

**LAW SOCIETY OF NEW BRUNSWICK  
BARREAU DU NOUVEAU-BRUNSWICK**

**FORM 22**

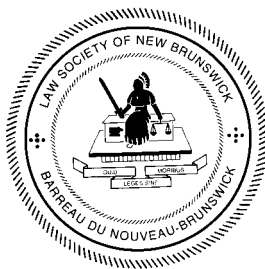
**NOTICE OF COMPLAINT**

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Under Section 56 of the *Law Society Act, 1996*.

In the Matter of a Hearing by a Panel of the Discipline Committee into the conduct of **CLERMONT RICHARD**.

1. The Discipline Committee panel will be constituted under the *Law Society Act, 1996* to inquire into the charges that Clermont Richard has conducted himself in a manner deserving sanction.
2. The charges against Clermont Richard that are being referred to the Discipline Committee for hearing are as follows:
  - a) On June 30, 2006, J.R. advised Clermont Richard in writing that he represented the interests of his client, G.J., regarding a cottage property (the "property"). J.R. advised Clermont Richard that his client, G.J., did not wish to complete a sale transaction to M.M. and that J.R. intended to advise Clermont Richard regarding the matter, but until then G.J. did not wish to sign any document. Clermont Richard prepared and registered a transfer for the transferor, G.J. and the transferee, M.M., dated October 27, 2008 and registered the transfer when he was aware of the fact that J.R. represented G.J.'s interests concerning the property contrary to Chapter 1 (Integrity), Chapter 6 (Conflict of Interest Between Clients), Chapter 4 (Advising Clients), Chapter 15 (Colleagues) of the *Law Society of New Brunswick Code of Professional Conduct*.
3. Joel Michaud of Pink Larkin in Fredericton, New Brunswick has been appointed Counsel to the Law Society for the hearing of this complaint.



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- 4.
- a) Under subsection 56(3) of the *Law Society Act, 1996*, Clermont Richard is required to file a reply to this Notice with the Registrar within 20 days of service of this Notice of Complaint in which he shall admit any charges that are true or give an explanation of any charges that are not true. Clermont Richard is entitled to issue documents and present evidence in the proceeding in English or French or both, and should indicate that official language in which he wishes the hearing to be held;
  - b) under subsection 53(4.1) of the *Law Society Act, 1996*, if Clermont Richard fails to file a reply he shall be deemed to admit all the charges in the Notice of Complaint;
  - c) the Law Society intends to proceed in the French language, however;
  - d) if Clermont Richard requires the services of an interpreter, he must advise the Registrar of the Law Society at least 7 days before the hearing.

DATED this 1<sup>st</sup> day of September 2009.

Shirley C. MacLean  
Registrar of Complaints  
Law Society of New Brunswick  
1133 Regent Street, Suite 206  
Fredericton, NB E3B 3Z2  
Telephone: 506-458-8540  
Fax: 506-451-1421