

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
97G0875(II)R

IN THE MATTER OF  
  
MARC SOKOL,  
ATTORNEY AT LAW

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REPRIMAND

On July 16, 1998, the Grievance Committee of the North Carolina State Bar met and considered the grievances filed against you by a Complainant herein referred to as "Ms. T".

Pursuant to Section .0113(a) of the Discipline & Disability Rules of the North Carolina State Bar, the Grievance Committee conducted a preliminary hearing. After considering the information available to it, including your response to the letter of notice and your subsequent letter dated May 4, 1998, the Grievance Committee found probable cause. Probable cause is defined in the Rules as "reasonable cause to believe that a member of the North Carolina State Bar is guilty of misconduct justifying disciplinary action."

The Rules provide that after a finding of probable cause, the Grievance Committee may determine that the filing of a complaint and a hearing before the Disciplinary Hearing Commission are not required, and the Grievance Committee may issue various levels of discipline depending upon the misconduct, the actual or potential injury caused, and any aggravating or mitigating factors. The Grievance Committee may issue an admonition, a reprimand, or a censure to the respondent attorney.

A reprimand is a written form of discipline more serious than an admonition issued in cases in which an attorney has violated one or more provisions of the Rules of Professional Conduct and has caused harm or potential harm to a client, the administration of justice, the profession, or a member of the public, but the misconduct does not require a censure.

The Grievance Committee was of the opinion that a censure is not required in this case and issues this reprimand to you. As chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this reprimand, and I am certain that you will understand fully the spirit in which this duty is performed.

On May 29, 1997, you participated with a client in a luncheon meeting that was staged for purposes of interrogating Ms. T about allegations of adultery pertaining to your client's on-going domestic lawsuit. The meeting was arranged so that it would appear coincidental in order to surprise Ms. T with questions of a personal nature. The objective of this meeting was to

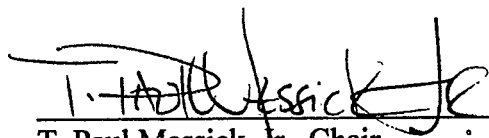
obtain admissions from Ms. T that she had illicit meetings with your client's husband in California, thereby potentially saving your client costs associated with presenting a private investigator's testimony concerning these allegations. Your failure to be forthright in disclosing that the purpose of the lunch meeting was to interrogate Ms. T about her alleged conduct was at a minimum deceitful. By arranging and taking part in this meeting, you engaged in dishonest conduct and misled Ms. T into believing that you were acting in a disinterested role. Your conduct caused harm to the profession, the administration of justice, and a member of the public.

Based on the foregoing, the Committee determined that your conduct constituted a violation of Rules 1.2(c) and 7.4(3) of the superseded (1985) Rules of Professional Conduct. In issuing this reprimand, the Grievance Committee considered the following mitigating factors: the absence of a prior disciplinary record; your full and free disclosure of information to the local grievance committee, the State Bar counsel, and the Grievance Committee; and your remorse as stated in your letter dated May 4, 1998.

You are hereby reprimanded by the North Carolina State Bar for your professional misconduct. The Grievance Committee trusts that you will heed this reprimand, that it will be remembered by you, that it will be beneficial to you, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession.

In accordance with the policy adopted October 15, 1981 by the Council of the North Carolina State Bar regarding the taxing of the administrative and investigative costs to any attorney issued a reprimand by the Grievance Committee, the costs of this action in the amount of \$50.00 are hereby taxed to you.

Done and ordered, this the 21<sup>ST</sup> day of AUGUST, 1998.

  
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T. Paul Messick, Jr., Chair  
Grievance Committee