

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1489 Disciplinary Docket No. 3
Petitioner :
 : No. 61 DB 2009
v. :
 : Attorney Registration No. 49586
JACK WILLARD SNYDER, :
Respondent : (Out Of State)

ORDER

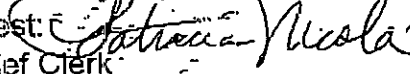
PER CURIAM:

AND NOW, this 24th day of May, 2010, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated April 13, 2010, 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 Jack Willard Snyder is suspended on consent from the Bar of this Commonwealth for a period of three years and he shall comply with all the provisions of Rule 217, Pa.R.D.E.

A True Copy Patricia Nicola

As of May 24, 2010

Attest: 
Chief Clerk

Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA


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JACK WILLARD SNYDER : Attorney Registration No. 49586
Respondent : (Out of State)

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 Gabriel L. Bevilacqua, Gerald Lawrence and Carl D. Buchholz, III, has reviewed the Joint Petition in Support of Discipline on Consent filed in the above-captioned matter on March 23, 2010.

The Panel approves the Joint Petition consenting to a three year 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 as a condition to the grant of the Petition.


Gabriel L. Bevilacqua, Panel Chair
The Disciplinary Board of the
Supreme Court of Pennsylvania

Date: April 13, 2010

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1489, Disciplinary Docket
Petitioner : No. 3 - Supreme Court
:
: No. 61 DB 2009
v. :
: Atty. Reg. No. 49586
JACK WILLARD SNYDER, :
Respondent : (Out of State)

JOINT PETITION IN SUPPORT OF DISCIPLINE
ON CONSENT UNDER Pa.R.D.E. 215(d)

Petitioner, Office of Disciplinary Counsel ("ODC"), by Paul J. Killion, Chief Disciplinary Counsel, and Gloria Randall Ammons, Disciplinary Counsel, and by Respondent, Jack Willard Snyder, and Respondent's Counsel, Jeffrey B. Schwartz, Esquire, and Alan Stuart Goldberg, Esquire, file this Joint Petition In Support of Discipline on Consent under Pennsylvania Rule of Disciplinary Enforcement (Pa.R.D.E.) 215(d), and respectfully represent that:

1. Petitioner, whose principal office is located at Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Ave., P.O. Box 62485, Harrisburg, Pennsylvania, 17106-2485, is invested, pursuant to Pa.R.D.E. 207, with the power and duty to investigate all matters involving alleged misconduct of any attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings

FILED

MAR 23 2010

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

brought in accordance with the various provisions of said Rules of Disciplinary Enforcement.

2. Respondent, Jack Willard Snyder, was born on July 8, 1951 and was admitted to practice law in the Commonwealth of Pennsylvania on November 10, 1987.

3. Respondent's registered address is 9443 Turnberry Drive, Potomac, MD 20854.

4. Pursuant to Pa.R.D.E. 201(a)(1), Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

5. On December 8, 2009, Petitioner filed a Petition for Discipline against Respondent with the Secretary of the Disciplinary Board.

**SPECIFIC FACTUAL ADMISSIONS AND
RULES OF PROFESSIONAL CONDUCT VIOLATED**

6. Respondent stipulates that the following factual allegations contained in the Petition for Discipline are true and correct and that he violated the charged Rule of Disciplinary Enforcement.

7. On November 7, 2008, a one-count Information was filed in the United States District Court for the District of Maryland charging Respondent with making false statements, in violation of 18 U.S.C. § 1001, in a case captioned ***United States of America v. Jack W. Snyder***, Criminal No. DKC-8-08-CR-00512-001. The Information charged that:

On or about May 23, 2006, in the District of Maryland, the defendant,

JACK W. SNYDER,

in a matter within the jurisdiction of the National Library of Medicine, National Institutes of Health, United States Department of Health and Human Services, a department or agency within the executive branch of the Government of the United States, did knowingly and willfully make a materially false, fictitious, and fraudulent statement and representation; to wit, he did knowingly and willfully state on his Form SF-278 Annual Financial Disclosure that he did not receive income from his outside legal consulting business, when in fact he had received approximately \$165,234 in gross income from such business in 2005.

18 U.S.C. § 1001

8. In the Statement of Facts attached to the Information, Respondent acknowledged as true and correct that he knowingly and willfully filed reports with the National Library of Medicine on which he made materially false, fictitious, and fraudulent statements or representations on five separate occasions in regard to his participation and income from his litigation consulting business, Medico-Legal-Forensic Services, as follows:

- a. 2003 SF-278 annual financial disclosure form, filed on or about October 15, 2004;
- b. 2004 SF-278 annual financial disclosure form, filed on or about May 20, 2005;
- c. 2004 HH8-521 annual report of outside activities, filed on or about June 13, 2005;

- d. 2005 HHS-521 annual report of outside activities, filed on or about February 28, 2006; and
- e. 2005 SF-278 annual financial disclosure form, filed on or about May 23, 2006.

(True and correct copies of the Information and Statement of Facts, are attached and collectively marked "Exhibit A.")

9. In the Statement of Facts, Respondent acknowledged as true and correct that while being deposed in a matter wherein he served as a consultant and testifying expert, he made several misstatements of fact regarding his employment with National Institutes of Health ("NIH") and NIH's knowledge and approval of his litigation consulting business.

10. On February 9, 2009, the Honorable Deborah K. Chasanow:

- a. sentenced Respondent to one year of probation;
- b. ordered Respondent to perform 160 hours of community service;
- c. imposed upon Respondent a \$200,000 fine to be paid immediately; and
- d. ordered Respondent to make payment of a \$100 assessment.

11. The crime of which Respondent was convicted is punishable by a term of imprisonment of not more than 5 years.

12. The crime of which Respondent was convicted constitutes a "serious crime" as defined by Pa.R.D.E. 214(i).

13. Respondent's conviction constitutes a *per se* ground for discipline under Pa.R.D.E. 203(b)(1).

14. By his conduct as alleged in Paragraphs 7 through 13 above, Respondent violated the following Rule of Disciplinary Enforcement:

- a. Former Pa.R.D.E. 203(b)(1), which provides that conviction of a crime, which under Enforcement Rule 214 (relating to attorneys convicted of crimes) may result in suspension, shall be grounds for discipline (superseded by Pa.R.D.E. 203(b)(1), effective August 28, 2009, which provides that conviction of a crime shall be grounds for discipline).

SPECIFIC JOINT RECOMMENDATION FOR DISCIPLINE

15. Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent's admitted misconduct is a suspension of three years.

16. Respondent hereby consents to that discipline being imposed upon him by the Supreme Court of Pennsylvania. Attached to this Petition is Respondent's executed Affidavit required by Rule 215(d), Pa.R.D.E., stating that he consents to the recommended discipline, including the mandatory acknowledgements contained in Rule 215(d)(1) through (4), Pa.R.D.E.

17. In support of Petitioner and Respondent's joint recommendation, it is respectfully submitted that there are several mitigating circumstances:

- a. Respondent has admitted engaging in misconduct and violating the charged Rule of Disciplinary Enforcement;

- b. Respondent has cooperated with Petitioner, as is evidenced by Respondent's admissions herein and his consent to receiving a suspension of three years; and
- c. Respondent is remorseful for his misconduct and understands he should be disciplined, as is evidenced by his consent to receiving a suspension of three years.

18. Respondent's false deposition testimony is a substantial aggravating factor.

19. Respondent has no history of discipline in the Commonwealth of Pennsylvania. However, Respondent has been disciplined in other jurisdictions based upon his criminal conviction, which is another aggravating factor, as follows:

- a. By Order dated June 30, 2009, effective *nunc pro tunc* May 27, 2009, the Virginia State Bar Disciplinary Board suspended Respondent for a period of one year and one day from the practice of law in Virginia; and
- b. By Order dated October 8, 2009, effective *nunc pro tunc*, May 8, 2009, the Supreme Court of Florida suspended Respondent for a period of three years from the practice of law in Florida.

20. Although there is no *per se* rule for discipline in this jurisdiction, a suspension of three years is within the range of discipline imposed on attorneys who have engaged in serious misconduct involving dishonesty, fraud, deceit or misrepresentation. See *Office of Disciplinary Counsel v. Itzhak E. Kornfeld*, No. 177 DB 2007 (S.Ct. Order 3/12/08) (respondent with no prior discipline consented to a two-year suspension for creating false documents to establish proof of

service of a Notice of Appeal he purportedly filed on behalf of his client and for later providing false testimony at an administrative hearing in regard to the false documents); ***In re Anonymous (Daryl B. Magid)***, 68 DB 1996, 34 Pa. D.&C.4th 292 (1996) (respondent with no prior discipline was suspended for three years for having falsely and incompletely answered questions on his Pennsylvania Bar application in regard to his application to the Ohio bar);; ***Office of Disciplinary Counsel v. Daniel E. Houlihan***, Nos. 208 DB 2003 & 110 DB 2004, (D.Bd. Rpt. 1/4/2006) (S.Ct. Order 3/28/06) (respondent with no prior discipline was suspended for four years for neglecting four client matters, presenting a forged Acceptance of Service to a court in one client matter, and misrepresenting to the court that the Acceptance of Service was correct); ***In re Anonymous No. 31 DB 88***, 5 Pa. D.&C.4th 308 (1989) (respondent with prior discipline, who was involved in an acrimonious divorce, was suspended for four years for, *inter alia*, testifying falsely about the amount of funds received from the sale of his sailboat); and ***Office of Disciplinary Counsel v. Frank Anthony Mazzeo***, No. 156 DB 2007, (D.Bd. Rpt. 1/30/09) (S.Ct. Order 4/28/2009) (respondent with no prior discipline was suspended for five years for lying to his client, the Social Security Administration and the Disciplinary Board in connection with the charging of an excessive fee and refusing to return the funds even after being confronted).

Respondent's misconduct is serious in that for his own personal and financial gain, Respondent knowingly and willfully withheld information that he was legally required to report to his employer regarding his income. The unreported income that Respondent failed to report was substantial. Respondent also gave false testimony under oath at a deposition. A suspension of three years reflects the seriousness of Respondent's misconduct and will require that Respondent prove his fitness at a reinstatement hearing.

WHEREFORE, Petitioner and Respondent respectfully request that:

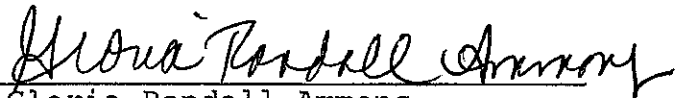
- a. Pursuant to Pa.R.D.E. 215(e) and 215(g), the three-member panel of the Disciplinary Board review and approve the Joint Petition in Support of Discipline on Consent and file its recommendation with the Supreme Court of Pennsylvania recommending that the Supreme Court enter an Order that Respondent be suspended for three years.
- b. Pursuant to Pa.R.D.E. 215(i), the three-member panel of the Disciplinary Board enter an order for Respondent to pay the necessary expenses incurred in the investigation and prosecution of this matter as a condition to the grant of the Petition, and that all expenses be paid by

Respondent before the imposition of discipline
under Pa.R.D.E. 215(g).

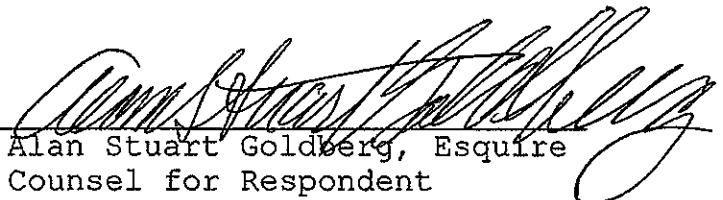
Respectfully and jointly submitted,

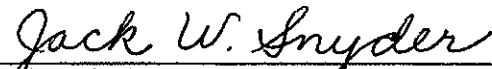
OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION
CHIEF DISCIPLINARY COUNSEL

By 
Gloria Randall Ammons
Disciplinary Counsel

By _____
Jeffrey B. Schwartz, Esquire
Counsel for Respondent

By 
Alan Stuart Goldberg, Esquire
Counsel for Respondent

By 
Jack Willard Snyder
Respondent

Respondent before the imposition of discipline
under Pa.R.D.E. 215(g).

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VERIFICATION

The statements contained in the foregoing Joint
Petition In Support of Discipline on Consent Under Rule
215(d), Pa.R.D.E., 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. § 4904, relating to unsworn
falsification to authorities.

3/22/10
Date

Gloria Randall Ammons
Gloria Randall Ammons
Disciplinary Counsel

Date

Jeffrey B. Schwartz, Esquire
Counsel for Respondent

Date

Alan Stuart Goldberg
Alan Stuart Goldberg, Esquire
Counsel for Respondent

19 MAR 2010
Date

Jack W. Snyder
Jack Willard Snyder
Respondent

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Counsel for Respondent

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Alan Stuart Goldberg, Esquire
Counsel for Respondent

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

Respondent, Jack Willard Snyder, hereby states that he consents to the imposition of a suspension of three years, and further states that:

1. His consent is freely and voluntarily rendered; he is not being subjected to coercion or duress; he is fully aware of the implications of submitting the consent; and he has consulted with counsel in connection with the decision to consent to discipline;

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

3. He acknowledges that the material facts set forth in the Joint Petition are true; and

4. He consents because he knows that if the charges against him continue to be prosecuted in the pending proceeding, he could not successfully defend against them.

Jack W. Snyder

Jack Willard Snyder
Respondent

Sworn to and subscribed

before me this 19

day of March, 2010.

Kesi Campbell
Notary Public

