



STATE OF MAINE

Board of Overseers of the Bar

GCF No. 08-007

BOARD OF OVERSEERS OF THE)
 BAR)
) Petitioner
) v.)
 STEPHEN E. LANGSDORF, ESQ.)
 of Augusta, Maine)
 Me. Bar #3500)
) Respondent
)

**STIPULATED REPORT OF
 FINDINGS AND ORDER OF
 PANEL D OF THE GRIEVANCE
 COMMISSION
 M. Bar R. 7.1(e)(2)(4)**

On June 29, 2009, with due notice, Panel D of the Grievance Commission conducted a public disciplinary hearing pursuant to Maine Bar Rule 7.1(e)(2)(E), concerning misconduct by the Respondent, Stephen E. Langsdorf, Esq. This disciplinary proceeding had been commenced by the filing of a Stipulated Disciplinary Petition by the Board of Overseers of the Bar (the Board) on March 18, 2008.

At the hearing, Attorney Langsdorf was present and represented by Attorney Peter J. DeTroy. The Board was represented by Assistant Bar Counsel Aria Eee. Complainant Jonathan S. Piper, Esq. of Preti Flaherty Beliveau & Pachois LLP, also attended the hearing. Prior to the disciplinary proceeding, the parties had submitted a stipulated, proposed sanction Report for the Grievance Commission Panel's review and consideration.

Having reviewed the agreed, proposed findings as presented by counsel, the Panel makes the following disposition:

FINDINGS

Respondent Stephen E. Langsdorf (Langsdorf) of Augusta, County of Kennebec, State of Maine has been at all times relevant hereto an attorney duly admitted to and engaging in the practice of law in the State of Maine and subject to the Maine Bar Rules. Attorney Langsdorf was admitted to the Maine Bar in 1987 and he is currently registered as an active Maine attorney.

On January 2, 2008, Attorney Jonathan S. Piper (Piper) of Portland, filed a grievance complaint against Attorney Langsdorf. Attorneys Piper and Langsdorf are members of the same law firm. The Complaint involved the firm's Central Maine Power (CMP) utility account which had been affected by Attorney Langsdorf's actions. The complaint alleged violations of the Code of Professional Responsibility due to Attorney Langsdorf's use of the law firm as a guarantor (in lieu of a cash deposit to CMP) for a personal business enterprise owned by Langsdorf and his wife.

By way of background information, in June 2003 Attorney Langsdorf purchased an Augusta, Maine business with his wife and renamed the business as "Top Form Gym and Racquet Club" (Top Form Gym). On July 24, 2003, without his law firm's knowledge or consent, Attorney Langsdorf committed the firm to act as guarantor for Top Form Gym's utility service through CMP. Although Langsdorf had four years in which to terminate the firm's exposure as a guarantor, he failed to do so. In July 2007, Attorney Langsdorf and his wife sold Top Form Gym and liquidated its assets to pay

outstanding debts. During the liquidation process, Top Form Gym's CMP bill remained delinquent as did debts to other creditors and vendors. CMP made further requests of Attorney Langsdorf for payment, which he referred to his wife in her capacity as Top Form Gym's general manager. Apparently Attorney Langsdorf had never handled any of the financial matters for Top Form Gym. In hindsight, Attorney Langsdorf concedes that his failure to take affirmative steps to ensure that his business obligations were appropriately discharged constituted a violation of M. Bar R. 3.1(a) and 3.2(f)(4).

On October 25, 2007, given the outstanding delinquency, CMP billed the law firm for the \$6,575.44 owed by Top Form Gym. Thereafter, the law firm's office administrator sent an email to Attorney Langsdorf, notifying him of the firm's receipt of the bill owed to CMP. The administrator requested that Attorney Langsdorf make an immediate payment to resolve the firm's obligation. After notification, Attorney Langsdorf made payment in full and subsequently emailed the firm's "Equity Partners" admitting he had wrongfully and without authority used the firm's business account to guarantee his business' debt.

Thereafter, the firm met to review Attorney Langsdorf's actions. Following that meeting, the firm instituted various restrictions and protocol to ensure that Attorney Langsdorf had not engaged in any other bar violations.

CONCLUSION AND SANCTION

The Code of Professional Responsibility specifically requires attorneys to uphold their responsibilities to clients and the courts. As a result of Attorney Langsdorf's actions, his law firm was exposed to financial liability for Attorney Langsdorf's personal business enterprise. Thereafter, Attorney Langsdorf failed to take affirmative steps to remove the firm's exposure. A review of all of the circumstances results in this Panel finding that Attorney Langsdorf engaged in violations of M. Bar R. 3.1(a) and 3.2(f)(4).

The Panel notes that Attorney Langsdorf has taken responsibility for his transgressions. At the disciplinary hearing, Attorney Langsdorf expressed his remorse for his violations of the Code of Professional Responsibility.

M. Bar. R. 2(a) provides that the purpose of bar disciplinary proceedings is not punishment, but rather the protection of the public from attorneys who, by their conduct, have demonstrated that they are unable, or likely to be unable, to discharge properly their professional duties. Since the evidence supports a finding and Attorney Langsdorf agrees that he did, in fact, violate the Code of Professional Responsibility, the Panel finds that a public reprimand serves those purposes.

Therefore, the Panel accepts the agreement of the parties, including Attorney Langsdorf's waiver of the right to file a Petition for Review, and concludes that the appropriate disposition of this case is a **Public Reprimand** to Stephen E. Langsdorf, Esq. which is now hereby issued and imposed upon him pursuant to M. Bar R. 7.1(e)(3)(C), (4).

Dated June 29, 2009

For the Parties



Aria Ee, Assistant Bar Counsel




Stephen E. Langsdorf, Esq.

Date: 6/29/09

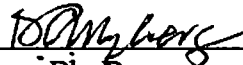
~~Benjamin Townsend, Esq.~~
~~Panel Chair~~

Date:



William E. Baghdoyan, Esq.
Acting Chair

Date:



David Nyberg, Ph.D