

IN RE: GLEN R. VASA

NO. BD-2016-066

S.J.C. Order of Disbarment entered by Justice Hines on July 10, 2017.¹

SUMMARY²

Following a default, the respondent, Glen R. Vasa, was disbarred for his misconduct in seven client matters, including misuse of client funds with deprivation, failing to cooperate with bar counsel's investigations, and failing to attest to his compliance with administrative and disciplinary suspension orders issued by the Supreme Judicial Court in this and prior matters. He also failed to participate in the bar discipline proceedings.

In one matter, the respondent represented a personal injury client who was injured while working for a staffing company at a Home Depot. The respondent's client and the three defendants agreed to settle the claims. Because the client had received worker's compensation benefits, a worker's compensation insurer had a statutory lien on the settlement, which the insurer agreed to reduce to \$85,000. After the settlement was finalized and approved, the respondent deposited the settlement checks into his IOLTA account. He distributed funds to the client but failed to disburse funds to the worker's compensation insurer who held the lien. The respondent knowingly misused the insurer's funds, and the insurer's lien has never been satisfied. The respondent's failure to disburse to the insurer funds that he knew it was entitled to receive violated Mass. R. Prof. C. 1.15(c) and 8.4(d). By knowingly misusing settlement proceeds to which a third party was entitled, with continuing deprivation, the respondent violated Mass. R. Prof. C. 1.15(b) and 8.4(c), (d), and (h).

Between January 1 and July 15, 2016, the respondent settled person injury cases for another five of his clients, deposited or caused to be deposited their settlement checks into his IOLTA account, and failed to distribute the clients' settlement proceeds to them or to any third party on any of their behalf. The respondent knowingly misused at least \$40,000 of the clients' settlement funds and has not repaid them. By knowingly misusing the five clients' settlement proceeds with continuing deprivation, the respondent violated Mass. R. Prof. C. 1.2(a), 1.3, 1.15(b) and 8.4(c) and (h). The respondent's failure to disburse promptly the settlement funds belonging to each of those clients violated Mass. R. Prof. C. 1.15(c) and 8.4(h).

Beginning in March 2016 the respondent knowingly and without good cause failed to respond to bar counsel's requests for information in the investigations of all of the above matters as well as a seventh client matter, violating Rules 8.1(b) and 8.4(d), (g), and (h). As a result of his failure to respond to bar counsel's investigation in an unrelated investigation, the respondent was ordered administratively suspended on June 9, 2016, (Gants, C.J.), and due to his misconduct in another unrelated matter, the respondent was suspended from the practice of law for three months on August 19, 2016 (Hines, J.). The respondent was required to file affidavits certifying that he had complied with the disciplinary and administrative suspension orders, and

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 filed with the Supreme Judicial Court.

he failed to do so, resulting in violations of S.J.C. Rule 4:01, § 17(1), and Mass. R. Prof. C. 3.4(c), and 8.4(d).

In aggravation, the respondent previously was suspended from the practice of law for three months for misconduct stemming from his knowingly employing a suspended attorney in his prior firm. Matter of Vasa, 32 Mass. Att’y Disc. R. __ (2016). The respondent was also suspended for four years for his negligent misuse of client funds with continuing deprivation. Matter of Vasa, 33 Mass. Att’y Disc. R. __ (2017).

The respondent was admitted to the bar of the Commonwealth on December 12, 2003.

Bar counsel filed a petition for discipline on February 13, 2017, alleging the above misconduct. The respondent failed to answer the petition and was defaulted. On May 8, 2017, the Board of Bar Overseers voted to recommend that the respondent be disbarred. On July 10, 2017, the county court (Hines, J.) issued an order disbaring the respondent.

