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BEFORE THE BOARD OF COMMISSIONERS  
ON GRIEVANCES AND DISCIPLINE OF  
THE SUPREME COURT OF OHIO

BOARD OF COMMISSIONERS  
ON GRIEVANCES & DISCIPLINE

In re:

Complaint against

Eric Lafayette Sanders, Esq.  
9626 Township Road 215  
Kenton, OH 43326

14 - 108

No. \_\_\_\_\_

Attorney Registration No. (0072381)

Respondent,

COMPLAINT AND CERTIFICATE

(Rule V of the Supreme Court Rules for  
the Government of the Bar of Ohio.)

Disciplinary Counsel  
250 Civic Center Drive, Suite 325  
Columbus, Ohio 43215-7411

FILED

DEC 15 2014

Relator.

BOARD OF COMMISSIONERS  
ON GRIEVANCES & DISCIPLINE

Now comes the relator and alleges that Eric Lafayette Sanders, an Attorney at Law, duly admitted to the practice of law in the state of Ohio is guilty of the following misconduct:

1. Respondent, Eric Lafayette Sanders, was admitted to the practice of law in the state of Ohio on November 20, 2000. Respondent is subject to the Rules of Professional Conduct and the Rules for the Government of the Bar of Ohio.
2. On November 1, 2013, respondent was suspended from the practice of law for failing to file a Certificate of Registration and failing to pay applicable attorney registration fees. *11/1/2013 Administrative Actions*, 2013-Ohio-4827. On December 30, 2013, respondent was reinstated to the practice of law; however, since that date, respondent has been listed as inactive by the Office of Attorney Services.

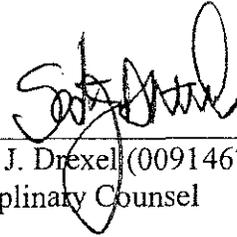
3. At all times relevant to this proceeding, respondent was the trustee for the Harry B. Cooper Family Trust for the sole benefit of Austeene Cooper (“Cooper Trust”), Superior Court of California, County of Los Angeles, Case No. BP 092 136.
4. On September 25, 2013, respondent reported his personal misconduct to relator stemming from his role as trustee of the Cooper Trust.
5. Although respondent was residing in Ohio at the time he contacted relator, respondent was living in California at the time he committed the misconduct.
6. On January 14, 2009, respondent wrote a check to the Los Angeles County Tax Collector drawn on the Cooper Trust in the amount of \$2,348.55. Respondent used these funds to pay the property taxes for his own home.
7. On December 22, 2009, respondent wrote a check to Progressive Insurance Company drawn on the Cooper Trust in the amount of \$636.30. Respondent used these funds to pay his personal car insurance.
8. Between September 2010 and February 2011, respondent made online transfers totaling approximately \$3,037 from the Cooper Trust to his own bank account. Respondent used these funds for his personal benefit.
9. However, during the same time frame as referenced in ¶ 8, respondent returned approximately \$1,989 to the Cooper Trust through online transfers from his own bank account.
10. Between December 2011 and June 2012, respondent paid nearly \$10,000 from his personal bank account to Austeene Cooper as repayment in an effort to voluntarily settle matters with Ms. Cooper.

11. On December 10, 2013, respondent entered into a settlement agreement and general release of claims with Austeene Cooper.
12. The settlement agreement specifically addressed the funds that respondent misappropriated from the Cooper Trust and acknowledged a personal loan made in 2008 from Austeene Cooper to respondent that had not been repaid at the time of the agreement. The amount of the loan was undisclosed.
13. Respondent agreed to pay \$5,500 to Austeene Cooper as a complete settlement of any damages resulting from respondent's misappropriations of funds from the Cooper Trust and for the personal loan.
14. The settlement agreement entered into by respondent and Austeene Cooper included a release of any criminal, civil, or administrative liability against respondent, stating, in part, "she will forever release said Eric L. Sanders from any and all liability whatsoever concerning his Trustee relationship with said Beneficiary and will forever refrain from lodging any civil suit or criminal or administrative charges against said Eric L. Sanders, including any allegations of any elder abuse, relating to the subject matter of this settlement".
15. The settlement agreement further stated, in part, "any cooperation by way of volunteering any testimony about Mr. Eric Sanders management of her trust account with a law enforcement agency, district attorney's office, probate court or other investigative body or in any criminal, civil or administrative proceeding by Ms. Austeene George Cooper will constitute a material breach of this agreement".
16. Respondent has paid the \$5,500 to Austeene Cooper as agreed upon in their settlement agreement.

17. Respondent's conduct as outlined above violates the Ohio Rules of Professional Conduct, specifically Prof. Cond. R. 8.4(c) [a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation]; and Rule 8.4(d) [a lawyer shall not engage in conduct that is prejudicial to the administration of justice].

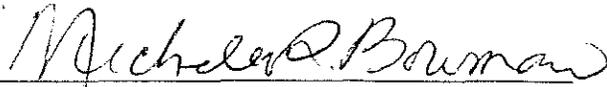
### CONCLUSION

Wherefore, pursuant to Gov. Bar R. V, the Code of Professional Responsibility and Rules of Professional Conduct, relator alleges that respondent is chargeable with misconduct; therefore, relator requests that respondent be disciplined pursuant to Rule V of the Rules of the Government of the Bar of Ohio.



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Scott J. Drexel (0091467)  
Disciplinary Counsel



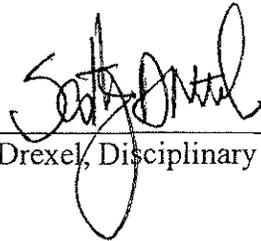
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## CERTIFICATE

The undersigned, Scott J. Drexel, Disciplinary Counsel, of the Office of Disciplinary Counsel of the Supreme Court of Ohio hereby certifies that Michelle R. Bowman is duly authorized to represent relator in the premises and has accepted the responsibility of prosecuting the complaint to its conclusion. After investigation, relator believes reasonable cause exists to warrant a hearing on such complaint.

Dated: December 1, 2014



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Scott J. Drexel, Disciplinary Counsel

### **Gov. Bar R. V, § 4(I) Requirements for Filing a Complaint.**

(1) Definition. "Complaint" means a formal written allegation of misconduct or mental illness of a person designated as the respondent.

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(7) Complaint Filed by Certified Grievance Committee. Six copies of all complaints shall be filed with the Secretary of the Board. Complaints filed by a Certified Grievance Committee shall be filed in the name of the committee as relator. The complaint shall not be accepted for filing unless signed by one or more attorneys admitted to the practice of law in Ohio, who shall be counsel for the relator. The complaint shall be accompanied by a written certification, signed by the president, secretary, or chair of the Certified Grievance Committee, that the counsel are authorized to represent the relator in the action and have accepted the responsibility of prosecuting the complaint to conclusion. The certification shall constitute the authorization of the counsel to represent the relator in the action as fully and completely as if designated and appointed by order of the Supreme Court with all the privileges and immunities of an officer of the Supreme Court. The complaint also may be signed by the grievant.

(8) Complaint Filed by Disciplinary Counsel. Six copies of all complaints shall be filed with the Secretary of the Board. Complaints filed by the Disciplinary Counsel shall be filed in the name of the Disciplinary Counsel as relator.

(9) Service. Upon the filing of a complaint with the Secretary of the Board, the relator shall forward a copy of the complaint to the Disciplinary Counsel, the Certified Grievance Committee of the Ohio State Bar Association, the local bar association, and any Certified Grievance Committee serving the county or counties in which the respondent resides and maintains an office and for the county from which the complaint arose.