

*People v. Gunther.* 12PDJ024. March 22, 2012. Attorney Regulation. The Presiding Disciplinary Judge approved a Conditional Admission of Misconduct submitted by the parties and suspended Dennis H. Gunther (Attorney Registration Number 03427) from the practice of law for a period of thirty days, subject to a two-year period of probation with conditions, effective April 1, 2012. Gunther represented a client in a slip-and-fall accident on a 40% contingency fee basis. Gunther was able to settle this matter. However, his office staff erroneously calculated a 35% settlement distribution to the client and withheld funds to pay the client's outstanding medical bills. Gunther failed to pay these medical bills with the settlement proceeds, causing the unpaid amounts to be sent to collection. At the same time, Gunther's COLTAF account records reflect that he did put in trust for his client the correct amount of money. Gunther refused to provide his client's legal malpractice counsel with an accounting of the settlement funds when requested. His misconduct constitutes grounds for the imposition of discipline pursuant to C.R.C.P. 251.5 and violated Colo. RPC 1.4(a)(3) and (4), 1.15(a) and (b), and 8.4(d).