

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1305 Disciplinary Docket No. 3
Petitioner :
 : No. 100 DB 2007
v. :
 : Attorney Registration No. 81968
KEITH ALLEN NOLL, :
Respondent : (Luzerne County)

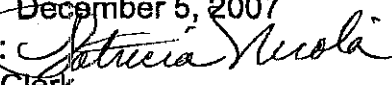
ORDER

PER CURIAM:

AND NOW, this 5th day of December, 2007, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated September 13, 2007, the Joint Petition in Support of Discipline on Consent is hereby granted pursuant to Rule 215(g), Pa.R.D.E., and it is

ORDERED that Keith Allen Noll is suspended on consent from the Bar of this Commonwealth for a period of eighteen months and he shall comply with all the provisions of Rule 217, Pa.R.D.E.

It is further ORDERED that, at the conclusion of the suspension period, respondent shall pay the costs incurred by the Disciplinary Board in the investigation and prosecution of this matter.

A True Copy Patricia Nicola
As of: December 5, 2007
Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA


OFFICE OF DISCIPLINARY COUNSEL : No. 100 DB 2007
Petitioner :
v. : Attorney Registration No. 81969
KEITH ALLEN NOLL :
Respondent : (Luzerne County)

RECOMMENDATION OF THREE-MEMBER PANEL
OF THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

The Three-Member Panel of the Disciplinary Board of the Supreme Court of Pennsylvania, consisting of Board Members Robert E. J. Curran, Jonathan H. Newman and Marc S. Raspanti, has reviewed the Joint Petition in Support of Discipline on Consent filed in the above-captioned matter on August 20, 2007.

The Panel approves the Joint Petition consenting to an 18 Month Suspension and recommends to the Supreme Court of Pennsylvania that the attached Petition be Granted.

The Panel further recommends that any necessary expenses incurred in the investigation and prosecution of this matter shall be paid by the respondent-attorney after the imposition of discipline.


Robert E. J. Curran, Panel Chair
The Disciplinary Board of the
Supreme Court of Pennsylvania

Date: September 13, 2007

**BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 100 DB 2007
Petitioner	:	- Disciplinary Board
vs.	:	
	:	
KEITH ALLEN NOLL,	:	
Respondent	:	Attorney Reg. No. 81968
	:	(Luzerne County)

**JOINT PETITION IN SUPPORT OF DISCIPLINE
ON CONSENT PURSUANT TO Pa.R.D.E.215(d), et. seq.**

Petitioner, Office of Disciplinary Counsel ("ODC"), by Paul J. Killion, Chief Disciplinary Counsel, and John Francis Dougherty, Disciplinary Counsel, and Respondent, Keith Allen Noll, Esquire ("Respondent"), *pro se*, respectfully petition this Honorable Board in support of discipline on consent, pursuant to Pennsylvania Rule of Disciplinary Enforcement ("Pa.R.D.E.") 215(d), *et. seq.*, and in support thereof state:

FILED

AUG 20 2007

Office of the Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

1. ODC, whose principal office is situated at Suite 1400, 200 North Second Street, Harrisburg, Pennsylvania, is invested, pursuant to Pa. R.D.E. 207, with the power and duty to investigate all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of the aforesaid Enforcement Rules.

2. Respondent was born in 1973, admitted to practice law in this Commonwealth on October 21, 1998, and has Attorney Registration Number 81968. He is currently on Inactive Status and his registered address is 18 Garden Drive, Plains, PA, 18705. He is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

3. Respondent's affidavit stating, *inter alia*, his consent to the recommended discipline is attached hereto as Exhibit "A."

SPECIFIC FACTUAL ALLEGATIONS ADMITTED

4. In 1998, Raymond L. Glessner sued Terry and Mary Bonebrake, husband and wife, in the Court of Common Pleas of Franklin County, PA, at No. A.D. 1998-579.

5. The Glessner suit concerned prior real estate and personal property transactions between Glessner and the Bonebrakes.

6. In or about 1999, the Respondent undertook the defense of the Bonebrakes and became their counsel of record.

7. Discovery was had in the Glessner suit and the Respondent prepared an Answer with New Matter and Counterclaims.

8. In February 2000, the court denied the Bonebrakes' motion for summary judgment and the case thereafter became dormant.

9. On September 26, 2002, the Glessner case was dismissed because of inactivity.

10. In or about October, 2002, the Respondent advised the Bonebrakes of the dismissal of the Glessner suit.

11. The Respondent advising the Bonebrakes of the dismissal of the Glessner suit was the last communication the Respondent had with the Bonebrakes regarding that litigation.

12. By Order of October 24, 2004, the suit against the Bonebrakes was reinstated upon motion of counsel for the Glessners.

13. As the Bonebrakes' counsel of record, the Respondent received notice of the reinstatement of the Glessner suit, and all subsequent notices or filings relative to the suit.

14. The Respondent never advised the Bonebrakes of the reinstatement of the Glessner suit against them.

15. Subsequent to the reinstatement of the Glessner suit in October 2004, the Respondent received notices of a pretrial conference and of two jury selections but did not advise the Bonebrakes of any of these matters.

16. At a court appearance in late 2004, the Respondent told the Court that the Bonebrakes were not present as they had, or were in the process of, filing bankruptcy.

17. The Respondent had never discussed with the Bonebrakes anything concerning their possibly filing bankruptcy.

18. The Respondent's statements to the Court that the Bonebrakes were not present because they either had or were going to file bankruptcy had no basis in fact and was a knowing misrepresentation.

19. The Respondent received notice that a non-jury trial of the Glessner suit would be held on February 8, 2005.

20. The Respondent did not advise the Bonebrakes of the trial date of February 8, 2005.

21. Prior to the February 2005 trial, Terry Bonebrake learned from a neighbor of the renewal of the litigation by Glessner.

22. Upon learning of the renewal of the Glessner litigation, Mr. Bonebrake tried to contact the Respondent but the Respondent failed to respond to his inquiries.

23. The Glessner trial was held on February 8, 2005.

24. The Respondent did not appear for his clients at the February 8, 2005 trial or contact the court or opposing counsel relative to the matter.

25. Because of the Respondent's failure to proceed appropriately on behalf of the Bonebrakes they lost the opportunity to present any defenses or claims at the trial on February 8, 2005.

26. By order of February 8, 2005, the court noted the failure of the Bonebrakes to appear at the trial and develop a record in support of their claims, and because of the lack of evidence directed judgment in favor of Glessner with regard to the counterclaims of the Bonebrakes.

27. On February 15, 2005, the court entered the following verdict in favor of Glessner: damages on the contract claim, the sum of \$252,794 (personal property of \$33,100 and loss in value of the real estate of \$219,694); on the count alleging fraud by way of misrepresentation, based on the same measure of damages as the contract claim, the sum of \$252,794; the verdicts on contract and fraud claims to stand independently but each verdict is not to be added to the other; and, an award of punitive damages in the sum of \$150,000, plus interest, for a total judgment of \$534,852.38.

28. As counsel for the Bonebrakes, the Respondent received the Order of February 8, 2005 dismissing their counterclaims, and the Verdict of February 15, 2005.

29. The Respondent did not advise the Bonebrakes of the Order or the Verdict that were entered in February 2005.

30. The judgment against the Bonebrakes became final on March 17, 2005, after the running of the appeal period.

31. The Bonebrakes did not learn of the \$534,852.38 judgment against them until May 2005 when they received notice thereof.

32. The Bonebrakes and their new counsel, Jeffrey Evans, requested the Bonebrakes' file from the Respondent, but it was not timely delivered.

33. The Respondent failed to deliver the Bonebrakes' file to their successor counsel until it was produced at the Respondent's deposition on August 31, 2005.

34. On May 31, 2005, the Bonebrakes filed a petition to open the judgment and for the grant of a trial *nunc pro tunc* arguing that they did not have an opportunity to present their case because of the Respondent's failure to properly proceed on their behalf.

35. The Bonebrakes' petition to open was denied and they appealed to the Superior Court, at No. 967 MDA 2006, and raised the issue of the Respondent's failure to proceed appropriately on their behalf.

36. On January 16, 2007, the Superior Court filed a Memorandum Opinion dismissing the appeal of Terry and Mary Bonebrake.

37. In an attempt to satisfy their judgment, the Glessners have executed on the Bonebrakes' property and a Sheriff's Sale of the property was held in July 2007.

38. On May 3, 2007, a *DB-7 Request for Statement of Respondent's Position* was sent to the Respondent that set forth the facts and circumstances in paragraphs 4 through 37, above. The Respondent received the DB-7 but did not respond.

39. On July 17, 2007, a Petition for Discipline was served on the Respondent setting forth the facts and circumstances in paragraphs 4 through 37, above. By Stipulation of the parties hereto, the time for filing an Answer was extended to August 27, 2007.

40. By his conduct as set forth in Paragraphs Nos. 4 through 37 above, which relate to the pending disciplinary matter, the Respondent acknowledges that he violated the following Rules of Professional Conduct, as charged in the Petition for Discipline:

Rule 1.1 Competence

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

Rule 1.3 Diligence

A lawyer shall act with reasonable diligence and promptness in representing a client.

Rule 1.4 Communication

(a) A lawyer shall:

(1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in Rule 1.0(e), is required by these Rules;

(2) reasonably consult with the client about the means by which the client's objectives are to be accomplished;

(3) keep the client reasonably informed about the status of the matter;

(4) promptly comply with reasonable requests for information; and

(5) consult with the client about any relevant limitation on the lawyer's conduct when the lawyer knows that the client expects assistance not permitted by the Rules of Professional Conduct or other law.

(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

Rule 1.16 Declining or Terminating Representation

(d) Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee or expense that has not been earned or incurred. The lawyer may retain papers relating to the client to the extent permitted by other law.

Rule 3.3 Candor Toward the Tribunal

(a) A lawyer shall not knowingly:

(1) make a false statement of material fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer.

Rule 8.4 Misconduct

It is professional misconduct for a lawyer to:

(c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation;

(d) engage in conduct that is prejudicial to the administration of justice.

41. On May 6, 2004, the Respondent received an Informal Admonition, at File No. C3-03-339, for misconduct in violation of Rules of Professional Conduct 1.3 (Diligence), 1.4(a) and (b) (Communications), and 3.2 (Expediting Litigation). The Respondent in 2000 had started representing parties in claims arising from a personal injury. The matter proceeded appropriately until late

2001 when the Respondent stopped responding to his clients and the defendant's counsel. The Respondent failed to advise his clients of what was transpiring or of a Motion for Sanctions/Dismissal of Case filed in May 2003 by the Defendants. The Respondent's clients retained new counsel and the Respondent ignored that attorney's request to review the clients' file. The new attorney was ultimately able to protect the clients' interests and properly resolve their case.

42. On April 11, 2006, the Respondent received an Informal Admonition, at File No. C3-05-259, for misconduct in violation of Rules of Professional Conduct 1.1 (Competence), 1.4 (a)(3)(4) and (b) (Communications), 1.5(b) (Fee Agreements), 8.4(c) (Misrepresentation), and 8.4(d) (Conduct Prejudicial to the Administration of Justice). The Respondent's client was charged with state tax violations relating to the client's business and in September 2004 the Respondent signed a waiver of the client's preliminary hearing and accepted service of a notice for the client to appear in Common Pleas Court for arraignment. The Respondent told the client that he did not have to appear for the arraignment as it would be waived by the Respondent. The Respondent failed to file a waiver and when neither he nor the client appeared for the arraignment the client was picked up on a bench warrant and jailed. After misrepresenting to the client that the waiver of arraignment had been filed and that the Respondent would take care of the bench warrant, the Respondent did nothing, failed to respond to inquiries from his client, inquires from the prosecution, and inquiries from the client's new counsel. The client was in jail for

about one month because of the Respondent's failure to proceed appropriately and then abandoning the client.

43. The Respondent is on Inactive Status and has not engaged in the practice of law for over a year because of personal issues relating to physical and psychological problems for which the Respondent has sought ongoing treatment. For the purposes of this Petition, however, the Respondent is not seeking consideration of any mitigation under *Office of Disciplinary v. Braun*, 520 Pa. 157, 553 A.2d 894 (1989).

44. Except for some limited non-legal employment of approximately a month, the Respondent has had no income for over a year and has resided with his parents. The Respondent has no financial resources and respectfully requests that the Disciplinary Board waive or defer any fees or costs that might be assessed relative to the processing and/or consideration of this Petition. The contentions of indigency as set forth in this paragraph are those of the Respondent and are made pursuant to the penalties provided by 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

RECOMMENDATION FOR AN EIGHTEEN MONTH SUSPENSION

The parties hereto agree that the preceding agreed to facts in the pending matter, the clearly supported and agreed to violations of the above Rules of Professional Conduct in the pending matter, and the Respondent's prior record of discipline of Informal Admonitions in 2004 and 2006 for similar misconduct,

evidences a pattern of misconduct for a period spanning approximately three years that warrants the imposition of a suspension for eighteen months. The parties hereto respectfully request that after consideration of this Joint Petition that the Disciplinary Board recommend to the Supreme Court of Pennsylvania that the agreement for a suspension of eighteen months be adopted and an appropriate order entered.

The primary function of the lawyer disciplinary system is to determine the fitness of an attorney to continue to practice law. The utmost concern is to protect the public and the courts from persons who are unfit to practice law. *Office of Disciplinary Counsel v. Lucarini*, 472 A.2d 186 (Pa. 1983).

In determining the appropriate measure of discipline, precedent must be examined to measure the Respondent's misconduct against other similar matters. *In re Anonymous No. 56 DB 1994*, 28 Pa.D.&C.4th398(1995). Any aggravating and mitigating factors are also to be considered. *In re Anonymous No. 35 DB 1988*, 8 Pa. D.&C.4th 344(1990).

This is the third disciplinary matter involving the Respondent. The two prior Informal Admonitions involve, as does the pending matter, the Respondent's accepting employment, failing to proceed appropriately, and then ultimately abandoning the clients.

In the first Informal Admonition, the Respondent's personal injury client was faced with possible sanctions and the dismissal of the case after the Respondent essentially abandoned the client. Fortunately, new counsel was able to resurrect the matter and conclude it appropriately.

In the second Informal Admonition, the Respondent in a criminal matter misrepresented to the client what he had done and then abandoned the client, who sat in prison for a month until successor counsel, from whom the Respondent ignored inquiries, was able to get the matter appropriately addressed. The Respondent's conduct was so egregious that it was the prosecution that brought the matter to the attention of the Office of Disciplinary Counsel.

The clients in the pending disciplinary matter were not as fortunate as the clients in the prior disciplinary matters. The Respondent: never told his clients, the Bonebrakes, that in October 2004 the suit against the clients, that had been dismissed for inactivity in October 2002, had been resurrected and was proceeding; attended a pre-trial conference and misrepresented to the court why the clients would not appear for the scheduled trial; failed to appear at trial for the clients; and, failed to advise the clients of the verdict and subsequent entry of the judgment against them for over \$500,000.

The Respondent's conduct deprived the Bonebrakes of the right to present any defense and to prosecute the counterclaims. When the Bonebrakes learned of the judgment and retained new counsel the Respondent did not timely turn over the clients' file. The new counsel was unsuccessful in attempts to appeal the judgment *nunc pro tunc* based on the Respondent's failure to proceed appropriately for the client. The Superior Court concluded that the Respondent's conduct as the Bonebrakes' counsel was not an adequate basis for opening the judgment against them and that the Bonebrakes' recourse was to sue the

Respondent. The Respondent has no malpractice insurance and no assets. The Bonebrakes property was eventually levied on and sold in July 2007. The proper determination of the Glessner suit against the Bonebrakes on the merits was thwarted by the Respondent's conduct, or lack thereof.

In *Office of Disciplinary Counsel v. Wilbert H. Beachy, III*, No. 869 Disciplinary Docket No. 3, No. 95 DB 2003 (available at <http://courts.pa.us/OpPosting/disciplinaryboard/dboardopinions/95DB2003-Beachy.pdf>) the attorney had four previous disciplinary matters for which he had received three Private Reprimands and an Informal Admonition, "each time for very similar misconduct, and culminating in the instant proceeding wherein he once again has engaged in client misconduct that mirrors his previous history." Board Report and Recommendation at p15.

Similar to some of the misconduct of Respondent Noll, Beachy had failed to properly communicate with clients, failed to seek recovery for a client, failed to communicate the rate or basis of his fee to one client, and failed to take action of record in a matter of civil litigation. The Board determined that Beachy's previous misconduct and the discipline imposed did not result in Beachy having made any positive changes in the way he practiced law so as to have avoided the misconduct that was the subject of this case. The Board concluded that "It is apparent that private discipline has failed to achieve a discernible change in [Beachy's] practice habits." Board Report at 17. By Order of November 29, 2005, Beachy was suspended for two years.

That Respondent Noll's disciplinary record is not as extensive as that in *Beachy* is of little significance. What is significant is that the successive acts of misconduct by both attorneys were not deterred by the prior discipline for similar misconduct. Noll's misconduct in the pending matter also involved a misrepresentation to a court, as well as quite dire financial consequences to the Bonebrakes that might have at least been possibly limited had he proceeded appropriately.

In *Office of Disciplinary Counsel v. Paula M. Lappe*, 1007 Disciplinary Docket No. 3, No. 38 DB 2004 (available at <http://www.courts.state.pa.us/OpPosting/disciplinaryboard.dboardopinioins/38db2004-Lappe.pdf>) the attorney "engaged in neglect of her clients' cases, failed to keep clients informed about their cases, failed to provide her clients with a written document evidencing the basis and rate of her fee, and failed to return client papers and unearned fees to the clients when the representation was terminated." Board Report at 10. It was found that Lappe took clients' cases, did not do the necessary work, abandoned her practice, and in at least one instance had failed to return client documents. By Order of May 11, 2005, Lappe was suspended for two years. As had Lappe, Respondent Noll failed to do necessary work, essentially abandoned his practice with no notice to the Bonebrakes, and failed to timely provide the client's file to successor counsel.

In *Office of Disciplinary Counsel v. Sterling Artist*, No. 1133 Disciplinary Docket No. 3, No. 153 DB 2005 (available at <http://courts.state.pa.us/OpPosting/disciplinaryboard/dboardopinions/153DB2005>)

-Artist.pdf), by order of July 18, 2007, Artist was suspended for a year and a day. In three matters, Artist engaged in a pattern of neglect of client matters that spanned several years. As did Mr. Noll, Mr. Artist began but failed to follow through with litigation, mislead clients about the status of their cases and failed to respond to communications and provide information that would have allowed the clients to "...have made informed decisions regarding the representation and whether [Artist] should continue to act in their interests." Board Report at 16-17. As does Respondent Noll, Artist had some psychological problems. Artist sought *Braun* mitigation but none was sufficiently established.

The parties hereto agree that the Respondent's misconduct: (1) is more egregious than that in *Artist*, which resulted in a suspension of a year and a day; and, (2) while more closely analogous to that in *Beachy* and *Lappe* it is not quantitatively and qualitatively as serious and would not warrant a two year suspension, as was imposed in those cases. The Respondent's cooperation in this disciplinary proceeding as established by his participation in this Petition is a mitigating factor. The Respondent's prior record of two Informal Admonitions for similar misconduct is an aggravating factor. ODC and the Respondent agree for the purposes of this *Joint Petition in Support of Discipline on Consent Pursuant to Pa.R.D.E.215(d), et seq.* that the misconduct in the pending matter warrants the imposition of a suspension for eighteen months.

WHEREFORE, Joint Petitioners respectfully ask that your Honorable Board:

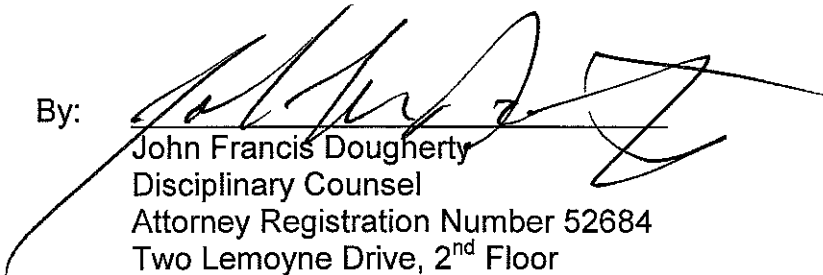
- a. Approve this Petition; and

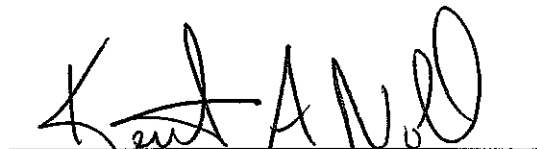
b. File this Petition and a recommendation for an Eighteen Month Suspension with the Supreme Court of Pennsylvania.

Respectfully Submitted,

OFFICE OF DISCIPLINARY COUNSEL
Paul J. Killion
Chief Disciplinary Counsel

By:


John Francis Dougherty
Disciplinary Counsel
Attorney Registration Number 52684
Two Lemoyne Drive, 2nd Floor
Lemoyne, PA 17043
717-731-7083


Keith Allen Noll
Respondent
Attorney Reg. No. 81968
18 Garden Drive
Plains, PA 18705
570-762-5662

Dated: August 20, 2007

VERIFICATION

The statements contained in the foregoing *Joint Petition in Support of Discipline on Consent Pursuant to Pa.R.D.E. 215(d), et.seq.* are true and correct to the best of our knowledge or information and belief and are made subject to the penalties of 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities.

August 20, 2007
Date

[Signature]
John Francis Dougherty
Disciplinary Counsel

08/20/2007
Date

[Signature]
Keith Allen Noll
Respondent

**BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 100 DB 2007
	:	- Disciplinary Board
Petitioner	:	
vs.	:	
	:	
KEITH ALLEN NOLL,	:	
Respondent	:	Attorney Reg. No. 81968
	:	(Luzerne County)

AFFIDAVIT UNDER RULE 215(d), Pa.R.D.E.

Keith Allen Noll submits this affidavit consenting to the recommendation of an Eighteen Month Suspension in conformity with Pa.R.D.E. 215(d) and further states as follows:

1. He is an attorney in the Commonwealth of Pennsylvania, having been admitted to the Bar on October 21, 1998, and having been assigned Attorney Registration No. 81968.
2. He desires to submit a *Joint Petition in Support of Discipline on Consent pursuant to Pa. R.D.E. 215(d), et. seq.* requesting that the Disciplinary Board recommend to the Supreme Court that he be suspended for eighteen months.
3. His consent is freely and voluntarily rendered, he is not being subjected to coercion or duress, and he is fully aware of the implications of submitting this affidavit. He has not conferred with counsel in this matter.

Petitioner's Exhibit

Exhibit "A"

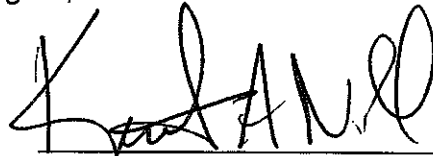
4. He is aware that there is presently pending a proceeding involving allegations that he has been guilty of misconduct as set forth in the Petition.

5. He acknowledges that the material facts in the Petition are true.

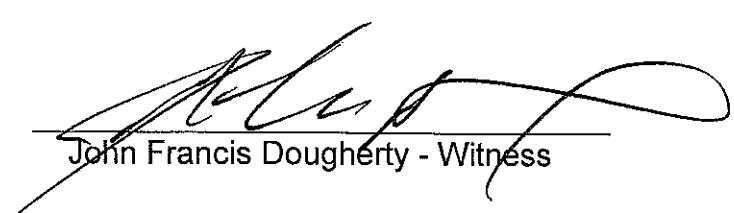
6. He consents to the recommended discipline because he knows if he continues to be prosecuted in the pending proceeding that he could not successfully defend against the misconduct set forth in the Petition.

The statements contained in the foregoing *Affidavit Under Rule 215(d), Pa.R.D.E.* are true and correct to the best of my information, knowledge and belief and are made subject to the penalties of 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities.

Signed this 20th day of August, 2007



Keith Allen Noll



John Francis Dougherty - Witness

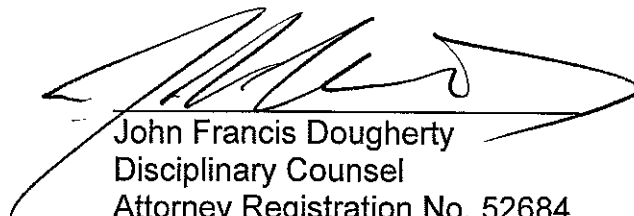
BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 100 DB 2007
Petitioner	:	- Disciplinary Board
vs.	:	
KEITH ALLEN NOLL,	:	
Respondent	:	Attorney Reg. No. 81968
	:	(Luzerne County)

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the *Joint Petition in Support of Discipline on Consent Pursuant to Pa. R.D.E. 215(d), et.seq.* upon all parties of record in this proceeding in accordance with the provisions of 204 Pa. Code §89.22 (relating to service by a participant), as follows:

Personal service on Keith Allen Noll, Esquire at Two Lemoyne Drive, Lemoyne, PA.


John Francis Dougherty
Disciplinary Counsel
Attorney Registration No. 52684
Two Lemoyne Dr., 2nd Floor
Lemoyne, PA 17043
717-731-7083

Dated: August *20th*, 2007