

People v. William E. Dawn. 15PDJ090. July 31, 2018.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended William E. Dawn (attorney registration number 02874) for three years, effective July 31, 2018. To be reinstated, Dawn will bear the burden of proving by clear and convincing evidence that he has been rehabilitated, has complied with disciplinary orders and rules, and is fit to practice law.

In 2015, Dawn pleaded guilty in federal court to a single felony count of conspiracy to commit wire and mail fraud. He was sentenced to three years of probation and was ordered to pay over \$366,000.00 in restitution.

In the criminal proceedings, Dawn admitted the following facts. Dawn was in-house counsel for a Denver financial company, Compass Financial Solutions, LTD. CFS marketed and sold promissory notes that it purportedly guaranteed. In 2010, CFS began defaulting on those notes. Around that time, Dawn's co-conspirators began to market and sell promissory notes that were purportedly guaranteed by a certain wealthy individual, also a co-conspirator. To induce investors to purchase these notes, Dawn enabled his co-conspirators to make false and misleading representations to investors. Dawn drafted promissory notes for co-conspirators' use in soliciting investor funds for the notes purportedly guaranteed by the wealthy individual, even though Dawn knew that CFS would in fact use the proceeds from the notes to make payments on CFS's notes in default. To hide this fact from investors, Dawn and his co-conspirators agreed to have investors wire their funds to Dawn's own trust accounts. He then wired the funds to accounts controlled by the co-conspirators.

Through his conduct, Dawn violated Colo. RPC 8.4(b) (a lawyer shall not commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects). The stipulation took into account a preponderance of mitigating factors.