



**SUPREME COURT OF GEORGIA**  
**Case No. S05Y1170.**

Atlanta    October 24, 2005

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

**IN THE MATTER OF ADAM J. CONTI.**

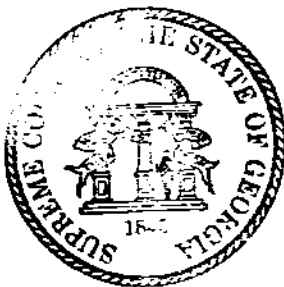
This case is before the Court on the Report of the Review Panel recommending a Review Panel reprimand for Conti's violation of Rules 3.3 (a) (1) and 8.4 (a) (4) of the Georgia Rules of Professional Conduct, part of Bar Rule 4-102 (d).

Conti was representing a client in an employment discrimination claim against the U.S. Department of Agriculture in proceedings before the Equal Employment Opportunities Commission. After initially rejecting a settlement offer, the client later told Conti on the phone to settle the case for whatever he could get. After the case was set for an evidentiary hearing and pre-trial conference, Conti tried to contact his client by phone, by mail, and by sending someone to his house, but was unsuccessful. At the pre-trial hearing on February 10, 2003, Conti told the Judge and opposing counsel that his client would appear and testify at the hearing, scheduled for February 19, 2003, despite having been unable to contact his client. Following the pre-trial hearing, opposing counsel made a settlement offer. Conti said he would check with his client, and shortly thereafter, called back to accept the offer, despite having not talked with his client. Conti signed the settlement documents on behalf of his client without revealing an agency capacity. A few weeks later, opposing counsel learned that the client had died the previous year and informed Conti. In a conference call with the Judge, Conti admitted the forgery and false statements. The government then withdrew the settlement offer. The client's widow hired new counsel who filed the present grievance.

The special master found that Conti's conduct violated Rules 3.3 (a) (1) by telling the Judge that his client would appear and testify and 8.4 (a) (4) by telling opposing counsel his client would appear and testify, by lying to opposing counsel about having talked to his client after the settlement offer was made, and by forging

his client's signature to the settlement documents. The special master also found that Conti was not responsible for the estate's failure to pursue the case. The special master found numerous mitigating factors: Conti has a good reputation among his peers, has been active in professional groups and in his church, and has volunteered with his alma mater, expressed remorse, has no prior disciplinary record, was not motivated by a dishonest or selfish motive, and made full disclosure when the grievance was filed and cooperated fully with the State Bar. Finally, the special master found one aggravating factor: Conti's substantial experience in the practice of law (he was admitted in 1984). The special master weighed the factors and recommended a three-month suspension.

The Review Panel accepted the special master's findings and conclusions, but determined that the appropriate sanction was a Review Panel reprimand. We accept the recommendation and hereby order that Conti receive a Review Panel reprimand.



**SUPREME COURT OF THE STATE OF GEORGIA**  
Clerk's Office, Atlanta

I hereby certify that the above is a true extract from  
the minutes of the Supreme Court of Georgia

Witness my signature and the seal of said court hereto  
affixed the day and year last above written.

A handwritten signature in cursive script, reading "Lynn M. Stachern".

, Chief Deputy Clerk