

IN RE: JAMES S. GREGSON

S.J.C. Judgment of Disbarment entered by Justice Cowin on March 21, 2008, with an effective date of April 21, 2008.¹

SUMMARY²

At the time that the respondent submitted his affidavit of resignation, he was awaiting hearing on a nine-count petition for discipline charging him with

- Conversion of approximately \$240,000 in funds entrusted to him on behalf of clients.
- Directing employees over a ten month period to meet payroll and other expenses by withdrawing the funds from his IOLTA account without attributing the withdrawals to any client or client matter. These instructions resulted in the withdrawal of more than \$560,000 from the respondent's IOLTA account.
- Various actions to conceal his misconduct.

In compliance with S.J.C. Rule 4:01, § 15, the respondent's affidavit acknowledged the charges pending against him and acknowledged that a material portion of the charges, consisting of two of the counts charged in the petition, could be proved by a preponderance of the evidence. He agreed not to contest the allegations of those two counts in any bar discipline or reinstatement proceeding. The two counts that the respondent agreed not to contest charged conversion of more than \$10,000 and directing the withdrawal of more than \$560,000 from his IOLTA account without attribution.

The respondent's misuse and conversion of funds constituted dishonesty, fraud, deceit, and misrepresentation in violation of Mass. R. Prof. C. 8.4(c) and conversion, commingling, failure to safeguard trust funds, and failure to deliver trust funds, all in violation of Mass. R. Prof. C. 1.15(b) and (c).

The respondent's withdrawal of funds from his IOLTA account without identifying the client matter to which the withdrawals related constituted failure to maintain complete records of the receipt, maintenance, and disposition of his trust account funds, in violation of Mass. R. Prof. C. 1.15(f).

The respondent's resignation was accepted and an order of disbarment entered.

FOOTNOTES:

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 Board of Bar Overseers based on the record before the Supreme Judicial Court.

