

SUPREME COURT OF WISCONSIN

In the Matter of Disciplinary Proceedings Against Bruce J. Meagher

2003 WI 132, 266 Wis. 2d 18, 669 N.W.2d 733 (Wis. 2003) · No. 03-1185-D · Decided October 8, 2003

SUMMARY

The Wisconsin Supreme Court approved a stipulation resolving disciplinary charges against Attorney Bruce J. Meagher. The court found misconduct based on representing a client in a conflict-of-interest situation without required written consent and engaging in criminal conduct related to an offshore sports-betting operation. The court imposed a six-month suspension of Meagher's Wisconsin law license, retroactive to November 12, 2002.

CASE DETAILS

COURT	Supreme Court of Wisconsin
JURISDICTION	Wisconsin
DECIDED	October 8, 2003
DOCKET	03-1185-D
DISPOSITION	approved
PROCEDURAL POSTURE	The Office of Lawyer Regulation and Attorney Meagher filed a stipulation under SCR 22.12 concerning stipulated misconduct and discipline. The Wisconsin Supreme Court reviewed and approved the stipulation without appointing a referee.
STANDARD OF REVIEW	The Supreme Court independently reviewed the stipulation, stipulated facts, conclusions of law, and recommended discipline under SCR 22.12.
PRECEDENTIAL VALUE	published
PARTIES	Office of Lawyer Regulation v. Bruce J. Meagher

TOPICS

gambling

limited liability companies

corporate law

PRACTICE AREAS

legal ethics

attorney discipline

conflict of interest

criminal conduct by attorneys

QUESTIONS PRESENTED

1. Whether the Supreme Court should approve the parties' stipulation under SCR 22.12 and adopt its stipulated facts and conclusions of law.
2. Whether Meagher's representation of Flannery while directly adverse to former or concurrent client Haskins, without written conflict waivers, violated SCR 20:1.7(a).
3. Whether Meagher's federal Wire Wagering Act conviction constituted criminal conduct reflecting adversely on his honesty, trustworthiness, or fitness under SCR 20:8.4(b).
4. Whether a six-month suspension, retroactive to November 12, 2002, was appropriate discipline.

HOLDINGS

1. The Supreme Court approved the parties' SCR 22.12 stipulation and adopted the stipulated facts and conclusions of law.
2. Meagher violated SCR 20:1.7(a) by representing Flannery in matters directly adverse to Haskins without reasonably believing the representation would not adversely affect the relationship and without obtaining the clients' written consent.
3. Meagher violated SCR 20:8.4(b) because his conviction for violating the federal Wire Wagering Act constituted criminal conduct reflecting adversely on his honesty, trustworthiness, or fitness as a lawyer.
4. A six-month suspension of Meagher's Wisconsin law license, retroactive to November 12, 2002, was appropriate discipline.

KEY QUOTATIONS

"We approve the stipulation and adopt the stipulated facts and conclusions of law." (at 25)

"IT IS ORDERED that the license of Bruce J. Meagher to practice law in Wisconsin is suspended for a period of six months, effective November 12, 2002." (at 25)

FACTUAL BACKGROUND

Meagher represented Kenneth Flannery and Steve Haskins in connection with a proposed joint employee-benefits software venture and helped establish two Minnesota LLCs. He later represented Flannery in forming a competing business and negotiating Flannery's purchase of Haskins's company, despite the direct adversity and without obtaining the clients' written conflict consent. Separately, Meagher pleaded guilty to violating the federal Wire Wagering Act based on his ownership interest in an offshore sports-betting operation.

PROCEDURAL HISTORY

Meagher's Wisconsin law license was temporarily suspended on November 12, 2002, following his conviction under the federal Wire Wagering Act. The Office of Lawyer Regulation filed a complaint alleging a concurrent-client conflict and criminal conduct reflecting adversely on his fitness. The parties stipulated to the facts, conclusions of law, and a six-month retroactive suspension, which the Supreme Court approved.

DISPOSITION

approved

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