

IN RE: BRIAN R. COOK

BBO # 547090

NO. BD-2019-083 and BD-2019-101

Judgment (Accepting Affidavit of Resignation As A Disciplinary Sanction) entered by Justice Wendlandt on January 13, 2022.¹

The respondent's Affidavit of Resignation was accepted as a disciplinary sanction.

SUMMARY²

The respondent submitted an Affidavit of Resignation to the Board of Bar Overseers, see S.J.C. Rule 4:01, § 15, in which he admitted to a range of misconduct set out in four counts of a Petition for Discipline: one count comprising several criminal convictions, in violation of Mass. R. Prof. C. 8.4(b) (criminal act that reflects adversely on honesty, trustworthiness, or fitness), 8.4(d) (conduct that is prejudicial to the administration of justice), and 8.4(h) (conduct that reflects adversely on fitness to practice); two counts of misconduct in the context of representing two clients, in violation of Rules 1.5 (prohibiting agreement for or collection of illegal or clearly excessive fee), 1.4(a)(3) (keep client reasonably informed), 1.4(b) (explain a matter to the extent reasonably necessary for client to make informed decision), 1.6(a) (do not reveal confidential information relating to the representation), 8.4(a) (do not attempt to violate Rules or knowingly assist or induce another to do so), 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation), 8.4(d), 8.4(h), 1.15(b) (trust property to be held in trust account, separately from lawyer's own property) and 1.15(c) (promptly notify and deliver funds to client); and, in a fourth count, knowingly failing to comply with an Order of Immediate Administrative Suspension, in violation of Rule 3.4(c) (do not knowingly disobey obligation under the rules of a tribunal) and S.J.C. Rule 4:01, § 17(b).

By vote dated December 13, 2021, the Board of Bar Overseers recommended to the S.J.C. that it accept the respondent's Affidavit of Resignation as a disciplinary sanction.

On January 13, 2022, Justice Wendlandt accepted the respondent's Affidavit of Resignation as a disciplinary sanction.

¹ The complete order of the Court is available by contacting the Clerk of the Supreme Judicial Court for Suffolk County.

² Compiled by the Massachusetts Board of Bar Overseers' Office of General Counsel based on the record filed with the Supreme Judicial Court.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
NO: BD-2019-083 and
BD-2019-101

IN RE: BRIAN R. COOK

JUDGMENT ACCEPTING AFFIDAVIT OF RESIGNATION
AS A DISCIPLINARY SANCTION

This matter came before the Court, Wendlandt, J., on an Affidavit of Resignation pursuant to S.J.C. Rule 4:01, § 15(2), with a letter from assistant bar counsel to general counsel of the Board of Bar Overseers (Board), along with the Recommendation and Vote of the Board filed by the Board on January 5, 2022.

Upon consideration thereof, it is ORDERED and ADJUDGED that:

The Affidavit of Resignation submitted by Brian R. Cook be, and hereby is, accepted as a disciplinary sanction effective upon the entry date of this Judgment and the lawyer's name is forthwith stricken from the Roll of Attorneys.

By the Court, (Wendlandt, J.)

/s/ Maura S. Doyle

Maura S. Doyle, Clerk

Entered: January 13, 2022