

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF  
NICHOLAS M. WAJDA, BAR NO.  
11480.

No. 87141

FILED

OCT 13 2023

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
CHIEF DEPUTY CLERK

*ORDER IMPOSING RECIPROCAL DISCIPLINE  
AND SUSPENDING ATTORNEY*

This is a petition under SCR 114 to reciprocally discipline attorney Nicholas M. Wajda based on his six-month probated suspension from the practice of law in Texas for violating RPC 3.1 (meritorious claims and contentions), RPC 3.2 (expediting litigation), RPC 5.3(c)(1) (responsibilities regarding nonlawyer assistants: ordering, ratifying, or failing to rectify wrongful conduct of nonlawyers), and RPC 8.4(c) (misconduct: dishonesty, fraud, deceit, or misrepresentation). The Texas probated suspension was based on Wajda's representation in two bankruptcy actions. In the first bankruptcy case, he accepted a post-petition retainer without the necessary leave from the court, failed to amend incomplete or inaccurate pleadings, filed a nonsensical debtor's plan, and failed to appear at meetings or hearings. In the second bankruptcy case, he filed a fraudulent bankruptcy petition without speaking with the petitioner and instead relying on the petitioner's husband's assertions that the petitioner wished to file the petition. Wajda responded to the SCR 114


petition and requested any suspension imposed in Nevada run concurrent with his Texas probated suspension.


Under SCR 114(4), this court must impose identical reciprocal discipline unless the attorney demonstrates or this court determines that (1) the other jurisdiction failed to provide adequate notice, (2) “there was such an infirmity of proof establishing the misconduct” in the other jurisdiction that this court could not accept the decision of that jurisdiction, (3) the established misconduct warrants substantially different discipline in this jurisdiction, or (4) the established misconduct does not constitute misconduct under Nevada’s professional conduct rules. None of these exceptions apply here, and “[i]n all other respects, a final adjudication in another jurisdiction that an attorney has engaged in misconduct conclusively establishes the misconduct for the purposes of a disciplinary proceeding in this state.” SCR 114(5).

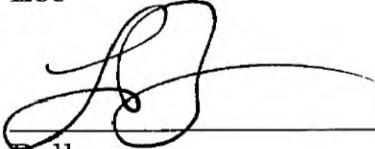
Accordingly, we grant the petition for reciprocal discipline and hereby suspend Nicholas M. Wajda from the practice of law in Nevada for six months retroactive to the date of Wajda’s Texas suspension of March 1, 2023, with the suspension stayed subject to the conditions outlined in Wajda’s Texas suspension. Those conditions required Wajda to (1) not violate the terms of the suspension, (2) not engage in any professional misconduct, (3) not violate any state or federal criminal statute, (4) keep the State Bar notified of his current contact information, (5) comply with the minimum Continuing Legal Education (CLE) requirements, (6) complete an additional 15 CLE credits in the area of ethics or law practice management and verify completion of those additional CLE credits to the State Bar, (7) comply with interest on lawyers trust account requirements, (8) promptly respond to any request from the State Bar, and (9) make contact with the

State Bar's office regarding compliance with these conditions within seven days.

It is so ORDERED.

  
\_\_\_\_\_, C.J.  
Stiglich

  
\_\_\_\_\_, J.  
Lee

  
\_\_\_\_\_, J.  
Bell

cc: Bar Counsel, State Bar of Nevada  
Nicholas M. Wajda  
Executive Director, State Bar of Nevada  
Admissions Office, U.S. Supreme Court