

**PRACTICE OF LAW BOARD
STATE OF WASHINGTON**

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October 26, 2011

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██████████
Charleston, SC ██████████

RE: File Nos. 11-01 and 11-49, Unauthorized Practice of Law
Complaints Against Bradley Marshall

Dear Mr. Marshall:

The Practice of Law Board was created by the Washington State Supreme Court in General Rule (GR) 25. The Board is charged with investigating allegations of unauthorized practice of law in Washington. Revised Code of Washington (RCW) 2.48.180 states that a nonlawyer practicing law or holding himself out as entitled to practice law constitutes the unauthorized practice of law. Court rule GR 24 defines the practice of law. The unauthorized practice of law is a crime in Washington.

The Board investigated two complaints alleging that you practiced law in the state of Washington after your disbarment. You were disbarred by the Washington Supreme Court on October 1, 2009, by the 9th Circuit Court of Appeals on May 25, 2010, and by the United States District Court, Western District of Washington at Tacoma on May 28, 2010. The complaints were submitted by attorney J ██████ B ██████ and by your former client D ██████ K ██████, each stating that you practiced law after being disbarred and each included correspondence with their complaints showing evidence of your conduct.

On August 6, 2010, you sent the ██████ District Lodge ██████ and ██████ Association ██████, represented by Mr. B ██████'s firm, letters indicating that you represented R ██████ A ██████ and T ██████ M ██████. Your letter regarding Mr. A ██████ requests accommodations for the "client's" disability under both state and federal law. The letter also asks that union contact you in the next five days. Your letter regarding Mr. M ██████ alleges racial discrimination and asks for remedies under both state and federal law. You signed the letters "Bradley R. Marshall, Attorney at Law." These letters are dated approximately nine months after your disbarment.

In August and November 2010, D ██████ K ██████ paid you \$1300 to represent her in an employment matter. Ms. K ██████ believed that you were an attorney when she hired you. Ms. K ██████ saw an advertisement for "Marshall Federal Law Practice". You did not disclose your disbarments to

Ms. K [REDACTED]. On December 1, 2010, you sent a demand letter on Ms. K [REDACTED]'s behalf to N [REDACTED] D [REDACTED], requesting \$73,200 in exchange for a release of claims. Although your letter stated that you were mediating a dispute, your letter analyzed Ms. K [REDACTED]'s case and made legal arguments and a settlement offer on her behalf. Your letter also stated that all communication must go through you. You advised Ms. K [REDACTED] to take medical leave. You corresponded by email with the Attorney General's office and the Department of Labor and Relations. On December 21, 2010, Assistant Attorney General J [REDACTED] R [REDACTED] informed Ms. K [REDACTED] that you were disbarred. Ms. K [REDACTED] replied that she believed you were an attorney and revoked her release of records to you. Although Ms. K [REDACTED] retained a lawyer who requested you refund her money, you did not do so.

RCW 2.48.180(2)(a) states that a non-lawyer practicing law or holding himself out as entitled to do so constitutes the unauthorized practice of law. GR 24(a) states that the practice of law includes, but is not limited to:

- (1) Giving advice or counsel to others as to their legal rights or the legal rights or responsibilities of others for fees or other consideration.
- (2) Selection, drafting, or completion of legal documents or agreements which affect the legal rights of an entity or person(s).
- (3) Representation of another entity or person(s) in a court, or in a formal administrative adjudicative proceeding or other formal dispute resolution process or in an administrative adjudicative proceeding in which legal pleadings are filed or a record is established as the basis for judicial review.
- (4) Negotiation of legal rights or responsibilities on behalf of another entity or person(s).

By sending a letter signed "Attorney at Law" after you had been disbarred from practicing law by both the state and federal courts, you are holding yourself out as entitled to practice of law. By sending a demand letter on Ms. K [REDACTED]'s behalf and giving her legal advice, you were engaging in the unauthorized practice of law. At this time, pursuant to GR 25(f)(4)(B), we request that you enter into a written agreement with this Board, to refrain from the following conduct:

- Giving advice or counsel to others as to their legal rights or the legal rights or responsibilities of others for fees or other consideration;
- Selection, drafting, or completion of legal documents or agreements which affect the legal rights of an entity or person(s);
- Representation of another entity or person(s) in a court, or in a formal administrative adjudicative proceeding or other formal dispute resolution process or in an administrative adjudicative proceeding in which legal pleadings are filed or a record is established as the basis for judicial review; and
- Negotiation of legal rights or responsibilities on behalf of another entity or person(s);

If you violate this agreement, evidence of your further violation, the investigative report to the Board of your past violations, the original complaint, your response, and all other evidence of such violations shall be turned over to the appropriate Prosecutor's Office for prosecution.

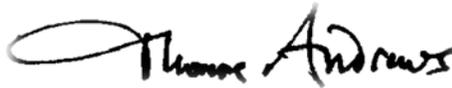
In the event you do not return this stipulation as signed and agreed to within 15 days of the mailing of this letter, the Board will issue its report and consider referring its investigation for prosecution.

If you disagree with the POL Board's final action, you may seek review by filing a Notice of Petition for Review with the Washington Supreme Court. The Notice must be filed within 30 days of final POL Board action. You must serve the original Notice of Petition for Review on the Supreme Court Clerk and a copy on the POL Board. Your Notice must set out your name and address, the name and address of your counsel, if any, and a concise statement of the reason for your appeal. Your Petition must comply with the Rules of Appellate Procedure (RAP). For further information on Petitions for Review, please see GR 25(g).

We are hopeful that we will be able to resolve these matters by stipulation. If you are willing to so stipulate, please sign and date your signature and have your signature witnessed by a person over the age of eighteen, who will also sign as the witness. The signed letter should be returned to the Board within 15 days.

Thank you in advance for your anticipated cooperation.

Very Truly Yours,

A handwritten signature in black ink that reads "Thomas Andrews". The signature is written in a cursive style with a large, looping initial "T".

Thomas Andrews, Chair
Practice of Law Board

Enclosure: Agreement to Refrain

JS:as

cc: J [REDACTED] B [REDACTED] and D [REDACTED] K [REDACTED] (both w/out enclosure)