

IN THE SUPREME COURT OF THE STATE OF DELAWARE

In the Matter of)	
a Member of the Bar of)	
the Supreme Court of)	No. 427, 2007
the State of Delaware:)	
)	Board Case No. 2007-0082-B
L. ARLEN MEKLER,)	
Respondent,)	
)	
)	

Submitted: August 22, 2007
Decided: August 24, 2007

Before **STEELE**, Chief Justice, **HOLLAND** and **RIDGELY**, Justices.

ORDER

This 24th day of August, 2007, the Court having received and considered a Stipulation of Admitted Facts and Violations and Respondent’s Proposal for Resignation with Conditions, jointly submitted by the Office of Disciplinary Counsel (“ODC”) and L. Arlen Mekler, a member of the Bar of this Court (“Respondent”),

IT IS HEREBY ORDERED THAT this Court will hold in abeyance the Petition for Interim Suspension and the Respondent’s request to resign as a member of the Delaware Bar, under the following conditions:

1. This Court shall retain jurisdiction of this matter;
2. The Respondent shall cease the practice of law immediately. The Respondent shall not (a) share in any legal fees arising from clients or cases referred by him after the date of this Order or (b) share in any legal fees earned for services by others after the date of this Order. The Respondent also shall be prohibited from having any contact with clients or prospective clients

or witnesses. The Respondent shall not act as a paralegal, legal assistant or law clerk whether or not he is under the supervision of a member of the Delaware Bar;

3. The Respondent shall consent to the appointment of a receiver by the Court of Chancery; shall cooperate fully, to the best of his ability, with the Receiver in the performance of his/her duties, and shall, in particular, assist the Receiver in following the directives set forth in Rules 21 and 23 of the Delaware Lawyers' Rules of Disciplinary Procedure ("Procedural Rules");

4. Consistent with Procedural Rules 21 and 23, the Respondent shall assist the Receiver in protecting clients' interests, including transfer of files and retainer balances to successor counsel;

5. Within thirty (30) days of the date of this Order, the Respondent shall refund or return any property held in escrow for other clients or third persons;

6. The Respondent shall provide to the ODC and the Receiver a list of all closed files in his possession, custody and control and will identify the location of those files;

7. Within two (2) business days of the date of this Order, the Respondent shall provide a list to the ODC which identifies all open active files to be transferred to successor counsel, including the subject matter of the representation and the money paid by the client to the Respondent;

8. Within thirty (30) days of the date of this Order, the Respondent shall complete the law practice account reconciliations through August 31, 2007;

9. Within six (6) months of the date of this Order, the ODC shall complete an investigative audit regarding any files open as of the date of this Order and report to the Court regarding the findings thereof;

10. Contemporaneous with the investigative audit, the ODC shall complete any disciplinary investigation on matters not related to client funds and initiate disciplinary proceedings before the Board on Professional Responsibility ("Board"). (The Respondent has waived presentation to the Preliminary Review Committee.) The Board shall issue a report with findings of fact, conclusions of law and recommendations on sanctions to the Court within six (6) months of the date of this Order;

11. The Respondent shall cooperate with the investigative audit and the disciplinary investigation;

12. After submission to the Court of the findings made in the investigative audit and the Board's report and recommendation, the ODC and the Respondent shall have thirty (30) days to notify the Court regarding (1) objections to the Board's report and recommendation, and (2) the position of the parties regarding appropriate sanctions to be imposed, including whether the Court should accept the Respondent's letter of resignation; and

13. This Order shall be made public.

/s/ Myron T. Steele
Chief Justice