

*People v. Fenster*. 13PDJ029. September 16, 2013. Attorney Regulation. The Presiding Disciplinary Judge approved a conditional admission of misconduct submitted by the parties and suspended Eric Bryan Fenster (Attorney Registration Number 33264) from the practice of law for ninety days, all stayed upon the successful completion of a two-year period of probation, with conditions, effective September 16, 2013. A woman suspicious about the circumstances of her brother's death hired Fenster to investigate the death and the thoroughness of the subsequent police investigation. Fenster did not give his client a written fee agreement, as he was obligated to do. He later falsely told his client that he had filed a lawsuit to obtain autopsy photographs and that a hearing date had been set regarding the photographs. In fact, he had not filed a lawsuit and no hearing had been scheduled. Fenster also failed to keep his client informed about her matter, failed to provide an accounting of the services he had performed, and failed to return the client's complete file despite requests to do so. Fenster's misconduct constitutes grounds for the imposition of discipline pursuant to C.R.C.P. 251.5 and violated Colo. RPC 1.4(a)(2)-(4), 1.5(b), 1.15(c), 1.16(d), and 8.4(c).