

THE LAW SOCIETY OF ALBERTA HEARING COMMITTEE REPORT

IN THE MATTER OF THE *Legal Profession Act*, and

In the matter of a Hearing regarding the conduct of

Camron Schwartz

A Member of the Law Society of Alberta

Pursuant to Section 56 of the *Legal Profession Act* and
the Rules of the Law Society of Alberta

Panel:

Darlene W. Scott - Chair

Sarah King-D'Souza, QC - Bencher

Glen Buick - Lay Bencher/Public Representative

Counsel Appearances:

Sharon Borgland - for the Law Society of Alberta (**LSA**)

Simon Renouf, QC - representing Camron Schwartz

Hearing Date: March 31, 2015

Hearing Location: 800, 10205-103 Avenue, Edmonton

Report: April 3, 2015

REPORT OF THE HEARING COMMITTEE

I. INTRODUCTION AND SUMMARY OF RESULT

1. On March 31, 2015, a Hearing Committee of the Law Society of Alberta convened at the Law Society Offices in Edmonton to inquire into the conduct of the Member, Camron Schwartz. The committee comprised Darlene W. Scott as Chair, Sarah King-D'Souza, QC, Bencher, and Glen Buick, Lay Bencher. The Law Society was represented by Sharon Borgland. The Member was represented by Simon Renouf, QC. The Member was present throughout the hearing.
2. The Member faced 2 citations:
 - a. It is alleged that Camron Schwartz acted when in a conflict of interest or continued to act when in a conflict of interest and that such conduct is deserving of sanction; and
 - b. It is alleged that Camron Schwartz failed to reply promptly and completely to communication from the Law Society and that such conduct is conduct deserving of sanction.
3. The Law Society and the Member presented the Hearing Committee with an Agreed Statement of Facts and Admission of Guilt (which is attached to and forms part of this

Report) with respect to the first citation regarding acting in a conflict of interest. The Law Society did not call any evidence in respect of the second citation regarding failure to respond to the Law Society and therefore that Citation was dismissed.

4. The Hearing Committee accepted the Agreed Statement of Facts and Admission of Guilt on the first citation which constitutes a finding of guilt on the first citation.
5. The Law Society and the Member made a joint submission on Sanction, being a Reprimand and payment of costs of the Hearing, which were agreed to be \$1,875. The Hearing Committee accepted the joint submission, issued a Reprimand to the Member and ordered costs of \$1,875 to be paid within 10 days.

II. JURISDICTION AND PRELIMINARY MATTERS

1. At the commencement of the Hearing, the Chair inquired as to whether any party had a concern with respect to the composition of the Committee, on the grounds of reasonable apprehension of bias, or otherwise. There were no concerns.
2. The Chair then inquired whether there was any reason or request for all or any part of the Hearing to be held in private. There were no such requests and the Hearing therefore continued in public.
3. Jurisdiction was established by the Law Society and the following Exhibits entered:

Exhibit 1-	Letter of Appointment of Hearing Committee
Exhibit 2-	Notice to Solicitor
Exhibit 3-	Notice to Attend
Exhibit 4-	Certificate of Status of the Member
Exhibit 5-	Certificate of Exercise of Discretion

4. Counsel for the Law Society and the Member presented the Hearing Committee with an Agreed Statement of Facts and Admission of Guilt (Exhibit 35) to the first citation. Counsel for the LSA advised there would be no evidence called by the LSA on the second citation.

III. EVIDENCE

1. Exhibits 6-34 - all evidence relevant to the citations were entered into evidence by consent.
2. Exhibit 35 - the Agreed Statement of Facts and Admission of Guilt in relation to the first citation signed and dated March 31, 2015 by the Member and witnessed by his lawyer Simon Renouf, QC, was entered into evidence by consent as Exhibit 35.
3. The Hearing Committee reviewed the Agreed Statement of Facts and Admission of Guilt, which is attached to and forms part of this Report.
4. The Member confirmed that:
 - a. He made the admission in the Agreed Statement of Facts and Admission of Guilt voluntarily and free of undue coercion;

- b. He understood the nature and consequences of the admission; and
 - c. He understood that the Hearing Committee is not bound by any joint submissions advanced jointly by counsel.
5. The Hearing Committee heard submissions from LSA counsel and also from the Member's counsel as to the circumstances surrounding the events leading to the first citation.

IV. FACTS

1. The agreed facts are fully set out in the Agreed Statement of Facts attached to this Hearing Report.
2. Mr. G was a client of Mr. Schwartz and introduced Mr. Schwartz to his business associate, Mr. R, who was the sole legal shareholder of a numbered operating company (A. Co.) which Mr. G also had an interest in. Mr. Schwartz was retained to prepare a unanimous shareholder agreement and assist in implementing a reorganization of A. Co. and in the course of that retainer, he attended to the incorporation of a new numbered corporation (B. Co.). Mr. R was the sole shareholder and director of B. Co.
3. Mr. Schwartz issued an invoice to Mr. R in respect of the incorporation and organization of B. Co. The proposed reorganization did not occur due to a dispute between the various parties, including Mr. R and Mr. G.
4. Mr. Schwartz subsequently issued a Statement of Claim on behalf of Mr. G and others against A. Co. and Mr. R and thereafter continued to act for his original client, Mr. G, in respect of the action against Mr. R and A. Co.

V. CONCLUSION

1. Mr. Schwartz admits as fact the statements contained within the Agreed Statement of Facts for the purposes of these proceedings.
2. Mr. Schwartz admits that his conduct set out in the Agreed Statement of Facts was conduct deserving of sanction.
3. The Hearing Committee accepted the Member's admission of guilt and the Hearing Committee found the admission of guilt in a form acceptable to the Hearing Committee pursuant to section 60(4) of the *Legal Profession Act*. The admission is deemed for all purposes to be a finding of the Hearing Committee that the conduct of the Member described therein is conduct deserving of sanction in relation to the first citation.

VI. CONCLUSIONS ON CITATIONS

1. The Hearing Committee having accepted the admission of guilt from the Member on the first citation finds the Member guilty of conduct unbecoming on the first citation.
2. No evidence having been called in respect of the second citation, the Hearing Committee dismisses the second citation.

VII. SUBMISSIONS ON SANCTION

1. Counsel for the Law Society entered the Member's record, with the consent of the Member. This record was entered into evidence as Exhibit 38. Counsel for the Law Society also entered an Estimated Statement of Costs into evidence by consent of the Member as Exhibit 39. The parties agreed to fix the Statement of Costs at \$1,750.00.

VIII. DECISION AS TO SANCTION

1. The following provisions of the Code of Professional Conduct (as it then was) are engaged:

- a. Chapter 6, Rules 2 and 3

- (i) **Rule 2** - "A lawyer must not act for more than one party in a conflict or potential conflict situation unless all such parties consent and it is in the best interests of the parties that the lawyer so act."

- (ii) **Rule 3(b)** - Except with the consent of the client, or approval of a court pursuant to (c), a lawyer must not act against a former client if the lawyer has confidential information that could be used to the former client's disadvantage in the new representation.

2. The *Legal Profession Act*, s. 72(1) requires a Hearing Committee, on finding a Member guilty of conduct deserving sanction, to disbar, suspend, or reprimand the Member.
3. The primary purpose of disciplinary proceedings is: (1) the protection of the best interests of the public (including the Members of the Society) and (2) protecting the standing of the legal profession generally.

"A profession's most valuable asset is its collective reputation and the confidence which that inspires." Bolton v. Law Society, [1994] 2 All ER 486 at para. 492 (C.A.)

4. The privilege of self-governance is accompanied by certain responsibilities and obligations. The impact of any misconduct on the individual and generally on the profession must be taken into account:

"This public dimension is of critical significance to the mandate of professional"

"The question of what effect a lawyer's misconduct will have on disciplinary bodies the reputation of the legal profession generally is at the very heart of a disciplinary hearing":

Adams v. The Law Society of Alberta, [2000] A.J. No.1031 (Alta. C.A.)

5. The sanctioning process should involve a purposeful approach. Sections 60 and 61 of the Hearing Guide set out the general and specific factors that this Committee must consider in determining what sanction to impose. Factors which relate most closely to the fundamental purposes outlined above will be weighed more heavily than other

factors. The final sanction must be one which is consistent with the fundamental purpose of the sanction process.

6. This Hearing Committee considered the following general factors to be of relevance in this case:
 - a. The need to maintain the public's confidence in the integrity of the profession and the ability of the profession to govern its own members.
 - b. Specific deterrence of the Member, from engaging in such conduct again.
 - c. General deterrence of other members, from engaging in such conduct for themselves.
 - d. Denunciation of the conduct.
 - e. Avoiding undue disparity with sanctions imposed in other cases.
7. This Hearing Committee considered more specific factors in making its decision as to sanction:
 - a. Member's conduct raises concerns about maintaining public confidence in the legal profession.
 - b. Impact or injury, potential or actual.
 - c. Number of incidents involved.
8. Special circumstances both aggravating and mitigating. There were both in this instance:
 - a. In mitigation, the Member was a very junior member of the profession at the time this conflict arose, and has no prior discipline record. He has also agreed to a joint submission on the facts, admitted his guilt, and agreed to a joint submission on sanction. He has also ceased his representation of his client in the action which led to the conflict; and
 - b. Aggravating factors are that the Member continued to insist that there was no conflict for several years following the filing of the Statement of Claim which led to this citation. Even if the various attempts to bring the conflict to his attention were not entirely clear, Mr. Schwartz had the duty to independently assess whether he was in a conflict in issuing a Statement of Claim against a former client in a related matter. He failed to recognize the conflict initially and for a significant time period thereafter. This caused his former client Mr. R to have to bring an action to have him removed from the action, which resulted in time and expense incurred by Mr. R.
9. Taking into account the factors described above, the evidence and the joint submissions from Counsel for the LSA and the Member, the Hearing Committee finds that a reprimand is an appropriate sanction. The Chair administered the Reprimand to Mr. Schwartz at the conclusion of the Hearing.

10. With respect to costs, the Hearing Committee accepted the Estimated Statement of Costs and ordered the Member to pay the costs of the Hearing of \$1,875.00 within 10 days.

VIII. CONCLUDING MATTERS

1. The Exhibits from this hearing shall be made public subject to any redactions to ensure that members of the public are not identified.
2. Any transcript of the proceedings may be made available to the public, subject to redactions to ensure that members of the public are not identified. There shall be no Notice to the Profession.

DATED this 3rd day of April, 2015, at the City of Edmonton in the Province of Alberta.

Per: _____
**DARLENE SCOTT, CHAIR
BENCHER**

Per: _____
**SARAH KING-D'SOUZA, QC
BENCHER**

Per: _____
**GLEN BUICK
LAY BENCHER**

IN THE MATTER OF THE *LEGAL PROFESSION ACT*;

**AND IN THE MATTER OF A HEARING REGARDING
THE CONDUCT OF CAMRON SCHWARTZ
A MEMBER OF THE LAW SOCIETY OF ALBERTA**

LAW SOCIETY HEARING FILE HE20140033

**AGREED STATEMENT OF FACTS AND AGREED EXHIBITS
AND ADMISSION OF CONDUCT DESERVING OF SANCTION**

1. Camron Schwartz (“Mr. Schwartz”) is and was at all relevant times an active member of the Law Society of Alberta (“Law Society”), having been admitted on August 18, 2006.
2. Following his admission, Mr. Schwartz practiced at Trevoy LLP. On July 1, 2012, Mr. Schwartz joined Ogilvie LLP, where he continues to practice as an Associate.

CITATIONS

3. Mr. Schwartz faces two citations as follows:

L.R. Complaint (COXXXXXXXX)

1. It is alleged that Camron Schwartz acted when in a conflict of interest or continued to act when in a conflict of interest and that such conduct is deserving of sanction; and
2. It is alleged that Camron Schwartz failed to reply promptly and completely to communication from the Law Society and that such conduct is deserving of sanction.

COMPLAINT PROCESS BACKGROUND

4. The Law Society received a written complaint dated November 11, 2011 in respect of Mr. Schwartz from L.R. **[Exhibit 7]**
5. L.R.’s lawyer, Paul Greep, provided further information regarding the complaint in a letter dated November 28, 2011. **[Exhibit 8]**

6. A copy of the complaint and Mr. Greep's letter were sent to Mr. Schwartz, who provided a written response by letter dated April 16, 2012. **[Exhibit 9]**
7. Mr. Greep responded to Mr. Schwartz's response by letter dated May 10, 2012. **[Exhibit 10]**
8. By letter dated January 4, 2013, the Law Society made a request to review Mr. Schwartz's file. Specifically, the Law Society asked Mr. Schwartz to arrange a time for the Law Society to pick up the file so it could be copied and returned to him. **[Exhibit 11]**
9. By letter dated January 9, 2013, Mr. Schwartz advised the Law Society that the file had been transferred to new counsel. **[Exhibit 12]**
10. The Law Society did not attempt to obtain the file from the successor counsel and took no further steps until July 2013.
11. In response to Mr. Schwartz's advice that the file had been transferred to new counsel, the Law Society replied by letter dated July 22, 2013 and stated:

I am reading your response to mean that you are unable to produce your file to us and that you did not retain a copy of your file before transferring it to successor counsel. If I have misinterpreted your reply, please advise. **[Exhibit 13]**
12. A further letter from the Law Society to Mr. Schwartz indicates that Mr. Schwartz had a telephone conversation with a Formal Complaints Reviewer with the Law Society on July 29, 2013 and that Mr. Schwartz advised the Reviewer that although he provided L.R.'s client file(s) to successor counsel in 2011, he retained some original or duplicate materials. The letter made a further request for more information and records from Mr. Schwartz. There were further telephone communications between the Reviewer and Mr. Schwartz between July and October 2013. **[Exhibit 14]**
13. By email dated October 4, 2013, Mr. Schwartz advised that some of the requested records were stored in off-site storage and that he would get the records to the Law Society by October 7, 2013. **[Exhibit 15]**
14. By email dated October 7, 2013, Mr. Schwartz provided further records to the Law Society. **[Exhibit 16]**
15. By email dated October 25, 2013, Mr. Schwartz provided further records to the Law Society. In his email, Mr. Schwartz states: "Neither I nor Trevoy LLP did work for G.C. or the R.s, ever or at all, with the exception of the incorporation of XXXXXXXX Ab Ltd." He attached an invoice for the incorporation of XXXXXXXX Alberta Ltd. (described in more detail in the facts below); invoices to the "G.s" (defined below) re: "G.C. litigation"; and invoices to XXXXXXXX Alberta Ltd. **[Exhibit 17]**

16. By letter dated December 10, 2013, the Law Society sought further information from Mr. Schwartz. **[Exhibit 18]**
17. Mr. Schwartz responded to the Law Society's questions by email dated December 24, 2013. **[Exhibit 19]**

AGREED UPON FACTS

18. Corporate records searches indicate that XXXXXXXX Alberta Ltd. was incorporated on March 3, 2006 and that L.R. is and has always been the company's sole director and sole or majority shareholder. XXXXXXXX Alberta Ltd. operated as "G.C.". **[Exhibit 20]**
19. T.G. and M.G. (the "G.s") were clients of Mr. Schwartz and Trevoy LLP. The G.s consulted Mr. Schwartz in 2008 with respect to a proposed reorganization of the G.C. business. Mr. Schwartz had no prior relationship with L.R.
20. The records Mr. Schwartz provided to the Law Society contain an email dated January 29, 2008 from L.R. to M.G., which included a reorganization proposal. **[Exhibit 16, pgs. 20 & 21]** In his email to the Law Society, Mr. Schwartz described the records as follows:

These documents provided some draft restructuring that my clients were going to propose, however none of this ever came to fruition and the method in which they were going to propose the restructuring was constantly changing until they decided to end their relationship with L.R. **[Exhibit 16, pg. 1]**

21. On February 17, 2008, Mr. Schwartz was copied on an email from M.G. to L.C., an accountant with A. LLP. The email contained a proposal to reorganize the share structure of XXXXXXXX Alberta Ltd. in accordance with attached handwritten notes and asked L.C. to coordinate with Mr. Schwartz in this regard. The attachment consisted of 7 pages of handwritten notes dated January 30, 2008 and provided further details of the proposed reorganization. **[Exhibit 16, pgs. 12 – 19]**
22. On February 25, 2008, Mr. Schwartz sent an email to M.C. of A. LLP requesting more information regarding the proposed reorganization. **[Exhibit 16, pg. 8]**
23. On March 6, 2008, M.C. responded as follows:

There is to be a reorganization of G.C. I believe the proper name of this company is XXXXXXXX Alberta Ltd. Legally L.R. holds 100% of the common shares of G.C. but in reality, the shares were beneficially owned by L.R., C.R., M.G. and TM.G.
Speaking with M.G., the reorganization will result in the following parties having ownership in G.C.

XXXXXXX Alberta Ltd. (M. and T.G.'s Holding Company)
M.G.
T.G.
TM.G.
J.G.
TM.G. and J.G.'S Holding Company
L.R.

Feasibly others but I will need to confirm with M.G.
It would appear that there are the following agreements in existence:

Legal trust;
Indemnification; and
Guarantees.

...

We will provide you with step by step instructions on the reorganization transactions to take place. Hopefully in the next few days. **[Exhibit 16, pgs. 8 & 9]**

24. On March 7, 2008, Mr. Schwartz emailed M.G. relaying that he had received information from M.C. "concerning the reorganization that you have requested we undertake on behalf of XXXXXXXX Alberta Ltd." Mr. Schwartz asked M.G. to forward a copy of the minute book and other relevant agreements for XXXXXXXX Alberta Ltd. Mr. Schwartz also confirmed the names of the individuals and corporations that would hold shares in the reorganized company, including L.R. **[See Ex. "A" to Exhibit 29]**
25. Later that day, M.G. emailed L.C. and cc'd Mr. Schwartz with a question regarding the transition of ownership from L. and C.R. to the new ownership group. **[See Ex. "A" to Exhibit 29]**
26. M.G. forwarded both the March 7, 2008 emails to L.R. to "keep him up to date". **[See Ex. "A" to Exhibit 29]**
27. A corporate records search indicates that XXXXXXXX Alberta Ltd. was registered on April 3, 2008 with L.R. as its sole director and majority shareholder. This incorporation was done as part of the proposed reorganization, so that there would be a new corporate entity to take over the interest L.R. would have in the restructured business. **[Exhibit 21]**
28. On April 15, 2008, M.C. emailed Mr. Schwartz and advised that nothing would be started in the next few weeks and that he would let him know when he could proceed with the reorganization. He also forwarded some emails between M.G. and A. LLP dated April 8, 2008 and April 15, 2008 regarding a mediation between the parties and a meeting scheduled between L.C. and Mr. Schwartz for a review of the "reorganization checklist". **[Exhibit 16, pgs. 10 & 11]**

29. An invoice from Trevooy LLP dated April 21, 2008 indicates that Mr. Schwartz incorporated XXXXXXXX Alberta Ltd. for and on the instructions of L.R. The invoice describes the work as “Corporate Matters (R.)”. It also indicates that Mr. Schwartz drafted the following corporate documents for XXXXXXXX Alberta Ltd.: Articles of Incorporation, Notice of Directors, Notice of Registered Office, General By-Laws, Minutes of a meeting of the First Directors and First Shareholders, Share Certificates, Share Subscriptions, Consent to Act as Director, Shareholder Ledgers and Directors Register. **[Exhibit 17, pgs. 6 & 7]**
30. Trevooy LLP issued an invoice dated May 15, 2008 to XXXXXXXX Alberta Ltd. regarding “Corporate Planning”. The invoice is directed to the attention of M.G. and references correspondence with M.C., drafting a letter of understanding and numerous phone calls with T. Wilson. **[Exhibit 17, pgs. 18 & 19]**
31. By letter dated July 23, 2008, Theresa L. Wilson of Wilson Law wrote to Mr. Schwartz that she had been retained to act for XXXXXXXX Alberta Ltd. and requested the minute book be sent to her. **[Exhibit 16, pg. 3]**
32. On August 22, 2008, Mr. Schwartz filed a Statement of Claim on behalf of T.G. on against XXXXXXXX Alberta Ltd. o/a G.C. and L.R. **[Exhibit 22]**
33. On September 26, 2008 Mr. Schwartz filed an Amended Statement of Claim on behalf of T.G. **[Exhibit 22]**
34. On October 29, 2008, XXXXXXXX Alberta Ltd. o/a G.C. and L.R. filed a Statement of Defence and a Counterclaim against the G.s. **[Exhibit 22]**
35. On November 20, 2008, Chris Spasoff of Reynolds, Mirth, Richards and Farmer LLP (“RMRF”) emailed Mr. Schwartz regarding the issues between L.R. and the G.s. Mr. Spasoff states:
- We’ve also been made aware of a potential issue with respect to your acting in this matter, owing to a conflict of interest given your past involvement with the company. I’m not aware of the details as of yet, but wanted to let you know that it was identified as an issue. **[Exhibit 16, pgs. 4 & 5]**
36. On November 25, 2008, Mr. Schwartz responded, in part, as follows:
- Further to my two recent voicemail messages, I would like to speak to you as soon as possible about this matter. I would suggest that the possible conflict is another tactic by your client to continue to delay this matter. **[Exhibit 16, pg. 4]**
37. In a letter dated December 3, 2008 to Mr. Spasoff, Mr. Schwartz states:
- We would ask that you present us with any evidence you may have to substantiate your comments related to the potential conflict of interest, our office

may be in, by representing both T.G. and M.G., in relation to these matters.
[Exhibit 23]

38. Also on December 3, 2008, a Statement of Defence to Counterclaim was filed by Mr. Schwartz on behalf of the G.s. **[Exhibit 22]**
39. Affidavits of Records were exchanged in 2009. **[Exhibit 22]**
40. On March 29, 2010, an amended Statement of Defence and Counterclaim was filed on behalf of XXXXXXXX Alberta Ltd. and L.R. **[Exhibit 22]**
41. Examinations for discovery were scheduled for October 2010.
42. On October 4, 2010, Paul Greep of RMRP (who was now counsel for XXXXXXXX Alberta Ltd. and L.R.) emailed Mr. Schwartz to adjourn the scheduled examinations for discovery on the basis of the claim of conflict. **[Exhibit 24]**
43. In an email dated October 7, 2010, Mr. Greep stated that “[w]hile I had a hint of some issues at hand, it was not until my client told me the full story that I was aware of the nature of your involvement and that you had taken instructions and billed my client for services connected to the very company we are now disputing.” **[Exhibit 25]**
44. In response, Mr. Schwartz suggested a meeting with Mr. Greep, which took place on October 7, 2010. **[Exhibit 25]**
45. In a letter to Mr. Schwartz dated October 20, 2010, Mr. Greep set out his position regarding the conflict claim in more detail and requested copies of records. **[Exhibit 26]**
46. On December 15, 2010, Mr. Greep wrote Mr. Schwartz to “insist that you step down as counsel for the G.s as there is clearly a conflict of interest and we are certain that a Court would find likewise.” The letter included case law and legal argument. **[Exhibit 27]**
47. In an email response dated December 24, Mr. Schwartz stated that he was “not involved in incorporating a company which is heavily involved in the running of G.C.” and that he was “never directly involved with XXXXXXXX Alberta Ltd.” He advised further that he had received instructions not to respond to Mr. Greep’s letter and that his clients would be seeking costs on a client and solicitor full indemnity basis should they decide to proceed with an application to have him removed as counsel of record. **[Exhibit 28]**
48. On April 18, 2011, L.R. swore and filed an Affidavit setting out his position regarding the conflict issue. **[Exhibit 29]**
49. On or about May 6, 2011, Mr. Schwartz cross-examined L.R. on his Affidavit. The cross-examination was adjourned before it was completed. **[Exhibit 30]**

50. On May 18, 2011, Mr. Greep wrote to inquire as to Mr. Schwartz's intentions with respect to concluding the cross-examination and requesting that he voluntarily step down to avoid further costs and delay. **[Exhibit 31]**
51. On June 28, 2011, Mr. Greep again requested Mr. Schwartz's position with respect to stepping down as counsel for the G.s. **[Exhibit 32]**
52. An application to remove Mr. Schwartz as counsel of record was served on Mr. Schwartz on July 11, 2011 and was set down for September 27, 2011. **[Exhibit 33]**
53. On July 18, 2011, Mr. Schwartz advised Mr. Greep that he had received instructions to step down as counsel of record for the G.s and that they were in the process of obtaining new counsel. **[Exhibit 34]**
54. Mr. Schwartz filed a Notice of Withdrawal of Lawyer of Record on August 25, 2011. **[Exhibit 35]**
55. On October 3, 2011, an application was filed seeking costs on a full indemnity basis for the application to have Mr. Schwartz removed as counsel of record. **[Exhibit 36]**
56. On October 17, 2011, Mr. Schwartz emailed Mr. Greep and requested dates and times for cross-examination of L.R. Mr. Greep refused to allow Mr. Schwartz to cross-examine L.R. as Mr. Schwartz was neither solicitor of record nor a respondent to the application. **[Exhibit 37]**
57. The costs application was adjourned on October 26, 2011 and again on November 1, 2011 before being adjourned sine die by consent on November 24, 2011. **[Exhibit 22]**

ADMISSION OF FACTS

58. Mr. Schwartz admits the facts contained in this Agreed Statement of Facts for the purposes of these proceedings.

ADMISSION OF CONDUCT DESERVING OF SANCTION

Citation 1: It is alleged that Camron Schwartz acted when in a conflict of interest or continued to act when in a conflict of interest and that such conduct is deserving of sanction.

59. For the purposes of s. 60 of the *Legal Profession Act*, Mr. Schwartz admits that he acted when in a conflict of interest or continued to act when in a conflict of interest and that such conduct is deserving of sanction.

Citation 2: It is alleged that Camron Schwartz failed to reply promptly and completely to communication from the Law Society and that such conduct is deserving of sanction.

60. Mr. Schwartz makes no admission in respect of Citation 2 and the Law Society does not intend to call any evidence in relation to Citation 2.

This Agreed Statement of Facts and Admission of Conduct Deserving of Sanction is dated the 31st day of March, 2015.

“Witness Signature”
WITNESS

“Camron Schwartz”
CAMRON SCHWARTZ