



January 4, 2008

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

Disbarment

SPECIFICS:

On December 7, 2007, the Benchers of the Law Society of Alberta granted the application of **Mr. Marc Lebane** to resign, pursuant to Section 61 of the *Legal Profession Act*, R.S.A. 2000, c. L-8, effective immediately. Mr. Marc Lebane is therefore disbarred. Mr. Marc Lebane resides in South Korea and practiced in Edmonton until June 1, 1996, when the Benchers suspended his membership under Section 63 of the *Legal Profession Act*.

Mr. Lebane faced sixty-two citations at the time of his resignation application. He admitted the following specifics related to some of those citations and admitted his conduct was deserving of sanction:

- From January through April, 1996, Mr. Lebane failed to keep and maintain either a general account or a trust account, and had no system of record keeping with regard to funds received from his clients.
- In 1995 and 1996, Mr. Lebane misappropriated by theft or fraud funds paid to him by clients as retainers and otherwise, on at least nine separate occasions, totaling at least \$11,468.72.
- In 1995, Mr. Lebane committed theft from his employer at the time.
- In 1996, while suspended as a member of the Law Society of Alberta, Mr. Lebane held himself out as a practising lawyer.

Mr. Marc Lebane provided a written undertaking agreeing to cooperate with the Law Society regarding any future claims against him or the Assurance Fund and agreeing to pay any deductible related to any insurance claim paid by the Law Society insurer.

The committee directed, in accordance with Section 78(5) of the *Legal Profession Act* that the Executive Director refer this matter to the Minister of Justice and Attorney General.

The Committee further directed that Mr. Lebane pay the actual costs, estimated to be the sum of \$1,770.20.

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