

IN THE SUPREME COURT OF THE STATE OF NEVADA

STATE BAR OF NEVADA,
Petitioner,
vs.
WILLIAM BRECK, ESQ.,
Respondent.

No. 59726

FILED

MAR 22 2012

TRACIE LINDSEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION

This petition, filed pursuant to SCR 102(4) (temporary suspension by supreme court), seeks to enjoin William Breck, Esq., from the practice of law, pending the outcome of formal disciplinary proceedings against him, and to impose other restrictions on Breck and the law firms with which he is affiliated. The petition is opposed.

As authority for imposing injunctive relief, petitioner relies on Matter of Discipline of Droz, 123 Nev. 163, 160 P.3d 881 (2007), in which this court issued an injunction against a non-Nevada attorney, prohibiting him from practicing law in Nevada. Droz, however, is distinguishable from the instant matter. Droz was an automatic appeal from a disciplinary panel's recommendation of injunctive relief following a formal disciplinary hearing, in which the attorney did not contest the facts or the recommended discipline. By contrast, the instant petition seeks injunctive relief as an extraordinary, predisciplinary hearing sanction, the resolution of which would require us to engage in fact-finding, a task which a

disciplinary panel is better suited to perform. For these reasons, the petition is hereby denied.¹

It is so ORDERED.

Saitta, C.J.
Saitta

Douglas, J.
Douglas

Cherry, J.
Cherry

Gibbons, J.
Gibbons

Pickering, J.
Pickering

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

cc: David Clark, Bar Counsel
J. Thomas Susich, Northern Nevada Disciplinary Board Chair
William Breck

¹We express no opinion as to whether Breck's conduct constitutes the unauthorized practice of law. We further express no opinion as to the availability or propriety of any other remedies.