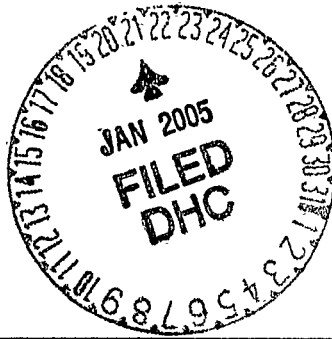


NORTH CAROLINA

WAKE COUNTY



8180

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
04G0159

THE NORTH CAROLINA STATE BAR,
Petitioner

v.

PAUL C. BLAND, ATTORNEY,
Respondent

ORDER OF RECIPROCAL DISCIPLINE

Pursuant to the authority vested in me as Chairperson of the Grievance Committee of the North Carolina State Bar by 27 N.C. Admin. Code Chapter 1, Subchapter B, Rules .0105(a)(12) and .0116(b)(4) of the N.C. State Bar Discipline & Disability Rules of the North Carolina State Bar; and based upon the record in this matter, the undersigned finds as follows:

1. Paul C. Bland, was admitted to the North Carolina State Bar on August 19, 1978, and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the rules, regulations and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.
2. By order dated November 18, 2003, the Virginia State Bar Disciplinary Board issued an order revoking the license of Paul C. Bland to practice law in the state of Virginia.
3. Pursuant to the Rules and Regulations of the North Carolina State Bar, 27 N.C. Admin. Code, Chapter 1, Subchapter B, § .0116(a), an attorney who has been disciplined in another jurisdiction will have the same discipline imposed by the North Carolina State Bar unless the attorney provides a written response within 30 days of service of a Notice of Reciprocal Discipline showing that imposition of the same discipline is unwarranted.
4. On November 23, 2004, a Notice of Reciprocal Discipline Proceeding was properly served on Paul C. Bland, as shown by the return and affidavit of service of the process server for APS International, Ltd., Benjamin Hanson.
5. No written response showing that imposition of the identical discipline would be unwarranted was received by the North Carolina State Bar from Paul C. Bland within 30 days of service of the Notice of Reciprocal Discipline.

BASED UPON THE FOREGOING FINDINGS OF FACT, the Chairperson of the Grievance Committee makes the following CONCLUSIONS OF LAW:

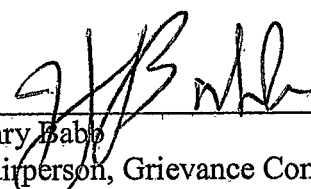
1. The North Carolina State Bar has jurisdiction over the subject matter of this proceeding and over the person of Paul C. Bland.
2. The procedure for imposition of reciprocal discipline pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, § .0116 of the N.C. State Bar Discipline & Disability Rules has been complied with.
3. The order of the Virginia State Bar Disciplinary Board found that Paul C. Bland had failed to act with reasonable diligence and promptness in the representation of multiple clients; failed to properly communicate with his clients about the status of their legal matter; and had failed to inform a client about a prior suspension of his license as required by the rules of court, which constitutes conduct in violation of Rule 1.3; 1.4; and 3.4(a) of the North Carolina Rules of Professional Conduct and which justifies the imposition of reciprocal discipline in this state. The Order of the Virginia State Bar Disciplinary Board is attached to this Order as Attachment 1, which Order, including the findings of fact and conclusions of law, is adopted in its entirety and incorporated by reference as if set out fully herein.
4. The license revocation imposed by the Virginia State Bar Disciplinary Board should be imposed on Paul C. Bland's right to practice law in the State of North Carolina. The identical discipline in North Carolina is disbarment.

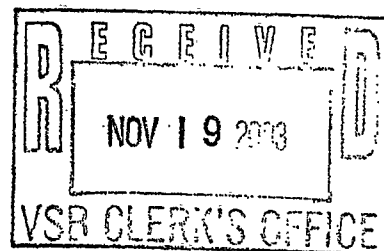
THEREFORE IT IS HEREBY ORDERED THAT:

1. Paul C. Bland is hereby disbarred by the North Carolina State Bar.
2. Paul C. Bland shall forthwith surrender his license certificate and membership card to the Secretary of the North Carolina State.
3. Paul C. Bland is hereby taxed with the costs of this proceeding as assessed by the Secretary.
4. Paul C. Bland shall not resume the practice of law in the State of North Carolina until reinstatement by the North Carolina State Bar.

5. Paul C. Bland shall comply with the wind down provisions of 27 N.C. Admin. Code Chapter 1, Subchapter B, Rule .0124 of the N.C. State Bar Discipline & Disbarment Rules.

This the 1st day of January 2005.


Henry Babo
Chairperson, Grievance Committee



VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF PAUL CORNELIOUS BLAND

VSB DOCKET NOS. 03-031-0696, 03-031-1341, AND 03-031-1993

ORDER OF REVOCATION

THESE MATTERS were certified to the Virginia State Bar Disciplinary Board ("Board") by the Third District, Section I, Subcommittee, and were heard on September 25, 2003, by a duly convened panel consisting of Karen A. Gould, Esquire, First Vice Chair, Robert E. Eicher, Esquire, William M. Moffet, Esquire, H. Taylor Williams, IV, Esquire, and Thaddeus T. Crump, Lay Member. The Respondent, Paul Cornelious Bland (hereinafter "Mr. Bland" or "Respondent"), was not present and was not represented by counsel, the case having been called by the Clerk of Court three times, no response having been made. The Virginia State Bar (hereinafter "the Bar") was represented by Barbara A. Williams, Bar Counsel. The Chair polled the members of the Board Panel as to whether any of them was conscious of any personal or financial interest or bias which would preclude any of them from fairly hearing this matter and serving on the panel, to which inquiry each member responded in the negative.

Tracy J. Stroh, Chandler & Halasz, Inc., Post Office Box 9349, Richmond, Virginia, 23227, (804)730-1222, was the court reporter for the hearing and did transcribe the proceedings.

The Bar presented to the Panel in Docket No. 03-031-0696 a total of seven (7) exhibits; the Bar presented to the Panel in Docket No. 03-031-1341 a total of fifty-four (54) exhibits; the Bar presented to the Panel in Docket No. 03-031-1993 a total of nine (9) exhibits. All of the exhibits in each case were received into evidence without objection. In addition the Bar

presented to the Board a stipulation of factual allegations that contained two (2) general factual allegations, seven (7) factual allegations related to Docket No. 03-031-0696, thirty-six (36) factual allegations related to Docket No. 03-031-1341, and ten (10) factual allegations related to Docket No. 03-031-1993.

Stipulated Factual Allegations

I. General Factual Allegations

VSB Docket Nos. 03-031-0696, 03-031-1341 and 03-031-1993

1. Mr. Bland was admitted to the practice of law in the Commonwealth of Virginia on March 3, 1982.
2. Until August 16, 2002, Mr. Bland was active and in good standing to practice law in the Commonwealth of Virginia.

II. VSB Docket No. 03-031-0696

Complainant: Michael Roberts

1. The Circuit Court of the City of Petersburg appointed Mr. Bland and attorney John Cobb to represent Michael Roberts on felony charges.
2. Mr. Cobb represented Mr. Roberts on charges involving a juvenile victim; Mr. Bland represented Mr. Roberts on other charges.
3. After he was convicted on June 21, 2001, Mr. Roberts requested Mr. Cobb and Mr. Bland to appeal the convictions.
4. Mr. Cobb appealed Mr. Roberts' conviction of charges on which Mr. Cobb represented him.
5. Mr. Bland failed to appeal Mr. Roberts' conviction of charges on which Mr. Bland represented him; failed to respond to Mr. Roberts' inquiries about the appeal; and failed to pursue a delayed appeal after advising Mr. Roberts in April 2002 that he would do so.
6. Mr. Bland also failed to notify Mr. Roberts that his license to practice law was suspended on August 16, 2002, as required by the Rules of Court.
7. Mr. Roberts filed a bar complaint against Mr. Bland on or about September 1, 2002.

III. VSB Docket No. 03-031-1341
Complainant: McRaymond Norrington

1. In January 1997, the complainant McRaymond Norrington retained Mr. Bland to file suit to recover monies that Almeta Brown collected for renting a farm in which she had a e ownership interest and Mr. Norrington had a d ownership interest.
2. Mr. Bland filed suit in Brunswick County Circuit Court on May 19, 1997.
3. Richard Outten, Mrs. Brown's counsel, filed an answer and discovery responses on June 12, 1997.
4. After Mrs. Brown died on March 1, 1998, the administrators of her estate were substituted as defendants in the pending action.
5. Mr. Bland noticed a hearing for November 16, 1998, to present the pleadings and discovery responses submitted in June 1997 to the court.
6. The November 6 hearing was continued because Mr. Bland failed to clear the date with opposing counsel, who was unavailable; opposing counsel suggested December 11, 1998, as an alternate hearing date, but Mr. Bland was not available on that date.
7. On January 27, 1999, Mr. Norrington wrote the court, requesting the court's assistance in bringing "this tiresome case to some sort of closure."
8. On April 22, 1999, a hearing was finally held, and the court ruled that the defendants were to provide Mr. Norrington an accounting of rents and income from timber sales and directed Mr. Bland to prepare an order to that effect.
9. In September 1999, Mr. Norrington learned from the court clerk that Mr. Bland had never prepared an order memorializing the court's April 22 ruling; an order was not entered until October 26, 1999, more than six months after the court ruled.
10. The defendants filed an accounting on November 22, 1999, which indicated that Mr. Norrington was owed \$4,093.84.
11. By letter dated November 24, 2000, Mr. Bland advised Mr. Norrington that he could either accept the accounting or negotiate the conveyance of the Mrs. Brown's heirs' interest in the farm in lieu of payment.

12. By letter dated January 10, 2000, Mr. Norrington advised Mr. Outten that the accounting was erroneous in that it did not reflect rental payments Mrs. Brown had received in 1984 and 1985.
13. By letter dated April 9, 2000, Mr. Norrington sent Mr. Bland a check for \$200, hoping that it would get Mr. Bland "to the Brunswick County Court House and fast."
14. By letter to Mr. Norrington dated April 13, 2000, Mr. Bland noted he had gone by the court house on March 30, 2000, and "It appears the accounting is filed and it shows that you are entitled to some funds."
15. In his April 13th letter, Mr. Bland quoted Mr. Norrington a retainer fee of \$2,000 for filing a partition suit; Mr. Norrington sent Mr. Bland a check for \$2,000 on or about May 7, 2000, receipt of which was acknowledged by letter dated May 18, 2000.
16. Mr. Norrington e-mailed Mr. Bland on May 25, 2000, and again on June 25, 2000, complaining that Mr. Bland had failed to adequately explain his fee.
17. By e-mail dated June 23, 2000, Mr. Bland's office inquired whether Mr. Norrington wanted to negotiate for conveyance of the farm to him in lieu of monies owed or to obtain a judgment against the estate for the monies owed.
18. By e-mail to Mr. Norrington dated June 29, 2000, Mr. Bland's office confirmed that it would proceed with negotiations, then judgment if necessary.
19. By e-mail dated July 14, 2000, Mr. Norrington inquired whether Mr. Bland had spoken to a witness.
20. By letter dated August 4, 2000, Mr. Bland proposed that Mr. Outten's clients convey their interest in the farm to Mr. Norrington.
21. In a letter to Mr. Bland dated August 4, 2000, Mr. Outten advised that his clients would not convey their interest in the farm to Mr. Norrington but were willing to partition the property.
22. Mr. Bland wrote Mr. Outten on August 29, 2000, indicating that Mr. Outten had not replied to Mr. Bland's August 4 proposal; on August 31, 2003, Mr. Outten sent Mr. Bland a copy of his August 4 reply.
23. On December 19, 2000, Mr. Bland filed a partition suit on Mr. Norrington's behalf in Brunswick County Circuit Court.

24. The defendants answered the lawsuit on January 19, 2001, and represented that they were willing to partition the property.
25. Thomas H. Rose, Jr. was appointed Commissioner in Chancery on March 5, 2001, and wrote Mr. Bland on May 14, 2001, recommending that the parties agree to a partition in kind, thereby avoiding a hearing.
26. On August 20, 2001, Mr. Rose wrote Mr. Bland again, requesting that Mr. Bland advise him whether he wanted to proceed with a hearing.
27. On December 17, 2001, after a hearing scheduled for November 20th was cancelled, Mr. Rose wrote Mr. Bland requesting that he either agree to a partition in kind or provide available dates for a hearing.
28. On December 31, 2001, Mr. Rose wrote Mr. Bland again, indicating that the parties needed to proceed with a hearing since the matter could not be settled.
29. Mr. Outten wrote Mr. Bland on January 4, 2002, expressing surprise that the matter could not be settled and questioning whether a hearing would serve the parties' interest.
30. Mr. Rose met with Mr. Outten and Mr. Bland at his office on February 25, 2002.
31. Mr. Outten submitted a memorandum dated February 26, 2002, outlining his clients' position.
32. On March 4, 2002, Mr. Rose wrote Mr. Bland and Mr. Outten requesting them to let him know when they had reached a decision.
33. In August 2002, Mr. Norrington received an e-mail from Mr. Bland stating that his law license had been suspended for "technical violations" and not charging enough for his services.
34. Mr. Bland advised Mr. Norrington that attorney Katrina Whitfield would handle his case.
35. On November 6, 2002, Ms. Whitfield wrote Mr. Norrington on letterhead captioned "Bland and Whitfield, PLLC" and advised him to accept the rent money and keep his d interest in the farm because there was no legal basis upon which he could claim all the land.
36. On or about November 7, 2002, Mr. Norrington filed a bar complaint against Mr. Bland, alleging that, after Mr. Norrington paid him a total of \$3,526, Mr. Bland failed to communicate with Mr. Norrington and pursue his legal matter in a diligent manner.

IV. VS B Docket No. 03-031-1993
Complainant: Bernadine Rice

1. On or about October 8, 1993, Bernadine Rice retained Mr. Bland to file suit against Brunswick County for constructing a sewer line across her property without her permission.
2. Ms. Rice paid Mr. Bland a \$250 retainer.
3. On or about October 11, 1995, Mr. Bland filed a motion for judgment in the Circuit Court of Brunswick County against the County of Brunswick seeking to recover \$50,000 in damages.
4. The county filed a demurrer on October 31, 1995, alleging that Ms. Rice's sole remedy was to institute a declaratory judgment action to determine whether her property had been taken or damaged, thereby entitling her to compensation.
5. Mr. Bland took no further action in the lawsuit, which the court dismissed on December 22, 1998, for lack of prosecution.
6. Mr. Bland did not inform Ms. Rice that the court had dismissed her case.
7. Mrs. Rice did not learn that her case had been dismissed until February 2002, when her son contacted Mr. Bland.
8. At that time, Mr. Bland advised Ms. Rice's son that he would have the case reinstated.
9. After Ms. Rice wrote Mr. Bland on July 8, 2002, complaining that he had failed to keep her informed of the progress of her case, Mr. Bland advised her by letter dated July 11, 2002, that he was not sure the case could be reinstated and that she might want to consult local counsel about seeking an injunction.
10. Ms. Rice filed a bar complaint against Mr. Bland on December 31, 2002.

After admitting the exhibits into evidence and receiving the stipulations of the parties, the Board retired to deliberate the issues of misconduct. Following the consideration of all the evidence so received, the Board made the following findings.

FINDINGS OF MISCONDUCT

The Board finds by clear and convincing evidence that the respondent has violated the following Disciplinary Rules and Rules of Professional Conduct:

I. VS B Docket No. 03-031-0696
Complainant: Michael Roberts

- RULE 1.3 Diligence
 (a) A lawyer shall act with reasonable diligence and promptness in representing a client.
- RULE 1.4 Communication
 (b) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

II. VS B Docket No. 03-031-1341
Complainant: McRaymond Norrington

- DR 6-101 Competence and Promptness.
 (B) A lawyer shall attend promptly to matters undertaken for a client until completed or until the lawyer has properly and completely withdrawn from representing the client
- (C) A lawyer shall keep a client reasonably informed about matters in which the lawyer's services are being rendered
- (D) A lawyer shall inform his client of facts pertinent to the matter and of communications from another party that may significantly affect settlement or resolution of the matter
- RULE 1.3 Diligence
 (b) A lawyer shall act with reasonable diligence and promptness in representing a client.

- RULE 1.4 Communication
- (c) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.
 - (d) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.
 - (e) A lawyer shall inform the client of facts pertinent to the matter and of communications from another party that may significantly affect settlement or resolution of the matter.

III. YSB Docket No. 03-031-1993
Complainant: Bernadine Rice

- DR 6-101 Competence and Promptness.
- (A) A lawyer shall undertake representation only in matters in which:
 - (1) the lawyer can act with competence and demonstrate the specific legal knowledge, skill, efficiency, and thoroughness in preparation employed in acceptable practice by lawyers undertaking similar matters, or
 - (2) the lawyer has associated with another lawyer who is competent in those matters
 - (B) A lawyer shall attend promptly to matters undertaken for a client until completed or until the lawyer has properly and completely withdrawn from representing the client
 - (C) A lawyer shall keep a client reasonably informed about matters in which the lawyer's services are being rendered

- RULE 1.3 Diligence
- (b) A lawyer shall act with reasonable diligence and promptness in representing a client.

- RULE 1.4 Communication
- (c) A lawyer shall inform the client of facts pertinent to the matter and of communications from another party that may significantly affect settlement or resolution of the matter.

The Board did not find by clear and convincing evidence that the respondent had violated the following Disciplinary Rules and Rules of Professional Conduct:

I. VSF Docket No. 03-031-0696
Complainant: Michael Roberts

RULE 3.4 Fairness to Opposing Party and Counsel

A lawyer shall not:

- (a) Knowingly disobey or advise a client to disregard a standing rule or a ruling of a tribunal made in the course of a proceeding, but the lawyer may take steps, in good faith, to test the validity of such rule or ruling

II. VSF Docket No. 03-031-1993
Complainant: Bernadine Rice

DR 6-101 Competence and Promptness

- (D) A lawyer shall inform his client of facts pertinent to the matter and of communications from another party that may significantly affect settlement or resolution of the matter

DR 7-101 Representing a Client Zealously.

(A) A lawyer shall not intentionally:

- (1) Fail to seek the lawful objectives of his client through reasonably available means permitted by law and the Disciplinary Rules, except as provided by DR 7-101(B). A lawyer does not violate this Disciplinary Rule, however, by acceding to reasonable requests of opposing counsel which do not prejudice the rights of his client, by being punctual in fulfilling all professional commitments, by avoiding offensive tactics, or by treating with courtesy and consideration all persons involved in the legal process.
- (2) Fail to carry out a contract of employment entered into with a client for professional services, but he may withdraw as permitted under DR 2-108, DR 5-102, and DR 5-105.
- (3) Prejudice or damage his client during the course of the professional relationship, except as required under DR 4-101(D).

The Bar withdrew the following charge of misconduct:

(III) VSF Docket No. 03-031-1341
Complainant: McRaymond Norrington

DR 2-105. Fees

(A) A lawyer's fees shall be reasonable and adequately explained to the client.

After the Board announced the Board's findings of misconduct, the Bar introduced the respondent's prior record of discipline to be considered by the Board in imposing sanctions.

IMPOSITION OF SANCTION

The Board, having considered all the evidence before it, the nature of the respondent's actions and the respondent's prior disciplinary record, hereby ORDERS that the license of the respondent, Paul Cornelious Bland, to practice law in the Commonwealth of Virginia be, and the same is hereby, REVOKED effective September 25, 2003, a summary order having been entered that date; and

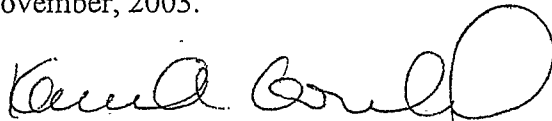
It is further ORDERED that, pursuant to Part Six, Section IV, Paragraph 13(M) of the Rules of the Supreme Court of Virginia, Respondent shall forthwith give notice, by certified mail, return receipt requested, of this Revocation of his license to practice law in the Commonwealth of Virginia to all clients for whom he is currently handling any matters, to all judges and the clerks of the courts before which Respondent may have any pending cases and to all opposing counsel on all such cases. Respondent shall also make appropriate arrangements for the disposition of matters now in his care, in conformity with the wishes of his client. Respondent shall give such notice within 14 days of the effective date of the Revocation, and make such arrangements as are required herein within 45 days of the effective date of the Revocation. The Respondent shall also furnish proof to the Bar within 60 days of the effective date of the Revocation that such notices have been timely given and such arrangements made for the disposition of matters.

It is further ORDERED that if the Respondent is not handling any client matters on the effective date of his Revocation, he shall submit an affidavit to that effect to the Clerk of the Disciplinary System at the Virginia State Bar. All issues concerning the adequacy of the notice and arrangements required by Paragraph 13(M). shall be determined by the Virginia State Bar Disciplinary Board, unless the Respondent makes a timely request for hearing before a three-judge court.

It is further ORDERED that the Clerk of the Disciplinary System shall mail an attested copy of this order to respondent at his address of record with the Virginia State Bar, being Post Office Box 402, Petersburg, Virginia, 23804-0402 , by certified mail, return receipt requested, and by regular mail to Barbara A. Williams, Bar Counsel, Virginia State Bar, 707 E. Main Street, Suite 1500, Richmond, Virginia 23219.


It is further ORDERED that, pursuant to Part Six, § IV, ¶ 13(B)(8)(c) of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess all costs against the Respondent.

ENTERED this 18th day of November, 2003.



Karen Gould, First Vice Chair
Virginia State Bar Disciplinary Board

-11-

A COPY TESTE:

BARBARA SAYERS LANIER
CLERK OF THE DISCIPLINARY SYSTEM