SUPREME COURT, STATE OF COLORADO ORIGINAL PROCEEDING IN DISCIPLINE BEFORE THE OFFICE OF THE PRESIDING DISCIPLINARY JUDGE 1300 BROADWAY, SUITE 250 DENVER, CO 80203	
Complainant: THE PEOPLE OF THE STATE OF COLORADO **Respondent:** EKAETTE PATTY-ANNE EDDINGS, New York #4111217	Case Number: **25PDJ28**
OPINION IMPOSING SANCTIONS UNDER C.R.C.P. 242.31(a)	

SUMMARY

On April 14, 2026, following a hearing on the sanctions, a hearing board disbarred Ekaette Patty-Anne Eddings (New York attorney registration number 4111217) from the practice of law in Colorado. The disbarment is scheduled to take effect on May 19, 2026.

In 2023, Eddings accepted a client's immigration case. The client paid Eddings in advance for the work, but Eddings deposited most of the advance payment into her personal account even though she knew she had not earned the money. During the representation, Eddings failed to keep her client informed about the status of his matter and only infrequently responded to his reasonable requests for updates about his case. When, one year into the representation, the client learned Eddings had not submitted the documents he had paid her to prepare and file with immigration authorities, he demanded she refund his fee. Eddings refunded only a portion of the fee and converted the rest for her personal use.

Based on the client's complaint, disciplinary authorities petitioned to suspend Eddings from the practice of law on an interim basis. Soon after, Eddings offered to continue the representation if the client withdrew his complaint. During her disciplinary proceeding, Eddings did not comply with discovery rules and orders, which resulted in the imposition of sanctions against her, including entry of default on five of the People's claims.

Through her conduct in the client matter, Eddings violated Colo. RPC 1.4(a)(3) (a lawyer must keep a client reasonably informed about the status of the matter); Colo. RPC 1.4(a)(4) (a lawyer must promptly comply with reasonable requests for information); Colo. RPC 1.15A(a) (a lawyer must hold client property separate from the lawyer's own property); Colo. RPC 1.16(d) (a lawyer must protect a client's interests upon termination of the representation, including by returning any unearned fees to the client); and Colo. RPC 8.4(c) (it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit, or misrepresentation).

I. PROCEDURAL HISTORY

This matter began as an interim suspension proceeding. On April 17, 2025, Jacob M. Vos of the Office of Attorney Regulation Counsel ("the People") filed an amended petition for interim suspension. The same day, Presiding Disciplinary Judge Bryon M. Large ("the PDJ") issued an order to Ekaette Patty-Anne Eddings ("Respondent"), directing her to show cause why she should not be suspended from the practice of law on an interim basis. Respondent did not respond to the show cause order, and on May 7, 2025, the Colorado Supreme Court entered an order suspending her from the practice of law in Colorado on an interim basis.

On May 15, 2025, Vos filed a complaint on the People's behalf with the PDJ, alleging that Respondent violated ten Colorado Rules of Professional Conduct. Respondent answered on July 2, 2025. The PDJ then held a scheduling conference and set this matter for a two-day disciplinary hearing to take place in January 2026.

In October 2025, Respondent twice sought additional time to answer the People's combined discovery requests. In each instance, the People provided a courtesy extension after Respondent promised to provide her responses by the new deadline. But Respondent did not answer the People's discovery despite having additional time to do so, and the People moved to compel her discovery responses on November 6, 2025. The PDJ ordered an expedited briefing schedule and held a hearing on the People's motion on November 14, 2025. Respondent did not respond to the motion to compel, but she did appear for the hearing, where she argued that she included all the responsive documents as exhibits when she answered the People's complaint. Respondent also disputed Colorado's jurisdiction in the matter, and the PDJ advised her that her challenge to jurisdiction had to be made via written motion and, in the meantime, that she was required to respond to the People's pending discovery requests. After that motions hearing in November 2025, the PDJ granted the People's motion to compel and ordered Respondent to answer the People's discovery by December 5, 2025, which was the date Respondent requested at the hearing. In addition, the PDJ reset the disciplinary hearing for March 19-20, 2026.

Respondent did not answer the discovery requests by the ordered deadline. On December 8, 2025, she filed two motions. In one, she challenged Colorado's jurisdiction and moved to dismiss the complaint. In the other, she requested an extension of time to file discovery.

Also on December 8, 2025, Respondent asked the People via email to resend their discovery requests to her and assured them she would provide responses within two days. The People promptly responded with their requests and agreed to a further deadline extension to December 10, 2025, to submit her responses; the People advised Respondent that they would seek sanctions if she did not provide her responses by that time. Respondent did not do so, and on December 11, 2025, the People moved for default as a sanction under C.R.C.P. 37(d) for her failure to answer discovery.

Meanwhile, on January 9, 2026, the PDJ issued an order requiring Respondent to file a status report with an update about discovery no later than January 16, 2026. She did not do so.

In a pair of orders issued on January 20, 2026, the PDJ denied Respondent's motion challenging jurisdiction and granted the People's motion for discovery sanctions. Rather than determine the sanction at that time, however, the PDJ allowed Respondent an opportunity to show cause by February 3, 2026, why the PDJ should not impose a severe sanction, including entering default against her. Respondent did not respond to the show cause order. On February 4, 2026, she did, however, respond to a pending motion in which the People sought to extend deposition and discovery deadlines. In that response, she represented that she had fully cooperated with the discovery process and had produced discovery responses on February 3, 2026. She attributed her delay in part to her decision to await the outcome of her jurisdiction challenge, which, she argued, determined whether discovery was needed.

At the PDJ's request, the People filed a status report on February 4, 2026, in which they confirmed that Respondent had produced some discovery responses the prior day. But the People complained that the responses were incomplete; that the only documents Respondent produced were those already attached to her answer; that she improperly invoked a privilege that her client had already waived; and that she failed to produce payment records or an accounting of the client funds the People allege she misappropriated. The People also asserted that Respondent had still not provided her initial disclosures in the case. On February 6, 2026, Respondent responded to the status report by repeating, in large part, the statements in her submission filed two days earlier.

On February 6, 2026, the PDJ issued an order sanctioning Respondent under C.R.C.P. 37(d). In that order, the PDJ found that Respondent engaged in a pattern of seeking and obtaining extensions based on vows to answer discovery only to then selectively participate in the proceeding; that she relied on her motion challenging jurisdiction as pretext for failing to meet established and negotiated discovery deadlines; that her conduct amounted to a flagrant and bad faith disregard of discovery obligations; and that her conduct prejudiced the People, who have no means other than propounding discovery requests on Respondent to access financial records that would illuminate how she handled client funds. Because Respondent did not respond to the show cause order of January 20, 2026, the PDJ did not have the benefit of her position as to the appropriate discovery sanction to impose. The PDJ concluded that the least severe sanction commensurate with Respondent's culpability and the People's prejudice was to enter default against her on Claims 2, 3, 6, 7, and 9 and to deem admitted paragraphs 31, 32, 33, and 68 of the complaint. As to Claims 1, 4, 5, 8, and 10 as well as any mitigating factors that Respondent could advance under the ABA *Standards for Imposing Lawyer Sanctions* ("ABA *Standards*"),[1] the PDJ's order prohibited Respondent from presenting any evidence that she had not already produced to the People and from eliciting testimony from witnesses, other than herself, that she had not yet identified as individuals who may have information relevant to this matter. Finally, the PDJ concluded that Respondent had engaged in the bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with the PDJ's discovery rules and by flagrantly ignoring and disobeying the PDJ's orders. The PDJ thus also entered an instruction directing the Hearing Board to apply ABA *Standard* 9.22(e) in its sanctions analysis.

[1] Found in ABA *Annotated Standards for Imposing Lawyer Sanctions* (2d ed. 2019).

On February 26, 2026, the People moved to dismiss Claims 1, 4, 5, 8, and 10 in the interests of justice and judicial economy based on the evidence available to them and the complaining witness's unwillingness to appear at the hearing. On March 3, 2026, the PDJ dismissed those claims and converted the disciplinary hearing to a hearing on the sanctions for the claims on which default had entered.

On March 19, 2026, a Hearing Board comprising the PDJ, lawyer Mary Kominek Linden, and citizen member Mark McIntyre held a hearing under C.R.C.P. 242.30. Gregory G. Sapakoff attended for the People.[2] Respondent failed to appear, even though the PDJ began the hearing at 9:18 a.m., eighteen minutes after the appointed start time, to provide Respondent the additional opportunity to participate.[3] During the hearing, the Hearing Board received testimony from the People's investigator, Donna Scherer, and the PDJ admitted stipulated exhibit S1.

II. FACTS AND RULE VIOLATIONS ESTABLISHED ON DEFAULT

Respondent is admitted to the practice of law in New York under registration number 4111217. Although Respondent does not hold a Colorado law license, the Colorado Supreme Court has jurisdiction over her because she practices in Colorado pursuant to federal law. At the time Respondent filed her answer in this case, she lived in Highlands Ranch, Colorado, and used an address in Highlands Ranch as her business mailing address.

In February 2023, MacKendy Mondesir hired Respondent for an immigration case. Respondent agreed to prepare and file an I-130 Petition for Alien Relative and I-485 Application to Register Permanent Residence or Adjust Status on Mondesir's behalf.

Mondesir paid Respondent $3,159.00 in advance for the representation. Respondent deposited $2,609.00 of Mondesir's funds into her personal checking account. She did so even though she knew she had not yet performed services for Mondesir. Indeed, Respondent did not complete any useful work for Mondesir. Mondesir regularly called Respondent to ask for updates on his immigration matter. Respondent rarely returned Mondesir's voicemails or telephone calls.

In May 2024, Mondesir checked the status of his matter with U.S. Citizenship and Immigration Services and learned that it did not have anything on file under his name. Upon learning that Respondent had not filed anything on his behalf, Mondesir confronted Respondent and requested a refund. Though Respondent refunded $575.00 to Mondesir, she took the remainder of his funds for her own personal use. By the end of December 2024, Respondent's trust account had a balance of only $1.07. At the same time, her checking account held only $0.51.

[2] Sapakoff entered his appearance for the People on January 16, 2026.

[3] At approximately 9:47 a.m., after evidence in the case was closed, the PDJ's clerk notified the PDJ that Respondent had just telephoned the clerk and told him she mistakenly thought the hearing would begin at 11:00 a.m. On April 7, 2026, the PDJ denied under C.R.C.P. 60(b)(1) Respondent's motion to reopen the hearing, which she filed after she failed to appear.

On April 17, 2025, the People filed an amended petition for interim suspension against Respondent with the Colorado Supreme Court. In late April 2025, Respondent spoke with Mondesir and offered to continue representing him in his immigration matter, but only if he withdrew his request for investigation with the People.[4] On May 2, 2025, the People received a document tilted "Complaint Withdrawal" from Mondesir, which was dated the same day. The document provided that "I, Mackendy Mondesir hereby WITHDRAW The Complaint that I signed on . april 14-2025 I have received promises, I, the undersigned, do not wish to proceed with the Complaint that I filed against Eddings, Ekaette Patty because: The issues I raised in my complaint are now resolved."[5]

Claims 2 and 3 – Colo. RPC 1.4(a)(3) and Colo. RPC 1.4(a)(4)

Colo. RPC 1.4(a)(3) provides that a lawyer must "keep the client reasonably informed about the status of the matter." Respondent breached this rule by failing to keep Mondesir informed about the lack of progress in his matter throughout the representation. Because Respondent rarely returned Mondesir's communications and failed to provide information on the status of Mondesir's immigration matter despite his reasonable requests for updates, Respondent also violated Colo. RPC 1.4(a)(4), which requires a lawyer to promptly comply with reasonable requests for information.

Claim 6 – Colo. RPC 1.15A(a)

As relevant here, under Colo. RPC 1.15A(a), a lawyer must keep separate the lawyer's property from client property in the lawyer's possession in connection with a representation. A lawyer must keep client funds in the lawyer's possession in compliant trust accounts. Respondent violated this rule when she failed to hold Mondesir's funds separate from her own property.

Claim 7 – Colo. RPC 1.16(d)

Among other requirements, Colo. RPC 1.16(d) mandates that a lawyer, upon termination of a representation, must take steps to the extent reasonably practicable to protect a client's interests, including by refunding the client's unearned funds paid to the lawyer. When Mondesir's representation ended, Respondent failed to refund his advanced fees in violation of this rule.

[4] At the hearing on the sanctions, the People's investigator, Scherer, testified that Mondesir submitted a request for investigation with the People regarding Respondent's representation of Mondesir and his spouse.

[5] Compl. ¶ 33 ([sic] throughout). During her testimony, Scherer clarified that Mondesir signed his affidavit supporting his request for investigation on April 14, 2025, but that he submitted the request for investigation on an earlier date.

Claim 9 – Colo. RPC 8.4(c)

Colo. RPC 8.4(c) prohibits a lawyer from engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation. A lawyer's knowing conversion of client funds violates Colo. RPC 8.4(c). Knowing conversion occurs when a lawyer takes money that has been entrusted to the lawyer by another person, knowing that the money belongs to another person, and knowing that the lawyer has not been authorized to use the money.[6]

As established on entry of default on this claim, Respondent knew she did not complete any useful work for Mondesir during the representation. Even so, she knowingly deposited his funds, which she had not earned, into her personal checking account and converted the funds to her own personal use. She knowingly converted all but $575.00 of the funds Mondesir paid her. She thereby violated Colo. RPC 8.4(c).

III. SANCTIONS

The ABA *Standards* and Colorado Supreme Court caselaw guide the imposition of sanctions for lawyer misconduct.[7] When imposing a sanction after finding lawyer misconduct, the Hearing Board must consider the duty the lawyer violated, the lawyer's mental state, and the actual or potential injury the lawyer's misconduct caused. These three variables yield a presumptive sanction that the Hearing Board may then adjust based on aggravating and mitigating factors.

ABA *Standard* 3.0 – Duty, Mental State, and Injury

Duty. The rule violations established on default show that Respondent breached duties owed to her client, Mondesir, including her duty to safeguard his funds, her duty to reasonably communicate with him about his case, and her duty to reasonably protect his interests after the representation ended.

Mental State. The order entering default established that Respondent knowingly converted Mondesir's retainer in violation of Colo. RPC 8.4(c). We also find that Respondent acted knowingly with respect to the remainder of the claims established on default: Colo. RPC 1.15(A)(a), because she knew she was depositing Mondesir's retainer into her checking account; Colo. RPC 1.16(d), by failing to refund Mondesir's funds, even though she knew she had not performed work to earn any of that money; and Colo. RPC 1.4(a)(3) and Colo. RPC 1.4(a)(4), because Respondent's continued and persistent misconduct during the approximately thirteen-month representation convinces us that she acted with a more culpable state of mind.[8]

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[6] *In re Kleinsmith*, 2017 CO 101, ¶ 14 (citing *People v. Varallo*, 913 P.2d 1, 10-11 (Colo. 1996)).
[7] *See In re Roose*, 69 P.3d 43, 46-47 (Colo. 2003).
[8] *See People v. Silvola*, 915 P.2d 1281, 1284 (Colo. 1996) (deeming a lawyer's repeated misconduct over an extended period to be willful).

Injury. Based on the facts and rule violations established on default, we find that Respondent caused Mondesir actual injury when she converted his money and failed to refund to him $2,584.00 in unearned fees. While Mondesir's document withdrawing his complaint stated that the grounds for his complaint had been resolved, we have no evidence that Respondent returned any more than $575.00 to him or that she performed services to earn the remainder of his full retainer. Indeed, because Respondent's interim suspension in Colorado effectively precludes her from practicing immigration law, her offer to Mondesir in late April 2025 to continue with his case if he withdrew his complaint against her strikes us as not only egregious but ultimately hollow.[9]

In addition, we infer harm to the migrant community and to the legal profession. When a member of the migrant community, in an attempt to normalize their legal status, hires an immigration lawyer to navigate the system, that member depends on the lawyer's knowledge of immigration law—a highly specialized and often arcane area of law. When the lawyer betrays that immigration client's trust and breaches duties the lawyer owes to the client, the lawyer undercuts public faith in the lawyer-client relationship and in lawyers generally. This behavior also harms the migrant community, which is less likely to trust and work within the immigration system.

ABA *Standards* 4.0-7.0 – Presumptive Sanction

ABA *Standard* 4.11 sets disbarment as the presumptive sanction when a lawyer knowingly converts client property and causes injury or potential injury to a client. Respondent's knowing violation of Colo. RPC 1.15A(a) implicates ABA *Standard* 4.12, which provides for suspension when a lawyer knows or should know that the lawyer is dealing improperly with client property and causes injury or potential injury to a client. For Respondent's Colo. RPC 1.4 violations, we look to ABA *Standard* 4.42(b), under which suspension is generally appropriate when a lawyer engages in a pattern of neglect and causes injury or potential injury to a client. Also applicable here, ABA *Standard* 7.2 states that suspension is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional—here, when Respondent failed to refund Mondesir's unearned fee in violation of Colo. RPC 1.16—and causes injury or potential injury to a client, the public, or the legal system.

Because the ABA *Standards* recommend that in cases involving multiple types of lawyer misconduct, the ultimate sanction should be at least consistent with, and generally greater than, the sanction for the most serious disciplinary violation, we find that the presumptive sanction for Respondent's misconduct is disbarment.[10]

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[9] *See* 8 C.F.R. §§ 1003.103(a)(1), (4) (providing that the Board of Immigration Appeals must immediately suspend from federal immigration practice any lawyer whom a state high court has suspended on an interim basis pending a final resolution of the underlying disciplinary matter).

[10] ABA *Annotated Standards* Preface at xx.

ABA *Standard* 9.0 – Aggravating and Mitigating Factors

Aggravating circumstances include any considerations that justify an increase in the degree of the sanction to be imposed, while mitigating factors warrant a reduction in the severity of the sanction.[11] As explained below, we apply four factors in aggravation, two of which warrant substantial weight. No mitigating factors apply.

Aggravating Factors

Prior disciplinary offenses – 9.22(a): The People ask that we apply this factor based on Respondent's 2017 suspension in New York for failure to pay required lawyer registration fees, which in turn triggered her indefinite suspension from federal immigration practice.[12] The People concede this factor should be given only minimal weight, noting that the New York sanction is equivalent to an administrative, rather than a disciplinary, suspension in Colorado, and that it does not involve the type of misconduct at issue in this case. Because we do not view Respondent's prior administrative suspension as discipline, we decline to apply this factor.

We do, however, see in Respondent's failure to pay mandatory registration fees a prelude to her cavalier approach to practicing law and lassitude toward maintaining her law license that she has exhibited in this proceeding.

Multiple offenses – 9.22(d): The People ask that we apply this factor based on the five different rule violations in this case. We decline to do so, as the rule violations here spring from a common predicate and arise from a single client matter. Because this factor is not salient to our decision in this case, we do not apply it.

Bad faith obstruction of the disciplinary proceeding – 9.22(e): We apply this factor, consistent with the PDJ's instruction in the order dated February 6, 2026, sanctioning Respondent under C.R.C.P. 37(d). Other facts further support our application of this factor. Most concerning, Respondent contacted Mondesir and offered to continue representing him in his immigration case if he withdrew his request for investigation. At the hearing on the sanctions, the People's investigator, Scherer, testified that the People received Mondesir's letter withdrawing his complaint on May 2, 2025, just over two weeks after the People petitioned for Respondent's interim suspension. Scherer also testified that she spoke with Mondesir's spouse by telephone in August 2025 to discuss the Mondesirs' appearance at Respondent's hearing in this matter. The Mondesirs, who reside out of state, did not want to testify and were not interested in providing remote testimony, Scherer said. Considering these facts, we regard Respondent's quid pro quo offer to Mondesir as evidence that she sought to scuttle the disciplinary proceeding at its

[11] *See* ABA *Standards* 9.21 and 9.31.

[12] *See* Ex. S1 at 361-64. Respondent was reinstated in New York on April 10, 2018. Ex. S1 at 361. Under the PDJ's determination under C.R.E. 201, we take judicial notice that the Board of Immigration Appeals reinstated Respondent on August 24, 2018.

inception. As a direct result of her actions, we must decide this matter without the benefit of Mondesir's testimony.

In addition, the record of Respondent's selective participation in this case convinces us that she sought to obstruct this proceeding in bad faith. As one example, the quid pro quo offer to Mondesir occurred during her window to show cause why she should not be suspended on an interim basis, which she did not do. As another example, Respondent did not respond to the PDJ's order to show cause regarding the discovery sanction, in part, on the pretense that she was awaiting the PDJ's order concerning jurisdiction. As yet another example, rather than move to set aside the order entering default as a sanction, Respondent submitted an unsworn declaration with her prehearing materials in which she decries that the entry of default exonerates the People from their burden to prove their case. These examples convince us that Respondent acted in bad faith in this proceeding to stifle the flow of information to prevent the People from making their case. Consequently, we are tasked with making findings of fact in a vacuum of evidence, frustrating our role as adjudicators. Accordingly, we apply this factor and assign it significant weight.

We do not, however, factor into our analysis Respondent's absence at the hearing on the sanctions. We need not determine whether her failure to appear was an honest mistake or another obstructive act to conclude that she otherwise litigated this case in bad faith.

Refusal to acknowledge wrongful nature of conduct – 9.22(g): The People contend that Respondent has refused to acknowledge any wrongdoing in this matter. We agree. Respondent's lack of meaningful participation evinces a dismissive attitude toward this proceeding, which in turn bespeaks a lack of accountability for her misconduct. We thus apply this factor and accord it average weight.

Vulnerability of victim – 9.22(h): We apply this factor, even though the People do not advocate for it. We do so recognizing that immigration clients are generally in a vulnerable position due to their reliance on lawyers to help them navigate a complex immigration system. Indeed, we do not hesitate to conclude that Mondesir's decision to withdraw his request for investigation evinces his own precarious situation. We would have given this factor significant weight but for the Mondesirs' decision not to participate in the proceeding.

Substantial experience in the practice of law – 9.22(i): The People ask that we apply this factor because Respondent obtained her license to practice law in New York in 2003.[13] We agree. Factoring in her suspension in New York, Respondent has been licensed to practice law for more than twenty years. That depth of legal experience and familiarity with her professional obligations significantly aggravates her misconduct in this case.

[13] In the unsworn declaration Respondent filed with her prehearing materials, she asserts that she has practiced law for forty years in jurisdictions on three different continents. We do not treat Respondent's statement as evidence, and she has not sought to introduce exhibits or testimony showing her licensure in other jurisdictions. Even so, we note that any additional time as a licensed lawyer beyond our findings would merely underscore our decision to apply this factor.

Mitigating Factors

Respondent has the burden to prove mitigating factors,[14] but she did not appear at the hearing on the sanctions to testify and make herself available to cross-examination concerning any mitigation she might claim. The statements in her unsworn declaration do not constitute evidence that can be marshaled to meet that burden. Thus, we are left without evidence of circumstances that might mitigate her misconduct. We would have wished, in particular, to consider her testimony concerning an absence of a prior disciplinary record, any personal or emotional problems, and the remoteness of her prior offenses, as those factors strike us as the most likely to merit mitigating weight here.[15] For instance, Respondent suggests in her answer and in her unsworn declaration that obligations surrounding her father's funeral contributed to a communication breakdown with Mondesir. But Respondent did not attend the hearing to testify about this or other mitigating issues. We therefore cannot apply any factors in mitigation.

We hasten to add, however, that even if we were to credit Respondent with significant mitigation based on these factors, the effect would not overcome the acute aggravation in this case or steer us from the presumptive sanction of disbarment.

Analysis Under ABA *Standards* and Caselaw

The Hearing Board heeds the Colorado Supreme Court's directive to exercise discretion in imposing a sanction, recognizing that "individual circumstances make extremely problematic any meaningful comparison of discipline ultimately imposed in different cases."[16] As such, the Hearing Board must determine the appropriate sanction on a case-by-case basis, looking to the ABA *Standards* for guidance in the exercise of that discretion. The ABA *Standards* offers a theoretical framework that provides for "the flexibility to select the appropriate sanction in [a] particular case" after the Hearing Board carefully considers the applicable aggravating and mitigating factors.[17]

Guided by the ABA *Standards*' framework, we begin with a presumptive sanction of disbarment under ABA *Standard* 4.11. Because disbarment is the most severe sanction available under Colorado's lawyer disciplinary regime and the ABA *Standards*, the clear preponderance of four aggravating factors and no mitigators confirm that disbarment is the appropriate sanction for Respondent's misconduct.

Consistent with the ABA *Standards*, Colorado Supreme Court caselaw calls for disbarment when a lawyer knowingly converts client property and thus injures the client. Knowing misappropriation of client funds almost always warrants disbarment unless extraordinary

[14] C.R.C.P. 242.30(b)(3).
[15] Addressed, respectively, in ABA *Standards* 9.32(a), 9.32(b), 9.32(c), and 9.32(m).
[16] *In re Att'y F.*, 2012 CO 57 ¶ 20 (*quoting In re Rosen*, 198 P.3d 116, 121 (Colo. 2008)).
[17] *Id.* ¶ 3.

mitigating factors apply.[18] Disbarment is also consonant with the outcomes in similar discipline cases.[19] In short, caselaw confirms that disbarment is the appropriate sanction for Respondent's misconduct.

IV. CONCLUSION

Disbarment is the most severe discipline we can impose. We do so here because the legal authorities that guide us point to disbarment as the appropriate sanction for Respondent's misconduct during her client's matter. Respondent's defense during this proceeding confirms that measure to be the correct outcome, as we see in her litigation a mirror to her legal practice on behalf of clients. Her dismissive approach to defending her law license causes us concern that she is similarly cavalier about her clients' legal problems, as embodied in her nonchalance when representing Mondesir. Further, her disregard for the functions of the self-regulating legal profession implicitly subverts the profession itself.

In short, Respondent has shown us no reason for pause before imposing discipline. In doing so, we are reminded that the practice of law is a profession, not an occupation. The legal profession is set apart by the rules of professional conduct and the duties that attach to the privilege of holding a license to practice law. The rules and duties Respondent transgressed during her client's representation warrant her disbarment; her subsequent transgressions during this disciplinary proceeding demand it.

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[18] *Compare People v. Varallo*, 913 P.2d at 10-11 (Colo. 1996) (concluding that a lawyer's absence of prior discipline and evidence of good character did not overcome the presumption of disbarment when the lawyer knowingly used his client's funds for his personal benefit), *with People v. Lujan*, 890 P.2d 109, 110 (Colo. 1995) (suspending rather than disbarring a lawyer who knowingly converted client funds, where "extraordinary and tragic factors" applied in mitigation, including the emergence of a mental disorder that caused the misconduct); *see also Kleinsmith*, ¶ 14 (reaffirming disbarment as the condign sanction for knowing conversion and citing *People v. Lavenhar*, 934 P.2d 1355, 1358-59 (Colo. 1997)).

[19] *See, e.g., People v. Caldbeck*, 466 P.3d 1174, 1178-79 (Colo. O.P.D.J. 2020) (in a default proceeding, disbarring a Pennsylvania-licensed lawyer who failed to pursue his clients' immigration matters and converted their unearned fees); *People v. Topper*, 470 P.3d 821, 823-24, 826 (Colo. O.P.D.J. 2016) (in a default proceeding, disbarring a lawyer whose misconduct included accepting retainers from two clients, performing little to no work on their cases, failing to return the clients' unearned fees, and failing to respond to one client's attempts to contact the lawyer); *People v. Heaphy*, 470 P.3d 728, 731 (Colo. O.P.D.J. 2015) (disbarring a lawyer for knowingly converting settlement funds belonging to his client and for failing to respond to the client's communications, among other misconduct).

V. ORDER

The Hearing Board **ORDERS:**

1. **EKAETTE PATTY-ANNE EDDINGS**, New York attorney registration number **4111217**, is **DISBARRED** from the practice of law in Colorado. The disbarment will take effect upon issuance of an "Order and Notice of Disbarment."[20]

2. Respondent **MUST** promptly comply with C.R.C.P. 242.32(b)-(e), concerning winding up of affairs, notice to current clients, duties owed in litigation matters, and notice to other jurisdictions where she is licensed or otherwise authorized to practice law.

3. Within fourteen days of issuance of the "Order and Notice of Disbarment," Respondent **MUST** file an affidavit with the PDJ under C.R.C.P. 242.32(f), attesting to her compliance with C.R.C.P. 242.32.

4. The parties **MUST** file any posthearing motions **no later than Tuesday, April 28, 2026**. Any response thereto **MUST** be filed within seven days.

5. The parties **MUST** file any application for stay pending appeal **no later than the date on which the notice of appeal is due**. Any response thereto **MUST** be filed within seven days.

6. Respondent **MUST** pay the costs of this proceeding. The People **MUST** submit a statement of costs **no later than Tuesday, April 28, 2026**. Any response challenging the reasonableness of those costs **MUST** be filed within seven days thereafter.

DATED THIS 14th DAY OF APRIL, 2026.

BRYON M. LARGE
PRESIDING DISCIPLINARY JUDGE

MARY KOMINEK LINDEN
HEARING BOARD MEMBER

MARK MCINTYRE
HEARING BOARD MEMBER

[20] In general, an order and notice of sanction will issue thirty-five days after a decision is entered under C.R.C.P. 242.31(a)(6). In some instances, the order and notice may issue later than the thirty-five days by operation of C.R.C.P. 242.35, C.R.C.P. 59, or other applicable rules.