 102.

66. On December 20, 2016, Respondent submitted a 2016-17 PA Administrative Change in Status Form to the Attorney Registration Office. ODC-1, Stip. 103.

67. Respondent certified on this form that he was "familiar and in compliance with Rule 1.15 of the PA Rules of Professional Conduct regarding the handling of funds and other property of clients and third persons and the maintenance of IOLTA Accounts." ODC-1, Stip. 104.

68. On December 21, 2016, Respondent submitted a Statement of Compliance to the Attorney Registration Office in which he certified that he had fully complied with Pa.R.D.E. 217. ODC-1, Stip. 105.

69. Respondent was reinstated to active status on December 22, 2016. ODC-1, Stip. 106.

70. During the period of his administrative suspension, and in defiance of the Supreme Court's Order dated October 5, 2016, Respondent agreed to represent twenty-nine clients. ODC-1, Stip. 132(a).

71. Upon engagement, the clients paid Respondent between \$75.00 and \$2,500.00 for his services. ODC-1, Stips. 133-243.

72. Respondent did not notify these clients that he had been placed on administrative suspension. ODC-1, Stips. 133- 243.

73. Among the clients Respondent agreed to represent while administratively suspended was Bonnie Rexroth, who retained Respondent on December 13, 2016, in connection with a Family and Medical Leave Act matter. ODC-1, Stips 107, 109.

74. On December 13, 2016, Ms. Rexroth paid Respondent \$500.00 via PayPal. ODC-1, Stips. 112, 113.

75. On December 14, 2016, Respondent had his wife Ms. Lane, who is not a lawyer, call Ms. Rexroth to provide Ms. Rexroth instructions on consulting with her physician to obtain support for her claim. ODC-1, Stips. 116, 120.

76. Respondent was present during this call and instructed Ms. Lane regarding what to say. ODC-37B at 4 (¶14a).

77. By email dated December 21, 2016, Respondent advised Ms. Rexroth of his administrative suspension, although he did not provide Ms. Rexroth with the effective date of the administrative suspension order. ODC-1, Stip. 121, 122.

78. By email on December 23, 2016, Ms. Rexroth requested a refund of her \$500.00 fee. ODC-1, Stip. 123.

79. Respondent failed to respond to this email. ODC-1, Stip. 124.

80. By letter to Respondent dated June 9, 2017, Disciplinary Counsel requested Respondent's Statement of Position regarding, *inter alia*, his unauthorized practice of law while on Administrative Suspension. ODC-1, Stip. 125.

81. Respondent returned Ms. Rexroth's funds after receiving Disciplinary Counsel's June 9, 2017 letter. ODC-1, Stip. 128(c).

### Failure to Report Criminal Conviction

82. On August 13, 2003, Respondent was cited for operating a motor vehicle while under the influence of alcohol. ODC-1, Stip. 244.

83. On or about January 7, 2004, Respondent pled guilty to driving while the amount of alcohol by weight in his blood was .08% or greater, in violation of 75 Pa.C.S. § 3731(a)(4)(i), a second-degree misdemeanor. ODC-1, Stip. 250.

84. On or about February 4, 2004, Respondent was sentenced to, *inter alia*, probation for a period of one year. ODC-1, Stip. 254.

85. This conviction was a "serious crime" as that term was defined by former Rule 214(i), Pa.R.D.E. ODC-1, Stip. 252.

86. Respondent failed to report this conviction to the Board. ODC-1, Stip. 253.

### Additional Findings

87. Respondent testified on his own behalf.

88. Respondent acknowledged that he committed multiple rules violations and misused his IOLTA account. ODC-1, Stip. 255.

89. Respondent claimed that several of the improper payments were made without his knowledge by his wife, whom he described as having drug issues, and claimed she forged his signature to certain checks:

a. "In 2010, she [Respondent's wife] was given a black box antibiotic with a steroid. The black box said, never give this antibiotic with a steroid." (N.T. 12/4/19 at 112;

b. "I didn't know she [Respondent's wife] had ripped off the Fentanyl patch and gone off the Percocet, and she did not know that

she was in withdrawal, but she couldn't take it after a while...it might have been four months...so she went back on them." (N.T. 12/4/19 at 113-114);

c. "My wife is withdrawing all of this money, and I can't stop it, and I wonder what kind of mistake I made." (N.T. 12/4/19 at 114);

d. "But she [Respondent's wife] needed money every day. I realized that by 2016, but I didn't do anything to stop it." (N.T. 12/3/19 at 118); and

e. "So she [Respondent's wife] has also written checks out of IOLTA. And the forgeries are obvious." N.T. 12/4/19 at 119.

90. Respondent was aware his wife had access to his IOLTA account but failed to take steps to prohibit her access. N.T. 12/4/19, at 114, 118.

91. Respondent acknowledged that he deposited his own funds, earned fees, into his IOLTA account:

And there have been times I deposited money into my own IOLTA account. I did that for two reasons, and I knowingly did it. I knowingly did it because achieving the outcome I needed was more important than following rules. I'd like to put it in a better way, but I can't, because I'd be lying if I did. The two reasons I did it was, one, I did it sometime because I found out – I'd find out about these ACH transactions after they happened. And then I'm like, I need to put money in IOLTA to clear it. But I also did it because my operating accounts got overdrawn, and I needed every penny." N.T. 12/4/19 at 122-123.

92. Respondent further explained:

"So there would be times where I got a check to myself, and knowingly – I remember one time being outside of Acme while this was going on, while I was being investigated in early 2018, sitting in the parking lot with the check drawn to me that I had earned,

knowing, given the amount of the check, if I deposit it in my operating account, that I wouldn't see anything. But if I put it in IOLTA, then I would get all of it. I remember sitting in the parking lot, and you know what I said to myself, if no more checks bounce, they won't find out. That's what I said. Of course, that was horrible thinking on every level. I knowingly went into the Acme on at least two occasions that I remember and deposited earned funds into IOLTA, and I knew it was wrong, and I'm responsible for that. I made that decision. N.T. 12/4/19 at 123-124.

93. Respondent testified that he has taken steps to prevent these improprieties from occurring in the future.

94. On May 1, 2018, Respondent hired a CPA, James J. Newhart, who Respondent testified has exclusive custody and control of Respondent's IOLTA checkbook, books, and records. N.T. 12/4/19 at 122, 249-250, 256-258.

95. Respondent testified that at the time of the disciplinary hearing in December 2019, there had been no transactions in his IOLTA since he retained Mr. Newhart in May 2018. Respondent did not know how Mr. Newhart would conduct a monthly reconciliation, and Respondent "believe[s] that he's [Mr. Newhart] doing everything correctly." N.T. 12/4/19 at 249-250.

96. Respondent did not call Mr. Newhart as a witness, nor did Respondent introduce any reconciliation or individual client ledgers.

97. Respondent testified that at no time did he hold funds in trust for more than one client at a time, and so did not maintain individual client ledgers. N.T. 12/4/19 at 50, 126.

98. Respondent testified that he was aware of his obligation to pay his yearly license fee and did not know why he failed to pay it. N.T. 12/4/19 at 150.

99. Respondent conceded that he engaged in the unauthorized practice of law between October 5, 2016 and December 16, 2016 (ODC-1, Stips. 133-243) but claims that “he did not consciously” do it. N.T. 12/4/19 at 190.

100. Respondent described his “virtual office” arrangement and attempted to claim that “I don’t remember getting the notice in October of 2016 that was signed for by someone at my virtual office saying I was administratively suspended” but later conceded that he received the October 5, 2016 letter from the Attorney Registrar. N.T. 12/4/19 at 244-249, 151; ODC-18F at 2.

101. Respondent testified that upon learning of his administrative suspension from a colleague on December 16, 2016, he ceased all practice, advised his clients and the courts, deleted all reference to his practice on social media platforms, and ceased contact with all clients. N.T. 12/4/19 at 191-192.

102. Respondent admitted that he did not report his DUI conviction in 2004. He testified that the law firm where he was employed was aware and the managing partner of the firm was placed on notice. N.T. 12/4/19 at 198.

103. Respondent testified that he did not knowingly fail to report the conviction; he did not believe it needed to be reported. N.T. 12/4/19 at 198.

104. Respondent expressed remorse for his misconduct. “I hope that I have expressed my sincere acknowledgement of my wrongdoing. I say that first because until you can acknowledge personal responsibility for your wrongdoing, you really can’t have remorse.” N.T. 12/4/19 at 276.

105. Respondent presented the credible testimony of four witnesses.

106. Paul Nofer, Esquire, has practiced law in Pennsylvania for approximately thirty years and has a professional relationship with Respondent, having litigated cases against Respondent a number of times. N.T. 12/3/19 at 21, 25.

107. Mr. Nofer testified that Respondent's reputation in the legal community is as "an absolute gentlemen" and he has a good reputation for honesty and integrity. N.T. 12/3/19 at 28, 30.

108. Mr. Nofer did not review the Petition for Discipline and was unaware of the specific allegations of misconduct against Respondent. N.T. 12/3/19 at 31-32.

109. Mr. Nofer was unaware of Respondent's criminal history. N.T. 12/3/19 at 32.

110. Carolyn Milden is Respondent's former wife of sixteen years. Ms. Milden testified that Respondent was respected by other members of the bar. N.T. 12/4/19 at 60.

111. Ronald Redden is Respondent's former client and testified that he was happy with Respondent's representation of him. Mr. Redden was not aware of Respondent's criminal history. N.T. 12/4/19 at 85.

112. Dr. Gina Colamarino is a former client of Respondent and retained him after performing internet research and reading good reviews of Respondent. Dr. Colamarino testified that she was pleased with Respondent's representation. N.T. 12/4/19 at 95, 99.

113. Dr. Colamarino was unaware of the allegations of misconduct charged in the Petition for Discipline against Respondent, and was unaware of Respondent's criminal history. N.T. 12/4/19 at 100, 101.

III. CONCLUSIONS OF LAW

By his conduct as set forth above, Respondent violated the following Rules of Professional Conduct (RPC) and Pennsylvania Rules of Disciplinary Enforcement (Pa.R.D.E.):

1. In connection with his misuse of the IOLTA account, failure to maintain Rule 1.15 Funds, and failure to maintain required records:

a. RPC 1.15(b) – A lawyer shall hold all Rule 1.15 Funds and property separate from the lawyer's own property. Such property shall be identified and appropriately safeguarded.

b. RPC 1.15(c)(1) and (2) - Complete records of the receipt, maintenance and disposition of Rule 1.15 Funds and property shall be preserved for a period of five years after termination of the client-lawyer or Fiduciary Relationship or after distribution or disposition of the property, whichever is later. A lawyer shall maintain the writing required by Rule 1.5(b) (relating to the requirement of a writing communicating the basis or rate of the fee) and the records identified in Rule 1.5(c) (relating to the requirement of a written fee agreement and distribution statement in a contingent fee matter). A lawyer shall also maintain the following books and records for each Trust Account and for any other account in which Fiduciary Funds are held pursuant to Rule 1.15(l): (1) all transaction records provided to the lawyer by the Financial Institution or other investment entity, such as periodic statements, cancelled checks in whatever form, deposited items and

records of electronic transactions; and (2) check register or separately maintained ledger, which shall include the payee, date, purpose and amount of each check, withdrawal and transfer, the payor, date, and amount of each deposit, and the matter involved for each transaction; provided, however, that where an account is used to hold funds of more than one client, a lawyer shall also maintain an individual ledger for each trust client, showing the source, amount, and nature of all funds received from or on behalf of the client, the description and amounts of charges or withdrawals, the names of all persons or entities to whom such funds were disbursed, and the dates of all deposits, transfers, withdrawals and disbursements.

c. RPC 1.15(h) – A lawyer shall not deposit the lawyer’s own funds in a Trust Account except for the sole purpose of paying service charges on that account, and only in an amount necessary for that purpose. ODC-1, Stip 255B.

d. RPC 1.15(i) – A lawyer shall deposit into a Trust Account legal fees and expenses that have been paid in advance, to be withdrawn by the lawyer only as fees are earned or expenses incurred, unless the client gives informed consent, confirmed in writing, to the handling of fees and expenses in a difference manner.

e. RPC 1.15(m) – All Qualified Funds which are not Fiduciary Funds shall be placed in an IOLTA account.

2. In connection with his administrative suspension and unauthorized practice of law:

a. RPC 1.15(e) – A lawyer shall promptly deliver to the client or third person any property, including but not limited to Rule 1.15 Funds, that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding the property; Provided, however, that the delivery, accounting, and disclosure of Fiduciary Funds or property shall continue to be governed by the law, procedure and rules governing the requirements of Fiduciary administration, confidentiality, notice and accounting applicable to the fiduciary entrustment. ODC-1, Stip. 255A.

b. RPC 1.16(a)(1) – A lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if the representation will result in a violation of the Rules of Professional Conduct or other law. ODC-1, Stip. 255C.

c. RPC 1.16(d) – Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee or expense that has not been earned or incurred.

d. RPC 5.5(a) – A lawyer shall not practice in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so. ODC-1, Stip. 255D.

e. RPC 5.5(b)(2) – A lawyer who is not admitted to practice in this jurisdiction shall not hold out to the public or otherwise represent that the lawyer is admitted to practice law in this jurisdiction. ODC-1, Stip. 255E.

f. RPC 1.16(d) – Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee or expense that has not been earned or incurred.

g. Pa.R.D.E. 217(a) – Which provides, in pertinent part, that a formerly admitted attorney shall promptly notify, or cause to be promptly notified, all clients being represented in pending matters...of the...administrative suspension...and the consequent inability of the formerly admitted attorney to act as an attorney after the effective date of the...administrative suspension.

h. Pa.R.D.E. 217(b) – Which provides, in pertinent part, that a formerly admitted attorney shall promptly notify, or cause to be notified, all clients who are involved in pending litigation or administrative proceedings...of the...administrative suspension.

i. Pa.R.D.E. 217(d)(1) – Which provides, in pertinent part, that the formerly admitted attorney, after entry of the...administrative suspension...order, shall not accept any new retainer or engage as

attorney for another in any new case or legal matter of any nature.  
ODC-1, Stip. 255H.

j. Pa.R.D.E. 217(e)(1) – Which provides, in pertinent part, that within ten days after the effective date of the...administrative suspension...order, the formerly admitted attorney shall file with the Board a verified statement and serve a copy on Disciplinary Counsel.  
ODC-1, Stip. 255I.

k. Pa.R.D.E. 217(j)(4)(iv) – Which provides, in pertinent part, that a formerly admitted attorney is specifically prohibited from...representing himself or herself as a lawyer or person of similar status. ODC-1, Stip. 255J.

l. Pa.R.D.E. 217(j)(4)(v) – Which provides, in pertinent part, that a formerly admitted attorney is specifically prohibited from...having any contact with clients either in person, by telephone, or in writing.  
ODC-1, Stip. 255K.

m. Pa.R.D.E. 217(j)(4)(vi) – Which provides, in pertinent part, that a formerly admitted attorney is specifically prohibited from...rendering legal consultation or advice to a client. ODC-1, Stip. 255L.

n. Pa.R.D.E. 217(j)(4)(x) – Which provides, in pertinent part, that a formerly admitted attorney is specifically prohibited from...receiving, disbursing or otherwise handling client funds. ODC-1, Stip. 255M.

3. In connection with his 2004 criminal conviction:

- a. Pa.R.D.E. 203(b)(1) – Conviction of a crime shall be grounds for discipline. ODC-1, Stip. 255F.
- b. Pa.R.D.E. 214(a) - An attorney convicted of a crime shall report the fact of such conviction within 20 days to the Office of Disciplinary Counsel. ODC-1, Stip 255G.

IV. DISCUSSION

In this matter, the Board considers the Committee's unanimous recommendation to suspend Respondent for a period of one year and stay the suspension in its entirety, imposing probation for a period of one year subject to conditions. Petitioner takes exception to this recommendation, contending that the Committee erred in concluding that Respondent's misconduct warrants a sanction less than a suspension of one year and one day. Respondent urges the Board to adopt the Committee's recommended discipline.

Petitioner bears the burden of proving ethical misconduct by a preponderance of the evidence that is clear and satisfactory. ***Office of Disciplinary Counsel v. John T. Grigsby, III***, 425 A.2d 730, 732 (Pa. 1981). Upon review, the Board concludes that Petitioner satisfied its burden of proof. Petitioner's evidence proves the facts and circumstances of the ethical violations and demonstrates Respondent's lack of fitness to practice law. For the following reasons, the Board recommends that Respondent be suspended for a period of one year and one day.

The record demonstrates that Respondent's misconduct encompassed a disregard for his fiduciary and administrative obligations. These deficiencies, viewed as

a whole, depict a respondent who is unwilling or unable to meet his fundamental professional responsibilities, constraining the Board to conclude that suspension is necessary and warranted.

Respondent repeatedly violated his fiduciary duties by misusing his IOLTA account. He acknowledged that personal expenses were paid from the IOLTA, but claimed that several of the improper payments were made without his knowledge by his wife, who forged his signature on certain checks. Respondent alluded to his wife's drug addiction and her need to access funds. While unfortunate, Respondent was duty-bound to preserve his clients' funds inviolate, which he failed to do. What is troubling in this scenario is that despite Respondent's knowledge of the bounced checks and his belief that it was due to his wife's subterfuge in accessing the account, he inexplicably failed to take the steps necessary to prevent more occurrences. "But she needed money every day. I realized that by 2016, but I didn't do anything to stop it." N.T. 12/4/19, at 118.

While Respondent has offered his wife as an excuse for certain improprieties with his IOLTA account, other instances of misuse can be attributed solely to Respondent. He acknowledged that he endorsed withdrawals from his IOLTA account to pay for a personal health insurance bill, and on more than one occasion he deposited earned fees into his IOLTA account to shelter them from personal creditors. Significant to our analysis is that some of Respondent's misconduct occurred after Respondent became aware that Petitioner was scrutinizing his activity. This displays a level of irresponsibility and lack of concern that warrants significant discipline.

Respondent testified that he has taken steps to prevent these transgressions from recurring. In May 2018, Respondent hired a CPA, Mr. Newhart who, according to Respondent, has exclusive custody and control of Respondent's IOLTA

check book, and other books and records. Respondent did not call his CPA as a witness, nor did Respondent introduce a single monthly reconciliation or individual client ledger into evidence to demonstrate that he is in compliance with the rules. In fact, Respondent testified that his CPA has never sent him a monthly reconciliation or individual client ledger, and claims that since he retained Mr. Newhart in May 2018, there have been no IOLTA transactions. While the Committee viewed Respondent's hiring of Mr. Newhart as "the most notable example" of "ameliorative measures taken" by Respondent to prevent further violations of his record-keeping obligations, we conclude that Respondent still has not produced evidence that he is in compliance with RPC 1.15, either before or after hiring Mr. Newhart.

Additionally, between June 2018 and August 2018, Respondent deposited Rule 1.15 funds into his operating account. Respondent charged the clients flat fees and, accordingly, was required to maintain them in trust until he had earned their fees by performing the services he was engaged to perform. While there is no dispute that Respondent performed the services he was engaged to perform, he failed to properly hold these funds.

As well, there is no dispute that all funds to which Respondent's clients were entitled were distributed to the clients. We note that Respondent was not charged with dishonesty in his handling of client funds. However, as the Committee observed, the rules used to enforce proper use and maintenance of the IOLTA account are in place to protect clients from the very behavior that Respondent engaged in. His inability to conform his actions to the rules, even when he knew of the IOLTA improprieties, is extremely serious.

Respondent admits that he engaged in the unauthorized practice of law while on administrative suspension. This suspension was the consequence of

Respondent's failure to pay his annual attorney registration fee. Respondent offered no explanation for his failure to pay the license fee, which he acknowledged is an annual requirement that all lawyers must meet in order to maintain an active license to practice law in the Commonwealth. The notice of Respondent's administrative suspension was mailed to his office address of record, which he had provided to the Attorney Registrar. His claim that he was not aware of his suspension until December 16, 2016 is not logical or acceptable, based on the evidence that the letter was mailed to his address of record. Respondent offered an excuse related to a "virtual office," but the onus remained on Respondent to ensure that he was able to obtain mail sent to the address he provided to the Attorney Registrar. Respondent later stipulated that he "believes" the notice was forwarded to his home address.

During the time frame of the administrative suspension, from October 5, 2016 through his resumption of active status on December 22, 2016, Respondent represented twenty-nine clients. The evidence of record demonstrates that Respondent accepted legal fees from each client in amounts ranging between \$75 and \$2,500 and did not advise the clients of his administrative suspension. One of these clients was Bonnie Rexroth, who paid Respondent \$500.00 on December 13, 2016 for representation in a Family Medical Leave Act matter. During this representation, Respondent rendered legal consultation to Ms. Rexroth. This representation did not last long, as Ms. Rexroth terminated Respondent's services after he informed her that he was administratively suspended. Her request for a refund of her monies was met with silence from Respondent for nearly six months, until Petitioner's request for a statement of position in the matter of his unauthorized practice of law triggered Respondent's refund to Ms. Rexroth of the full \$500.00

The record demonstrates that Respondent was convicted of a DUI in 2004 and failed to report the conviction to the Disciplinary Board. While Petitioner asserts that this failure is illustrative of Respondent's overall failure to comprehend his professional responsibilities, based on our review of the record, we are satisfied that Respondent did not attempt to hide his conviction from the Board. He apprised his law firm of the conviction, which was a matter of public record. While Respondent's failure to report is a transgression that we must consider, we do not find this sixteen year old conviction particularly weighty in our analysis of discipline.

Having concluded that Respondent engaged in professional misconduct, this matter is ripe for the determination of discipline. Significant to the Board's assessment of discipline is consideration of the aggravating and mitigating circumstances. ***Office of Disciplinary Counsel v. Brian Preski***, 134 A.3d 1027, 1031 (Pa. 2016).

In aggravation, Respondent has a history of prior discipline consisting of two informal admonitions. The first was imposed on May 11, 2016 for Respondent's misconduct in undertaking a representation notwithstanding a conflict of interest, neglecting the client's matter and failing to adequately communicate with his client. A second admonition was imposed nine months later on February 8, 2017 for Respondent's failure to maintain required records and for depositing his own funds into his IOLTA. A condition required Respondent to attend a CLE related to Disciplinary Board rules. The misconduct at issue today is similar to the misconduct in the latter admonition. Despite being disciplined for his misuse of his IOLTA account, Respondent persisted in violating his fiduciary obligations. The record evidences Respondent's misuse of his IOLTA in June 2017 and into 2018. Some four months subsequent to the imposition of the 2017 admonition, Petitioner asked Respondent for his position in the new matters that had been

brought to their attention. Even with the stark realization that he was once again being investigated, Respondent was not dissuaded from his misuse of the IOLTA account, and he continued to violate the rules. Respondent conceded he was aware of the investigation and its implications, knew his actions were wrong, but engaged in them despite this knowledge. N.T. 12/4/19 at 123.

Respondent has apologized for his transgressions and expressed remorse for his conduct, a fact we must consider in mitigation. However, we are troubled by his attempts to excuse his misconduct by blaming others, for example his wife, to whom he attributed misuse of his law firm's IOLTA account, and an unknown person at his "virtual office" arrangement who apparently did not promptly retrieve or forward the Attorney Registrar's notice informing him of his administrative suspension, leading to his testimony that as relates to his unauthorized practice of law, "I did not consciously do it." This testimony undercuts Respondent's genuine acceptance of responsibility and is weighed accordingly in our assessment of the mitigating nature of Respondent's remorse.

Respondent presented character testimony from four witnesses. Two former clients were pleased with Respondent's representation, but admitted that they had no knowledge of the nature of the disciplinary charges against Respondent or his criminal history. Attorney Nofer offered testimony that Respondent was respected in the legal community, but he was similarly unaware of any detail of Respondent's alleged misconduct or any prior criminal history. Respondent's former wife testified that to her knowledge during the time they were married, Respondent was well-respected among the members of the bar. The testimony of these character witnesses, while well-meaning, is not weighty in our estimation, as there was no evidence presented that demonstrated these witnesses understood why Respondent was facing disciplinary charges.

Disciplinary sanctions serve the dual role of protecting the interests of the public while maintaining the integrity of the bar. *Office of Disciplinary Counsel v. John Keller*, 506 A.2d 872, 875 (Pa. 1986). Each disciplinary matter is considered on its own unique facts and circumstances, and there is no per se discipline for attorney misconduct in the Commonwealth of Pennsylvania. *Office of Disciplinary Counsel v. Robert Lucarini*, 472 A.2d 186, 190 (Pa. 1983). In order to “strive for consistency so that similar misconduct is not punished in radically different ways,” *Office of Disciplinary Counsel v. Anthony Cappuccio*, 48 A.3d 1231, 1238 (Pa. 2012) (quoting *Lucarini*, 473 A.2d at 190), the Board is guided by precedent for the purpose of measuring “the respondent’s conduct against other similar transgressions.” *In re Anonymous No. 56 DB 94*, 28 Pa. D. & C. 4<sup>th</sup> 398 (1995).

Respondent’s misconduct involved his defiance of a variety of ethical obligations, including fiduciary duties, compliance with a Supreme Court order related to his administrative suspension, and client obligations. To address this misconduct, the Committee has recommended a one year suspension, stayed in its entirety, with probation for one year and conditions to include, *inter alia*, maintenance of RPC 1.15 records, certification of records by a CPA, and quarterly reports filed with Petitioner. Petitioner advocates for a one year and one day suspension, contending that probation is not warranted under the facts of this matter.

Probation allows an attorney to continue practicing law and holding himself out to the public for the provision of legal services. See, Disciplinary Board Rule § 89.291. Before recommending that the Court impose probation, the Board must be satisfied from the record that a respondent will comply with conditions attached to probation; otherwise, the public may suffer. See, *Office of Disciplinary Counsel v. Anthony Charles*

*Mengine*, No. 66 DB 2017 (D. Bd. Rpt. 9/24/2019) (S. Ct. Order 11/26/2019) (Mengine suspended for a period of two years, nine months stayed and fifteen months on probation for financial improprieties including misuse of his IOLTA account; Mengine made “concerted efforts” to organize his law firm to provide oversight and accountability of financial matters; and he “exhibited a full understanding of the steps he needed to take to align his conduct with professional standards.” Board Report at p. 56.)

Upon review of the record, we agree with Petitioner’s position and conclude that probation is not appropriate. Respondent has a demonstrated record of noncompliance with ethical rules and regulations. He did not comply with his obligation to file his annual attorney registration form and pay his fee, leading to his administrative suspension. Once suspended, Respondent did not comply with the Supreme Court’s order and continued to practice law. Respondent failed to heed the implicit warning in his two instances of prior discipline and continued to violate the rules, in particular related to his IOLTA account. Likewise, Petitioner’s investigation did not frustrate his ongoing misconduct. By his own admission, Respondent knew he was committing misconduct and failed to stop. The Committee relies on Respondent’s testimony that he retained a CPA to handle his records and bookkeeping as evidence to support their conclusion that he has “ameliorated” his misconduct. Other than Respondent’s testimony, there is nothing to suggest that Respondent is in compliance with the rules.

Based on his record of noncompliance over the years and the lack of compelling evidence that Respondent has remediated his practice problems, we cannot conclude with confidence that Respondent will adhere to probation standards; therefore, the risk to the public is too great to allow Respondent to continue practicing law through probation.

In light of Respondent's misconduct, the aggravating factors, and the lack of sufficiently compelling mitigating circumstances, we conclude that Respondent is not fit to practice and should be suspended for a sufficient length to compel him to petition for reinstatement. A suspension of one year and one day is consistent with the range of sanctions imposed for similar misconduct and appropriate to address Respondent's persistent misuse of his IOLTA account, unauthorized practice of law involving twenty-nine clients, and failure to promptly refund a client's monies. **Office of Disciplinary Counsel v. William James Helzlsouer**, 197 DB 2018 (D. Bd. Rpt. 11/18/2019) (S. Ct. Order 1/23/2020) (one year and one day suspension for misconduct in three matters, misuse of IOLTA account stemming from adult son's unauthorized access, unauthorized practice of law while suspended, failure to refund unearned fees, neglect, prior discipline aggravating factor).

Our review of prior matters reveals that standing alone, Respondent's unauthorized practice of law requires suspension. Attorneys who engaged in the unauthorized practice of law in limited matters as compared to Respondent's twenty-nine matters, have been suspended from the practice of law. See, **Office of Disciplinary Counsel v. William C. Kerr, III**, No. 9 DB 2015 (D. Bd. Rpt. 9/28/2016) (S. Ct. Order 12/14/2016) (one year suspension); **Office of Disciplinary Counsel v. Theodore Q. Thompson**, No. 159 DB 2005 (D. Bd. Rpt. 12/28/2006) (S. Ct. Order 3/23/2007) (six month suspension); **Office of Disciplinary Counsel v. Julie Ann Marzano**, No. 46 DB 2006 (D. Bd. Rpt. 5/16/2007) (S. Ct. Order 8/1/2007) (nine month suspension).

Likewise, attorneys who engage in IOLTA misuse and failure to promptly return client funds face public discipline, including suspension. See, **Office of Disciplinary Counsel v. Richard Patrick Gainey**, No. 160 DB 2018 (D. Bd. Order

4/15/2020) (public reprimand to address mishandling of IOLTA account for one year and failure to maintain required RPC 1.15 records, sincere remorse, credible evidence of remedial steps to address future mismanagement, no prior discipline); **Office of Disciplinary Counsel v. Adam Luke Brent**, 225 DB 2018 (D. Bd. Rpt. 12/20/2019)(S. Ct. Order 2/13/2020) (one year and one day suspension imposed for neglect, lack of communication, failure to refund unearned fees, and failure to abide by the terms of the administrative suspension order; no history of discipline); **Office of Disciplinary Counsel v. Jeff Lee Lewin**, No. 11 DB 2019 (S. Ct. Order 7/1/2019) (two year period of suspension on consent for lack of diligence, lack of communication, failure to maintain client accounts, and failure to refund unearned fees).

The totality of the facts and circumstances of this matter warrant a suspension for one year and one day, which discipline is consistent and appropriate to address the misconduct and protect the public.

V. RECOMMENDATION

The Disciplinary Board of the Supreme Court of Pennsylvania unanimously recommends that the Respondent, John A. Gallagher, be Suspended for one year and one day from the practice of law in this Commonwealth.

It is further recommended that the expenses incurred in the investigation and prosecution of this matter are to be paid by the Respondent.

Respectfully submitted,

THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA



By: \_\_\_\_\_  
Hon. Eugene F. Scanlon, Jr., Member

Date: 09/29/2020

Members Mundorff and Rassias recused.

# ATTACHMENT 3

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL : No. 65 DB 2019  
Petitioner :  
 :  
v. : Attorney Registration 61914  
 :  
 :  
JOHN A. GALLAGHER, :  
Respondent : (Chester County)

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I. STATEMENT OF THE CASE

This matter is before the Hearing Committee as a result of a disciplinary proceeding initiated by the Office of Disciplinary Counsel (Petitioner) in the form of a Petition for Discipline filed on March 27, 2019. The petition charged Respondent with violations of RPC 1.5(a), RPC 1.15(b), RPC 1.15(c)(1), RPC 1.15(c)(2), RPC 1.15(e), RPC 1.15(h), RPC 1.15(i), RPC 1.15(m), RPC 1.16(a)(1), RPC 1.16(d), RPC 5.5(a), RPC 5.5 (b)(2), Pa. R.D.E. 217(a), Pa. R.D.E. 217(b), Pa. R.D.E. 217 (d)(1), Pa. R.D.E. 217(e)(1), Pa. R.D.E. 217(j)(4)(iv), Pa. R.D.E. 217(j)(4)(v), Pa. R.D.E. 217 (j)(4)(vi) and Pa. R. D.E. 217(j)(4)(x). Respondent filed an Answer on May 13, 2019 asserting that the allegations in the Petition “are legal conclusions to which no response is required.”

Disciplinary hearings were conducted on December 3, 2019 and December 4, 2019. Respondent appeared *pro se*. Prior to the hearings, the parties had agreed to extensive stipulations of fact and law eliminating the need for the Hearing Committee to determine whether the evidence established a prima facie violation of at least one rule charged in the Petition for Discipline. Additionally, the parties stipulated to select facts and rule violations not set forth in the Petition for Discipline arising from Respondent’s 2004 criminal conviction. The parties jointly requested to consolidate this misconduct with the misconduct alleged in the Petition, and the Petition was formally amended to include such.

II. BACKGROUND

Respondent, John A. Gallagher, born in 1962, was admitted to practice law in the Commonwealth of Pennsylvania on November 18, 1991. He currently maintains an office at 5 Great Valley Parkway, Suite 210, Malvern, PA 19355. (ODC-1; Stipulation of the Parties, at 2)

Respondent attended the New England Law School from 1988-1991. (N. T. , Vol. II, pg. 106/19) While in law school he served on the Law Review and wrote a published article about the Exxon Valdez. (N.T., Vol. II, pg. 107/13) He graduated cum laude. (N.T., Vol. II, pg. 107/11) After graduation he worked in Philadelphia for Harvey Pennington from 1991-1996. He then joined High Swartz, and was a partner at that firm for 9 years before departing in 2006. During his years at High Swartz he served on the Board of Directors of the Montgomery County Bar Association and as Chairman of its Employment Law Section. (N.T., Vol. II, pp. 117-118)

### III. FINDINGS OF FACT

The Committee incorporates paragraphs 1-254 of the Stipulations of the Parties. (ODC-1)

#### **A. Misuse of IOLTA and Failure to Maintain Required Records.**

From and before September 2016 through April 2018, Respondent used an IOLTA account maintained at Citizens Bank. (ODC-1 at 4)

During this time frame Respondent routinely used the account to hold funds for clients.

Respondent did not maintain individual ledgers for each trust client on whose behalf he held funds, which would disclose the source, amounts and nature of the funds received from and on behalf of the client.

On September 26, 2016 Respondent maintained a balance of \$4.75 in his IOLTA account. (ODC-1 at 5)

On that same date, two payments were made from the IOLTA account to AT&T – one for \$479.16 and the other for \$25.00. (ODC -1 at 6)

Neither transaction was executed for a client and were submitted as payment of Respondents business or personal expense. (ODC-1 at 7)

Respondent claims the payments were made by his wife, Kathleen Lane, without his knowledge. Both checks were returned for insufficient funds.

On October 18, 2016, the balance in the IOLTA account was \$726.59. (ODC-1 at 8)

On that date, four checks were drawn on the IOLTA account were presented for payment.

One check was payable to “cash”, another was payable to “Kathleen Lane”, a third was payable to “US Dist. Ct. for Haymaker Appeal” and the fourth was payable to “US Dist. Ct. for Reese Complaint”. (ODC-1 at 9)

The latter two checks were returned for insufficient funds. (ODC-1 at 10)

Respondent claims the first two checks were written by his wife, without his knowledge, and to which she had forged his signature.

On June 1, 2017, the balance in Respondent’s IOLTA account was \$15.46. (ODC-1 at 11)

That same day, a check drawn on the IOLTA account and payable to the “Sheriff of Delaware County” was also returned for insufficient funds.( ODC-1 at 12)

On June 7, 2017 the ODC requested Respondent’s Statement of Position regarding the September, 2016 and October, 2016 overdrafts, and requested all records of the IOLTA account. (ODC-1 at 13 & 14)

On June 15, 2017, the ODC requested Respondent’s Statement of Position regarding the June 15, 2017 overdraft. (ODC-1 at 15)

On July 7, 2017, Respondent produced copies of all monthly statements, drawn checks and ACH notices between June, 2016 and June, 2017. ( ODC-1 at 17)

On July 10, 2017 Respondent e-mailed the ODC regarding the September, 2017 and October, 2017 overdrafts. (ODC-1 at 18)

On July 7, 2017 in his First Statement of Position, Respondent conceded his conduct violated RPC 1.15(b), 1.15(c)(1), 1.15(c)(2) and 1.15(h). (ODC-1 at 19)

Respondent did not produce any reconciliations, not any individual client ledgers associated with the IOLTA account. (ODC-1 at 20)

On July 11, 2017, the ODC requested “contemporaneous records maintained per Rule 1.15(c), including client ledgers and all other required records and a copy of the engagement letter and other materials reflecting settlements and the distributions of the settlement funds regarding any client reflected in the records. (ODC-1 at 22)

On March 13, 2018, Respondent, through counsel, provided his Statement of Position regarding the June 1, 2017 overdraft. (ODC-1 at 23).

Through counsel, Respondent claimed that his engagement letters were often sent by Outlook Calendar invite, which had been purged when he switched email providers and therefore could not be retrieved. (ODC-1 at 26)

Respondent did not produce individual ledgers or monthly reconciliations associated with his IOLTA account. (ODC-1 at 27 & 28)

More than six months after receiving the first request for Respondent's Statement of Position, on January 1, 2018, Respondent maintained a balance of \$5076.80 in his IOLTA account. (ODC-1 at 29)

On January 5, 2018 Bentrans Bentrans debited the IOLTA account in the amount of \$24.95 (ODC-1 at 30) and on January 8, 2018 Health Insurance Initiatives also debited the IOLTA account in the amount of \$861.17. (ODC-1 at 31) Neither transaction was executed for a client, and were for payment of Respondent's personal expenses. (ODC-1 at 32)

On January 10, 2018 deposited \$8300 for earned legal fees in his IOLTA account (ODC-1 at 33) and on January 22, 2018, Respondent deposited a check for \$250 of earned legal fees into his IOLTA account. (ODC-1 at 35)

On January 22, 2018 T-Mobile debited the IOLTA account for \$337.74 (ODC-1 at 36)

On January 23, 2018 Verizon and Bill Matrix debited the IOLTA account for \$188.32 and \$3.50, respectively. (ODC-1 at 37 & 38)

All three transactions were for Respondent's personal expenses and not one was executed for a client. (ODC-1 at 39)

This pattern was repeated numerous times over the next several months. Between January 25, 2018 and April 17, 2018, the IOLTA account was debited or drawn on for expenses and matters not executed for a client on ten (10) occasions. (ODC-1 at 42, 43, 47, 50, 51, 55, 59, 60, 64, 66).

On seven (7) occasions, Respondent deposited earned legal fees into his IOLTA account as opposed to depositing them into his operating account or another appropriate account. (ODC-1 at 40, 41, 46, 63, 69, 72, 73).

On February 6, 2018 Respondent called Citizens Bank with instructions to stop all "auto debits" to the IOLTA account. (ODC-1 at 45)

Eight (8) of the ten (10) "auto debits" or personal expense debits from the IOLTA account occurred after Respondent had provided this instruction to Citizens Bank.

On April 3, 2018, Citizens Bank acknowledged that "auto debits" on March 1, 6 and 8, 2018 were unauthorized and the account should not have been overdrawn. (ODC-1 at 71)

**B. Failure to Maintain Rule 1.15 Funds in a Trust Account.**

Respondent regularly agreed to represent clients pursuant to a fixed fee agreement in exchange for which he agreed to provide a specific scope of services.

On June 5, 2016 Respondent agreed to a fixed fee agreement with Kim Edwards to represent her in an unemployment matter, which included appearing at a June 12, 2018 hearing. (ODC-1 at 83)

On June 6, 2018 he accepted a legal fee in the amount of \$780.00 from Ms. Edwards which he deposited in his operating account and not in the IOLTA account. (ODC-1 at 85)

At the time of the deposit, he had not attended the hearing with Ms. Edwards. He did, however, attend the hearing several days later, on June 12, 2018.

He repeated this practice with two additional clients, Wendy Stone and Monica Harrell.

Wendy Stone retained Respondent on August 7, 2018 to represent her at an upcoming Unemployment Compensation Hearing (ODC-1 at 87) which included a "prep session" on August 14, 2018. (ODC-1 at 92)

Respondent accepted a legal fee of \$500.00 from Ms. Stone on August 13, 2018 which he deposited in his operating account, and not in the IOLTA account. (ODC-1 at 89) At the time of that deposit, he had not completed all the services associated with the fixed fee. Respondent did eventually provide all the services covered by the fixed fee.

Respondent engaged in a fixed fee agreement with Monica Harrell on August 30, 2018 in which he committed to register her appeal with the UCBR, obtain a copy of the transcript and exhibits from the referee hearing and review and discuss same with Mrs. Harrell. (ODC-1 at 94)

He accepted a legal fee from Mrs. Harrell on August 31, 2018 in the amount of \$500.00 which he deposited into his operating account. (ODC-1 at 95) At the time of that deposit, he had not performed all the services associated with the fixed fee. Respondent did eventually provide those services in a timely manner.

**C. Unauthorized Practice of Law.**

In 2016 Respondent failed to pay the annual registration fee on or before July 1, 2016 to maintain his license. (ODC-1 at 98)

On October 5, 2016 the Pennsylvania Supreme Court issued an Order placing Respondent on Administrative Suspension effective November 4, 2016. (ODC-1 at 99)

Respondent did not submit his Annual Fee Form before November 4, 2016, and thus was placed on Administrative Suspension (ODC-1 at 101)

Respondent did not resume active status until December 22, 2016. (ODC-1 at 106)

Between October 5, 2016 and November 4, 2016 Respondent agreed to represent fifteen (15) clients.

Between November 5, 2016 and December 22, 2016, he agreed to represent an additional fourteen (14) clients. (ODC-1 at 132 a.).

Respondent did not notify these clients that he had been placed on Administrative Leave. (ODC-1 at 133-243)

Among the clients that Respondent agreed to represent while on Administrative Suspension was Bonnie Rexroth who sought to file a Social Security claim.

Mrs. Rexroth retained Respondent on December 13, 2016 in connection with a Family and Medical Leave Act matter. (ODC-1 at 107 & 109)

Mrs. Rexroth paid Respondent \$500.00 on December 13, 2016 via PayPal. (ODC-1 at 113)

During that relationship, Respondent had Kathleen Lane, his wife, call Mrs. Rexroth to provide her instructions on consulting with her physician to obtain support for her claim. (ODC-1 at 116)

Kathleen Lane is not licensed to practice law in Pennsylvania or any other jurisdiction. (ODC-1 at 120)

During the call Respondent was providing Mrs. Lane instructions on what to say to Mrs. Rexroth.

On December 23, 2016 Mrs. Rexroth requested a refund of her \$500 fee. (ODC-1 at 123)

Respondent returned the funds, but not until he received a letter from Disciplinary Counsel on June 9, 2017. (ODC-1 at 125)

#### **D. Failure to Report DUI Conviction**

On August 13, 2003, Respondent was cited for operating a motor vehicle while under the influence of alcohol. (ODC-1 at 244).

On January 7, 2004 Respondent pled guilty to this violation, a second degree misdemeanor. (ODC-1 at 250)

He was sentenced to one year probation. (Stip. Para. 254)

This conviction is a "serious crime" as that term is defined by then Rule 214(i), Pa. R.D.E. (ODC-1 at 252)

Respondent did not report this conviction to the Secretary of the Board of . (ODC-1 at 253)

#### IV. CONCLUSIONS OF LAW

By his conduct as set forth above, Respondent violated the following Rules of Professional Conduct and Pennsylvania Rules of Disciplinary Enforcement:

1. RPC 1.15(b)
2. RPC 1.15(c)(1)
3. RPC 1.15(c)(2)
4. RPC 1.15 (h)
5. RPC 1.16(a)(1)
6. RPC 5.5(a)
7. Pa. R. D. E. 203(b)(1)
8. Pa. R.D.E. 214(a)
9. Pa. R.D.E. 217

#### V. DISCUSSION

##### Misuse of IOLTA and Failure to Maintain Records

The ODC has presented evidence that Respondent has repeatedly violated his fiduciary obligations. Further, it is claimed that despite the scrutiny of the Petitioner, Respondent persisted with the violations and displayed either an unawareness of the steps needed to comply with his obligations or a failure to understand the seriousness of the violations. The ODC contends that a suspension is required to protect the public and to impress upon the Respondent the seriousness of his fiduciary obligation. (Petitioner's Brief, pp. 8-9)

Respondent acknowledges that he committed multiple violations and misused his IOLTA account. (ODC-1 at 255, A-M) He has acknowledged that personal expenses were paid from his IOLTA account, although he claims that several of the initial improper payments were made without his knowledge, by his wife, whom he claims forged his signature to certain checks.

*"In 2010, she was given a black box antibiotic with a steroid. The black box said, never give this antibiotic with a steroid." (N.T., Vol. II, pg.112/20-24) 'I didn't know she had ripped off the Fentanyl patch and gone off the Percocet, and she didn't know that she was in*

*withdrawal. But she couldn't take it after a while -- it might have been four months -- so she went back on them.” (N.T. Vol. II, pp. 113-114) “My wife is withdrawing all of this money, and I can't stop it, and I wonder what kind of mistake I made.” (N.T., Vol. II, pg. 114/10-13) ‘But she needed money every day. I realized that by 2016, but I didn't do anything to stop it. (N.T., Vol. II, pg. 118/9) “So she has also written checks out of IOLTA. And the forgeries are obvious.” (N.T., Vol. II, pg. 119/19-21)*

Respondent also acknowledges that he deposited his own funds, earned fees, into his IOLTA account. *“And there have been times I deposited money into my IOLTA account. I did that for two reasons, and I knowingly did it. I knowingly did it because achieving the outcome I needed was more important than following the rules. I'd like to put it in a better way, but I can't, because I'd be lying if I did. The two reasons I did it was, one, I did it sometimes because I found out -- I'd find out about these ACH transactions after they happened. And then I'm like, I need to put money in IOLTA to clear it. But I also did it because my operating accounts got overdrawn, and I needed every penny.” (N.T., Vol. II, pp.122/13 – 123/14)*

Respondent became aware of some improper payments of personal expenses from his IOLTA account as early as September and October, 2016, when he received notice of several bounced checks. (ODC-1, at 6 & 10) Despite this knowledge, and a belief that it was due to his wife accessing the account, the steps necessary to prevent this from occurring again were apparently not taken. *‘But she needed money every day. I realized that by 2016, but I didn't do anything to stop it.’ (N.T., Vol. II, pg. 118/9)*

Respondent also acknowledges that on more than one occasion he deposited earned fees into his IOLTA account to shelter them from personal creditors. This behavior occurred after he became aware that he was under scrutiny by the ODC. *“And then I'm like, I need to put money in IOLTA to clear it. But I also did it because my operating accounts got overdrawn, and I needed every penny.” (N.T., Vol. II, pg.123/9-14) “So there would be times where I got a check to myself, and knowingly -- I remember one time being outside of Acme while this was going on, while I was being investigated in early 2018, sitting in the parking lot with the check drawn to me that I had earned, knowing, given the amount of the check, if I deposit it in my operating account, that I wouldn't see anything. But if I put it in IOLTA, then I would get all of it. I remember sitting in the parking lot, and you know what I said to myself, if no more checks bounce, they won't find out. That's what I said. Of course, that was horrible thinking on every level. I knowingly went into the Acme on at least two occasions that I remember and deposited earned funds into IOLTA, and I knew it was wrong, and I'm responsible for that. I made that decision. I'm not 15.” (N.T., Vol. II, pp. 123/15-124/17)*

Respondent correctly points out that no client funds were ever misused or misappropriated. *“But I was never dishonest with any of my client funds. I never, insofar as I understand the rules, ever deposited client funds to be held in trust to me into my*

*operating account.*” (N.T., Vol. II, pp. 124/24 – 125/5) No client has alleged that the fees charged were excessive or inappropriate.

Respondent also has taken steps to prevent these transgressions from occurring again. On May 1, 2018, Respondent hired a CPA, James J. Newhart who has exclusive custody and control of Respondent’s IOLTA checkbook, books and records. *“Sir, how do you conduct a monthly reconciliation as required by 1.15(c)(4)? A. I’ve turned everything related to IOLTA over to my CPA. I send him my IOLTA statements on or as close to -- within a week of getting them every month.”* (N.T., Vol. II, pg. 249/10-17; Respondent Brief, pg. 12). There have been no known violations or indiscretions since Respondent hired Mr. Newhart.

The ODC also asserts that Respondent has failed to comply with his record keeping responsibilities. (Ans. at para. 5-6; N.T., Vol. II, pg. 243-244) Further, the ODC asserts Respondent continues with the failure to maintain the records required by the Rules. (N.T., Vol. II, pg. 126) More specifically, the ODC contends that although Respondent provided IOLTA monthly ledgers and related records, he did not maintain “any monthly reconciliations (or) the individual client ledgers”. (ODC-1, para. 20-21; ODC-18C; ODC 18-D) This, the ODC contends, is evidence that he did not appreciate his record keeping responsibilities, and the absence of any evidence that he currently maintains these records demonstrated that he still does not know how to comply with his obligations. *“More importantly, Respondent did not introduce a single monthly reconciliation or individual client ledger into evidence at the disciplinary hearing, leaving the Hearing Committee with no reason to believe that he has any idea how to comply with the record-keeping obligations that he has flouted for years.”*(Petitioner Brief, Pg. 15)

Respondent counters with the assertion that at no time did he hold funds in trust for more than one client at a time. *“Never once did I have client funds for more than one client in my IOLTA account at the same time”* (N.T., Vol. II pg. 126/2-4; Respondent’s Brief, pg. 37). He points out that the ODC produced no evidence of record to prove that he held funds in trust for more than a single client at a time. Therefore, when Respondent provided all his records, checks, ledgers and bank records, he claims he was compliant with the ODC requests, and compliant with RPC 1.15 (c)(2), because individual client ledgers are only required when funds are held in trust for two or more clients. *“The obligation to keep independent client ledgers arises when you have more than one client fund in IOLTA at the same time.”* (N.T., Vol. II, pg. 126/8-12)

Respondent also provided uncontradicted testimony that no client has alleged that they did not receive the funds to which they were entitled, and there is no evidence or allegation that Respondent misused or misappropriated client funds. As stated by ODC counsel, Mr. White *“Mr. Gallagher is not charged with dishonesty in this matter.”* (N.T., Vol. II, pg. 50/6-8)

All funds to which his clients were entitled, were paid to the clients. Nevertheless, his cavalier attitude toward his responsibility to properly operate and maintain his IOLTA account created a clear and distinct possibility that a client could have suffered. The rules and guidelines used to enforce proper use and maintenance of the IOLTA account are to protect clients from the type of behavior that Respondent engaged in. The fact that a client did not suffer in this instance

is more fortuitous than tolerable. A suspension for such behavior is warranted and future oversight of the Respondent's finances is necessary

#### **Failure to Maintain Rule 1.15 Funds in the IOLTA account.**

The ODC asserts that Respondent violated RPC 1.15(b) when "Respondent charged the clients flat fees and, accordingly, was required to maintain them in an IOLTA until he had earned their fees by performing the services he was engaged to perform." (Petitioner's Brief, pg. 10) The ODC contends that the payments were 'advanced payments' (Petitioner's Brief, para. 10, 13 & 15, pg. 5-6) which Respondent was required to maintain in his IOLTA account until he had earned the fees by performing the services for which he was engaged, unless he had the client's informed consent to handle the fee in a different manner. (Petitioner's Brief, pg. 11) The ODC claims that Respondent did not have the informed consent of his clients to handle the fees or expenses any differently than required by the fee agreement. (ODC-1, Vol. II at 86, 91, & 97)

Q. So if your fee agreement says earned when paid, and your client doesn't know what that means, do you have their informed consent to deposit their fee in your operating account?

A. Let me say this. I don't know what my clients know or don't know. So my assumption is that my clients read my fee letter, and that they conduct any research or follow up with me if they have any questions about earned when paid, what that means.

(N.T., Vol. II pp. 204/23 – 205/10)

The ODC takes the position that Respondent's assertion that he had earned the fees because of the services he had already rendered to the clients was "unavailing". (Petitioner's Brief, pg. 10) The ODC notes that the flat fee agreements do not even mention an hourly rate, which might justify Respondent's approach. (Petitioner's Brief, pg. 10; ODC 22A; ODC 23A; ODC 24A)

Respondent asserts that he entered into flat fee agreement with clients because they could not afford his hourly rate. He notes that typically his flat fee agreements contain language that indicate the fees are 'earned when paid'. "*I've also sent fee agreements, many before this and many after, all of which included the earned-when-paid language. And ODC has had them, and they've never charged me with any of those things.*" (N.T. Vol. II, pg. 159/1-7) He also claimed, without dispute, that with other flat fee arrangements that contained that language, he immediately accepts the payment as an earned fee, and deposits it in his operating account.

Respondent asserts that his fixed fee agreement is not an advanced fee. He asserts that there is a distinction between an advanced fee, which he refers to as a 'retainer' and his fixed fee agreements. "*I don't use the word "retainer." To me, a retainer is something that you deposit until you earn it in IOLTA.*" (N.T. Vol. II, Pg. 168/19-22) "*I distinguish between flat fee and retainers. Whether that's appropriate, I'll leave for you to decide. What I'm trying to communicate when I say flat fee is one payment. You'll never pay me more, as I say in many of my fee letters.*" (N.T. Vol. II, pg. 169/1-8)

Respondent determined that the fees had been earned because at his customary hourly rate he had already devoted sufficient time to his client's matters to warrant the fees.

*To me, the earned-when-paid language is not essential to my defense. To me, I don't think any of my clients even know what that means. But, to me, it wouldn't matter if it said earned when paid or not. To me, the money is earned once, at my hourly rate, I've done work that I promised to do, even if there's more work that I promised to do still to be done.* (N. T. Vol. II, pg. 160/10-22)

Respondent contends that although the three (3) fee agreements in question did not contain the "earned when paid" clause, the same principle should still apply. *"To me, the money is earned once, at my hourly rate, I've done work that I promised to do, even if there's more work that I promised to do still to be done."* (N.T. Vol. II, pg. 160/18-22) He asserts he had devoted enough time to each of the client matters in question to warrant the acceptance of the fee although some service might still be outstanding.

Respondent also correctly claims that in each matter questioned by the ODC, all of the services were timely provided and not one of the clients has complained about the amount of the fee, the services provided or the timing of the payment. (Respondent's Brief, pp. 19-20) Respondent asserts that the ODC did not produce testimony from even one of the clients who claimed they did not give their informed consent, which Respondent argues, only the client can provide and which cannot be inferred. (Respondent's Brief, pg. 20) Respondent claims the absence of such testimony "must lead to an adverse inference" against Petitioner. (Respondent's Brief, pg. 20)

It is without question that on at least three (3) occasions Respondent entered into "fixed fee" agreements with clients in which he agreed to perform a defined scope of services. In each of those cases, Respondent received the "fixed fee" from the client, and deposited the fee in his operating account, despite the fact that *all* of the services for which he was hired were not performed. It is also undisputed that he had performed *some* of the services for which he had been hired. And, according to the Respondent when he deposited the fees in his operating account he had performed services that, on an hourly basis, equaled or exceeded the fee he was paid. No client has complained about Respondent's handling of the fee. There is no evidence that Respondent failed to perform all the services he was hired to perform. No client has alleged that they were deceived, or that the fee was excessive. There is also an issue regarding the terminology used to identify the fee. At various times it is referred to as a fixed fee, and on occasion a flat fee, or a one-time fee. The ODC referred to it as an "advanced fee". The ODC also asserts that the clients did not give their written informed consent, and while there is no writing to indicate an informed consent to handle the fees in a certain manner, there is also no evidence to indicate that the fees were not handled as anticipated by the clients.

The concern of the ODC is evident – that an attorney could deposit a flat fee into his/her operating account, and then fail to perform the agreed upon services. That did not occur in this case, but the potential for abuse should be obvious. But it is not clear from the testimony that this was a fixed fee, a flat fee or an advanced fee. The circumstances are somewhat muddled by the fact that for other clients, whose fee arrangements differ only because the agreement says “paid when earned”, Respondent routinely deposited fees of this nature in his operating account and those arrangements have not been challenged by the ODC.

No client has testified that they objected to the fee being deposited in the operating account before all the services were completed. Perhaps, more importantly, there is no testimony that this approach contradicted the clients understanding or expectations.

### **Unauthorized Practice of Law while Administratively Suspended**

The ODC contends that the Respondent’s unauthorized practice of law demonstrated his unrelenting disregard for his fiduciary obligations and warrants a lengthy suspension. Respondent failed to file a Statement of Compliance within ten (10) days after the suspension was effective in violation of Pa. R.D.E. 217(e)(1). (ODC-1 at 99; ODC 25) Further, the ODC contends that when Respondent submitted his Administrative Change in Status form, it inaccurately stated that he was familiar with and compliant with Rule 1.15 and inaccurately certified that he had fully complied with Pa. R.D.E. 217. (ODC-1 at 103-106; ODC 33; ODC 35)

The ODC established that while administratively suspended Respondent undertook the representation of twenty-nine (29) clients (ODC-1 at 132)

Respondent concedes he “is guilty of the unauthorized practice of law between October 4, 2016 and December 16, 2016.” (ODC-1 at 133-243; Respondent Brief, pg. 42). He contends that he did not knowingly and consciously engage in same from the outset, claiming that the October 4, 2016 letter was sent certified mail to his “virtual” office, and the letter was signed for by someone not authorized to do so. *“On the unauthorized practice of law, I did not consciously do that.”* (N. T. Vol. II, pg. 190/15) *“There was a certified mail that came to -- at that point, I was using a virtual office after I moved home, so I could have a professional office.”* (N.T., Vol. II, Pg. 150/20-24). *“...but I expressly told them, you're not authorized to accept certified mail on my behalf. That's a special feature that you have to elect into, and I told them, don't, and I signed the paperwork.”* (N.T., Vol. II, pg. 151/7-13) *“I don't remember getting the notice in October of 2016 that was signed for by someone at my virtual office saying that I was administratively suspended...”* (N.T., Vol. II, pg. 151/19-24) And, he contends, that person failed to send him the correspondence.

He also claims that upon learning of the Administrative Suspension he ceased all practice, advised his clients, deleted all references to his practice on social media sites, and ceased contact with all his clients except to advise of his error and discuss transfer of counsel.

*"On December 16th, I got an e-mail from Rufus Jennings, a lawyer in another matter, saying, do you know you're administratively suspended. Well, I didn't. I shut down my practice. I removed all traces of myself from the Internet. I shut down my blog. I shut down my Twitter. I shut down my LinkedIn. I shut down my website. I shut down my Google. I shut down my Facebook. And I shut down my YouTubes. I wrote to every court that I was appearing in front of and advised them that I was administratively suspended."*

*(N.T., Vol II, pp. 191/24-192/17)*

It was during this time frame, however, that he had his wife - someone not licensed to practice law - parrot advice to Mrs. Rexroth on soliciting assistance from her physician for her Social Security application. (ODC 37A, at 4; ODC 37B at 3-4)

Respondent admits that he practiced law, and represented 29 clients during a period of Administrative Suspension. The suspension has its genesis in his failure to pay his annual registration fee. He acknowledges that he knew he had to pay the fee. He offers no logical explanation for failing to pay the fee. The notice of his Administrative Suspension was sent by certified mail to the office of record which he had provided the Attorney Registrar. His claim that he was not aware he was suspended until December 16, 2016 because the letter was mailed to the address he provided fails to resonate. If the office was a "virtual office" as he claims, measures should have been in place to make certain that mailed sent to that address was obtained.

Further, during the period of Administrative Suspension, Respondent knowingly engaged in representing or advising clients. The most egregious of these efforts occurred when he coached his wife, who is not a licensed attorney, to counsel a client, Mrs. Rexroth, who was seeking advice on how to gain her physician's assistance to help her obtain disability benefits. It is disingenuous to contend once he realized he was suspended that he took all steps to shut down his practice, but then surreptitiously he used his wife to parrot legal advice to a client. This behavior suggests that he did not respect or appreciate that the suspension was significant and that he needed to complete all steps to become active before he could represent clients.

### **Criminal (DUI) Conviction**

The ODC asserts that Respondent's failure to report that he pled guilty to driving under the influence, despite his clear obligation to do so, was another example of Respondent's failure to understand the full array of his professional responsibilities, or someone who has no interest in understanding them. *"An Attorney who is incapable of understanding such a wide array of his professional obligations, or, perhaps more likely, who has no interest in understanding such professional obligations, presents a genuine threat to the public."* (Petitioner's Brief, pg. 18) This behavior, the ODC contends, echoes his failure to understand his fiduciary obligations.

Respondent admits he did not report his DUI conviction of 2003. He does assert that the firm he worked for was aware (N.T., Vol. II, pg. pg. 198/7) and the managing partner of the firm

he was then working with, High Swartz, was placed on notice. (N.T., Vol. II, pg. 198/13) He further contends that the managing partner authored a letter to the Chester County District Attorney's office espousing Respondent's qualities and character. (N.T., Vol. II, 198/14; Respondent exh. 27) Respondent claims he did not knowingly fail to report the conviction, he simply didn't believe it needed to be reported. The understanding at the time, which has proved to be incorrect, was that it did not need to be reported. (N.T., Vol. II, pg. 198/16-19; (Respondents Brief, pg. 50).

Respondent failed to report the DUI conviction - which is not contested. And he should have. However, it was a conviction that was over a decade old when the recent violations came to light. There appears to be no evidence that Respondent tried to hide it. It was disclosed to the firm he worked for and it has been a matter of public record. Furthermore, there is no evidence that there is any connection between the DUI conviction and any of the conduct or behavior which is now under scrutiny. Nevertheless, it is a transgression for consideration when determining if Respondent appreciates his professional obligations, and whether he is able to adhere to them going forward.

### **Aggravating Factors**

The Office of Disciplinary Counsel seeks a suspension of one year and one day. It cites to the admitted practice of misusing the IOLTA account, on multiple occasions. The misuse continued after Respondent was notified of the transgressions and despite the ODC's scrutiny of his handling of his fiduciary duties. (ODC-1 at 6, 10, 12, 53, 57, 62)

Respondent has violated a number of Rules of Professional Conduct and Rules of Disciplinary Enforcement. The most serious transgressions involve the failure to manage and use his IOLTA account properly. The record suggests that the transgressions began in 2016 during a period of personal tumult involving Respondent and his then ill spouse. He alleges that her illness and subsequent dependency problems triggered a cascade of improper transactions in which his IOLTA account was used to pay personal expenses. While the initial events may have been a surprise to him because of some subterfuge by his wife, once he became aware of the alleged deception, he took little or no action to prevent it from occurring again. And it happened repeatedly. In fact, there came a point in time where Respondent himself endorsed a withdrawal from his IOLTA account to pay for a personal health insurance bill, which he confesses was wrong. To aggravate the problem, Respondent began to use his IOLTA as a shelter, where he would stash earned fees to shelter them from being used to cover expenses in an overdrawn operating account. This was a deliberate act which he knew was wrong before he engaged in the violation - but which he did nonetheless.

The ODC contends that a prior informal admonition Respondent received on May 11, 2016 for undertaking a representation notwithstanding a conflict is an aggravating factor for consideration. (ODC-39A; ODC-39B) There was a second informal admonition in February 8, 2017 for his failure to maintain the required records and for depositing his own funds into his IOLTA. (ODC-38A; 38B) These admonitions, coupled with the charges herein, "warrants a suspension of sufficient length to compel him to petition for reinstatement and....to demonstrate

both a familiarity with his professional obligations and a willingness and ability to comply with them.” (Petitioner Brief, pp. 22-23)

Additionally, Respondent engaged in the authorized practice of law, engaging nearly thirty (30) clients during his suspension. In support of this position, the ODC cites to Office of Disciplinary Counsel v. Ronald Sklar, 77 DB 2005 (Pa. 2006) in which it was held, “[t]he record supports the fact that Respondent is simply not grasping the concept of separate accounts, nor does he seem aware of his obligation to maintain active attorney status if he wishes to practice law.”

### **Mitigating Factors**

Respondent has apologized for his transgressions (ODC-18D) and expressed what is recognized as genuine remorse for his conduct. “*I hope that I have expressed my sincere acknowledgment of my wrongdoing. I say that first because until you can acknowledge personal responsibility for your wrongdoing, you really can't have remorse.*” (N.T., Vol. II, 276/7-13) He has accepted responsibility for his conduct (ODC -35) and has offered evidence of ameliorative measures taken to prevent their re-occurrence, the most notable example being that of hiring a CPA to manage his IOLTA account. “*So I hired an accountant on May 1st, 2018.*” (N.T., Vol. II, pg. 129/13-14)

Respondent's full cooperation with ODC constitutes a mitigating circumstance. Respondent's repeated expressions of remorse to the Hearing Committee, were deemed sincere and genuine and constitutes a mitigating circumstance. The lack of any complaints from Respondent's past clients constitutes a mitigating circumstance. Two former clients, Ronald Redden and Gina Colamarino, testified to Respondent's reputation. Mr. Redden retained Respondent in May or June, 2019. (N.T., Vol. II, pg. 81/6) Mr. Redden testified that he was told respondent would fight aggressively for him, and “he did”. “He was always responsive. (N.T., Vol. II, pg. 84/13-19) Ms. Colamarino retained Respondent in December 2018 (N.T., Vol. II, pg. 95/8) and testified that Respondents work was impeccable and diligent. “I couldn't have asked for better representation.” (N.T., Vol. II, pg. 99/21)

The lack of any evidence that Respondent embezzled, intended to embezzle, or converted any of the client funds for personal use constitutes a mitigating circumstance. It is noteworthy to recognize that his violations did not involve dishonesty, fraud, or misappropriation. “*MR. WHITE: Mr. Gallagher is not charged with dishonesty in this matter.*” (N.T., Vol. II, pg. 50/6-8)

### **RECOMMENDATION**

After a deliberate and thorough review of the record the Hearing Committee Panel believes that Respondent has the ability to practice law without committing further misconduct. The evidence reveals an attorney who has practiced law for many years, with respected attorneys

and as a member or partner in well-regarded law firms. He was respected by his colleagues and peers, and had proven himself to be a competent attorney in his area of concentration.

The transgressions that serve as the foundation of the disciplinary action began during a period of personal turmoil, which stands as no excuse for their occurrence, but offers insight into their source.

The Hearing Committee Panel recognizes that some of the transgressions were avoidable, and once known, insufficient action was taken to prevent their re-occurrence. More troubling is that some transgressions were deliberate and repeated.

In contrast, Respondent demonstrated a clear understanding of his mistakes. His remorse is genuine. He has taken appropriate measures to prevent these violations from occurring again. There have been no reported violations since May, 2018. The Hearing Committee Panel is acutely mindful of the fact that Respondent did not violate the trust of any of his clients. He did not embezzle client funds. He did not misuse client funds, or fail to provide those funds when it was time to do so. He did not over charge clients, and the evidence would suggest that his fees very often were favorable to his clients. His clients have registered no known complaints about his fees or services, and those that did testify, spoke very favorably of both.

The Hearing Committee Panel has concluded that Respondent is capable of practicing law and avoiding a relapse of his past conduct. But to assure that Respondent does not repeat the same mistakes, the Panel recommends that Respondent be compelled to report to the Office of Disciplinary Counsel on a periodic basis to demonstrate compliance. See, Office of Disciplinary Counsel v. Michael Albert Hanamarian, No. 69 DB 2019

Accordingly, the Hearing Committee Panel recommends the following Discipline:

A Suspension from the Bar of Pennsylvania for a period of one year.

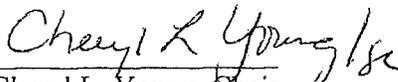
The suspension is stayed in its entirety and Respondent is placed on probation for a period of one year, subject to the following conditions:

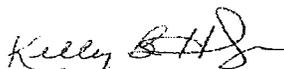
1. Respondent shall continue to maintain the records required by Pa.R.P.C. 1.15(c) for all IOLTA accounts.
2. Respondent shall send those records to the Office of Disciplinary Counsel on a quarterly basis.
3. Respondent shall employ a CPA or other qualified professional, subject to the Office of Disciplinary Counsel's approval, to review Respondent's records and certify the same for accuracy prior to their submission to the Office of Disciplinary Counsel.
4. Respondent will comply with any request by the Office of Disciplinary Counsel for corrected or supplemental records within 20 days of receipt of such a request, without the need for the Office of Disciplinary Counsel to issue a subpoena.

5. Respondent shall maintain all of the required books and records provided by Pa. R.P.C. 2.25(c) in electronic form, which shall be securely backed up and readily available to Respondent, and upon demand, to the Office of Disciplinary Counsel.
6. Respondent shall reply to any request for backup records from the Office of Disciplinary Counsel within twenty (20) days without the need for the Office of Disciplinary Counsel to issue a subpoena.
7. Respondent's probationary term shall not expire until he has provided the Office of Disciplinary Counsel with the required records, and any requested corrected or supplemental records, and the Office of Disciplinary Counsel has determined that the records are sufficient.
8. Any failure by Respondent to comply with the terms of the probation shall result in his immediate transfer to suspension status for the remainder of the one-year term, and he shall be required to file a petition and proceed to a hearing prior to reinstatement.

Respondent shall pay the costs incurred by the Disciplinary Board in the investigation and prosecution of this matter.

Respectfully submitted,

  
Cheryl L. Young, Chair

  
Kelley B. Hodge, Member

  
Allan D. Goulding, Jr., Member

# ATTACHMENT 4

# COURT OF COMMON PLEAS OF CHESTER COUNTY

SECURE DOCKET



Docket Number: CP-15-CR-0004372-2003

**CRIMINAL DOCKET**

Court Case

Commonwealth of Pennsylvania

v.

John Gallagher

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## CASE INFORMATION

Judge Assigned: Sanchez, Juan R.      Date Filed: 09/25/2003      Initiation Date: 09/25/2003  
OTN: H 709942-2      LOTN:      Originating Docket No: MJ-15205-CR-0000198-2003  
Initial Issuing Authority: Chester F. Darlington      Final Issuing Authority: Chester F. Darlington  
Arresting Agency: Malvern Boro Police Dept      Arresting Officer: Affiant  
Complaint/Incident #:  
Case Local Number Type(s)      Case Local Number(s)  
Legacy Docket Number      CR-04372-2003  
Case Reference Number      497300

## STATUS INFORMATION

Case Status: Closed      Status Date: 02/04/2004      Processing Status: Migrated Final Disposition      Arrest Date: 08/16/2003  
Event Track: Standard Court Case      Complaint Date: 08/20/2003

## DEFENDANT INFORMATION

Name: John Gallagher      Hair Color:      Eye Color: Unknown  
Date of Birth: 06/11/1962      Address:  
SSN: 178-58-5669      Address Type Other:  
SID: 141-34-07-7      8 Harvey Lane  
Malvern, PA 19355  
Drivers License No.: 19790903  
Drivers License State: PA  
Fingerprint Status: Unknown  
Alias Name:      Alias SID:      Alias SSN:  
Gallagher, John A.      141-34-07-7      178-58-5669

## CASE PARTICIPANTS

Participant Type	Name
Affiant	Smythe, Ofc. Mark
Defendant	Gallagher, John
Witness for Commonwealth	McMahon, Chief Michael (Confidential)
Witness for Commonwealth	Rerko, Neal (Confidential)
Bail Payor	Gallagher, John
Prosecution	Commonwealth of Pennsylvania

ODC-42

# COURT OF COMMON PLEAS OF CHESTER COUNTY

## SECURE DOCKET



Docket Number: CP-15-CR-0004372-2003

## CRIMINAL DOCKET

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### BAIL INFORMATION

Gallagher, John

Nebbia Status: None

<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Percentage</u>	<u>Amount</u>	<u>Bail Posting Status</u>	<u>Posting Date</u>
<u>Bail Non-Monetary Condition/Condition Text</u>						
Set	09/24/2003	Unsecured		\$2,500.00	Posted	09/24/2003

### CHARGES

<u>Seq.</u>	<u>Orig Seq.</u>	<u>Grade</u>	<u>Statute</u>	<u>Statute Description</u>	<u>Offense Dt.</u>	<u>OTN</u>
1	1	M2	75 § 3731 §§ A1*	Driving Under The Influence Of Alcohol	08/16/2003	H 709942-2
2	2	M2	75 § 3731 §§ A3*	Dr Und The Inf Of Alco & Cont Subs	08/16/2003	H 709942-2
3	3	M2	75 § 3731 §§ A3*	Dr Und The Inf Of Alco & Cont Subs	08/16/2003	H 709942-2
4	4	M2	75 § 3731 §§ A41*	Adult Dr W/Bl Alc Lev .08% Greater 1st Off	08/16/2003	H 709942-2
5	5	S	75 § 3113 §§ A3	Disregard Flashing Walk Signal	08/16/2003	H 709942-2
6	6	S	75 § 3714	Careless Driving	08/16/2003	H 709942-2
7	7	S	75 § 4703 §§ A	Operat Veh W/O Valid Inspect	08/16/2003	H 709942-2
8	8		75 § 1543 §§ B	Drg Lic Sus/Rev Purs To Sec 3731/1547b1	08/16/2003	H 709942-2

### DISPOSITION SENTENCING/PENALTIES

Disposition

<u>Case Event</u>	<u>Disposition Date</u>	<u>Final Disposition</u>	
<u>Sequence/Description</u>	<u>Offense Disposition</u>	<u>Grade</u>	<u>Section</u>
<u>Sentencing Judge</u>	<u>Sentence Date</u>	<u>Credit For Time Served</u>	
<u>Sentence/Diversion Program Type</u>	<u>Incarceration/Diversionary Period</u>	<u>Start Date</u>	
<u>Sentence Conditions</u>			

**Migrated Disposition**

<u>Migrated Dispositional Event</u>	<u>Disposition Date</u>	<u>Final Disposition</u>
Migrated Dispositional Event	09/25/2003	Not Final
1 / Driving Under The Influence Of Alcohol	Waived for Court (Lower Court)	M2 75 § 3731 §§ A1*
2 / Dr Und The Inf Of Alco & Cont Subs	Withdrawn	M2 75 § 3731 §§ A3*
3 / Dr Und The Inf Of Alco & Cont Subs	Withdrawn	M2 75 § 3731 §§ A3*
5 / Disregard Flashing Walk Signal	Waived for Court (Lower Court)	S 75 § 3113 §§ A3
6 / Careless Driving	Waived for Court (Lower Court)	S 75 § 3714
7 / Operat Veh W/O Valid Inspect	Waived for Court (Lower Court)	S 75 § 4703 §§ A
8 / Drg Lic Sus/Rev Purs To Sec 3731/1547b1	Waived for Court (Lower Court)	75 § 1543 §§ B

**Migrated Disposition**

<u>Migrated Dispositional Event</u>	<u>Disposition Date</u>	<u>Final Disposition</u>
Migrated Dispositional Event	02/04/2004	Final Disposition
1 / Driving Under The Influence Of Alcohol	Nolle Prossed	M2 75 § 3731 §§ A1*
2 / Dr Und The Inf Of Alco & Cont Subs	Nolle Prossed	M2 75 § 3731 §§ A3*

CPCMS 9082

Printed: 07/23/2019

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# COURT OF COMMON PLEAS OF CHESTER COUNTY

SECURE DOCKET



Docket Number: CP-15-CR-0004372-2003

**CRIMINAL DOCKET**

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## DISPOSITION SENTENCING/PENALTIES

Disposition

<u>Case Event</u>	<u>Disposition Date</u>	<u>Final Disposition</u>	
<u>Sequence/Description</u>	<u>Offense Disposition</u>	<u>Grade</u>	<u>Section</u>
<u>Sentencing Judge</u>	<u>Sentence Date</u>	<u>Credit For Time Served</u>	
<u>Sentence/Diversion Program Type</u>	<u>Incarceration/Diversionary Period</u>	<u>Start Date</u>	
<u>Sentence Conditions</u>			
3 / Dr Und The Inf Of Alco & Cont Subs	Nolle Prossed	M2	75 § 3731 §§ A3*
4 / Adult Dr W/BI Alc Lev .08% Greater 1st Off	Guilty Plea	M2	75 § 3731 §§ A4I*
Migrated, Judge	02/04/2004		
Financial Assessments			
Probation			
<hr/>			
5 / Disregard Flashing Walk Signal	Nolle Prossed	S	75 § 3113 §§ A3
6 / Careless Driving	Nolle Prossed	S	75 § 3714
7 / Operat Veh W/O Valid Inspect	Nolle Prossed	S	75 § 4703 §§ A
8 / Drg Lic Sus/Rev Purs To Sec 3731/1547b1	Nolle Prossed		75 § 1543 §§ B

### COMMONWEALTH INFORMATION

Name: Ronald C. Yen  
District Attorney

Supreme Court No: 032277

Phone Number(s):  
610-344-6801 (Phone)

Address:  
17 N Church St Ste 218  
PO Box 2748  
West Chester, PA 19380-0991

### ATTORNEY INFORMATION

Name: Vincent P. Difabio  
Private

Supreme Court No: 027550

Rep. Status: Active

Phone Number(s):  
610-647-7500 (Phone)

Address:  
1800 E Lancaster Avenue  
Paoli, PA 19301

Representing: Gallagher, John

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	09/24/2003		Migrated, Filer
0101 - READY ARRAIGN - WAIVED PRELI			
0101 - Ready Arraign-Waived Prelim HearingWaived to Court- by DJ : 25			
<hr/>			
2	09/24/2003		Migrated, Filer
9999 - MISCELLANEOUS			
9999 - MiscellaneousAppearance of Private AttorneyVINCENT P. DIFABIO			

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# COURT OF COMMON PLEAS OF CHESTER COUNTY

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### ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	09/25/2003		Migrated, Filer
Migrated Automatic Registry Entry (			
Migrated Automatic Registry Entry (Disposition) Text			
-----			
2	09/25/2003		Unknown Filer
Migrated Case Initiation Registry E			
Migrated Case Initiation Registry Entry			
-----			
3	09/25/2003		Migrated, Filer
Disposition Filed			
-----			
1	10/08/2003		Migrated, Filer
9999 - MISCELLANEOUS			
9999 - MiscellaneousAppearance of Assistant District AttorneyRONALD C. YEN			
-----			
1	10/16/2003		Migrated, Filer
0102 - READY ARRAIGN - INFORMATION			
0102 - Ready Arraign - Information Filed			
-----			
2	10/16/2003		Migrated, Filer
2004 - READY FOR TRIAL - WAIVED ARR			
2004 - Ready Trial-Waived Arraign-Plead NG			
-----			
1	10/31/2003		Migrated, Filer
9999 - MISCELLANEOUS			
9999 - MiscellaneousSch. for trial on 120103JUAN R. SANCHEZ			
-----			
1	12/04/2003		Migrated, Filer
7000 - CONTINUANCE OF TRIAL - DEFE			
7000 - Continuance of Trial - Defense Req JUDGE: JUAN R. SANCHEZSESSION TO COMMENCE TO THE NEXT			
MISC LIST(NO ORDER GRANTED IN CHAMBERS)			
-----			
2	12/04/2003		Migrated, Filer
7000 - CONTINUANCE OF TRIAL - DEFE			
7000 - Continuance of Trial - Defense Req JUDGE: JUAN R. SANCHEZGRANTED TO SESSION 12-16-03			
-----			

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**COURT OF COMMON PLEAS OF CHESTER COUNTY**

**SECURE DOCKET**



Docket Number: CP-15-CR-0004372-2003

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**ENTRIES**

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	12/12/2003		Migrated, Filer
9999 - MISCELLANEOUS 9999 - MiscellaneousSch. for trial on 010604JUAN R. SANCHEZ			
-----			
1	01/07/2004		Migrated, Filer
3200 - GUILTY PLEA - SENT DEF PENDI 3200 - Guilty Plea - Sent Def Pend IPP App JUDGE: JUAN R. SANCHEZ			
-----			
1	01/15/2004		Migrated, Filer
2014 - IPP ADULT PROBATION DENIED 2014 - IPP Adult Probation Denied			
-----			
1	02/04/2004		Migrated, Filer
Migrated Automatic Registry Entry ( Migrated Automatic Registry Entry (Disposition) Text			
-----			
2	02/04/2004		Migrated, Filer
Disposition Filed			
-----			
3	02/04/2004		Migrated, Filer
Migrated Automatic Registry Entry ( Migrated Automatic Registry Entry (Sentence) Text			
-----			
4	02/04/2004		Migrated, Filer
9000 - INTERMEDIATE PUNISHMENT 9000 - Intermediate Punishment JUDGE: JUAN R. SANCHEZSENT IMPOSED			
-----			
5	02/04/2004		Migrated, Filer
9010 - PROBATION 9010 - Probation JUDGE: JUAN R. SANCHEZIPP SENT CT 4: PROB 1 YR PROB SPV,MIN 10 DAYSÉHC OR UNTIL 50 HRS C/S IS COMPLETED,COAD/SAFEDRIVING,D/A ASSMNT/TRMNT,\$300 FINE & COSTS.OTHERCTD W/D-COSTS ON DEF,LIC SURR,\$70 FLAF,JUDGEWAIVED REQ THAT C/S MUST BE COMPLETED WHILE ONTHE MONITOR & ORDERED THE DEF TO DO SOMETHINGPERTAINING TO "LAW DAY" ACTIVITIES.			
-----			
6	02/04/2004		Migrated, Filer
9990 - PRAECIPE-REDUCTION TO JUDGEM 9990 - Praecipe-Reduction to Judgment FileJUDGMENT ENTEREDPROOF SERVICE FILED			

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COURT OF COMMON PLEAS OF CHESTER COUNTY

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	03/11/2005		Migrated, Filer
9980 - OTHER			
9980 - Other JUDGE: PER CURIAMPROB VIOL PET. WH 3-28-05 AT 10:00AM CCAPO.DEF. NOT. BY 1ST CLASS MAIL.			
1	04/28/2005		Migrated, Filer
9980 - OTHER			
9980 - Other JUDGE: JOHN HALLPET DATED 02-09-05 ALLEGING VIOL OF PROBFOR FAILURE TO COMPLETE SPECIAL CONDSBE DISMISSED & RULE DISCHARGED.			

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	09/29/2005		Migrated, Filer
Sealed Entry			

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# COURT OF COMMON PLEAS OF CHESTER COUNTY

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Docket Number: CP-15-CR-0004372-2003

## CRIMINAL DOCKET

Court Case

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### ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
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SEQ#: 001 TRANS TYPE C TRANS DATE: 02/17/2004 CASID: 0437203  
CHGSLIP#: A0400536 CLK: CRG PO: 525 F&C EXP: 00/00/0000  
CHARGES: PAYTYPE: RECPT#:  
IPP :100.00  
TOTAL FOR THIS TRANSACTION: 100.00 VOID:  
IPP DUE DATE: 02/12/2004 IPP EXP DATE: 02/21/2004  
FOR REMARKS, PLEASE SEE CASE NOTES

SEQ#: 002 TRANS TYPE P TRANS DATE: 07/29/2004 CASID: 0437203  
CHGSLIP#: A0400536 CLK: DC PO: 525 F&C EXP: 00/00/0000  
PAYMENTS: PAYTYPE: CK RECPT#: 0416153  
IPP :-100.00  
TOTAL FOR THIS TRANSACTION: -100.00 VOID:  
IPP DUE DATE: 02/12/2004 IPP EXP DATE: 02/21/2004  
FOR REMARKS, PLEASE SEE CASE NOTES

SEQ#: 001 TRANS TYPE C TRANS DATE: 03/03/2004 CASID: 0437203  
CHGSLIP#: A0400745 CLK: MARTEINSSO PO: 525 F&C EXP: 00/00/0000  
CHARGES: PAYTYPE: RECPT#:  
CLK :75.00 DJ :25.20 A158 :5.00  
DVC :10.00 TWP :150.00 CVC :35.00  
USEST:9.05 03 :150.00 EMS :10.00  
CAT :50.00 JCP :10.00 ST167:7.75  
FLAF :70.00  
TOTAL FOR THIS TRANSACTION: 607.00 VOID:  
FOR REMARKS, PLEASE SEE CASE NOTES

SEQ#: 002 TRANS TYPE A TRANS DATE: 03/03/2004 CASID: 0437203  
CHGSLIP#: A0400745 CLK: M PO: 525 F&C EXP: 02/04/2005  
ADJUSTMENTS: PAYTYPE: RECPT#:  
A198 :100.00  
TOTAL FOR THIS TRANSACTION: 100.00 VOID:  
FOR REMARKS, PLEASE SEE CASE NOTES

SEQ#: 003 TRANS TYPE A TRANS DATE: 05/20/2004 CASID: 0437203  
CHGSLIP#: A0400745 CLK: CAF PO: 525 F&C EXP: 02/04/2005  
ADJUSTMENTS: PAYTYPE: RECPT#:  
SUP :160.00  
TOTAL FOR THIS TRANSACTION: 160.00 VOID:  
SUP DUE DATE: 06/01/2004 SUP EXP DATE: 00/00/0000  
FOR REMARKS, PLEASE SEE CASE NOTES

SEQ#: 004 TRANS TYPE A TRANS DATE: 06/01/2004 CASID: 0437203  
CHGSLIP#: A0400745 CLK: DCIS - AP PO: 525 F&C EXP: 02/04/2005

# COURT OF COMMON PLEAS OF CHESTER COUNTY

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
------------------------	----------------------	----------------------	-----------------

ADJUSTMENTS:                      PAYTYPE:    RECPT#:  
SUP :40.00  
TOTAL FOR THIS TRANSACTION: 40.00                      VOID:  
SUP DUE DATE: 07/01/2004    SUP EXP DATE: 00/00/0000  
FOR REMARKS, PLEASE SEE CASE NOTES

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
2	09/29/2005		Migrated, Filer
Sealed Entry			

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### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
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SEQ#: 005 TRANS TYPE A TRANS DATE: 07/01/2004 CASID: 0437203  
CHGSLIP#: A0400745 CLK: DCIS - AP PO: 525 F&C EXP: 02/04/2005  
ADJUSTMENTS: PAYTYPE: RECPT#:  
SUP :40.00  
TOTAL FOR THIS TRANSACTION: 40.00 VOID:  
SUP DUE DATE: 08/01/2004 SUP EXP DATE: 00/00/0000  
FOR REMARKS, PLEASE SEE CASE NOTES

SEQ#: 006 TRANS TYPE A TRANS DATE: 08/02/2004 CASID: 0437203  
CHGSLIP#: A0400745 CLK: DCIS - AP PO: 525 F&C EXP: 02/04/2005  
ADJUSTMENTS: PAYTYPE: RECPT#:  
SUP :40.00  
TOTAL FOR THIS TRANSACTION: 40.00 VOID:  
SUP DUE DATE: 09/01/2004 SUP EXP DATE: 00/00/0000  
FOR REMARKS, PLEASE SEE CASE NOTES

SEQ#: 007 TRANS TYPE A TRANS DATE: 09/01/2004 CASID: 0437203  
CHGSLIP#: A0400745 CLK: DCIS - AP PO: 525 F&C EXP: 02/04/2005  
ADJUSTMENTS: PAYTYPE: RECPT#:  
SUP :40.00  
TOTAL FOR THIS TRANSACTION: 40.00 VOID:  
SUP DUE DATE: 10/01/2004 SUP EXP DATE: 00/00/0000  
FOR REMARKS, PLEASE SEE CASE NOTES

SEQ#: 008 TRANS TYPE A TRANS DATE: 10/01/2004 CASID: 0437203  
CHGSLIP#: A0400745 CLK: DCIS - AP PO: 525 F&C EXP: 02/04/2005  
ADJUSTMENTS: PAYTYPE: RECPT#:  
SUP :40.00  
TOTAL FOR THIS TRANSACTION: 40.00 VOID:  
SUP DUE DATE: 11/01/2004 SUP EXP DATE: 00/00/0000  
FOR REMARKS, PLEASE SEE CASE NOTES

SEQ#: 009 TRANS TYPE A TRANS DATE: 11/01/2004 CASID: 0437203  
CHGSLIP#: A0400745 CLK: DCIS - AP PO: 525 F&C EXP: 02/04/2005  
ADJUSTMENTS: PAYTYPE: RECPT#:  
SUP :40.00  
TOTAL FOR THIS TRANSACTION: 40.00 VOID:  
SUP DUE DATE: 12/01/2004 SUP EXP DATE: 00/00/0000  
FOR REMARKS, PLEASE SEE CASE NOTES

SEQ#: 010 TRANS TYPE P TRANS DATE: 11/30/2004 CASID: 0437203  
CHGSLIP#: A0400745 CLK: AS PO: 525 F&C EXP: 02/04/2005  
PAYMENTS: PAYTYPE: CK RECPT#: 0425042  
CLK :-75.00 DJ :-25.20 A158 :-5.00

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COURT OF COMMON PLEAS OF CHESTER COUNTY

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Sequence Number	CP Filed Date	Document Date	Filed By
DVC :-10.00	TWP :-150.00	CVC :-35.00	
USEST:-9.05	03 :-150.00	EMS :-10.00	
CAT :-50.00	JCP :-10.00	SUP :-400.00	
ST167:-7.75	FLAF :-70.00	A198 :-100.00	
TOTAL FOR THIS TRANSACTION: -1,107.00		VOID:	
SUP DUE DATE: 12/01/2004 SUP EXP DATE: 00/00/0000			
FOR REMARKS, PLEASE SEE CASE NOTES			

3 09/29/2005 Migrated, Filer

Sealed Entry

SEQ#: 011 TRANS TYPE A TRANS DATE: 12/01/2004 CASID: 0437203  
 CHGSLIP#: A0400745 CLK: DCIS - AP PO: 525 F&C EXP: 02/04/2005  
 ADJUSTMENTS: PAYTYPE: RECPT#:  
 SUP :40.00  
 TOTAL FOR THIS TRANSACTION: 40.00 VOID:  
 SUP DUE DATE: 01/01/2005 SUP EXP DATE: 00/00/0000  
 FOR REMARKS, PLEASE SEE CASE NOTES

SEQ#: 012 TRANS TYPE A TRANS DATE: 01/03/2005 CASID: 0437203  
 CHGSLIP#: A0400745 CLK: DCIS - AP PO: 525 F&C EXP: 02/04/2005  
 ADJUSTMENTS: PAYTYPE: RECPT#:  
 SUP :40.00  
 TOTAL FOR THIS TRANSACTION: 40.00 VOID:  
 SUP DUE DATE: 02/01/2005 SUP EXP DATE: 00/00/0000  
 FOR REMARKS, PLEASE SEE CASE NOTES

SEQ#: 013 TRANS TYPE P TRANS DATE: 03/21/2005 CASID: 0437203  
 CHGSLIP#: A0400745 CLK: AS PO: 525 F&C EXP: 02/04/2005  
 PAYMENTS: PAYTYPE: CK RECPT#: 0506823  
 SUP :-80.00  
 TOTAL FOR THIS TRANSACTION: -80.00 VOID:  
 SUP DUE DATE: 02/01/2005 SUP EXP DATE: 00/00/0000  
 FOR REMARKS, PLEASE SEE CASE NOTES

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COURT OF COMMON PLEAS OF CHESTER COUNTY

SECURE DOCKET



Docket Number: CP-15-CR-0004372-2003

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

Page 13 of 13

v.

John Gallagher

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	02/06/2006		Migrated, Filer
Trial Chronology			
02/06/2006 9999 - Miscellaneous Converted Trial Chronology			
Date: 02/04/2004 Action: CONVCLK Judge: SANCHEZ			
DA: CONVERTED DA Def Atty: CONVERTED DEF ATTY			
Reporter: WHITE Clerk: MCFALLS			
EVENT TYPE: IPP SENTDA: YENDEF ATTY: DIFABIO			
Date: 01/07/2004 Action: CONVCLK Judge: SANCHEZ			
DA: CONVERTED DA Def Atty: CONVERTED DEF ATTY			
Reporter: FORONDA Clerk: LUDWICK			
EVENT TYPE: OGPSENTDEFDA: YENDEF ATTY: DIFABIO			

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

# ATTACHMENT 5

March 2, 2021

**Via First Class Mail**

Marcee D. Sloan, Board Prothonotary  
Disciplinary Board of Supreme Court of Pennsylvania, Executive Office  
601 Commonwealth Avenue, Ste. 5600  
P.O. Box 62625  
Harrisburg, PA 17106-2625

**Re:** *ODC v. Gallagher*  
*2756 Disc. Docket No. 3*  
No. 65 DB 2019  
Atty. ID No. 61914  
(Chester County)

Dear Ms. Sloan:

Enclosed please find my Statement of Compliance, and all attachments thereto.

By way of further identification, there are provided herewith six (6) separate Exhibits, "A" – "F," a total of 317 pages. These Exhibits, each page of which is numbered at the bottom, consist of the following:

- Exhibit "A": Notices of Suspension to Clients and Opposing Counsel *and* Acknowledgements Thereto (PAGES 1-190);
- Exhibit "B": Documents Relating to Cease and Desist from Using All Forms of Communication That Expressly or Implicitly Convey Eligibility to Practice Law (191-225);
- Exhibit "C": Documents Relating to Final Withdrawals from and Closure of IOLTA (226-230A);
- Exhibit "D": Notices of Suspension to Courts in Which I Was Admitted and Administrative Agencies in Front of Whom I Have Appeared With Regularity (231-253);
- Exhibit "E": Documents Relating to Petitions to Withdraw from Pending Matters Where No Substitute Counsel Retained (254-304); and,
- Exhibit "F": Documents Relating to Substitution of Counsel in Pending Matters (305-317).

With regard to my 2020-2021 Attorney License, and my certificates from the Pennsylvania Supreme Court, the Eastern District of Pennsylvania and the Third Circuit Court of Appeal, I am mailing them to you this date under separate cover due to their size. In this connection, I certify that I do not have or cannot locate the following:

- Any Certificates of Good Standing; or,
- Certificates of Admission from either the 6<sup>th</sup> Circuit or the 10<sup>th</sup> Circuit.

Also, I wanted to note for purposes of posterity that I did not receive First-Class and Certified mailings from Supreme Court enclosing Pa.R.D.E 217 instructions, dated January 22, 2021, until February 8 (first class mail) and February 9 (certified mail), respectively. I have attached tracking information on the certified mail and my notation on the first-class mail.

Finally, in a similar vein, each of the aforesaid deliveries included only pages 1, 3 and 5 of the excerpt from the Pa. R.D.E. 217, bearing the date 5/18/19.

I did report all of the above to Melanie from the Court on or about February 19, 2021. During that call, Melanie also advised that, insofar as my suspension date fell on Sunday, February 21, I had to until Monday February 22 to complete my compliance.

Please file as of record and thank You.

Respectfully,

John A. Gallagher

cc: Daniel S. White, Esquire \*  
Thomas J. Farrell, Esquire, Chief Disciplinary Counsel\*

\*One (1) copy sent to Office of Disciplinary Counsel, District Two

STATEMENT OF COMPLIANCE

To: The Disciplinary Board of the Supreme  
Court of Pennsylvania  
601 Commonwealth Avenue, Suite 5600  
PO Box 62625  
Harrisburg, PA 17106-2625

Re: John A. Gallagher  
(Respondent)

2756 Disciplinary Docket No. 3

605 DB 2019

Attorney Registration No. 61914

Pursuant to Rule 217(e) of the Pennsylvania Rules of Disciplinary Enforcement, I hereby certify as follows in connection with my **Disbarment, Suspension for a period exceeding one year, temporary suspension under Rule 208(f) or 213(g) or transfer to disability inactive status under Rule 216 or 301**, by Order of the Supreme Court of Pennsylvania dated 1/22/21:

(1) That I have fully complied with the applicable provisions of Pa.R.D.E. 217 by notifying all clients being represented in pending matters or proceedings; the attorneys for each adverse party in pending litigation or administrative proceedings; all persons or their agents or guardians to whom a fiduciary duty is owed; any other persons with whom I have professional contacts; and all other tribunals, courts, agencies or jurisdictions in which I am admitted to practice.

There are currently no clients or others I need to notify in accordance with Pa.R.D.E. 217(a), (b) and (c).

(2) That the following is a list of all other state, federal and administrative jurisdictions to which I have been admitted to practice:

<u>Pennsylvania</u> ✓	<u>6<sup>th</sup> Circuit [Do Not Have]</u>
<u>Eastern District of PA</u> ✓	<u>10<sup>th</sup> Circuit [Do Not Have]</u>
<u>3<sup>rd</sup> Circuit</u> ✓	

I am not admitted to practice law in any other tribunal, court, agency or jurisdiction.

(3) I have resigned all appointments as personal representative, executor, administrator, guardian, conservator, receiver, trustee, agent under a power of attorney, or other fiduciary position.

I have no such appointments to resign.

(4) I have closed every IOLTA, Trust, client and fiduciary account and I have properly disbursed or otherwise transferred all client and fiduciary funds in my possession, custody or control.

I have no IOLTA, Trust, client or fiduciary accounts to close.

(5) I have taken all necessary steps to cancel or discontinue the next regular publication of all advertisements and telecommunication listings that expressly or implicitly convey my eligibility to practice law in the state courts of Pennsylvania.

I have no applicable advertisements or telecommunication listings.

(6) I have ceased and desisted from using all forms of communication that expressly or implicitly convey eligibility to practice law in the state courts of Pennsylvania, including but not limited to professional titles, letterhead, business cards, signage, websites and references to admission to the Pennsylvania Bar.

(7) I am attaching the most recent PA Attorney's License card I received and am surrendering all certificates of admission and certificates of good-standing in my possession.

I have no such License card and/or certificates in my possession to surrender.

*Do Not have certificates from 6<sup>th</sup> or 10<sup>th</sup> Circuits*

The residence or other address where communications may hereafter be directed to me is as follows:

Name: John A. Gallagher  
(please print)

Address: 8 Harvey Lane  
Malvern PA 19355

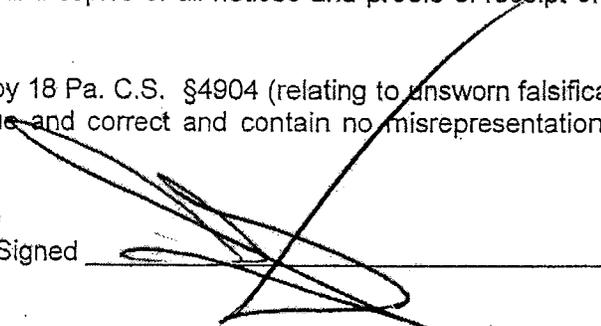
Telephone No. 610-322-4145

I am attaching copies of the notices and proofs of receipt to all those so notified in accordance with Rule 217(a), (b) and (c). I am attaching proof of compliance, including evidence of the destruction, removal or abandonment of indicia of Pennsylvania practice. I am attaching copies of resignation notices, evidence of the closing of accounts, copies of cancelled checks and other instruments demonstrating the proper distribution of client and fiduciary funds, and requests to cancel advertisements and telecommunication listings.

I am serving a conformed copy of this Form and copies of all notices and proofs of receipt on the Office of Disciplinary Counsel.

I hereby certify under the penalties provided by 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities) that the foregoing statements are true and correct and contain no misrepresentations or omissions of material fact.

Date 3/2/21

Signed 

# ATTACHMENT 6



THE DISCIPLINARY BOARD  
OF THE  
SUPREME COURT OF PENNSYLVANIA

Pennsylvania Judicial Center  
601 Commonwealth Avenue, Suite 5600  
PO Box 62625  
Harrisburg, PA 17106-2625  
(717) 231-3380  
[www.padisciplinaryboard.org](http://www.padisciplinaryboard.org)

March 2, 2021

John A. Gallagher  
5 Great Valley Parkway, Ste. 210  
Malvern, PA 19355

RE: No. 65 DB 2019  
Attorney Registration No. 61914

Dear John A. Gallagher:

You have been previously advised of a determination that you receive discipline in connection with the above-mentioned matter. In accordance with Rule 208(g) of the Pennsylvania Rules of Disciplinary Enforcement (Pa.R.D.E.), the expenses incurred in the investigation and processing of the matter, as described in detail on the enclosed Notice of Taxed Expenses, are to be paid by you.

Disposition of Matter:	Suspension
Date of Decision:	1/22/2021
Total Amount Due:	\$5,771.71
Due Date:	4/1/2021

In accordance with Pa.R.D.E. 208(g)(5), failure to pay the total amount due by the due date shall result in the levy of a monthly penalty until all expenses are paid in full.

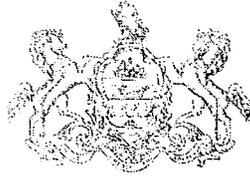
Very truly yours,

Meghan L. Butler  
Finance Coordinator

MLB/  
Enclosure

cc: Daniel S. White, Disciplinary Counsel, District II  
Thomas J. Farrell, Chief Disciplinary Counsel

*Pd \$1,000*



THE DISCIPLINARY BOARD  
OF THE  
SUPREME COURT OF PENNSYLVANIA

Pennsylvania Judicial Center  
601 Commonwealth Avenue, Suite 5600  
PO Box 62625  
Harrisburg, PA 17106-2625  
(717) 231-3380  
[www.padisciplinaryboard.org](http://www.padisciplinaryboard.org)

NOTICE OF TAXED EXPENSES

RE: Office of Disciplinary Counsel  
v. JOHN A. GALLAGHER  
No. 65 DB 2019  
Attorney Registration No. 61914  
(Chester County)

Date of Expense	Description of Expense	Amount
March 27, 2019	Copies <i>Petition for Discipline</i>	43.00
May 13, 2019	Copies <i>Answer to P for D</i>	83.00
July 11, 2019	Transcript <i>6/17/2019</i>	175.00
December 12, 2019	Transcript <i>10/30/2019</i>	289.25
January 7, 2020	Transcript <i>12/4/2019</i>	2,795.45
January 8, 2020	Copies <i>ODC's Brief to HC</i>	65.00
January 21, 2020	Transcript <i>12/3/2019</i>	448.75
February 10, 2020	Copies <i>Respondent's Brief to HC</i>	133.00
May 14, 2020	Copies <i>HC Report</i>	17.00

May 22, 2020	Copies <i>ODC's Brief on Exceptions</i>	39.00
June 22, 2020	Copies <i>Respondent's Amended Brief on Exceptions</i>	13.00
June 23, 2020	Copies <i>ODC's Brief Opposing Exceptions</i>	21.00
January 22, 2021	Administrative Fee	1,500.00
February 16, 2021	Publication <i>Chester County Law Reporter</i>	73.00
February 16, 2021	Publication <i>Daily Local News</i>	76.26

**TOTAL AMOUNT DUE \$ 5,771.71**

Make check or money order payable to: **PA Disciplinary Board**  
*Also accepting major credit cards*

FROM THE DESK OF  
JOHN A. GALLAGHER

8 Harvey Lane Malvern, PA 19355 610-322-4145 [jag@johnagallagher.com](mailto:jag@johnagallagher.com)

April 14, 2021

Re: No. 65 DB 2019  
Attorney Registration: 61914

Dear Ms. Butler:

I write in in response to your letter of March 2, 2021. Notice of Taxed Expenses, concerning payment due of \$5,771.21 due and owing. I am what I can financially, and am enclosing \$1,000 (Check No. 102) as my initial payment on this balance.

I will be doing my best to make regular payments until this balance is paid in full, which I understand I am obligated to do promptly.

Please direct any future communication to me at my home address, listed above and on the attached.

Respectfully,

John A. Gallagher

John A. Gallagher 8 Harvey Ln Malvern, PA 19355 6103224145	61914 65 DB 2019	9/13/21 Date	102 3-7815/360 FRANKFORD
Pay to the Order of	Pennsylvania Supreme Court ONE thousand only	\$ 1,000.00 Dollars	Security Features Details on back
Citizens Bank 12 Chestnut Rd Paoli, PA 19301	1st Amt. - Bal. Due -		
⑆036076150⑆ 63128893201⑆			



THE DISCIPLINARY BOARD  
OF THE

SUPREME COURT OF PENNSYLVANIA

Pennsylvania Judicial Center  
601 Commonwealth Avenue, Suite 5600  
PO Box 62625  
Harrisburg, PA 17106-2625  
Phone: (717) 231-3380 Fax: (717) 231-3381  
[www.padisciplinaryboard.org](http://www.padisciplinaryboard.org)

September 1, 2021

John A. Gallagher  
8 Harvey Ln  
Malvern, PA 19355

RE: No. 65 DB 2019  
Attorney Registration No. 61914

Dear John A. Gallagher:

You have been previously advised that you have an outstanding obligation to the Disciplinary Board of the Supreme Court of Pennsylvania.

This letter is to advise you of the outstanding balance owed:

Previous Balance:	\$4,970.56
Payments (August):	\$0.00
Fees Assessed:	\$38.17
Total Amount Due:	\$5,008.73
Due Date to avoid additional penalty:	9/22/2021

Please remit payment as soon as possible to avoid the assessment of additional penalties.

Very truly yours,

Finance Department  
Disciplinary Board

MLB/  
Enclosure

cc: Daniel S. White, Disciplinary Counsel, District II  
Thomas J. Farrell, Chief Disciplinary Counsel

*Current bill*

# ATTACHMENT 7

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN THE MATTER OF: : MISCELLANEOUS  
: :  
JOHN A. GALLAGHER : NO. 21-mc-0017

ORDER

**AND NOW**, this 13<sup>th</sup> day of April, 2021, respondent having been ordered on March 1, 2021, to show cause, within thirty (30) days, why he should not be **suspended** from the practice of law in this court for a period of one (1) year and one (1) day, effective thirty (30) days from January 22, 2020, and respondent not having answered or requested a hearing, it is hereby

**ORDERED** that respondent is **suspended** from the practice of law in this court for a period of one (1) year and one (1) day, effective thirty (30) days from January 22, 2020, and until further Order of this court.

BY THE COURT:

/s/ Juan R. Sánchez

JUAN R. SÁNCHEZ

Chief Judge

## John Gallagher

---

**From:** CMECF\_No\_Reply@ca3.uscourts.gov  
**Sent:** Wednesday, June 16, 2021 11:03 AM  
**To:** John Gallagher  
**Subject:** 21-8018 In re: John A. Gallagher "Attorney Discipline Final Order"

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing.

### Third Circuit Court of Appeals

#### Notice of Docket Activity

The following transaction was filed on 06/16/2021

**Case Name:** In re: John A. Gallagher  
**Case Number:** 21-8018  
**Document(s):** Document(s)

#### Docket Text:

ORDER (Court) Shwartz, Bibas and Porter, Circuit Judges ORDERED that John A. Gallagher, Esquire, is hereby suspended from the practice of law in this Court for a period of one year and one day, retroactive to January 22, 2021, pursuant to R.A.D.E. 9.1. (MB)

#### Notice will be electronically mailed to:

John A. Gallagher

The following document(s) are associated with this transaction:

**Document Description:** Attorney Discipline Final Order

**Original Filename:** final\_susp\_order\_061621.pdf

#### Electronic Document Stamp:

[STAMP acecfStamp\_ID=1107201326 [Date=06/16/2021] [FileNumber=4832743-0]

[d2f76c7994dcecf255a07de684f71cc9ad3ed9f86af21e0763c56490fc06909c4fbcab45df2243db000a14cead806ff925387b7d6f014afb0ba812266c5ec406]]

**Document Description:** Attorney Discipline Final Order

**Original Filename:** /opt/ACECF/live/forms/MarianneBowers\_218018\_4832743\_AttorneyDisciplineFinalOrder\_355.pdf

#### Electronic Document Stamp:

[STAMP acecfStamp\_ID=1107201326 [Date=06/16/2021] [FileNumber=4832743-1]

[29f38ab56562d5886203f8d862d8333f03b61ee7e3adbc3b8dfe8d07a7719831af094df07b6ac6061a408e499024054dcd28a9ce5e9b4444648a853a0d2d068b]]

**Recipients:**

FILED  
United States Court of Appeals  
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

April 8, 2021

In re: John A. Gallagher

No. 21-801

Christopher M. Wolpert  
Clerk of Court

ORDER

This matter is before the court following expiration of the time period within which attorney John A. Gallagher was allowed to respond to the court's disciplinary show cause order, issued as a result of his suspension from the practice of law in the State of Pennsylvania. The court concludes that Mr. Gallagher should be and is suspended from practicing in this court.

Mr. Gallagher's name shall be stricken from this court's attorney admission roster. Readmission to practice in this court is conditioned upon the filing of an application that (1) demonstrates good cause why Mr. Gallagher should be readmitted, (2) includes evidence showing that Mr. Gallagher has been returned to good standing within the Pennsylvania state court system, and (3) otherwise complies with the applicable provisions of the court's Plan for Attorney Disciplinary Enforcement, which can be found

A. 1700 04/08/21

Text:

Christopher M. Wolpert  
Clerk, U.S. Court of  
Appeals, Tenth Circuit

By

\_\_\_\_\_  
Deputy Clerk

in Addendum III to the Tenth Circuit Rules.

Entered for the Court  
CHRISTOPHER M. WOLPERT, Clerk



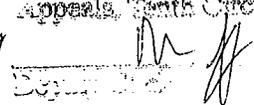
by: Jane K. Castro  
Chief Deputy Clerk

A true copy

Teste

Christopher M. Wolpert  
Clerk, U.S. Court of  
Appeals, Tenth Circuit

By



2

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT  
OFFICE OF THE CLERK**

Byron White United States Courthouse  
1823 Stout Street  
Denver, Colorado 80257  
(303) 844-3157

Christopher M. Wolpert  
Clerk of Court

Jane K. Castro  
Chief Deputy Clerk

April 8, 2021

Re: 21-801, *In re: Gallagher*

A COPY OF THE ATTACHED ORDER HAS BEEN PLACED IN THE UNITED STATES MAIL THIS DATE, ADDRESSED AS FOLLOWS:

John A. Gallagher  
Law Offices of John A. Gallagher  
5 Great Valley Parkway, Suite 210  
Malvern, PA 19355

Kate Barkmen, Clerk  
US District Court for the Eastern District  
of Pennsylvania  
James A. Byrne US Courthouse  
601 Market Street  
Philadelphia, PA 19106

The Disciplinary Board of the Supreme  
Court of Pennsylvania  
Pennsylvania Judicial Center  
601 Commonwealth Avenue, Suite 2700  
Harrisburg, PA 17106

Jeffrey P. Colwell, Clerk  
United States District Court for the  
District of Colorado  
901 19th Street  
Denver, CO 80294

by: Robert Stephens  
Deputy Clerk



## Attorney Status

Last Name: Gallagher

Exact Match

First Name: John

Exact Match

The following information is provided for the benefit of the public and attorney bar members. Though efforts are made to report accurate information, complete accuracy is not guaranteed. Please contact the clerk's office in the event you have any questions or experience any difficulty with the site or its information.

### John A. Gallagher

John A. Gallagher, PC  
5 Great Valley Parkway  
Suite 210  
Malvern, PA 19355-2908

Email: jag@johnagallagher.com

Phone: 610-647-5027

Fax: 610-889-9726

Admission Status: Admin Removal

Date of Admission: 7/11/2018

### John J. Gallagher

Paul, Hastings, Janofsky & Walker  
1299 Pennsylvania Avenue, N.W.  
10th Floor  
Washington, DC 20004-2400

Phone: 202-508-9500

Admission Status: Admin Removal

Date of Admission: 6/1/1974

### John M. Gallagher Jr.

Richard, DiSanti, Hamilton & Gallagher, P.C.  
25 West 2nd Street  
Media, PA 19063

Phone: 215-565-4600

Admission Status: Admin Removal

### John Thomas Gallagher

Hoffmann & Baron  
6900 Jericho Turnpike  
Suite 200  
Syosset, NY 11791

Email: jgallagher@hbiplaw.com

Phone: 516-822-3550

Fax: 516-822-3582

Admission Status: Admin Removal

Date of Admission: 5/11/2006

4 records returned.

To support and fund the Colorado Federal Pro Se Clinic, the District Court for the District of Colorado assessed a fee of \$50 to be paid on a biennial basis (every two years) by all members of the Court's bar admitted prior to October 1 of the biennial fee assessment year. The first biennial fee assessment year was 2018; the next is

# ATTACHMENT 8

[Our menu navigation has changed. Click here to learn more.](#)

# Case Search

? H

If you are searching for appellate court cases, you must choose the 'Appellate' or 'Docket Number' option.

\* Search By: Participant Name ▼ ?

Advanced Search:

Date Filed Start Date: 01/01/1983 (One or more of these fields is required)

Date Filed End Date: 08/17/2021 (One or more of these fields is required)

County: Delaware ▼ (One or more of these fields is required)

\* Participant Last Name: Gallagher

\* Participant First Name: John

Date of Birth: 06/11/1962

Docket Type: Criminal ▼ (One or more of these fields is required)

Case Status: Closed ▼ (One or more of these fields is required)

Case Information

Calendar Events



Docket Number	Court Type	Case Caption	Case Status	Filing Date	Primary Participant(s)	Date Of Birth(s)	County	Court Office	OTN	Complaint #	Incident #
P-23-CR-0002878-1984	Common Pleas	Comm. v. Gallagher, John	Closed	06/02/1984	Gallagher, John	06/11/1962	Delaware	CP-32-23-Crim	B1337092	UNKNOWN	
P-23-CR-0006011-1983	Common Pleas	Comm. v. Gallagher, John	Closed	07/29/1983	Gallagher, John A.	06/11/1962	Delaware	CP-32-23-Crim	B2184711	UNKNOWN	
P-23-CR-0005493-1983	Common Pleas	Comm. v. Gallagher, John	Closed	09/01/1983	Gallagher, John A.	06/11/1962	Delaware	CP-32-23-Crim	B2192035	UNKNOWN	

Additional Info



**Delaware County Court of Common Pleas  
Court Summary**

Gallagher, John  
Malvern, PA 19355  
Aliases:  
John A. Gallagher  
John Gallagher

DOB: 06/11/1962

Sex: Male  
Eyes: Unknown  
Hair:  
Race: White

**Closed**

**Chester**

CP-15-CR-0004372-2003 Proc Status: Migrated Final Disposition DC No: OTN:H 709942-2  
Arrest Dt: 08/16/2003 Disp Date: 02/04/2004 Disp Judge: Migrated, Judge  
Def Atty: Difabio, Vincent P. - (PR)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>	
4	75 § 3731 §§ A41*	M2	Adult Dr W/BI Alc Lev .08% Greater 1st Off	Guilty Plea
	02/04/2004 Probation			

**Delaware**

CP-23-CR-0005493-1983 Proc Status: Migrated Case (Closed) DC No: OTN:B 219203-5  
Arrest Dt: Disp Date: 01/23/1984 Disp Judge: McGovern, C J. Jr.  
Def Atty: Scibello, Albert M. - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>	
1	18 § 903 §§ A1		Criminal Conspiracy Engaging	Guilty Plea
	01/23/1984 Probation			Max: 5 Year(s)
2	18 § 3502 §§ A		Burglary	Guilty Plea
	01/23/1984 Confinement			Min: 3 Month(s) Max: 23 Month(s)

CP-23-CR-0006011-1983 Proc Status: Migrated Case (Closed) DC No: OTN:B 218471-1  
Arrest Dt: 10/19/1983 Disp Date: 01/23/1984 Disp Judge: McGovern, C J. Jr.  
Def Atty: Scibello, Albert M. - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>	
1	18 § 903 §§ A1		Criminal Conspiracy Engaging	Guilty Plea
	01/23/1984 Probation			Max: 4 Year(s)
3	18 § 3502 §§ A		Burglary	Guilty Plea
	01/23/1984 Probation			Max: 4 Year(s)

CP-23-CR-0002878-1984 Proc Status: Migrated Case (Closed) DC No: OTN:B 133709-2  
Arrest Dt: Disp Date: 10/30/1984 Disp Judge: Labrum, Joseph T.  
Def Atty: Nash, Owen W. - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>	

Recent entries made in the court filing offices may not be immediately reflected on the court summary report. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Court Summary Report information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

Please note that if the offense disposition information is blank, this only means that there is not a "final disposition" recorded in the Common Pleas Criminal Court Case Management System for this offense. In such an instance, you must view the public web docket sheet of the case wherein the offense is charged in order to determine what the most up-to-date disposition information is for the offense.



**Delaware County Court of Common Pleas  
Court Summary**

Gallagher, John (Continued)

Closed (Continued)

Delaware (Continued)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>	
1	75 § 3731 §§ A1*	M2	Driving Under The Influence Of Alcohol	Guilty Plea
10/30/1984	Confinement			Min: 2 Day(s) Max: 1 Year(s)

Recent entries made in the court filing offices may not be immediately reflected on the court summary report. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Court Summary Report information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

Please note that if the offense disposition information is blank, this only means that there is not a "final disposition" recorded in the Common Pleas Criminal Court Case Management System for this offense. In such an instance, you must view the public web docket sheet of the case wherein the offense is charged in order to determine what the most up-to-date disposition information is for the offense.

\$50.00 Gallagher, John

58952

DOCKET NO: MJ-15102-TR-0000317-2021

CITATION NO: E 0004557-0

CASE: Comm. v. Gallagher, John

PAYEE: John Gallagher  
8 Harvey Ln  
Malvern, PA 19355

CHECK NO: 58952  
DATE: 05/25/2021  
AMOUNT: \$\*\*\*\*\*50.00  
DISBURSEMENT TYPE: Refund

COMMENTS:

58952

DISTRICT COURT 15-1-02  
1572 PAOLI PIKE  
WEST CHESTER, PA 19380-6123



58952

3-180/360

DATE: 05/25/2021

THIS CHECK VOID AFTER 60 DAYS

Fifty and xx / 100

AMOUNT \$\*\*\*\*\*50.00

PAY TO THE ORDER OF

John Gallagher  
8 Harvey Ln  
Malvern, PA 19355

*[Handwritten Signature]*  
signature



AUTHORIZED SIGNATURE

058952 036001808 128 2123511  
Gallagher DB3 Exhibits 601

COMMONWEALTH OF PENNSYLVANIA

Magisterial District No. 15-1-02  
 1672 PAOLI PIKE  
 WEST CHESTER, PA 19380  
 (610) 430-1966



CITATION NO. E0004567-0

ISSUED 03/02/2021

TRAFFIC CITATION

Defendant's First Name <b>JOHN</b>		Middle Name		Last Name <b>GALLAGHER</b>		Suffix		Race <b>WHITE</b>		State <b>PA</b>		CDL <b>NO</b>	
Defendant's Street Address <b>B HARVEY LANE</b>				City <b>MALVERN</b>		State <b>PA</b>	Zip Code <b>19366</b>	D.O.B. <b>06/11/1962</b>	Ethnicity <b>NON HISPANIC</b>		Primary Phone		2nd Phone
PRIMARY VEHICLE	Veh. Reg. No. <b>LCX1683</b>	Reg. Yr. <b>2022</b>	State <b>PA</b>	Model Yr. <b>2003</b>	Make <b>LEXS</b>	Model <b>LEXS-RX3</b>		Style <b>STATION WAGON - SUV</b>		Color <b>BLACK</b>			
TRAILING UNIT 1	Veh. Reg. No.	Reg. Yr.	State	Make	Style		Color						
TRAILING UNIT 2	Veh. Reg. No.	Reg. Yr.	State	Make	Style		Color						
Owner/Lessor or Carrier <b>GALLAGHER</b>				First Name <b>JOHN</b>		Middle Name		Suffix					
Owner Street Address <b>B HARVEY LANE</b>				City <b>MALVERN</b>		State <b>PA</b>	Zip Code <b>19366</b>						
Charge <b>DRIVING WHILE OPERATING PRIVILEGE IS SUSPENDED OR REVOKED</b>										TITLE 76			
Nature of Offense <b>OPERATION OF VEHICLE WITH SUSPENDED OR REVOKED LICENSE--4TH OFFENSE</b>								67 PA Code	Section <b>1543</b>	Subsection <b>A</b>			
								Ref. 49 CFR	FINE				
Actual Speed MPH	Allowed Speed MPH	Timing Device	Fine Doubled Due To									E.M.S.	<b>\$20.00</b>
Offense Date <b>03/02/2021</b>	Time <b>16:19</b>	Day <b>TUESDAY</b>	Vehicle Weight lbs.	Permitted Weight lbs.	Filed on Info. Rec'd. <b>NO</b>	Lab Serv. Requested <b>NO</b>	SURCHARGE	<b>\$45.00</b>					
Comm. Veh. <b>NO</b>	HazMat <b>NO</b>	Juvenile <b>NO</b>	Parents Notified <b>NO</b>	Accident Rpt. <b>NO</b>	Incident Number <b>P21060316</b>	Weather Conditions <b>NO ADVERSE CONDITIONS</b>	COSTS	<b>\$42.00</b>					
Location <b>100 BLOCK OF POWELTON AVENUE</b>								J.C.P./A.T.J.	<b>\$22.00</b>				
Route <b>S</b>	Dir. of Travel <b>NO</b>	Interstate <b>NO</b>	County <b>CHESTER</b>	Twp-Boro-City <b>MALVERN BORO</b>				Total Due					
Speed Timing Device Operator					Miles Followed	Miles Timed	Secs. Timed	Special Activity <b>NONE</b>					
Stopped By <b>MARKED</b>		Observed By <b>MARKED</b>		Speed Detection Type		Station Equip. Tested		Date Equip. Tested		Speed Equip. Serial No.			
Confidential Information Section													

I verify that the facts set forth in this citation are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities. I certify this filing complies with the UJS Case Records Public Access Policy.

Officer <b>OFF BURY</b>	<b>E-FILED</b>										Officer ID NO. <b>26</b>
THIS CITATION HAS BEEN ISSUED/FILED BY A MEMBER OF THE							<b>MALVERN BOROUGH POLICE</b>			ORI Number <b>PA0150800</b>	Phone Number <b>(610) 847-0281</b>

RIGHTS AND OBLIGATIONS

This citation will be filed with the magisterial district judge whose address appears above.

1. Within ten (10) days of the receipt of this citation, you must:
  - a. PLEAD NOT GUILTY by notifying the proper Magisterial District Judge in writing, signing the appropriate plea below, and by forwarding for collateral an amount equal to the Total Due plus \$9.00 if the offense charged is under the Vehicle Code; or if the Total Due is not specified, by forwarding the sum of \$50.00 as collateral for your appearance at trial.
 

OR
  - b. PLEAD NOT GUILTY by appearing before the proper Magisterial District Judge and posting such collateral for your appearance as the Magisterial District Judge shall require.
 

OR
  - c. Appear before the proper Magisterial District Judge to enter a plea if you cannot afford to pay the Total Due or the \$50.00 collateral.
 

OR
  - d. PLEAD GUILTY by notifying the proper Magisterial District Judge in writing, signing the appropriate plea below, and by forwarding an amount equal to the Total Due as specified, or by making payments online through Pennsylvania's Unified Judicial System web portal. Visit the portal at <http://ujportal.pacourts.us> to make a payment.
 

OR
  - e. PLEAD GUILTY by appearing before the proper Magisterial District Judge if the Total Due is not specified or if you are required to appear because the offense with which you are charged carries a mandatory sentence of imprisonment, for example, a violation of 75 Pa.C.S. § 1543(b) (Driving while operating privilege is suspended or revoked).
2. If you fail to appear for trial, the trial may be held in your absence.
3. If you have been charged with a summary offense under the Vehicle Code, failure to respond within the time specified will result in the suspension of your driver's license, the issuance of a summons or a warrant for your arrest.
4. If you have been charged with a violation of a local ordinance or any parking offense, failure to respond within the time specified above will result in the issuance of a summons.
5. If you plead guilty or are found guilty, points may be assessed against your driver's record. An accumulation of points may result in the suspension of your driving privilege.
6. Your driving privilege WILL BE SUSPENDED if you plead guilty or are found guilty of certain offenses under the Vehicle Code, including but not limited to, 75 Pa.C.S. §§ 1371, 3341, 3345, 3367, 3718, 3733, 3734, 3736, subsequent convictions of 75 Pa.C.S. § 1501, a violation of 75 Pa.C.S. § 3361 when occurring in an active work zone and an accident report is submitted by the police, and a violation of 75 Pa.C.S. § 3362 when occurring in an active work zone.
7. If you are found guilty by the Magisterial District Judge, or you plead guilty, and you wish to appeal, you have THIRTY (30) days to file an appeal for a trial in the Court of Common Pleas.
8. If you are disabled and require a reasonable accommodation to gain access to the magisterial district court and its services, please contact the magisterial district court at the above address or telephone number. We are unable to provide transportation.

Explanation of Terms: E.M.S. - Emergency Medical Services Act  
 SURCHARGE - Funds are distributed pursuant to 75 Pa.C.S. §§ 3345 (J) and 6506  
 J.C.P. / A.T.J. - Judge/Judge in Charge

**Gallagher DB3 Exhibits 602**

# ATTACHMENT 9

# Magisterial District Judge 15-1-02

## DOCKET

Docket Number: MJ-15102-CV-0000268-2018

## Civil Docket



Patrick Bullock  
v.  
John Gallagher

Page 1 of 2

### CASE INFORMATION

<u>Judge Assigned:</u>	Magisterial District Judge Thomas W. Tartaglio	<u>File Date:</u>	09/21/2018
<u>Claim Amount:</u>	\$4,000.00	<u>Case Status:</u>	Closed
<u>Judgment Amount:</u>	\$4,184.50	<u>County:</u>	Chester

### CALENDAR EVENTS

<u>Case Calendar</u>	<u>Schedule</u>			<u>Judge Name</u>	<u>Schedule</u>
<u>Event Type</u>	<u>Start Date</u>	<u>Start Time</u>	<u>Room</u>		<u>Status</u>
Civil Action Hearing	11/02/2018	10:00 am		Magisterial District Judge Thomas W. Tartaglio	Cancelled
Civil Action Hearing	11/20/2018	10:00 am		Magisterial District Judge Thomas W. Tartaglio	Continued
Civil Action Hearing	12/14/2018	10:00 am		Magisterial District Judge Thomas W. Tartaglio	Cancelled
Civil Action Hearing	02/22/2019	10:00 am		Magisterial District Judge Thomas W. Tartaglio	Cancelled
Civil Action Hearing	02/22/2019	10:00 am		Magisterial District Judge Thomas W. Tartaglio	Continued
Civil Action Hearing	04/26/2019	10:00 am		Magisterial District Judge Thomas W. Tartaglio	Scheduled

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Participant Name</u>	<u>Address</u>
Defendant	Gallagher, John	Malvern, PA 19355
Plaintiff	Bullock, Patrick	Norristown, PA 19403

### DISPOSITION SUMMARY

<u>Docket Number</u>	<u>Plaintiff</u>	<u>Defendant</u>	<u>Disposition</u>	<u>Disposition Date</u>
MJ-15102-CV-0000268-2018	Patrick Bullock	John Gallagher	Default Judgment for Plaintiff	04/26/2019

MDJS 1200

Printed: 08/17/2021 2:30 pm

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**Gallagher DB3 Exhibits 604**

# Magisterial District Judge 15-1-02

## DOCKET

Docket Number: MJ-15102-CV-0000268-2018

## Civil Docket



Patrick Bullock  
v.  
John Gallagher

Page 2 of 2

### CIVIL DISPOSITION / JUDGMENT DETAILS

**Disposition Date:** 04/26/2019

**Monthly Rent:** \$0.00

<u>Defendant(s)</u>	<u>Plaintiff(s)</u>	<u>Disposition</u>	<u>Joint/Several Liability</u>	<u>Individual Liability</u>	<u>Net Judgment</u>
John Gallagher	Patrick Bullock	Default Judgment for Plaintiff	\$0.00	\$4,184.50	\$4,184.50

**Judgment Components:**

<u>Type</u>	<u>Amount</u>	<u>Deposit Amount</u>	<u>Adjusted Amount</u>
Civil Judgment	\$4,000.00	\$0.00	\$4,000.00
Costs	\$14.00	\$0.00	\$14.00
Filing Fees	\$128.25	\$0.00	\$128.25
Server Fees	\$42.25	\$0.00	\$42.25

\* Is Joint/Several

### DOCKET ENTRY INFORMATION

<u>Filed Date</u>	<u>Entry</u>	<u>Filer</u>	<u>Applies To</u>
03/03/2020	Certified Judgment to Common Pleas	Patrick Bullock	John Gallagher, Defendant
04/26/2019	Default Judgment for Plaintiff	Magisterial District Court 15-1-02	John Gallagher, Defendant
04/26/2019	Judgment Entered	Magisterial District Court 15-1-02	John Gallagher, Defendant
03/27/2019	Civil Complaint Successfully Served	Magisterial District Court 15-1-02	John Gallagher, Defendant
03/25/2019	Civil Complaint Issued via Hand Delivery	Magisterial District Court 15-1-02	John Gallagher, Defendant
02/22/2019	Certified Civil Complaint Unclaimed	Magisterial District Court 15-1-02	John Gallagher, Defendant
02/22/2019	Certified Civil Action Hearing Notice Unclaimed	Magisterial District Court 15-1-02	John Gallagher, Defendant
01/22/2019	Certified Civil Complaint Issued	Magisterial District Court 15-1-02	John Gallagher, Defendant
01/22/2019	Certified Civil Action Hearing Notice Issued	Magisterial District Court 15-1-02	John Gallagher, Defendant
01/22/2019	Civil Reinstatement	Magisterial District Court 15-1-02	John Gallagher, Defendant
12/10/2018	Civil Complaint Unsuccessfully Served	Magisterial District Court 15-1-02	John Gallagher, Defendant
12/10/2018	Dismissed Without Prejudice	Magisterial District Court 15-1-02	John Gallagher, Defendant
11/14/2018	Civil Complaint Issued via Hand Delivery	Magisterial District Court 15-1-02	John Gallagher, Defendant
10/25/2018	Certified Civil Complaint Undeliverable	Magisterial District Court 15-1-02	John Gallagher, Defendant
09/25/2018	Certified Civil Complaint Issued	Magisterial District Court 15-1-02	John Gallagher, Defendant
09/21/2018	Civil Complaint Filed	Patrick Bullock	

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**John A. Gallagher**

---

**From:** Moore, Aaron E. [AEMoore@MDWCG.com]  
**Sent:** Monday, April 16, 2012 5:47 PM  
**To:** Jennifer Hanlin; John A. Gallagher  
**Cc:** Lefco, Arthur W.; Herrmann, Joanne H.  
**Subject:** Croney v. Gallagher  
**Attachments:** Settlement Agreement Final Version - 2-16-2012.DOCX

John and Jennifer,  
Plaintiffs have approved the proposed agreement. Please sign and return to me by tomorrow if possible.

Thank You,

Aaron

x

**Aaron E. Moore**  
*Attorney at Law*

1845 Walnut Street Philadelphia, PA 19103 Main: (215) 575-2600 Direct: (215) 575-2899 Fax: (215) 575-0856	<ul style="list-style-type: none"><li>▪ <a href="#">website</a></li><li>▪ <a href="#">e-mail</a></li><li>▪ <a href="#">bio</a></li></ul>
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# Magisterial District Judge 15-1-02

## DOCKET

Docket Number: MJ-15102-CV-0000366-2013

## Civil Docket



Capital One Bank (USA) NA  
v.  
John Gallagher

Page 1 of 2

### CASE INFORMATION

<u>Judge Assigned:</u>	Magisterial District Judge Thomas W. Tartaglio	<u>File Date:</u>	08/08/2013
<u>Claim Amount:</u>	\$2,665.34	<u>Case Status:</u>	Closed
<u>Judgment Amount:</u>	\$2,799.32	<u>County:</u>	Chester

### CALENDAR EVENTS

<u>Case Calendar</u>	<u>Schedule</u>	<u>Start Time</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule Status</u>
Civil Action Hearing	09/09/2013	9:00 am			Continued
Civil Action Hearing	11/04/2013	9:00 am		Magisterial District Judge Chester F. Darlington	Scheduled

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Participant Name</u>	<u>Address</u>
Defendant	Gallagher, John	Malvern, PA 19355
Plaintiff	Capital One Bank (USA) NA, Glen Allen	Glen Allen, VA 23060

### DISPOSITION SUMMARY

<u>Docket Number</u>	<u>Plaintiff</u>	<u>Defendant</u>	<u>Disposition</u>	<u>Disposition Date</u>
MJ-15102-CV-0000366-2013	Capital One Bank (USA) NA	John Gallagher	Default Judgment for Plaintiff	11/20/2013

### CIVIL DISPOSITION / JUDGMENT DETAILS

<u>Disposition Date:</u> 11/20/2013		<u>Monthly Rent:</u> \$0.00			
<u>Defendant(s)</u>	<u>Plaintiff(s)</u>	<u>Disposition</u>	<u>Joint/Several Liability</u>	<u>Individual Liability</u>	<u>Net Judgment</u>
John Gallagher	Capital One Bank (USA) NA	Default Judgment for Plaintiff	\$0.00	\$2,799.32	\$2,799.32

#### Judgment Components:

<u>Type</u>	<u>Amount</u>	<u>Deposit Amount</u>	<u>Adjusted Amount</u>
Civil Judgment	\$2,665.34	\$0.00	\$2,665.34
Filing Fees	\$133.98	\$0.00	\$133.98

\* Is Joint/Several

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# Magisterial District Judge 15-1-02

## DOCKET

Docket Number: MJ-15102-CV-0000366-2013

## Civil Docket



Capital One Bank (USA) NA  
v.  
John Gallagher

Page 2 of 2

## ATTORNEY INFORMATION

### Private

Name: Michael F. Ratchford, Esq.

Representing: Capital One Bank (USA) NA, Glen Allen

Counsel Status: Active - Entry of Appearance

Supreme Court No.: 086285

Phone No.: 570-558-5510

Address: Edwin Abrahamsen & Associates, P.C.  
120 North Keyser Ave.  
Scranton, PA 18504

Entry of Appearance Filed Dt: 08/08/2013

Withdrawal of Entry of Appearance Filed Dt:

## DOCKET ENTRY INFORMATION

<u>Filed Date</u>	<u>Entry</u>	<u>Filer</u>	<u>Applies To</u>
11/20/2013	Default Judgment for Plaintiff	Magisterial District Court 15-2-05	John Gallagher, Defendant
11/20/2013	Judgment Entered	Magisterial District Court 15-2-05	John Gallagher, Defendant
08/08/2013	Entry of Appearance Filed	Michael F. Ratchford, Esq.	Capital One Bank (USA) NA, Plaintiff
08/08/2013	Civil Complaint Filed	Capital One Bank (USA) NA	

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A \$5 Convenience fee will be added to the transaction at checkout.

**Case Description**

**Case ID:** 100300375  
**Case Caption:** CRONEY ETAL VS LAW OFFICES OF JOHN A. GALLAGHER, P  
**Filing Date:** Tuesday , March 02nd, 2010  
**Court:** MAJOR JURY-COMPLEX  
**Location:** City Hall  
**Jury:** JURY  
**Case Type:** MALPRACTICE - LEGAL  
**Status:** PRAEC/SETTLE DISCONTINUE END

**Related Cases**

*No related cases were found.*

**Case Event Schedule**

*No case events were found.*

**Case motions**

*No case motions were found.*

**Case Parties**

Seq #	Assoc	Expn Date	Type	Name
1			ATTORNEY FOR PLAINTIFF	SERENI, MARK A
<b>Address:</b>	21 WEST FRONT STREET P.O. BOX 1789 MEDIA PA 19063 (610)565-5700 mas@dioriosereni.com		<b>Aliases:</b>	<i>none</i>
2	1		PLAINTIFF	CRONEY, JAMES K
<b>Address:</b>	500 MULBERRY LANE HAVERFORD PA 19041		<b>Aliases:</b>	<i>none</i>

3	1		PLAINTIFF	CRONEY, KIMBERLY D
<b>Address:</b>	500 MULBERRY LANE HAVERFORD PA 19041	<b>Aliases:</b>	<i>none</i>	
4	8		DEFENDANT	LAW OFFICES OF JOHN A. GALLAGHER, P.C.
<b>Address:</b>	171 WEST LANCASTER AVENUE SUITE 100 PAOLIPA 19301	<b>Aliases:</b>	<i>none</i>	
5	8		DEFENDANT	GALLAGHER, JOHN A
<b>Address:</b>	171 WEST LANCASTER AVENUE SUITE 100 PAOLIPA 19301	<b>Aliases:</b>	<i>none</i>	
6	8		DEFENDANT	HANLIN, JENNIFER J
<b>Address:</b>	171 WEST LANCASTER AVENUE SUITE 100 PAOLIPA 19301	<b>Aliases:</b>	<i>none</i>	
7		31-DEC-2011	TEAM LEADER	TERESHKO, ALLAN L
<b>Address:</b>	1548 FAMILY COURT BLDG 1501 ARCH ST PHILADELPHIA PA 19102	<b>Aliases:</b>	<i>none</i>	
8			ATTORNEY FOR DEFENDANT	LEFCO, ARTHUR W
<b>Address:</b>	MARSHALL DENNEHEY WARNER COLEMAN & GOGGIN 2000 MARKET STREET, STE. 2300 PHILADELPHIA PA 19103 (215)575-2588 awlefc@mdwgc.com	<b>Aliases:</b>	<i>none</i>	

9	8		ATTORNEY FOR DEFENDANT	MOORE, AARON E
<b>Address:</b>	MARSHALL DENNEHEY WARNER COLEMAN & GOGGIN 2000 MARKET ST., SUITE 2300 PHILADELPHIA PA 19103 (215)575-2600 aemoore@mdwgcg.com	<b>Aliases:</b>	none	
10	1		ATTORNEY FOR PLAINTIFF	MIKULA, LISANNE L
<b>Address:</b>	DIORIO & SERENI 21 WEST FRONT STREET MEDIA PA 19063 (610)565-5700 lmikula@dioriosereni.com	<b>Aliases:</b>	none	
11			TEAM LEADER	QUINONES ALEJANDRO, NITZA I
<b>Address:</b>	1417 CRIMINAL JUSTICE CENTER 1301 FILBERT STREET PHILADELPHIA PA 19107 (215)683-7148	<b>Aliases:</b>	none	

### Docket Entries

Filing Date/Time	Docket Type	Filing Party	Disposition Amount	Approval/Entry Date
02-MAR-2010 03:25 PM	ACTIVE CASE			02-MAR-2010 03:35 PM
<b>Docket Entry:</b>	E-Filing Number: 1003004340			
02-MAR-2010 03:25 PM	COMMENCEMENT CIVIL ACTION JURY	SERENI, MARK A		02-MAR-2010 03:35 PM

<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">Final_Cover_CIVIJ_2.pdf</a>			 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>
<b>Docket Entry:</b>	<i>none.</i>			
02-MAR-2010 03:25 PM	PRAE TO ISSUE WRIT OF SUMMONS	SERENI, MARK A		02-MAR-2010 03:35 PM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">WRSUM_3.pdf</a> <a href="#">WRSUM_3_001.pdf</a>			 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>
<b>Docket Entry:</b>	PRAECIPE TO ISSUE WRIT OF SUMMONS FILED. WRIT OF SUMMONS ISSUED.			
02-MAR-2010 03:25 PM	SHERIFF'S SURCHARGE 3 DEFTS	SERENI, MARK A		02-MAR-2010 03:35 PM
<b>Docket Entry:</b>	<i>none.</i>			
02-MAR-2010 03:25 PM	JURY TRIAL PERFECTED	SERENI, MARK A		02-MAR-2010 03:35 PM
<b>Docket Entry:</b>	12 JURORS REQUESTED.			
02-MAR-2010 03:25 PM	WAITING TO LIST CASE MGMT CONF	SERENI, MARK A		02-MAR-2010 03:35 PM
<b>Docket Entry:</b>	<i>none.</i>			
16-MAR-2010 08:48 AM	SHERIFF'S SERVICE	SERENI, MARK A		16-MAR-2010 09:11 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">SHSRV_7.pdf</a>			 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>
<b>Docket Entry:</b>	DEPUTIZED SERVICE OF PLAINTIFF'S WRIT OF SUMMONS UPON JOHN A GALLAGHER BY SHERIFF OF CHESTER COUNTY ON 03/04/0010. (FILED ON BEHALF OF KIMBERLY D CRONEY AND JAMES K CRONEY)			
16-MAR-2010	SHERIFF'S SERVICE	SERENI, MARK		16-MAR-2010

09:44 AM		A		09:44 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">SHSRV_8.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	DEPUTIZED SERVICE OF PLAINTIFF'S WRIT OF SUMMONS UPON LAW OFFICES OF JOHN A. GALLAGHER, P.C. BY SHERIFF OF CHESTER COUNTY ON 03/04/0010. (FILED ON BEHALF OF KIMBERLY D CRONEY AND JAMES K CRONEY)			
16-MAR-2010 09:52 AM	SHERIFF'S SERVICE	SERENI, MARK A		16-MAR-2010 09:53 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">SHSRV_9.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	DEPUTIZED SERVICE OF PLAINTIFF'S WRIT OF SUMMONS UPON JENNIFER J HANLIN BY SHERIFF OF CHESTER COUNTY ON 03/04/0010. (FILED ON BEHALF OF KIMBERLY D CRONEY AND JAMES K CRONEY)			
03-MAY-2010 03:48 PM	LISTED FOR CASE MGMT CONF			03-MAY-2010 03:48 PM
<b>Docket Entry:</b>	<i>none.</i>			
05-MAY-2010 12:31 AM	NOTICE GIVEN			05-MAY-2010 12:31 AM
<b>Docket Entry:</b>	<i>none.</i>			
06-MAY-2010 04:24 PM	ENTRY OF APPEARANCE-CO COUNSEL	LEFCO, ARTHUR W		07-MAY-2010 08:32 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">ENAPC_12.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	ENTRY OF APPEARANCE OF ARTHUR W. LEFCO FILED. (FILED ON BEHALF OF JENNIFER J HANLIN, JOHN A GALLAGHER AND LAW OFFICES OF JOHN A. GALLAGHER, P.C.)			
11-MAY-2010 12:31 AM	NOTICE GIVEN			11-MAY-2010 12:31 AM
<b>Docket Entry:</b>	<i>none.</i>			

02-JUN-2010 11:16 AM	CMCF RESCHEDULED BY COURT	SULLIVAN, JOAN		02-JUN-2010 11:16 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">CMRBC_14.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	<i>none.</i>			
02-JUN-2010 11:16 AM	NOTICE GIVEN UNDER RULE 236			04-JUN-2010 12:34 PM
<b>Docket Entry:</b>	NOTICE GIVEN ON 04-JUN-2010 OF CMCF RESCHEDULED BY COURT ENTERED ON 02-JUN-2010.			
02-JUN-2010 11:17 AM	LISTED FOR CASE MGMT CONF			02-JUN-2010 11:17 AM
<b>Docket Entry:</b>	<i>none.</i>			
02-JUN-2010 11:17 AM	NOTICE GIVEN			02-JUN-2010 11:17 AM
<b>Docket Entry:</b>	<i>none.</i>			
04-JUN-2010 12:31 AM	NOTICE GIVEN			04-JUN-2010 12:31 AM
<b>Docket Entry:</b>	<i>none.</i>			
23-JUN-2010 02:14 PM	COMPLAINT FILED NOTICE GVEN	SERENI, MARK A		23-JUN-2010 03:54 PM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">CMPLT_19.pdf</a> <a href="#">CMPLT_19_001.pdf</a> <a href="#">CMPLT_19_002.pdf</a> <a href="#">CMPLT_19_003.pdf</a> <a href="#">CMPLT_19_004.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	COMPLAINT WITH NOTICE TO DEFEND WITHIN TWENTY (20) DAYS AFTER SERVICE IN ACCORDANCE WITH RULE 1018.1 FILED. (FILED ON BEHALF OF KIMBERLY D CRONEY AND JAMES K CRONEY)			

23-JUN-2010 02:14 PM	JURY TRIAL PERFECTED	SERENI, MARK A		23-JUN-2010 03:54 PM
<b>Docket Entry:</b>	12 JURORS REQUESTED.			
08-JUL-2010 11:25 AM	CASE MGMT CONFERENCE COMPLETED	SALTER, PAUL		08-JUL-2010 11:25 AM
<b>Docket Entry:</b>	<i>none.</i>			
08-JUL-2010 11:25 AM	CASE MANAGEMENT ORDER ISSUED			08-JUL-2010 11:25 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">CMOIS_22.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	<p>CASE MANAGEMENT ORDER COMPLEX TRACK - AND NOW, 08-JUL-2010, it is Ordered that: 1. The case management and time standards adopted for complex track cases shall be applicable to this case and are hereby incorporated into this Order. 2. All discovery on the above matter shall be completed not later than 04-OCT-2011. 3. Plaintiff shall identify and submit curriculum vitae and expert reports of all expert witnesses intended to testify at trial to all other parties not later than 07-NOV-2011. 4. Defendant and any additional defendants shall identify and submit curriculum vitae and expert reports of all expert witnesses intended to testify at trial not later than 05-DEC-2011. 5. All pre-trial motions shall be filed not later than 05-DEC-2011. 6. A settlement conference may be scheduled at any time after 02-JAN-2012. Prior to the settlement conference all counsel shall serve all opposing counsel and file a settlement memorandum containing the following: (a) A concise summary of the nature of the case if plaintiff or of the defense if defendant or additional defendant; (b) A statement by the plaintiff or all damages accumulated, including an itemization of injuries and all special damages claimed by categories and amount;(c) Defendant shall identify all applicable insurance carriers, together with applicable limits of liability. 7. A pre-trial conference will be scheduled any time after 05-MAR-2012. Fifteen days prior to pre-trial conference, all counsel shall serve all opposing counsel and file a pre-trial memorandum containing the following:(a) A concise summary of the nature of the case if plaintiff or the defense if defendant or additional defendant;(b) A list of all witnesses who may be called to testify at trial by name and address. Counsel should expect witnesses not listed to be precluded from testifying at trial;(c) A list of all exhibits the party intends to offer into evidence. All exhibits shall be pre-numbered and shall be exchanged among counsel prior to the conference. Counsel should expect any exhibit not listed to be precluded at trial;(d) Plaintiff shall list an itemization of injuries or damages sustained together with all special damages claimed by category and amount. This list shall include as appropriate, computations of all past lost earnings and future lost earning capacity or medical expenses together with any other unliquidated damages claimed; and (e) Defendant shall state its position regarding damages and shall identify all applicable insurance carriers, together with applicable limits of liability;</p>			

(f) Each counsel shall provide an estimate of the anticipated length of trial. 8. It is expected that the case will be ready for trial 02-APR-2012, and counsel should anticipate trial to begin expeditiously thereafter. 9. All counsel are under a continuing obligation and are hereby ordered to serve a copy of this order upon all unrepresented parties and upon all counsel entering an appearance subsequent to the entry of this order. ...BY THE COURT: ALLAN TERESHKO, J.

08-JUL-2010 11:25 AM	LISTED FOR SETTLEMENT CONF			08-JUL-2010 11:25 AM
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**Docket Entry:** *none.*

08-JUL-2010 11:25 AM	LISTED FOR PRE-TRIAL CONF			08-JUL-2010 11:25 AM
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**Docket Entry:** *none.*

08-JUL-2010 11:25 AM	LISTED FOR TRIAL			08-JUL-2010 11:25 AM
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**Docket Entry:** *none.*

13-JUL-2010 10:08 AM	ENTRY OF APPEARANCE-CO COUNSEL	MOORE, AARON E		13-JUL-2010 10:09 AM
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**Documents:** [Click link\(s\) to preview/purchase the documents](#)  
[ENAPC\\_26.pdf](#)

 [Click HERE to purchase all documents related to this one docket entry](#)

**Docket Entry:** ENTRY OF APPEARANCE OF AARON E. MOORE AS CO-COUNSEL FILED. (FILED ON BEHALF OF JENNIFER J HANLIN, JOHN A GALLAGHER AND LAW OFFICES OF JOHN A. GALLAGHER, P.C.)

02-AUG-2010 03:16 PM	CERTIFICATE OF MERIT	SERENI, MARK A		03-AUG-2010 08:42 AM
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**Documents:** [Click link\(s\) to preview/purchase the documents](#)  
[CRMRT\\_27.pdf](#)

 [Click HERE to purchase all documents related to this one docket entry](#)

**Docket Entry:** CERTIFICATE OF MERIT AS TO DEFENDANTS LAW OFFICES OF JOHN A. GALLAGHER, P.C., JOHN A GALLAGHER AND JENNIFER J HANLIN IS FILED (FILED ON BEHALF OF KIMBERLY D CRONEY AND JAMES K CRONEY)

05-AUG-2010 11:30 AM	AFFIDAVIT OF SERVICE FILED	SERENI, MARK A		05-AUG-2010 11:30 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">AFDVT_28.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	AFFIDAVIT OF SERVICE OF PLAINTIFFS' FIRST SET OF EXPERT INTERROGATORIES UPON ARTHUR W LEFCO AND AARON E MOORE BY CERTIFIED MAIL ON 08/05/2010 FILED. (FILED ON BEHALF OF KIMBERLY D CRONEY AND JAMES K CRONEY)			
11-AUG-2010 11:49 AM	AFFIDAVIT OF SERVICE FILED	SERENI, MARK A		11-AUG-2010 11:51 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">AFDVT_29.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	AFFIDAVIT OF SERVICE OF INTERROGATORIES UPON LAW OFFICES OF JOHN A. GALLAGHER, P.C. BY CERTIFIED MAIL ON 08/11/2010 FILED.			
11-AUG-2010 11:52 AM	AFFIDAVIT OF SERVICE FILED	SERENI, MARK A		11-AUG-2010 12:11 PM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">AFDVT_30.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	AFFIDAVIT OF SERVICE OF PLAINTIFFS' FIRST SET OF INTERROGATORIES UPON JOHN A GALLAGHER BY CERTIFIED MAIL ON 08/11/2010 FILED.			
11-AUG-2010 11:57 AM	AFFIDAVIT OF SERVICE FILED	SERENI, MARK A		11-AUG-2010 12:12 PM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">AFDVT_31.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	AFFIDAVIT OF SERVICE OF PLAINTIFFS' FIRST SET OF INTERROGATORIES UPON JENNIFER J HANLIN BY CERTIFIED MAIL ON 08/11/2010 FILED.			
23-AUG-2010 04:38 PM	ANSWER TO COMPLAINT FILED	MOORE, AARON E		24-AUG-2010 07:38 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">ANCOM_32.pdf</a> <a href="#">ANCOM_32_001.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	ANSWER WITH NEW MATTER TO PLAINTIFF'S COMPLAINT FILED. (FILED ON BEHALF OF JENNIFER J HANLIN, JOHN A GALLAGHER AND LAW OFFICES OF JOHN A. GALLAGHER, P.C.)			

30-AUG-2010 03:16 PM	MOTION TO STAY PROCEEDINGS	MOORE, AARON E		31-AUG-2010 09:55 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">MTSPR_33.pdf</a> <a href="#">MTSPR_33_001.pdf</a> <a href="#">MTSPR_33_002.pdf</a> <a href="#">Motion_CoverSheet_MTSPR_33.pdf</a>			 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>
<b>Docket Entry:</b>	07-10083907 MOTION TO STAY PROCEEDINGS (FILED ON BEHALF OF JENNIFER J HANLIN, JOHN A GALLAGHER AND LAW OFFICES OF JOHN A. GALLAGHER, P.C.)			
31-AUG-2010 10:29 AM	MOTION ASSIGNED			31-AUG-2010 10:29 AM
<b>Docket Entry:</b>	07-10083907 MOTION TO STAY PROCEEDINGS ASSIGNED TO JUDGE: TERESHKO, ALLAN L. ON DATE: AUGUST 31, 2010			
08-SEP-2010 09:41 AM	STAYED BY ORDER OF COURT	TERESHKO, ALLAN L		08-SEP-2010 09:41 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">ORDST_35.pdf</a>			 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>
<b>Docket Entry:</b>	07-10083907 AND NOW, THIS 7TH DAY OF SEPTEMBER, 2010, UPON CONSIDERATION OF DEFENDANTS' MOTION FOR STAY, AND PLAINTIFF'S RESPONSE THERETO, IT IS HEREBY ORDERED AND DECREED THAT THIS MATTER IS STAYED UNTIL THE APPEAL DOCKETED AS SOURCECORP. INC. VS. CRONEY, ET AL., UNITED STATES COURTS OF APPEALS FOR THE THIRD CIRCUIT, NO. 10-1151, HAS BENN DECIDED. BY THE COURT: HON. ALLAN L. TERESHKO, 9-7-2010.			
08-SEP-2010 09:41 AM	NOTICE GIVEN UNDER RULE 236			08-SEP-2010 02:49 PM
<b>Docket Entry:</b>	NOTICE GIVEN ON 08-SEP-2010 OF STAYED BY ORDER OF COURT ENTERED ON 08-SEP-2010.			
08-SEP-2010 09:42 AM	EVENT CANCELLED-CASE DEFERRED	TERESHKO, ALLAN L		08-SEP-2010 09:43 AM
<b>Docket Entry:</b>	SEE ORDER OF SEPTEMBER 7, 2010 UNDER CONTROL NUMBER 10083907 - MOTION TO STAY GRANTED.			
08-SEP-2010	EVENT CANCELLED-CASE	TERESHKO,		08-SEP-2010

09:43 AM	DEFERRED	ALLAN L		09:43 AM
<b>Docket Entry:</b>	<i>none.</i>			
08-SEP-2010 09:43 AM	EVENT CANCELLED-CASE DEFERRED	TERESHKO, ALLAN L		08-SEP-2010 09:43 AM
<b>Docket Entry:</b>	<i>none.</i>			
10-SEP-2010 08:57 AM	REPLY TO NEW MATTER	SERENI, MARK A		10-SEP-2010 08:58 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">RPNMT_40.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	REPLY TO NEW MATTER OF LAW OFFICES OF JOHN A. GALLAGHER, P.C., JOHN A GALLAGHER AND JENNIFER J HANLIN FILED. (FILED ON BEHALF OF KIMBERLY D CRONEY AND JAMES K CRONEY)			
17-MAY-2011 09:21 AM	REMOVED FROM DEFERRED STATUS	TERESHKO, ALLAN L		17-MAY-2011 12:00 AM
<b>Docket Entry:</b>	THIS MATTER IS REMOVED FROM DEFERRES STATUS AND NOW AN ACTIVE MATTER.			
17-MAY-2011 09:22 AM	LISTED FOR SETTLEMENT CONF			17-MAY-2011 09:22 AM
<b>Docket Entry:</b>	<i>none.</i>			
17-MAY-2011 09:22 AM	LISTED FOR PRE-TRIAL CONF			17-MAY-2011 09:22 AM
<b>Docket Entry:</b>	<i>none.</i>			
17-MAY-2011 09:22 AM	LISTED FOR TRIAL			17-MAY-2011 09:22 AM
<b>Docket Entry:</b>	<i>none.</i>			

14-JUN-2011 05:15 PM	ENTRY OF APPEARANCE	MIKULA, LISANNE L		15-JUN-2011 08:44 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">6.14.11 LLM EOA.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	ENTRY OF APPEARANCE OF LISANNE L MIKULA FILED. (FILED ON BEHALF OF KIMBERLY D CRONEY AND JAMES K CRONEY)			
21-JUN-2011 03:56 PM	ORDER ENTERED/236 NOTICE GIVEN	TERESHKO, ALLAN L		21-JUN-2011 12:00 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">ORDER_46.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	<p>AND NOW, THIS 21ST DAY OF JUNE, 2011, THE ABOVE CAPTIONED MATTER IS PLACED IN DEFERRED STATUS FOR A PERIOD ONE HUNDRED TWENTY (120) DAYS, AND SHALL BE LISTED FOR A MANDATORY STATUS CONFERENCE ON OCTOBER 4, 2011 AT 1:00 P.M. ROOM 243, CITY HALL, PHILADELPHIA, PA. FAILURE TO ATTEND BY PLAINTIFF MAY RESULT IN SANCTIONS WHICH CAN INCLUDE A DISMISSAL OF THE ACTION. BY THE COURT: HON. ALLAN L. TERESHKO, 6-21-2011.</p>			
21-JUN-2011 03:56 PM	NOTICE GIVEN UNDER RULE 236			27-JUN-2011 08:37 AM
<b>Docket Entry:</b>	NOTICE GIVEN ON 27-JUN-2011 OF ORDER ENTERED/236 NOTICE GIVEN ENTERED ON 21-JUN-2011.			
21-JUN-2011 04:07 PM	DEFERRED BY MOTION/TRIAL JUDGE	TERESHKO, ALLAN L		21-JUN-2011 04:08 PM
<b>Docket Entry:</b>	SEE ORDER OF JUNE 21, 2011 PLACING THIS MATTER IN DEFERRED STATUS AND SCHEDULING A MANDATORY STATUS CONFERENCE.			
21-JUN-2011 04:08 PM	EVENT CANCELLED-CASE DEFERRED	TERESHKO, ALLAN L		21-JUN-2011 04:08 PM
<b>Docket Entry:</b>	<i>none.</i>			
21-JUN-2011 04:08 PM	EVENT CANCELLED-CASE DEFERRED	TERESHKO, ALLAN L		21-JUN-2011 04:08 PM
<b>Docket Entry:</b>	<i>none.</i>			

21-JUN-2011 04:08 PM	LISTED FOR STATUS CONFERENCE			21-JUN-2011 04:08 PM
<b>Docket Entry:</b>	<i>none.</i>			
23-JUN-2011 12:30 AM	NOTICE GIVEN			23-JUN-2011 12:30 AM
<b>Docket Entry:</b>	<i>none.</i>			
06-OCT-2011 01:28 PM	REMOVED FROM DEFERRED STATUS	TERESHKO, ALLAN L		06-OCT-2011 12:00 AM
<b>Docket Entry:</b>	THIS MATTER IS REMOVED FROM DEFERRED STATUS AND A NEW CASE MANAGEMENT ORDER SHALL BE ISSUED, APPROVED BY THE HONORABLE ALLAN L. TERESHKO.			
06-OCT-2011 01:29 PM	WAITING TO LIST SETTLMNT CONF	TERESHKO, ALLAN L		06-OCT-2011 01:29 PM
<b>Docket Entry:</b>	<i>none.</i>			
06-OCT-2011 01:32 PM	REVISED CASE MGMT ORDER ISSUED			06-OCT-2011 12:00 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">RVCMO_55.pdf</a>		 <b>Click HERE to purchase all documents related to this one docket entry</b>	
<b>Docket Entry:</b>	REVISIED CASE MANAGEMENT ORDER - Be advised that the Case Management Order issued for the above-captioned action has been revised as follows: All discovery shall be completed not later than 06-FEB-2012. Plaintiff shall submit expert reports not later than 05-MAR-2012. Defendant shall submit expert reports not later than 02-APR-2012. All pre-trial motions shall be filed not later than 02-APR-2012. A settlement conference will be scheduled any time after 07-MAY-2012. A pre-trial conference will be scheduled at any time after 02-JUL-2012. It is expected that this case shall be ready for trial by 06-AUG-2012. All other terms and conditions on the original Case Management Order will remain in full force and effect. ...BY THE COURT: ALLAN TERESHKO, J.			
06-OCT-2011 01:32 PM	NOTICE GIVEN UNDER RULE 236			07-OCT-2011 03:09 PM
<b>Docket</b>	NOTICE GIVEN ON 07-OCT-2011 OF REVISED CASE MGMT ORDER ISSUED			

<b>Entry:</b> ENTERED ON 06-OCT-2011.				
06-OCT-2011 01:34 PM	LISTED FOR SETTLEMENT CONF			06-OCT-2011 01:34 PM
<b>Docket Entry:</b>	<i>none.</i>			
06-OCT-2011 01:34 PM	LISTED FOR PRE-TRIAL CONF			06-OCT-2011 01:34 PM
<b>Docket Entry:</b>	<i>none.</i>			
06-OCT-2011 01:34 PM	LISTED FOR TRIAL			06-OCT-2011 01:34 PM
<b>Docket Entry:</b>	<i>none.</i>			
14-OCT-2011 11:32 AM	REVISED CASE MGMT ORDER ISSUED			14-OCT-2011 12:00 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">RVCMO_60.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	REVISIED CASE MANAGEMENT ORDER - Be advised that the Case Management Order issued for the above-captioned action has been revised as follows: All discovery shall be completed not later than 06-MAY-2013. Plaintiff shall submit expert reports not later than 03-JUN-2013. Defendant shall submit expert reports not later than 01-JUL-2013. All pre-trial motions shall be filed not later than 01-JUL-2013. A settlement conference will be scheduled any time after 05-AUG-2013. A pre-trial conference will be scheduled at any time after 07-OCT-2013. It is expected that this case shall be ready for trial by 04-NOV-2013. All other terms and conditions on the original Case Management Order will remain in full force and effect. ...BY THE COURT: ALLAN TERESHKO, J.			
14-OCT-2011 11:32 AM	NOTICE GIVEN UNDER RULE 236			14-OCT-2011 03:33 PM
<b>Docket Entry:</b>	NOTICE GIVEN ON 14-OCT-2011 OF REVISED CASE MGMT ORDER ISSUED ENTERED ON 14-OCT-2011.			
14-OCT-2011 11:34 AM	OTHER EVENT CANCELLED	TERESHKO, ALLAN L		14-OCT-2011 11:34 AM

<b>Docket Entry:</b>	<i>none.</i>			
14-OCT-2011 11:34 AM	OTHER EVENT CANCELLED	TERESHKO, ALLAN L		14-OCT-2011 11:34 AM
<b>Docket Entry:</b>	<i>none.</i>			
14-OCT-2011 11:34 AM	WAITING TO LIST SETTLMNT CONF	TERESHKO, ALLAN L		14-OCT-2011 11:37 AM
<b>Docket Entry:</b>	ALL PROJECTED DATES ARE CANCELLED AND A NEW CASE MANAGEMENT ORDER SHALL BE ISSUED FOR THE MAJOR JURY COMPLEX TRACK, APPROVED BY THE HONORABLE ALLAN L. TERESHKO.			
14-OCT-2011 11:37 AM	LISTED FOR SETTLEMENT CONF			14-OCT-2011 11:37 AM
<b>Docket Entry:</b>	<i>none.</i>			
14-OCT-2011 11:37 AM	LISTED FOR PRE-TRIAL CONF			14-OCT-2011 11:37 AM
<b>Docket Entry:</b>	<i>none.</i>			
14-OCT-2011 11:37 AM	LISTED FOR TRIAL			14-OCT-2011 11:37 AM
<b>Docket Entry:</b>	<i>none.</i>			
18-OCT-2011 01:57 PM	DISCOVERY MOTION FILED	MOORE, AARON E		18-OCT-2011 02:23 PM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> Motion to Compel Production of Settlement Agreement.PDF		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	DISCOVERY HEARING REQUEST FILED IN RE: MOTION TO COMPEL REQUEST FOR PRODUCTION. HEARING SCHEDULED FOR: NOVEMBER 01, 2011 AT 09:00 IN ROOM 243 CITY HALL. (FILED ON BEHALF OF LAW OFFICES OF JOHN A. GALLAGHER, P.C., JOHN A GALLAGHER AND JENNIFER J HANLIN)			

20-JAN-2012 01:52 PM	STIPULATION FILED	MOORE, AARON E		23-JAN-2012 08:30 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">Stipulation to file Amended New Matter.PDF</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	STIPULATION TO PERMIT FILING OF AMENDED NEW MATTER FILED. (FILED ON BEHALF OF JENNIFER J HANLIN, JOHN A GALLAGHER AND LAW OFFICES OF JOHN A. GALLAGHER, P.C.)			
07-FEB-2012 10:03 AM	REPLY TO NEW MATTER	SERENI, MARK A		07-FEB-2012 10:11 AM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">2.7.12 Plaintiffs Reply to Defendants Amended New Matter.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	REPLY TO NEW MATTER OF LAW OFFICES OF JOHN A. GALLAGHER, P.C., JOHN A GALLAGHER AND JENNIFER J HANLIN FILED. (FILED ON BEHALF OF KIMBERLY D CRONEY AND JAMES K CRONEY)			
16-FEB-2012 12:53 PM	PRAECIPE-ATTACH VERIFICATION	MIKULA, LISANNE L		16-FEB-2012 01:06 PM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">2.16.12 PRAE TO ATTACH SUB VERIF.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	PRAECIPE TO SUBSTITUTE/ATTACH VERIFICATION FILED. (FILED ON BEHALF OF KIMBERLY D CRONEY AND JAMES K CRONEY)			
17-MAY-2012 02:43 PM	PRAEC/SETTLE DISCONTINUE END	SERENI, MARK A		17-MAY-2012 03:12 PM
<b>Documents:</b>	<a href="#">Click link(s) to preview/purchase the documents</a> <a href="#">5.17.12 Prae to SDE.pdf</a>		 <a href="#">Click HERE to purchase all documents related to this one docket entry</a>	
<b>Docket Entry:</b>	SETTLED VIA S D & E PRAECIPE FILED. (FILED ON BEHALF OF KIMBERLY D CRONEY AND JAMES K CRONEY)			

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# Magisterial District Judge 15-1-01

## DOCKET

Docket Number: MJ-15101-CV-0000020-2015

## Civil Docket



Donna J Schenkel  
v.  
John A Gallagher

Page 1 of 2

### CASE INFORMATION

<u>Judge Assigned:</u>	Magisterial District Judge William D. Kraut	<u>File Date:</u>	02/06/2015
<u>Claim Amount:</u>	\$1,319.43	<u>Case Status:</u>	Closed
<u>Judgment Amount:</u>	\$1,422.93	<u>County:</u>	Chester

### CALENDAR EVENTS

<u>Case Calendar</u>	<u>Schedule</u>			<u>Judge Name</u>	<u>Schedule</u>
<u>Event Type</u>	<u>Start Date</u>	<u>Start Time</u>	<u>Room</u>		<u>Status</u>
Civil Action Hearing	03/16/2015	9:00 am		Magisterial District Judge Mark A. Bruno	Scheduled

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Participant Name</u>	<u>Address</u>
Defendant	Gallagher, John A.	Berwyn, PA 19312
Plaintiff	Schenkel, Donna J.	West Chester, PA 19380

### DISPOSITION SUMMARY

<u>Docket Number</u>	<u>Plaintiff</u>	<u>Defendant</u>	<u>Disposition</u>	<u>Disposition Date</u>
MJ-15101-CV-0000020-2015	Donna J. Schenkel	John A. Gallagher	Default Judgment for Plaintiff	03/16/2015

### CIVIL DISPOSITION / JUDGMENT DETAILS

Disposition Date: 03/16/2015      Monthly Rent: \$0.00

<u>Defendant(s)</u>	<u>Plaintiff(s)</u>	<u>Disposition</u>	<u>Joint/Several Liability</u>	<u>Individual Liability</u>	<u>Net Judgment</u>
John A. Gallagher	Donna J. Schenkel	Default Judgment for Plaintiff	\$0.00	\$1,422.93	\$1,422.93

#### Judgment Components:

<u>Type</u>	<u>Amount</u>	<u>Deposit Amount</u>	<u>Adjusted Amount</u>
Civil Judgment	\$1,319.43	\$0.00	\$1,319.43
Filing Fees	\$103.50	\$0.00	\$103.50

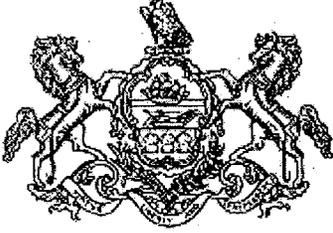
\* Is Joint/Several

# Magisterial District Judge 15-1-01

## DOCKET

Docket Number: MJ-15101-CV-0000020-2015

## Civil Docket



Donna J Schenkel  
v.  
John A Gallagher

Page 2 of 2

### DOCKET ENTRY INFORMATION

<u>Filed Date</u>	<u>Entry</u>	<u>Filer</u>	<u>Applies To</u>
03/17/2020	Judgment Expired	Magisterial District Court 15-1-01	John A. Gallagher, Defendant
11/12/2015	Certified Judgment to Common Pleas	Donna J. Schenkel	John A. Gallagher, Defendant
03/16/2015	Default Judgment for Plaintiff	Magisterial District Court 15-1-01	John A. Gallagher, Defendant
03/16/2015	Judgment Entered	Magisterial District Court 15-1-01	John A. Gallagher, Defendant
02/11/2015	Restricted Certified Civil Complaint Accepted	Magisterial District Court 15-1-01	John A. Gallagher, Defendant
02/11/2015	Restricted Certified Civil Complaint Issued	Magisterial District Court 15-1-01	John A. Gallagher, Defendant
02/06/2015	Civil Complaint Filed	Donna J. Schenkel	

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# Magisterial District Judge 15-1-04

## DOCKET

Docket Number: MJ-15104-CV-0000014-2013

## Civil Docket



Express Enterprises Corp  
v.  
Gallagher Law Group, John Gallagher

Page 1 of 2

### CASE INFORMATION

<u>Judge Assigned:</u>	Magisterial District Judge Marian T. Vito	<u>File Date:</u>	02/06/2013
<u>Claim Amount:</u>	\$1,240.00	<u>Case Status:</u>	Closed
<u>Judgment Amount:</u>	\$1,586.34	<u>County:</u>	Chester

### CALENDAR EVENTS

<u>Case Calendar</u>	<u>Schedule</u>			<u>Judge Name</u>	<u>Schedule</u>
<u>Event Type</u>	<u>Start Date</u>	<u>Start Time</u>	<u>Room</u>		<u>Status</u>
Civil Action Hearing	03/06/2013	8:45 am		Magisterial District Judge Gwenn S. Knapp	Scheduled

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Participant Name</u>	<u>Address</u>
Defendant	Gallagher Law Group, Paoli	Paoli, PA 19301
Defendant	Gallagher, John	Malvern, PA 19355
Plaintiff	Express Enterprises Corp, West Chester	West Chester, PA 19380

### DISPOSITION SUMMARY

<u>Docket Number</u>	<u>Plaintiff</u>	<u>Defendant</u>	<u>Disposition</u>	<u>Disposition Date</u>
MJ-15104-CV-0000014-2013	Express Enterprises Corp	Gallagher Law Group	Default Judgment for Plaintiff	03/13/2013
MJ-15104-CV-0000014-2013	Express Enterprises Corp	John Gallagher	Default Judgment for Plaintiff	03/13/2013

### CIVIL DISPOSITION / JUDGMENT DETAILS

Disposition Date: 03/13/2013      Monthly Rent: \$0.00

<u>Defendant(s)</u>	<u>Plaintiff(s)</u>	<u>Disposition</u>	<u>Joint/Several Liability</u>	<u>Individual Liability</u>	<u>Net Judgment</u>
Gallagher Law Group; John Gallagher	Express Enterprises Corp	Default Judgment for Plaintiff	\$1,586.34	\$0.00	\$1,586.34

#### Judgment Components:

<u>Type</u>	<u>Amount</u>	<u>Deposit Amount</u>	<u>Adjusted Amount</u>
*Civil Judgment	\$1,240.00	\$0.00	\$1,240.00
*Filing Fees	\$89.00	\$0.00	\$89.00
*Costs	\$257.34	\$0.00	\$257.34

\* Is Joint/Several

MDJS 1200

Printed: 08/17/2021 2:32 pm

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**Gallagher DB3 Exhibits 627**

# Magisterial District Judge 15-1-04

## DOCKET

Docket Number: MJ-15104-CV-0000014-2013

## Civil Docket



Express Enterprises Corp  
v.  
Gallagher Law Group, John Gallagher

Page 2 of 2

### DOCKET ENTRY INFORMATION

<u>Filed Date</u>	<u>Entry</u>	<u>Filer</u>	<u>Applies To</u>
08/30/2013	Entry of Satisfaction Entered by Plaintiff	Express Enterprises Corp	Gallagher Law Group, Defendant John Gallagher, Defendant
06/25/2013	Order of Execution Successfully Served	Magisterial District Court 15-1-04	Gallagher Law Group, Defendant
06/25/2013	Order of Execution Successfully Served	Magisterial District Court 15-1-04	John Gallagher, Defendant
06/21/2013	Order of Execution Issued	Magisterial District Court 15-1-04	Gallagher Law Group, Defendant John Gallagher, Defendant
06/05/2013	Order of Execution Requested	Express Enterprises Corp	Gallagher Law Group, Defendant John Gallagher, Defendant
03/13/2013	Default Judgment for Plaintiff	Magisterial District Court 15-1-04	Gallagher Law Group, Defendant
03/13/2013	Default Judgment for Plaintiff	Magisterial District Court 15-1-04	John Gallagher, Defendant
03/13/2013	Judgment Entered	Magisterial District Court 15-1-04	Gallagher Law Group, Defendant
03/13/2013	Judgment Entered	Magisterial District Court 15-1-04	John Gallagher, Defendant
02/15/2013	Restricted Certified Civil Action Hearing Notice Accepted	Magisterial District Court 15-1-04	Gallagher Law Group, Defendant
02/15/2013	Restricted Certified Civil Action Hearing Notice Accepted	Magisterial District Court 15-1-04	John Gallagher, Defendant
02/06/2013	Restricted Certified Civil Action Hearing Notice Issued	Magisterial District Court 15-1-04	Gallagher Law Group, Defendant
02/06/2013	Restricted Certified Civil Action Hearing Notice Issued	Magisterial District Court 15-1-04	John Gallagher, Defendant
02/06/2013	Civil Complaint Filed	Express Enterprises Corp	

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# ATTACHMENT 10

FROM THE DESK OF  
JOHN A. GALLAGHER

8 Harvey Lane Malvern, PA 19355 610-322-4145 [gallagherj796@gmail.com](mailto:gallagherj796@gmail.com)

---

March 30, 2021

Via e-Mail ([Marcee.sloan@pacourts.gov](mailto:Marcee.sloan@pacourts.gov)) and First Class Mail

Marcee D. Sloan, Board Prothonotary  
Disciplinary Board of Supreme Court of Pennsylvania, Executive Office  
601 Commonwealth Avenue, Ste. 5600  
P.O. Box 62625  
Harrisburg, PA 17106-2625

**Re:** *ODC v. Gallagher*  
*2756 Disc. Docket No. 3*  
No. 65 DB 2019  
Atty. ID No. 61914  
(Chester County)

**Registration re: Paralegal Work**

Dear Ms. Sloan:

I am writing to register that on March 15, 2021, I began performing paralegal work on an *ad hoc* basis for Charles D. Mandracchia, Esquire, Pa. Attorney Id. No. 52844. I informed Mr. Mandracchia, and he understands, that I am to have no direct client contact. Mr. Mandracchia supervises all work that I perform.

As per my conversation with you this morning, I am having Mr. Mandracchia sign below.

Please advise if we are required to do anything further in connection with this work. Mr. Mandracchia and I want to make sure that our respective compliance with all rules and regulations is in good order. Thank You.

Respectfully,

John A. Gallagher

Respectfully,

Charles D. Mandracchia, Esquire  
Mandracchia Law, LLC  
2024 Cressman Rd., Box 1229  
Skippack, PA 19474-1229  
Tel. 610-584-0700  
[cman@numattorneys.com](mailto:cman@numattorneys.com)

cc: Charles D. Mandracchia, Esquire (via e-Mail)

# ATTACHMENT 11

# Pennsylvania Bar Institute

## Certificate of Completion

John Gallagher

has successfully completed the following course:

IOLTA Accounts - More Questions & More Answers to the Most Commonly Asked  
Questions 2021 - Webcast

Date of Seminar: March 31, 2021

Sponsored By: Pennsylvania Bar Institute

Certified Completion on March 31, 2021 3:22 PM Eastern Time

1 Ethics Credits

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Investigation Practices in the Wake of #MeToo  
was completed.

Course Number      EMP00  
Member Name        John Gallagher  
Bar Number            61914  
Date of Completion    04/12/2021

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Pennsylvania Judicial Center  
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Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
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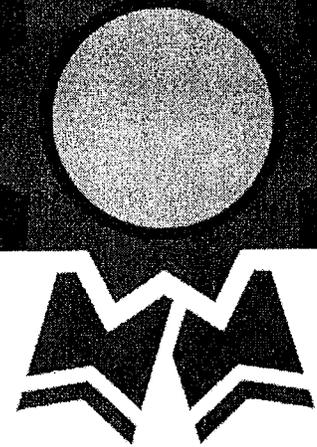
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# Certificate of CLE Program Completion



This certificate certifies that  
Law Practice Marketing: Practical & Ethical  
Considerations  
was completed.

Course Number      ETH00  
Member Name        John Gallagher  
Bar Number          61914  
Date of Completion   04/12/2021

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### CREDITS RECEIVED

#### 2.00 General

Including 1.00 Ethics

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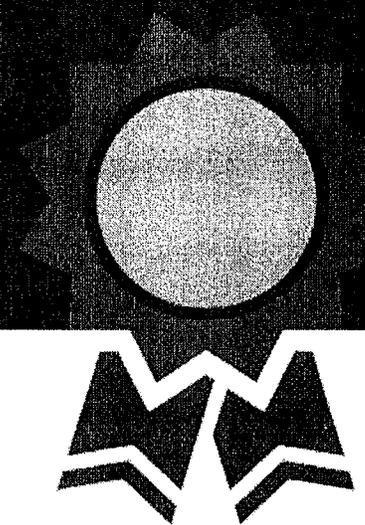
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# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Understanding and Addressing Unconscious Bias at Work  
was completed.

Course Number      ETH00  
Member Name        John Gallagher  
Bar Number          61914  
Date of Completion   04/12/2021

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### 1.00 General

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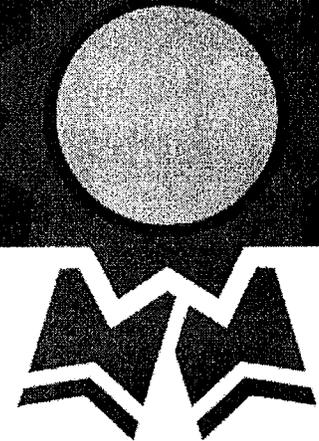
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# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Tax Issues in Employment Claims  
was completed.

Course Number      TAX00  
Member Name        John Gallagher  
Bar Number          61914  
Date of Completion   04/12/2021

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CLE Provider Information: Pennsylvania #6433

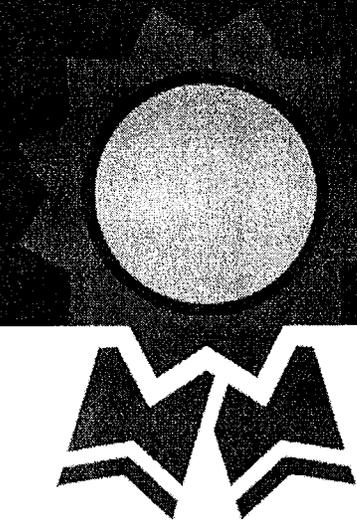
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# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Cell Phone Forensics  
was completed.

Course Number      TRL05  
Member Name        John Gallagher  
Bar Number         61914  
Date of Completion   04/13/2021

### STATE OF ACCREDITATION

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<b>Pennsylvania</b> Pennsylvania Continuing Legal Education Board Pennsylvania Judicial Center 601 Commonwealth Ave., Suite 3400, PO Box 62495 Harrisburg, PA, 17106-2495 TEL: 800-497-2253 FAX: 717-231-3251	<b>1.00 General</b>
--	---------------------

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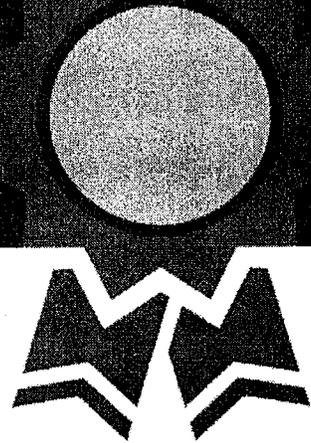
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# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Coronavirus and Your Mental Health: Coping with  
Isolation, Anxiety, and Fear in Uncertain Times  
was completed.

Course Number      ETH00  
Member Name        John Gallagher  
Bar Number          61914  
Date of Completion   04/13/2021

## STATE OF ACCREDITATION

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### 1.00 General

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CLE Provider Information: Pennsylvania #6433

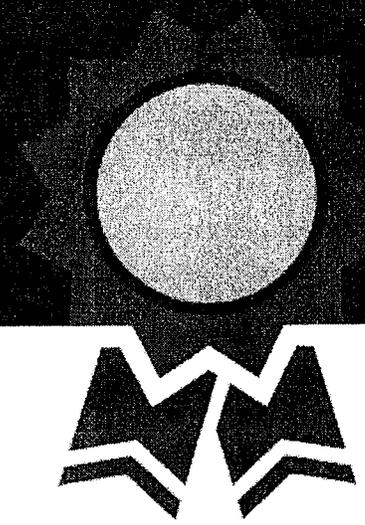
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# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Effective Communication 101: ADA, Rehabilitation Act,  
and the Affordable Care Act  
was completed.

Course Number      TRL05  
Member Name        John Gallagher  
Bar Number          61914  
Date of Completion   04/13/2021

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## CREDITS RECEIVED

1.00 General

CLE Provider Information: Pennsylvania #6433

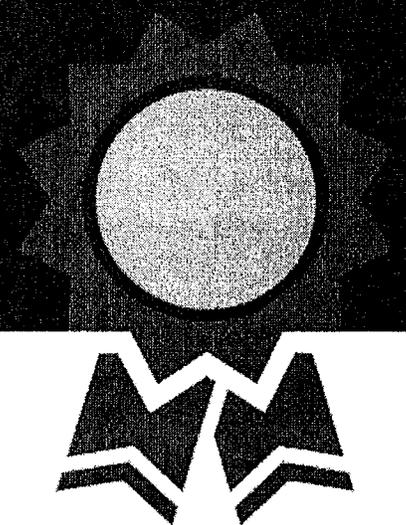
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# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Update on Non-Compete Agreements  
was completed.

Course Number      EMP00

Member Name        John Gallagher

Bar Number          61914

Date of Completion    04/14/2021

## STATE OF ACCREDITATION

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## CREDITS RECEIVED

1.50 General

CLE Provider Information: Pennsylvania #6433

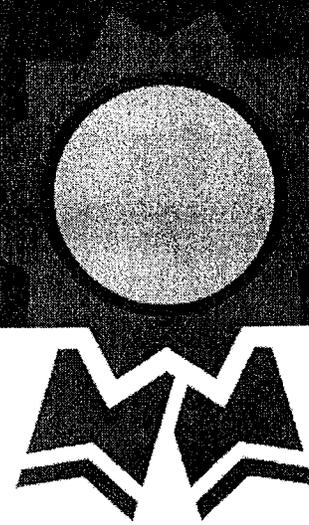
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# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
No One Makes It Out Unscathed: The Effects of Personal  
Trauma and Stress On Our Lives  
was completed.

Course Number     ETH00  
Member Name       John Gallagher  
Bar Number         61914  
Date of Completion   04/14/2021

### STATE OF ACCREDITATION

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### CREDITS RECEIVED

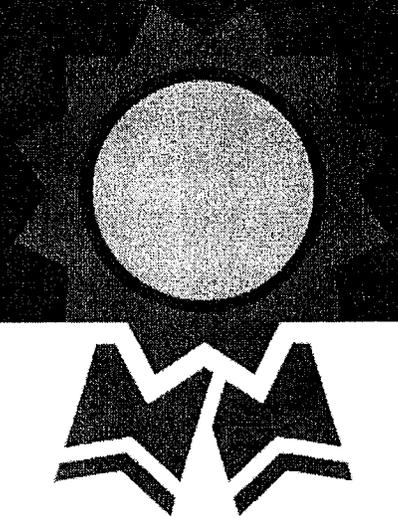
**1.00 General**  
Including 1.00 Ethics

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# LexVidServices Certificate of CLE Program Completion



This certificate certifies that

Everything You Always Wanted to Know About Impaired  
Lawyers ( but were afraid to ask)

was completed.

Course Number      ETH00

Member Name        John Gallagher

Bar Number          61914

Date of Completion   04/14/2021

## STATE OF ACCREDITATION

### Pennsylvania

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## CREDITS RECEIVED

### 1.00 General

Including 1.00 Ethics

CLE Provider Information: Pennsylvania #6433

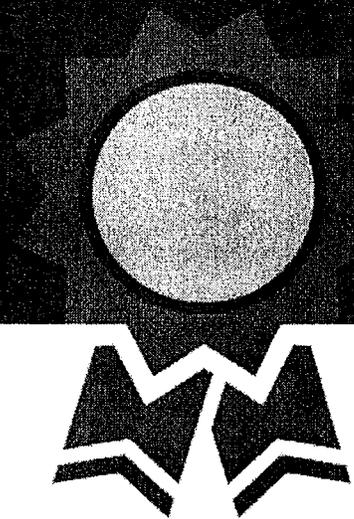
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# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Striving for a (Realistic) Work/Life Balance  
was completed.

Course Number      ETH00

Member Name        John Gallagher

Bar Number          61914

Date of Completion    04/14/2021

## STATE OF ACCREDITATION

### Pennsylvania

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## CREDITS RECEIVED

### 1.00 General

Including 1.00 Ethics

CLE Provider Information: Pennsylvania #6433

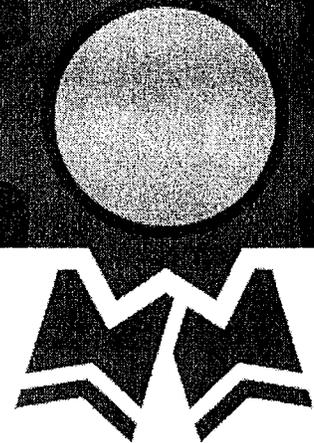
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# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Supreme Court 2019-20 Review: Part 1  
was completed.

Course Number      CON00

Member Name        John Gallagher

Bar Number          61914

Date of Completion    04/14/2021

## STATE OF ACCREDITATION

**Pennsylvania**

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
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FAX: 717-231-3251

## CREDITS RECEIVED

**2.00 General**

CLE Provider Information: Pennsylvania #6433

# LexVidServices

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## LEXVID

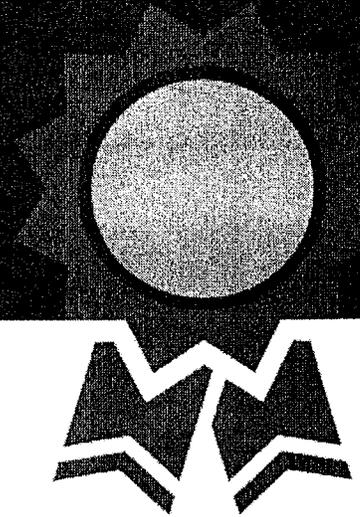
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## LexDirectCLE

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# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Consumer Electronics and the IOT: Digital Evidence  
was completed.

Course Number      TRL05  
Member Name        John Gallagher  
Bar Number          61914  
Date of Completion   04/15/2021

## STATE OF ACCREDITATION

### Pennsylvania

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
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FAX: 717-231-3251

## CREDITS RECEIVED

1.00 General

CLE Provider Information: Pennsylvania #6433

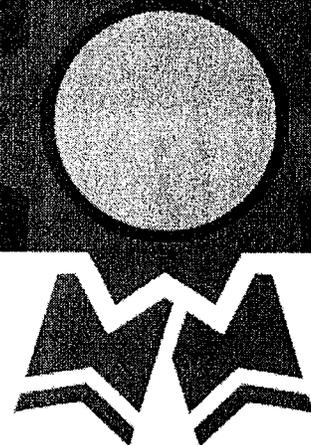
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# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Practical Implications for Title IX Compliance  
was completed.

Course Number      EDU00

Member Name        John Gallagher

Bar Number          61914

Date of Completion    04/15/2021

## STATE OF ACCREDITATION

### Pennsylvania

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Pennsylvania Judicial Center  
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FAX: 717-231-3251

## CREDITS RECEIVED

1.50 General

CLE Provider Information: Pennsylvania #6433

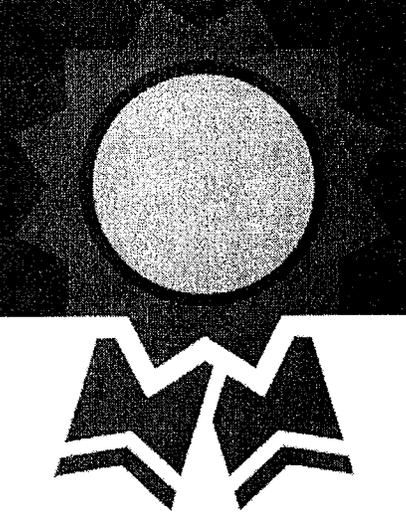
# LexVidServices

San Diego, CA | info@lexvidservices.com | 877.327.1226

LEXVID  
lexvid.com

 LexDirectCLE  
lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Gambling: The "Secret" Addiction  
was completed.

Course Number      ETH00  
Member Name        John Gallagher  
Bar Number          61914  
Date of Completion    04/15/2021

### STATE OF ACCREDITATION

### CREDITS RECEIVED

#### Pennsylvania

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

#### 1.00 General

Including 1.00 Ethics

CLE Provider Information: Pennsylvania #6433

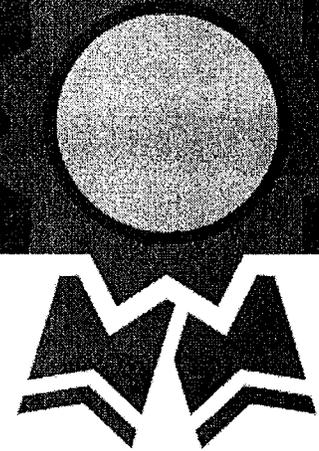
## LexVidServices

San Diego, CA | info@lexvidservices.com | 877.327.1226

LEXVID  
lexvid.com

 LexDirectCLE  
lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Authentication of Handwriting  
was completed.

Course Number      TRL05  
Member Name        John Gallagher  
Bar Number           61914  
Date of Completion   04/15/2021

## STATE OF ACCREDITATION

### Pennsylvania

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

## CREDITS RECEIVED

1.00 General

CLE Provider Information: Pennsylvania #6433

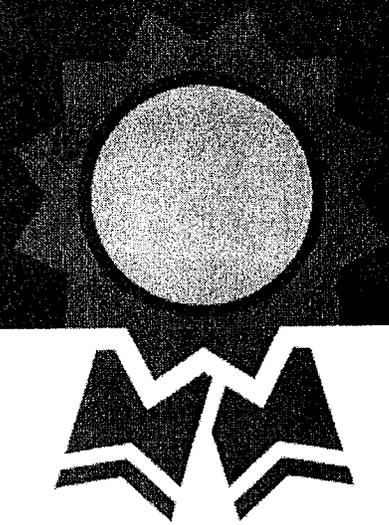
**LexVidServices**

San Diego, CA | info@lexvidservices.com | 877.327.1226

LEXVID  
lexvid.com

 LexDirectCLE  
lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Understanding Asset Protection Tools and Planning  
was completed.

Course Number      TWE05  
Member Name        John Gallagher  
Bar Number         61914  
Date of Completion   04/15/2021

## STATE OF ACCREDITATION

### Pennsylvania

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

## CREDITS RECEIVED

1.00 General

CLE Provider Information: Pennsylvania #6433

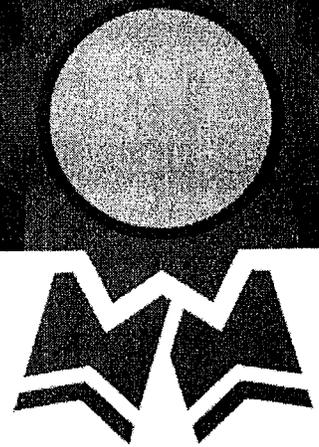
# LexVidServices

San Diego, CA | info@lexvidservices.com | 877.327.1226

LEXVID  
lexvid.com

 LexDirectCLE  
lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Legal Considerations When Assisting a Client Form a  
Business  
was completed.

Course Number      BUS00  
Member Name        John Gallagher  
Bar Number          61914  
Date of Completion   04/15/2021

## STATE OF ACCREDITATION

### Pennsylvania

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

## CREDITS RECEIVED

1.00 General (Distance Learning)

CLE Provider Information: Pennsylvania #6433

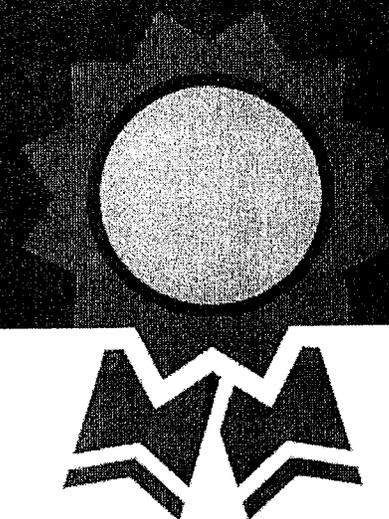
# LexVidServices

San Diego, CA | info@lexvidservices.com | 577.327.1226

LEXVID  
lexvid.com

 LexDirectCLE  
lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
The Ethics of Multijurisdictional Practice  
was completed.

Course Number      ETH00  
Member Name        John Gallagher  
Bar Number          61914  
Date of Completion   04/16/2021

## STATE OF ACCREDITATION

### Pennsylvania

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

## CREDITS RECEIVED

### 1.00 General

Including 1.00 Ethics

CLE Provider Information: Pennsylvania #6433

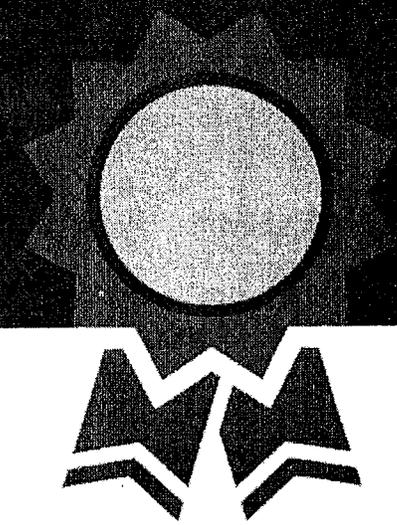
# LexVidServices

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lexvid.com

 LexDirectCLE  
lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Motion Practice in Civil Litigation: Drafting & Advocacy -  
Part II  
was completed.

Course Number      TRL00  
Member Name        John Gallagher  
Bar Number          61914  
Date of Completion   04/16/2021

### STATE OF ACCREDITATION

**Pennsylvania**  
Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

### CREDITS RECEIVED

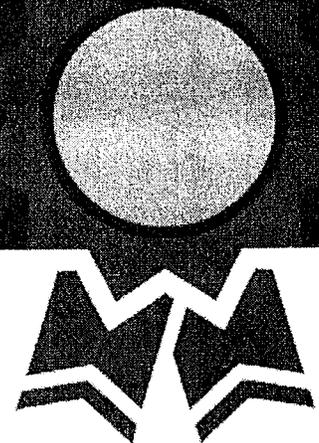
**1.00 General**

CLE Provider Information: Pennsylvania #6433  
**LexVidServices**  
San Diego, CA | info@lexvidservices.com | 877.327.1226

**LEXVID**  
lexvid.com

 **LexDirectCLE**  
lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that

Recognizing and Addressing "Bro Culture" and Other  
Barriers to Gender Inclusion in the Legal Industry  
was completed.

Course Number      ETH00

Member Name        John Gallagher

Bar Number          61914

Date of Completion    04/16/2021

## STATE OF ACCREDITATION

### Pennsylvania

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

## CREDITS RECEIVED

### 1.00 General

Including 1.00 Ethics

CLE Provider Information: Pennsylvania #6433

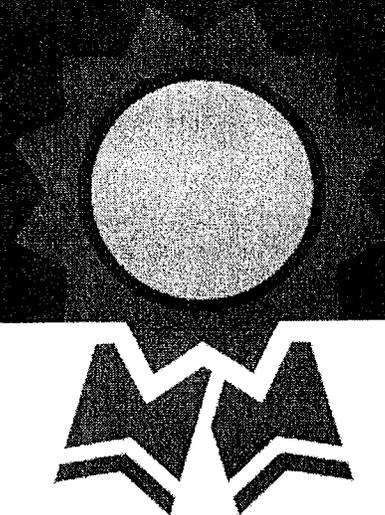
# LexVidServices

San Diego, CA | info@lexvidservices.com | 877.327.1226

LEXVID  
lexvid.com

 LexDirectCLE  
lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Risk Management for Lawyers: Cyber-Based  
Professionalism Claims and Ethical Considerations  
was completed.

Course Number      ETH00

Member Name      John Gallagher

Bar Number      61914

Date of Completion      04/16/2021

## STATE OF ACCREDITATION

### Pennsylvania

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

## CREDITS RECEIVED

### 1.00 General

Including 1.00 Ethics

CLE Provider Information: Pennsylvania #6433

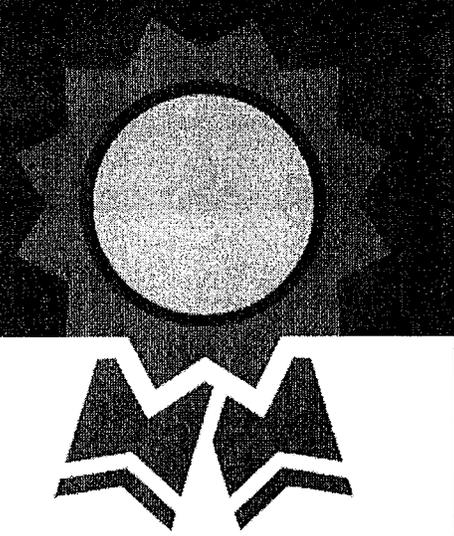
# LexVidServices

San Diego, CA | info@lexvidservices.com | 877.327.1226

LEXVID  
lexvid.com

 LexDirectCLE  
lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Ethics & Privilege Issues: Witnesses  
was completed.

Course Number      ETH00  
Member Name        John Gallagher  
Bar Number          61914  
Date of Completion   04/16/2021

## STATE OF ACCREDITATION

**Pennsylvania**  
Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

## CREDITS RECEIVED

**1.00 General (Distance Learning)**  
Including 1.00 Ethics

CLE Provider Information: Pennsylvania #6433

**LexVidServices**

San Diego, CA | info@lexvidservices.com | 677.327.1226

**LEXVID**

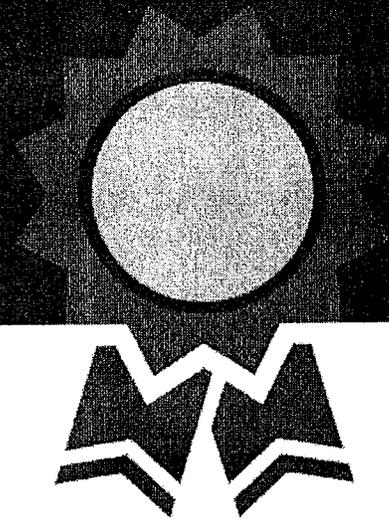
lexvid.com



**LexDirectCLE**

lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that

What Civil and Family Attorneys Need to Know About  
Criminal Law

was completed.

Course Number      CRM00  
Member Name        John Gallagher  
Bar Number          61914  
Date of Completion   04/16/2021

## STATE OF ACCREDITATION

**Pennsylvania**

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

## CREDITS RECEIVED

**1.00 General**

CLE Provider Information: Pennsylvania #6433

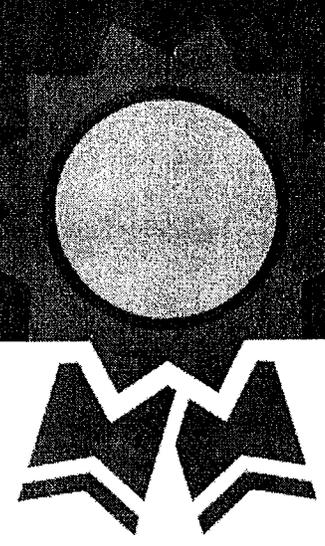
# LexVidServices

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LEXVID  
lexvid.com

 LexDirectCLE  
lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Being an Ethical Lawyer on the Internet  
was completed.

Course Number      ETH00

Member Name        John Gallagher

Bar Number         61914

Date of Completion    04/17/2021

## STATE OF ACCREDITATION

### Pennsylvania

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

## CREDITS RECEIVED

### 1.00 General (Distance Learning)

Including 1.00 Ethics

CLE Provider Information: Pennsylvania #6433

# LexVidServices

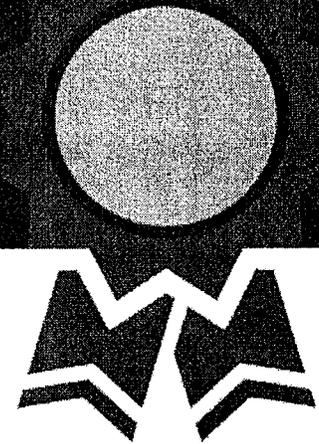
San Diego, CA | info@lexvidservices.com | 877.327.1226

LEXVID  
lexvid.com

 LexDirectCLE  
lexdirectcle.com

LexVidServices

# Certificate of CLE Program Completion



This certificate certifies that

Motion Practice in Civil Litigation: Drafting & Advocacy -  
Part I

was completed.

Course Number

TRL01

Member Name

John Gallagher

Bar Number

61914

Date of Completion

04/17/2021

## STATE OF ACCREDITATION

### Pennsylvania

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

## CREDITS RECEIVED

1.00 General

CLE Provider Information: Pennsylvania #6433

**LexVidServices**

San Diego, CA | info@lexvidservices.com | 877.327.1226

LEXVID

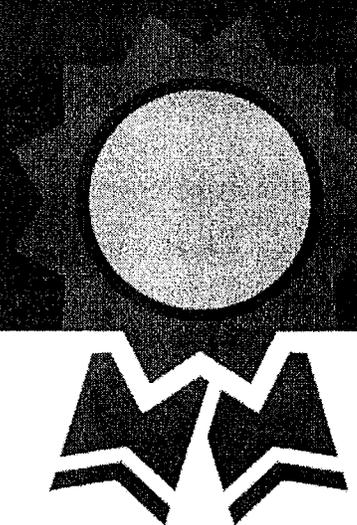
lexvid.com



LexDirectCLE

lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
America's Opioid Epidemic & the Law  
was completed.

Course Number      HEA03  
Member Name        John Gallagher  
Bar Number          61914  
Date of Completion   04/17/2021

## STATE OF ACCREDITATION

## CREDITS RECEIVED

### Pennsylvania

1.00 General

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

CLE Provider Information: Pennsylvania #6433

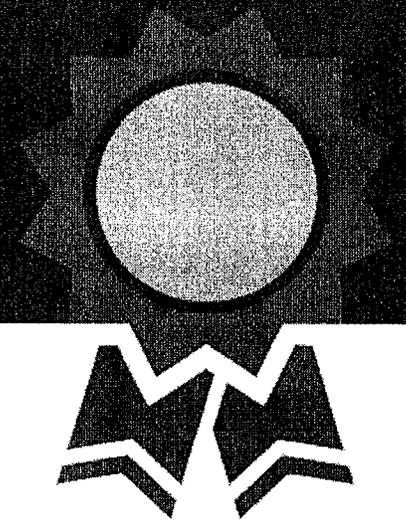
**LexVidServices**

San Diego, CA | info@lexvidservices.com | 877.327.1226

LEXVID  
lexvid.com

 LexDirectCLE  
lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
The Law of Fiduciary Duties in the 21st Century  
was completed.

Course Number      REL00  
Member Name        John Gallagher  
Bar Number         61914  
Date of Completion    04/17/2021

## STATE OF ACCREDITATION

## CREDITS RECEIVED

### Pennsylvania

1.00 General (Distance Learning)

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

CLE Provider Information: Pennsylvania #6433

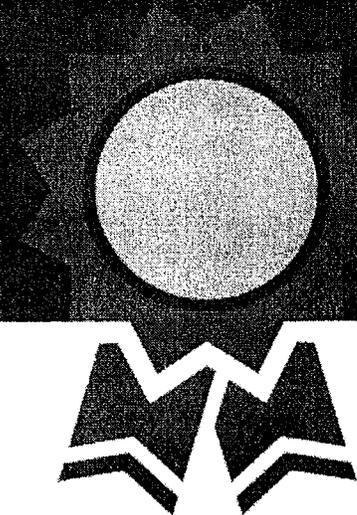
# LexVidServices

San Diego, CA | info@lexvidservices.com | 877.327.1226

LEXVID  
lexvid.com

 LexDirectCLE  
lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Sustainable Compliance Manuals  
was completed.

Course Number BUS00

Member Name John Gallagher

Bar Number 61914

Date of Completion 04/17/2021

## STATE OF ACCREDITATION

### Pennsylvania

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

## CREDITS RECEIVED

1.00 General

CLE Provider Information: Pennsylvania #6433

# LexVidServices

San Diego, CA | info@lexvidservices.com | 877.327.1226

LEXVID  
lexvid.com

 LexDirectCLE  
lexdirectcle.com

# Chester County Bar Association

15 West Gay Street, 2nd Floor, West Chester, 19380

## CONTINUING LEGAL EDUCATION RECORD OF ATTENDANCE

Please complete this form and return the hard copy to CCBA when you leave.  
This form is the only evidence of your attendance that we use for  
reporting credits to the PA CLE Board.

Date April 23, 2021

Course Title Bridging the Gap

Credit Hours \_\_\_\_\_ substantive 4 ethics

Name John A. Gallagher

Address 8 Harvey Lane

Malvern, PA 19355

PA ID# 61914 Telephone 610-322-4145

I attended the course indicated above. Please submit my  
credits and CLE fees paid to the PA CLE Board.

Signature \_\_\_\_\_

CLE Evaluation (5 being the highest):

1- Overall quality of program:

2

3

4

5

2 - Presenter: \_\_\_\_\_

3 - Quality of written materials:

4 - Evaluation of meeting facility:

5 - Comments:

I really thought the presentation was excellent. I enjoyed the opportunity to participate, and hear what others thought about the questions presented.

\_\_\_\_\_

\_\_\_\_\_

**Certificate of Completion**

Congratulations, John Gallagher

PROGRAM TITLE

**Don't Give Up Five Minutes Before the Miracle (Update)**

PRODUCTION DATE  
April 9, 2019

DELIVERY METHOD  
On Demand

DURATION  
65 Minutes

LECTURERS  
Laurie J. Besden

Course completed on **June 26, 2021 3:04pm EDT**

This course is approved for the following credit:

JURISDICTION	ATTENDANCE TYPE	REPORTING NUMBER	CREDITS
Pennsylvania CLE	Attendee		1 Ethics

I attended a total of 1 hr (hr/min) of CLE of which 1 (hr/min) were in Ethics.

These sessions I am claiming had written materials to cover the subject.

I listened/viewed the program in a setting suitable to the course and a suitable writing surface was available.

I was given the opportunity to participate in discussions with the presenter in the form of an email.

ATTENDEE SIGNATURE

61914

ATTORNEY LICENSE NUMBER

Signature and bar number must be in compliance with the following states: California, Florida, Texas, and Missouri. A notary public statement shall be subject to appropriate disciplinary action.

  
David Schnurman, President Lawline

(877) 518-0660  
Lawline  
228 Park Ave S, PMB 81742  
New York, NY 10003-1502

**Certificate of Completion**

Congratulations, John Gallagher

PROGRAM TITLE

**Your Time to Thrive: A Journey to Wellness in the Legal Profession**

PRODUCTION DATE  
May 5, 2020

DELIVERY METHOD  
On Demand

DURATION  
62 Minutes

LECTURERS  
Laurie J. Besden

Course completed on July 1, 2021 11:29am EDT

This course is approved for the following credit:

JURISDICTION	ATTENDANCE TYPE	REPORTING NUMBER	CREDITS
Pennsylvania CLE	Attendee		1 Ethics

attended a total of 1 hr (hr/min) of CLE of which 1 (hr/min) were in Ethics.

- These sessions I am claiming had written materials to cover the subject.
- I listened/viewed the program in a setting suitable to the course and a suitable writing surface was available.
- I was given the opportunity to participate in discussions with the presenter in the form of an email.

ATTENDEE SIGNATURE

61914

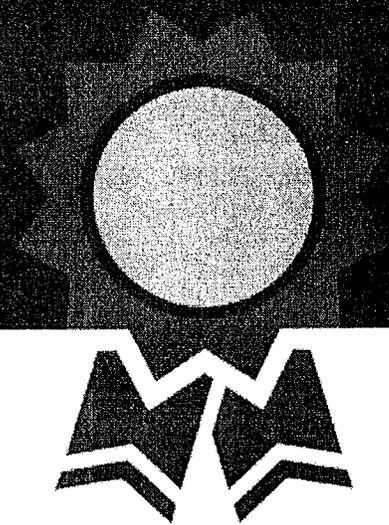
ATTORNEY CLEUSE NUMBER

Signatures and the number printed on this certificate are valid only in the following states: California, Florida, Texas, and Missouri. A member of the Lawline staff is subject to appropriate disciplinary action.

David Schnurman  
David Schnurman, President Lawline

(877) 518-0660  
Lawline  
228 Park Ave S, PMB 81742  
New York, NY 10003-1502

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
The Mechanics of Attorney-Client Privilege  
was completed.

Course Number      TRL05

Member Name        John Gallagher

Bar Number          61914

Date of Completion    07/02/2021

## STATE OF ACCREDITATION

## CREDITS RECEIVED

### Pennsylvania

1.00 General

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

CLE Provider Information: Pennsylvania #6433

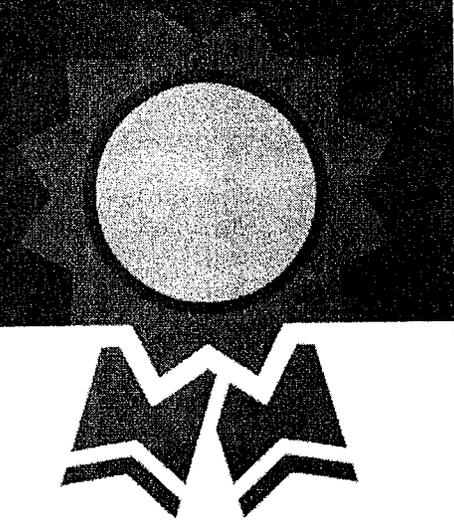
# LexVidServices

San Diego, CA | info@lexvidservices.com | 877.327.1226

LEXVID  
lexvid.com

 LexDirectCLE  
lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Hot Topics in Commercial Leasing  
was completed.

Course Number REL02

Member Name John Gallagher

Bar Number 61914

Date of Completion 07/02/2021

## STATE OF ACCREDITATION

### Pennsylvania

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

## CREDITS RECEIVED

1.50 General

CLE Provider Information: Pennsylvania #6433

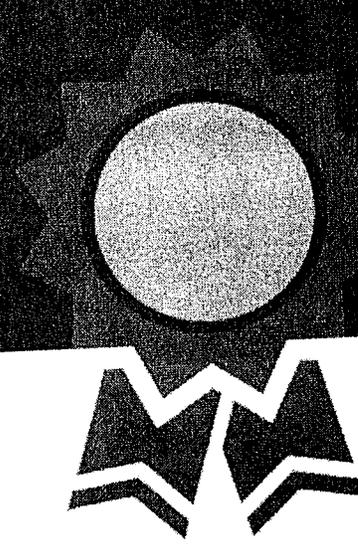
# LexVidServices

San Diego, CA | info@lexvidservices.com | 877.327.1226

LEXVID  
lexvid.com

 LexDirectCLE  
lexdirectcle.com

# LexVidServices Certificate of CLE Program Completion



This certificate certifies that  
Examining the Ethical Ebb & Flow of E-Discovery  
was completed.

Course Number      ETH10

Member Name        John Gallagher

Bar Number         61914

Date of Completion    07/02/2021

## STATE OF ACCREDITATION

### Pennsylvania

Pennsylvania Continuing Legal Education Board  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 3400, PO Box  
62495  
Harrisburg, PA, 17106-2495  
TEL: 800-497-2253  
FAX: 717-231-3251

## CREDITS RECEIVED

### 1.00 General

Including 1.00 Ethics

CLE Provider Information: Pennsylvania #6433

# LexVidServices

San Diego, CA | info@lexvidservices.com | 677.327.1226

LEXVID  
lexvid.com

 LexDirectCLE  
lexdirectcle.com



Supreme Court of Pennsylvania  
Continuing Legal Education Board Transcript

Name : John A. Gallagher  
Lawyer ID : 61914 Group : 1  
License Status : Suspended  
Annual CLE Deadline : April 30  
Compliance Period : 05/01/2021 - 04/30/2022

CLE requirements are deferred. Your license status is administered by the Attorney Registration Office at the Disciplinary Board. For information on returning to active status please visit the [FAQ page](#) on the Disciplinary Board website.

Credit Code Key : Distance Learning Teaching Pro Bono

**2022 Compliance Status :**  
Suspended - Deferring CLE

**2021 Compliance Status :** Unknown

The following courses have been reported to your record in the last two years. Please be aware that the hours may or may not satisfy your requirement upon return to *Active* status depending upon when reactivation occurs.

Accredited Providers have 30 days to report attendance

Date	Course Name	Credits	
		E	S
07/02/2021	Exp: Hot Topics In Commercial Leasing		1.5
07/02/2021	Exp: Examining The Ethical Ebb & Flow Of E-Discovery	1.0	
07/02/2021	Exp: The Mechanics Of Attorney-Client Privilege		1.0
07/01/2021	D0Pwblagz5: Your Time To Thrive: A Journey To Wellness In The Legal Profession#	1.0	
06/26/2021	4Ap5Q6Zpx5: Don't Give Up Five Minutes Before The Miracle (Update)#	1.0	
04/23/2021	Bridge The Gap Via Zoom	4.0	
04/17/2021	Exp: Being An Ethical Lawyer On The Internet	1.0	
04/17/2021	Exp: The Law Of Fiduciary Duties In The 21St Century		1.0
04/17/2021	Exp: America's Opioid Epidemic & The Law		1.0
04/17/2021	Exp: Sustainable Compliance Manuals		1.0
04/17/2021	Exp: Motion Practice In Civil Litigation: Drafting & Advocacy - Part I		1.0
04/16/2021	Exp: Ethics & Privilege Issues: Witnesses	1.0	
04/16/2021	Exp: Motion Practice In Civil Litigation: Drafting & Advocacy - Part II		1.0
04/16/2021	Exp: What Civil And Family Attorneys Need To Know About Criminal Law		1.0
04/16/2021	Exp: Recognizing And Addressing 'bro Culture' And Other Barriers To Gender Inclusion In The Legal In	1.0	
04/16/2021	Exp: The Ethics Of Multijurisdictional Practice	1.0	
04/16/2021	Exp: Risk Management For Lawyers: Cyber-Based Professionalism Claims And Ethical Considerations	1.0	
04/15/2021	Exp: Legal Considerations When Assisting A Client Form A Business		1.0
04/15/2021	Exp: Authentication Of Handwriting		1.0
04/15/2021	Exp: Understanding Asset Protection Tools And Planning		1.0
04/15/2021	Exp: Consumer Electronics And The lot: Digital Evidence		1.0

Date	Course Name	Credits	
		E	S
04/15/2021	Exp: Practical Implications For Title IX Compliance ●		1.5
04/15/2021	Exp: Gambling: The 'secret' Addiction ●	1.0	
04/14/2021	Exp: Update On Non-Compete Agreements ●		1.5
04/14/2021	Exp: Everything You Always Wanted To Know About Impaired Lawyers ... ( But Were Afraid To Ask) ●	1.0	
04/14/2021	Exp: No One Makes It Out Unscathed: The Effects Of Personal Trauma And Stress On Our Lives ●	1.0	
04/14/2021	Exp: Supreme Court 2019-20 Review: Part 1 ●		2.0
04/14/2021	Exp: Striving For A (Realistic) Work/life Balance ●	1.0	
04/13/2021	Exp: Cell Phone Forensics ●		1.0
04/13/2021	Exp: Coronavirus And Your Mental Health: Coping With Isolation, Anxiety, And Fear In Uncertain Times ●	1.0	
04/13/2021	Exp: Effective Communication 101: Ada, Rehabilitation Act, And The Affordable Care Act ●		1.0
04/12/2021	Exp: Investigation Practices In The Wake Of #metoo ●		1.0
04/12/2021	Exp: Tax Issues In Employment Claims ●		1.0
04/12/2021	Exp: Understanding And Addressing Unconscious Bias At Work ●	1.0	
04/12/2021	Law Practice Marketing: Practical & Ethical Considerations ●	1.0	1.0
03/31/2021	lolla Accounts - More Questions & More Answers To The Most Commonly Asked Questions 2021	1.0	

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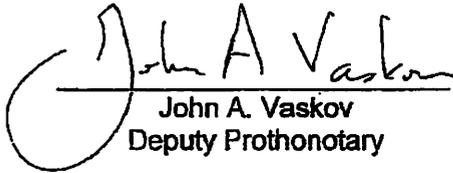
Gallagher / BBD

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE:	:	No. 49 ID
	:	
Administrative Suspension	:	
Pursuant to Rule 219 of the	:	
Pennsylvania Rules of	:	
Disciplinary Enforcement	:	

ORDER

AND NOW, this 5<sup>th</sup> day of October, 2016, it is hereby Ordered that the attorneys named on the attached list are administratively suspended pursuant to Rule 219, Pa.R.D.E. Said administrative suspension shall take effect 30 days after the date of this order pursuant to Rule 217(d), Pa.R.D.E.

  
 John A. Vaskov  
 Deputy Prothonotary

A true copy Patricia Nicola  
 As of: *October 5, 2016*  
 Attest: *Patricia Nicola*  
 Chief Clerk  
 Supreme Court of Pennsylvania

**Disciplinary Board of the Supreme Court of Pennsylvania  
Attorneys Certified for Administrative Suspension**

Year: 16-17

Nov 4, 2016

**Chester County**

**Active**

<b>ID#</b>	<b>Attorney</b>
204712	Brown, Tanisha Lyon
78419	Fitch, Mary Jane
→ 61914	Gallagher, John A.
22589	Hagner, William R.
20117	Hill, Walton F.
57115	Latoff, Clinton Geesaman
68776	MacMuffan, Daniel A.
207855	Sheets, James David
89258	Shuker, Scott Allan
77164	Taomina, Morris M.

## **CERTIFICATION**

I certify that the attorneys on the attached list have their mailing address in the county referenced therein and have been **administratively suspended** pursuant to the Supreme Court's Order dated October 5, 2016, effective November 4, 2016.

  
\_\_\_\_\_  
Suzanne E. Price  
Attorney Registrar  
The Disciplinary Board of the  
Supreme Court of Pennsylvania

OFFICE OF DISCIPLINARY COUNSEL  
THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

RECORD OF INFORMAL ADMONITION

May 11, 2016

I have this date from 11:10 a.m. to 11:16 a.m. delivered an informal admonition to John A. Gallagher for conduct which was found to be in violation of the Rules of Professional Conduct OH R.P.C. 1.3, OH R.P.C. 1.4(a)(3), OH R.P.C. 1.4(a)(4), OH R.P.C. 1.4(b), OH R.P.C. 1.5(b), OH R.P.C. 1.16(a)(1), OH R.P.C. 1.16(c), OH R.P.C. 1.16(d), OH R.P.C. 1.7(a)(2), OH R.P.C. 1.7(b), 1.9(a), OH R.P.C. 1.9(c)(1) as more fully described in the Office of Disciplinary Counsel file No. C2-14-108.

This action was taken in response to a decision made by a Reviewing Member of a Hearing Committee or a Board Panel after review of the file and of the recommendations made by Disciplinary Counsel regarding the disciplinary action considered appropriate under the circumstances. It was in accordance with Rule 208 of the Pennsylvania Rules of Disciplinary Enforcement.

Raymond S. Wierciszewski  
Disciplinary Counsel in Charge DII

\*\*\*\*\*

I acknowledge receiving an informal admonition from Raymond S. Wierciszewski on this date, 5/11/16.  
Disciplinary Counsel in Charge DII

John A. Gallagher  
Respondent

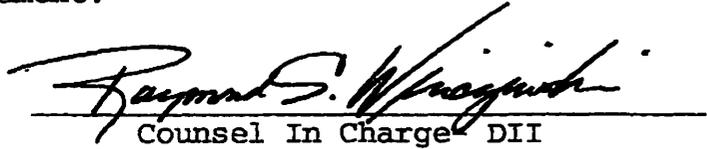
OFFICE OF DISCIPLINARY COUNSEL  
THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

RECORD OF INFORMAL ADMONITION

February 8, 2017

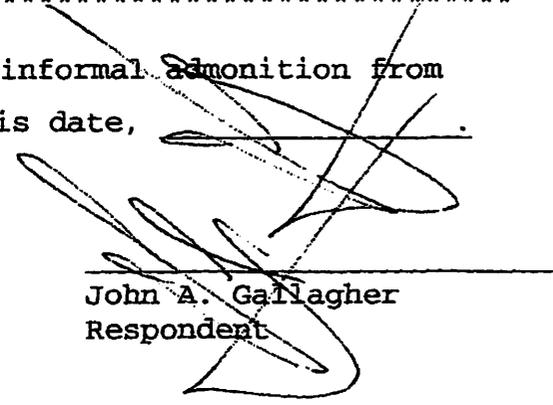
I have this date from 11:43 a.m. to 11:47 a.m. delivered an informal admonition to John A. Gallagher for conduct which was found to be in violation of the Rules of Professional Conduct 1.15(b)(h), (c)(1)(2), Pa RDE 203 (b)(7), and 219 (d)(1)(iii) as more fully described in the Office of Disciplinary Counsel file No. C2-16-67.

This action was taken in response to a decision made by a Reviewing Member of a Hearing Committee or a Board Panel after review of the file and of the recommendations made by Disciplinary Counsel regarding the disciplinary action considered appropriate under the circumstances. It was in accordance with Rule 208 of the Pennsylvania Rules of Disciplinary Enforcement.

  
Counsel In Charge- DII

\*\*\*\*\*

I acknowledge receiving an informal admonition from  
Raymond S. Wierciszewski on this date,  
Counsel In Charge- DII

  
John A. Gallagher  
Respondent

Case# 2020-15890-12 Docketed at Montgomery County Prothonotary on 02/19/2021 4:00 PM, Fee = \$0.00. The filer certifies that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

**IN THE COURT OF COMMON PLEAS OF  
MONTGOMERY COUNTY, PENNSYLVANIA**

**John A. Gallagher, Esq.**  
**Atty. ID No. 61914**  
**GALLAGHER LAW GROUP, P.C.**  
**5 Great Valley Parkway, Suite 210**  
**Malvern, PA 19355**  
**Tel. 610 647-9827**  
**610-889-9726 (Fax)**  
**ja@johnagallagher.com**

**Counsel for Plaintiff**

**BELL FITNESS, LLC**

**Plaintiff**

**v.**

**JORDAN BEANE, et al.**

**Defendants.**

**CIVIL ACTION NO. 2020-15890**

**JURY TRIAL DEMANDED**

**ORDER**

**AND NOW, this 19th day of February, 2021, upon consideration of the Unopposed Petition to Withdraw filed by John A. Gallagher, counsel for plaintiff Bell Fitness, LLC, it is hereby ORDERED and DECREED that the Petition is GRANTED.**

**The Prothonotary SHALL promptly amend the docket to reflect that John A. Gallagher is no longer counsel for record for plaintiff Bell Fitness, LLC.**

**Bell Fitness, LLC is hereby granted a period of sixty (60) days to secure new counsel.**

**BY THE COURT:**



**.j**



Supreme Court of Pennsylvania  
 Continuing Legal Education Board Transcript  
<https://www.pacle.org>

[Print \(/lawyer/transcript/pdf\)](#)

**Name:** John A. Gallagher  
**Lawyer ID:** 61914 **Group:** 1  
**License Status:** Suspended  
**Annual CLE Deadline:** April 30  
**Compliance Period:** 05/01/2023 -04/30/2024  
 CLE requirements are deferred. Your license status is administered by the Attorney Registration Office at the Disciplinary Board. For information on returning to active status please visit the FAQ page (<http://www.padisciplinaryboard.org/attorneys/faqs/>) on the Disciplinary Board website.

**Credit Code Key:**

- Distance Learning
- Teaching     Pro Bono

**2024 Compliance Status:**  
 Suspended  
 - Deferring CLE

**2023 Compliance Status:**  
 Suspended  
 - Deferring CLE

The following courses have been reported to your record in the last two years. Please be aware that the hours may or may not satisfy your requirement upon return to *Active* status depending upon when reactivation occurs.

Accredited Providers have 30 days to report attendance

Date	Course Name	Credits	
		E	S
08/07/2023	August 7, 2023 Bridge The Gap	4.0	

Date	Course Name	Credits	
		E	S
07/11/2023	Lmg3Zp87M6: 'I Don't Belong' - Imposter Syndrome In The Legal Profession#	1.0	
05/06/2023	19Th Lcl Annual Statewide Volunteer Conference	7.0	
11/29/2021	OdgIqjdpkg: Intervention Strategies For Helping Legal Professionals#	1.0	
11/24/2021	P3Pdoangoz: Striving For A (Realistic) Attorney Work/Life Balance In 2021#	1.0	
11/24/2021	Jr740Nn7BI: Depression: An Occupational Hazard Of The Legal Profession#	1.0	
11/23/2021	The Impaired Lawyer: A Call For Action	1.0	
11/22/2021	Exp: Causes Of Action For Representing Covid-19 Pandemic Whistleblowers		1.0
11/17/2021	Exp: Chapter 7: The Initial Consult		1.0
11/15/2021	Exp: Cases With 'Issues': Family Law Litigation Involving Substance Abuse And Mental Illness		1.0
11/12/2021	Exp: Intellectual Property Essentials		1.0
07/02/2021	Exp: Hot Topics In Commercial Leasing		1.5
07/02/2021	Exp: Examining The Ethical Ebb & Flow Of E-Discovery	1.0	
07/02/2021	Exp: The Mechanics Of Attorney-Client Privilege		1.0
07/01/2021	D0Pwblagz5: Your Time To Thrive: A Journey To Wellness In The Legal Profession#	1.0	
06/26/2021	4Ap5Q6Zpx5: Don't Give Up Five Minutes Before The Miracle (Update)#	1.0	
04/23/2021	Bridge The Gap Via Zoom	4.0	
04/17/2021	Exp: Being An Ethical Lawyer On The Internet	1.0	
04/17/2021	Exp: The Law Of Fiduciary Duties In The 21St Century		1.0
04/17/2021	Exp: America's Opioid Epidemic & The Law		1.0
04/17/2021	Exp: Sustainable Compliance Manuals		1.0
04/17/2021	Exp: Motion Practice In Civil Litigation: Drafting & Advocacy - Part I		1.0

Date	Course Name	Credits	
		E	S
04/16/2021	Exp: Ethics & Privilege Issues: Witnesses 	1.0	
04/16/2021	Exp: Motion Practice In Civil Litigation: Drafting & Advocacy - Part li 		1.0
04/16/2021	Exp: What Civil And Family Attorneys Need To Know About Criminal Law 		1.0
04/16/2021	Exp: Recognizing And Addressing 'Bro Culture' And Other Barriers To Gender Inclusion In The Legal In 	1.0	
04/16/2021	Exp: The Ethics Of Multijurisdictional Practice 	1.0	
04/16/2021	Exp: Risk Management For Lawyers: Cyber-Based Professionalism Claims And Ethical Considerations 	1.0	
04/15/2021	Exp: Legal Considerations When Assisting A Client Form A Business 		1.0
04/15/2021	Exp: Authentication Of Handwriting 		1.0
04/15/2021	Exp: Understanding Asset Protection Tools And Planning 		1.0
04/15/2021	Exp: Consumer Electronics And The lot: Digital Evidence 		1.0
04/15/2021	Exp: Practical Implications For Title Ix Compliance. 		1.5
04/15/2021	Exp: Gambling: The 'Secret' Addiction 	1.0	
04/14/2021	Exp: Update On Non-Compete Agreements 		1.5
04/14/2021	Exp: Everything You Always Wanted To Know About Impaired Lawyers ... ( But Were Afraid To Ask) 	1.0	
04/14/2021	Exp: No One Makes It Out Unscathed: The Effects Of Personal Trauma And Stress On Our Lives 	1.0	
04/14/2021	Exp: Supreme Court 2019-20 Review: Part 1 		2.0
04/14/2021	Exp: Striving For A (Realistic) Work/Life Balance 	1.0	
04/13/2021	Exp: Cell Phone Forensics 		1.0
04/13/2021	Exp: Coronavirus And Your Mental Health: Coping With Isolation, Anxiety, And Fear In Uncertain Times 	1.0	
04/13/2021	Exp: Effective Communication 101: Ada, Rehabilitation Act, And The Affordable Care Act 		1.0

Date	Course Name	Credits	
		E	S
04/12/2021	Exp: Investigation Practices In The Wake Of #Metoo 		1.0
04/12/2021	Exp: Tax Issues In Employment Claims 		1.0
04/12/2021	Exp: Understanding And Addressing Unconscious Bias At Work 	1.0	
04/12/2021	Law Practice Marketing: Practical & Ethical Considerations 	1.0	1.0
03/31/2021	lolta Accounts - More Questions & More Answers To The Most Commonly Asked Questions 2021	1.0	