

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE DISCIPLINE OF
JOHN H. COTTON, ESQ.

No. 37655

FILED

JUL 11 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER GRANTING PETITION FOR RECIPROCAL DISCIPLINE AND
REPRIMANDING ATTORNEY COTTON

This is a petition for reciprocal discipline pursuant to SCR 114. Attorney John H. Cotton is licensed in Nevada, Nebraska and Arizona. On February 27, 2001, the Supreme Court of Arizona censured Cotton, and placed him on probation for one year, subject to several conditions. These conditions require Cotton to: (1) abide by the rules of professional conduct, (2) respond within ten days to any inquiry from the Arizona bar, (3) attend the Arizona Ethics Enhancement Program, and (4) pay the costs of the Arizona disciplinary proceeding.

The Arizona discipline was based on violations of Arizona's counterparts to SCR 154 (communication), SCR 181 (truthfulness in statements to others), SCR 203(3) (misconduct involving dishonesty, fraud, deceit or misrepresentation), and SCR 203(4) (conduct prejudicial to the administration of justice), for Cotton's actions relating to reimbursement of expenses from his firm and from a client. Cotton received double-reimbursement in some instances, and requested reimbursement for charges not actually incurred and in excessive amounts. Cotton promptly repaid the excess amounts he received.

The Arizona authorities noted the aggravating circumstances of a pattern of misconduct and substantial

experience in the practice of law, and mitigating circumstances including Cotton's lack of prior discipline, lack of intent, and prompt efforts to make restitution.

SCR 114(3) provides that, with few exceptions, this court shall impose identical discipline. We conclude that none of the exceptions applies, and so the petition should be granted. Accordingly, we reprimand Cotton for his misconduct and place him on probation for one year subject to the conditions stated in the Arizona order. Cotton shall provide Nevada bar counsel with proof that he has met the conditions of his Arizona probation.

It is so ORDERED.

Maupin, C.J.
Maupin

Young, J.
Young

Agosti, J.
Agosti

Leavitt, J.
Leavitt

Shearing, J.
Shearing

Rose, J.
Rose

Becker, J.
Becker

cc: Richard J. Pocker, Chair,
Southern Nevada Disciplinary Board
Rob W. Bare, Bar Counsel
Allen W. Kimbrough, Executive Director
Perry Thompson, Admissions Office, U.S. Supreme Court
John H. Cotton