

**IN RE: DAVID M. BUTLER****NO. BD-2014-089****SUMMARY**¹

This matter came before the Board of Bar Overseers and the Court on the respondent's affidavit of resignation pursuant to Supreme Judicial Court Rule 4:01, § 15. In the affidavit, the respondent acknowledged that sufficient evidence existed to warrant findings that the material facts summarized below could be proved by a preponderance of the evidence.

The respondent was admitted to practice in the Commonwealth on December 7, 1977. Over a period of time, the respondent intentionally misused at least \$111,142 in clients' funds that were to be held for the benefit of clients. The respondent has made full restitution of the funds.

By his conduct, the respondent violated Mass. R. Prof. C. 1.15(b), (d), (e) and (f).

On August 26, 2014, the respondent filed an affidavit of resignation. Bar counsel recommended that the affidavit be accepted as a disciplinary sanction.

On September 8, 2014, the Board of Bar Overseers voted to recommend that the affidavit of resignation be accepted as a disciplinary sanction. On September 18, 2014, the Supreme Judicial Court for Suffolk County accepted the affidavit of resignation as a disciplinary sanction, effective thirty days after the date of the entry of the judgment.

¹ Compiled by the Board of Bar Overseers based on the record filed with the Supreme Judicial Court.