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**LawSocietyofAlberta**

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December 11, 2009

## NOTICE TO THE PROFESSION

NOTICE TO: All Active Members and Students-at-Law,  
All Executive Directors of other Law Societies in Canada,  
All Justices of the Court of Appeal and Court of Queen's Bench,  
All Judges of the Provincial Court of Alberta,  
All Masters in Chambers,  
All Clerks of the Court

### Notice of Disbarment

On December 9, 2009, a Resignation Committee of the Benchers of the Law Society of Alberta granted the application of **James E. Toone** to resign, pursuant to section 61 of the *Legal Profession Act*, R.S.A. 2000, c. L-8, and Rule 92, effective immediately. Mr. Toone is therefore disbarred. Mr. Toone was a suspended member of the Law Society. He resides in Magrath, Alberta and practised in Lethbridge from June 25, 1986 until March 31, 2007 when his membership was suspended for non-payment of fees.

Mr. Toone faced a discipline hearing on eight (8) citations at the time of his resignation application. The citations alleged that, *inter alia*, Mr. Toone failed to serve many of his clients over a long period of time, misled or attempted to mislead his clients as to the status of their matters, failed to respond to his clients and keep them informed, and failed to respond to the Law Society with respect to complaints and its investigation into the circumstances surrounding the departure from his firm.

Mr. Toone admitted facts and the foregoing allegations. His application for resignation under section 32 of the Act was rejected but his alternative application under section 61 was granted.

The Resignation Committee directed that Mr. Toone pay the actual costs of the discipline proceedings and the resignation application, estimated at \$3,404.63, prior to any application for re-admission.

Mr. Toone practised with partners who have already made arrangements with respect to his practice.

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R. Gregory Busch  
Director, Lawyer Conduct  
Law Society of Alberta