

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: DISCIPLINE OF DOUGLAS W.
NICHOLSON, ESQ., BAR NO. 3654.

No. 56184

FILED

FEB 09 2012

TRACIE K. BRIDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER APPROVING CONDITIONAL GUILTY PLEA AGREEMENT

This is an automatic review of a Northern Nevada Disciplinary Board hearing panel's recommendation that we approve, pursuant to SCR 113, attorney Douglas W. Nicholson's conditional guilty plea in exchange for a stated form of discipline. Under the plea agreement, Nicholson admits to multiple violations of Rules of Professional Conduct 1.3 (diligence), RPC 1.4 (communication) and RPC 3.2 (expediting litigation). Nicholson also admits to violating RPC 1.1 (competence).¹ These violations stem from Nicholson's misconduct involving two different clients.

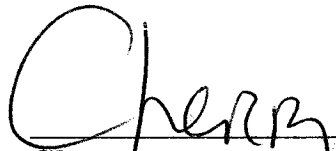
The agreed-upon discipline provides that Nicholson be suspended from the practice of law for six months and one day, that he pay the actual costs of the disciplinary proceedings, and that he take and pass the Multistate Professional Responsibility Exam prior to applying for

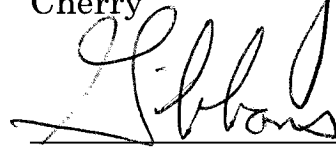
¹We also review the panel's findings that Nicholson violated RPC 1.8 (conflict of interest: current clients: specific rules) and did not violate RPC 8.4(c) (misconduct; engaging in conduct involving dishonesty, fraud, deceit or misrepresentation). After reviewing the record, we conclude the panel's findings should be approved.

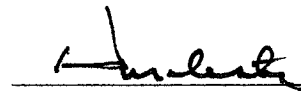
reinstatement. Nicholson also agreed that he would not object to current members of the hearing panel serving on any future reinstatement panel.²

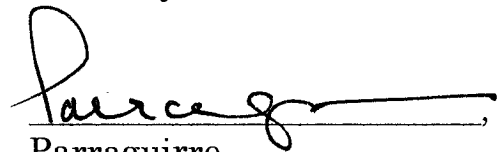
Having reviewed the record, we conclude that the plea agreement should be approved. See SCR 113(1). Accordingly, attorney Douglas W. Nicholson is hereby suspended from the practice of law for six months and one day from the date of this order. The suspension is subject to the conditions of the agreement as set forth above.

It is so ORDERED.

_____, J.
Cherry

_____, J.
Gibbons

_____, J.
Hardesty

_____, J.
Parraguirre

cc: David Clark, Bar Counsel
Kimberly K. Farmer, Executive Director, State Bar of Nevada
Thomas Susich, Chair, Northern Nevada Disciplinary Board
Donald York Evans
Perry Thompson, Admissions Office, United States Supreme Court

²Neither Nicholson nor the State Bar submitted a brief challenging the panel's findings and recommendation.

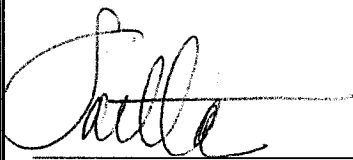
DOUGLAS, J., with whom SAITTA, C.J., and PICKERING, J., agree, dissenting:

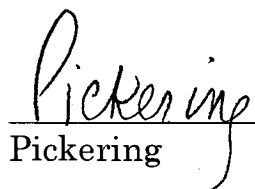
I would deny the conditional guilty plea agreement tendered pursuant to Supreme Court Rule (SCR) 113.

The tendered plea is subject to final approval or rejection by the court due to the proposed suspension; I cannot approve of this conditional guilty plea agreement in light of previous disciplinary matters that occurred in 1993, 2003, 2008, and the totality of the new matters. Thus, this plea agreement needs to be rejected and sent back for new proceedings to be commenced as to the alleged violation of Rules of Professional Conduct 8.4(c) (misconduct) and then resubmitted to the court for resolution.


Douglas J.

We concur:


Saitta C.J.


Pickering J.