

NOTICE

Suspension

On May 16, 2023, a Hearing Committee of the Law Society of Alberta found the conduct of **Mark Garnett Damm**, a member of the Law Society who lives and practices in Cochrane, Alberta, to be deserving of sanction regarding nine citations. Pursuant to section 72(1)(b) of the *Legal Profession Act*, RSA 2000, c. L-8 (the “*Act*”), the Hearing Committee ordered that Mr. Damm be suspended for six weeks starting on August 1, 2023, and pay costs of \$12,000.00.

The Hearing Committee accepted a Statement of Admitted Facts, Exhibits, and Admissions of Guilt in which Mr. Damm admitted guilt to the following misconduct:

- Violations of the trust accounting rules, including: failing to comply with conditions and reporting requirements for operating a trust account; paying personal bills directly from his trust account; withdrawing money from his trust account for fees and disbursements before delivering a Statement of Account; making withdrawals from his trust account using an ATM; failing to report a trust account shortage; failing to submit his annual Law Firm Self-Report and Electronic Data Upload by the due date; and failing to properly conduct and maintain monthly bank reconciliations;
- Failing to be honest and candid with his clients; and
- Practicing law while administratively suspended.

Conduct deserving of sanction is defined in the *Act* as conduct that is incompatible with the best interests of the public (including members of the Law Society) or conduct that tends to harm the standing of the legal profession.

The Hearing Committee delayed the start date of the suspension so Mr. Damm could place his active matters in abeyance. Consequently, the appointment of a custodian is unnecessary.

The full written decision of the Hearing Committee will be posted to the Law Society of Alberta website when it is issued.

Elizabeth J. Osler, KC
Chief Executive Officer & Executive Director
Law Society of Alberta

NOTICE TO: Public,
All Active Lawyers and Students-at-Law,
All Inactive Lawyers,
All Executive Directors of other Law Societies in Canada,
All Justices of the Court of Appeal and Court of King’s Bench,
All Justices of the Court of Justice of Alberta,
All Applications Judges,
All Clerks of the Court.