

People v. Robert S. Kargol. 16PDJ025. March 8, 2016.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and disbarred Robert S. Kargol (attorney registration number 09272), effective March 8, 2016.

Kargol, who was licensed in 1978, was suspended from the practice of law for one year and one day in 1993. That discipline was premised on his continued representation of clients after he was administratively suspended for disregarding continuing legal education requirements. Kargol never sought reinstatement, so he has remained suspended since the 1993 disciplinary matter.

In 2013, an acquaintance of Kargol's asked him to review documents concerning a commercial real estate transaction. Kargol's acquaintance worked for a company that provided services to the buyer in the transaction. Kargol signed two legal opinion letters on behalf of the buyer. He used signature blocks that identified him as "Robert Kargol, Esq. Counsel." Although Kargol denies that he personally wrote the text of the letters, he admits to adding the signature blocks.

Kargol also sent, received, and was copied on emails related to the transaction that identify him as "counsel" or "attorney." He took no steps to correct the representation in various emails that he was the buyer's counsel. In some of the emails, Kargol provided legal advice or forwarded legal documents he had drafted or modified.

In addition, Kargol drafted several commercial leases for the same acquaintance mentioned above. He was paid for his work in all of these matters.

Kargol violated Colo. RPC 5.5(a)(1) (a lawyer shall not practice law without a law license or other specific authorization); Colo. RPC 5.5(a)(2) (a lawyer shall not practice law where doing so violates regulations of the legal profession); and Colo. RPC 8.4(c) (a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation).