IN THE MATTER OF PART 3 OF THE
***LEGAL PROFESSION ACT*, RSA 2000, c. L-8**

AND

IN THE MATTER OF A HEARING REGARDING
THE CONDUCT OF NNANYELUGO EZEJIOFOR
A MEMBER OF THE LAW SOCIETY OF ALBERTA

Single Bencher Hearing Committee
Kelsey Meyer, KC – Chair

Appearances
Emily Hanberry and Karl Seidenz – Counsel for the Law Society of Alberta
Nnanyelugo Ezejiofor – Self-represented

Hearing Date
June 10, 2026

Hearing Location
Virtual Hearing

HEARING COMMITTEE REPORT - SANCTION

Overview

1. The following citations (Citations) were directed to hearing by the Conduct Committee Panel on February 24, 2026:

    1) It is alleged that Nnanyelugo Ezejiofor breached Rule 105 of the Rules of the Law Society of Alberta [Rules] and that such conduct is deserving of sanction.

    2) It is alleged that Nnanyelugo Ezejiofor failed to be candid with the Law Society and that such conduct is deserving of sanction.

2. Mr. Ezejiofor was charged with criminal offences in December 2021. He failed to report the same to the Law Society of Alberta (LSA), in breach of Rule 105 of the Rules. In his first written communication with the LSA regarding the criminal charges (after the LSA was advised of them by an investigator in Ontario in October 2022), Mr. Ezejiofor stated he was unaware that he was required to do so and that it was an unintentional oversight. Later, though, in

an interview with the LSA, he admitted that he knew at the time that he had to report the charges to the LSA, that his criminal defence counsel told him to do so, but that he failed to do so.

3. Mr. Ezejiofor entered into a Statement of Admitted of Admitted Facts and Admission of Guilt (Agreed Statement) in relation to Mr. Ezejiofor's conduct, which set out the relevant facts underlying the Citations.

4. The Conduct Committee found the Agreed Statement acceptable. Accordingly, pursuant to section 60(4) of the *Legal Profession Act* (*Act*), it is deemed to be a finding of this Hearing Committee (Committee) that Mr. Ezejiofor's conduct is deserving of sanction in relation to the above Citations.

5. On June 10, 2026, the Committee convened a hearing into the appropriate sanction.

6. LSA counsel advised that the LSA and Mr. Ezejiofor had reached agreement on sanction and costs, as follows:

    1) a reprimand;
    2) a fine of $2000.00; and
    3) costs of $5,159.18, in accordance with the Estimated Statement of Costs marked as Exhibit 8 at the hearing;

    (Joint Sanction Submission).

7. After reviewing all of the evidence and exhibits and hearing the joint submissions of the LSA and Mr. Ezejiofor, for the reasons set out below, the Committee has determined that the Joint Sanction Submission is appropriate.

Preliminary Matters

8. There were no objections to the constitution of the Committee or its jurisdiction, and a private hearing was not requested, so a public hearing into the appropriate sanction proceeded.

Agreed Statement of Facts/Background

9. After the commencement of proceedings in relation to Mr. Ezejiofor's conduct, LSA counsel submitted the Agreed Statement. The Conduct Committee found the Agreed Statement acceptable on May 12, 2026. Pursuant to subsection 60(4) of the *Act*, each admission of guilt in the Agreed Statement is deemed to be a finding by this Committee that Mr. Ezejiofor's conduct is deserving of sanction under section 49 of the *Act*.

10. As provided by section 60(3) of the *Act*, once the Agreed Statement was accepted by the Conduct Committee, the hearing into the appropriate sanction could be conducted by a single Bencher. As a result, I was appointed to conduct the sanction hearing.

11. To summarize the Agreed Statement, on December 6, 2021, Mr. Ezejiofor was charged with criminal offences, all of which were subsequently withdrawn in 2023. However, Mr. Ezejiofor failed to report the criminal charges to the LSA, contrary to Rule 105. The LSA learned of the criminal charges approximately ten months after they were issued, after the LSA was contacted by an investigator in Ontario on October 11, 2022. The LSA conducted a review, which resulted in the Conduct Committee directing that the Citations be dealt with by a hearing committee.

12. The criminal charges pertain to fraudulent transactions that occurred between July and September 2020, prior to Mr. Ezejiofor's call to the bar, involving Mr. Ezejiofor's former business, BGL. BGL was involved in assisting people in obtaining used automobiles and heavy-duty equipment. Customers would pay Mr. Ezejiofor, following which he would purchase a vehicle and ship it to them. Mr. Ezejiofor received payment for negotiating with the vendor. A family friend of Mr. Ezejiofor instigated and instructed the transactions that gave rise to the criminal charges. It appears the family friend used Mr. Ezejiofor as part of a fraud. Two of the transactions effected frauds against the parties that sent funds to Mr. Ezejiofor. Mr. Ezejiofor made restitution payments totaling $70,000.00, after which the criminal charges against him were withdrawn. Mr. Ezejiofor made the restitution payments in order to resolve the matter and put it behind him; in the Agreed Statement Mr. Ezejiofor stated that despite paying restitution, he had no knowledge nor involvement in any fraudulent activities surrounding the funds sent to him.

13. Mr. Ezejiofor confirmed that he did not report the criminal charges to the LSA. The LSA contacted him on June 29, 2023 to request his response as to his failure to do so. In Mr. Ezejiofor's first written response to the LSA, he claimed he was not aware of the requirement to report all criminal charges to the LSA, and that he "genuinely believed that the reporting requirement only pertained to charges directly related to [his] legal practice." However, in a subsequent interview with the LSA, Mr. Ezejiofor admitted that he knew (at the time) that he had to report the charges to the LSA, and that his criminal defence counsel told him to do so, but he did not. He admits he was not candid with the LSA with respect to his knowledge of his obligation to report.

Submissions on Sanction

14. As noted, the LSA and Mr. Ezejiofor made a Joint Sanction Submission.

15. LSA counsel referenced the LSA Pre-Hearing and Hearing Guideline (Guideline) regarding joint submissions on sanction,[1] which sets out, among other things:

1) A hearing committee must give significant deference to a joint submission on sanction;

2) Notwithstanding that, a hearing committee is not bound by a joint submission;

3) The Supreme Court of Canada sets out a public interest test for assessing the acceptability of joint submissions in a criminal law context, which has been widely adopted by professional discipline tribunals across Canada, and is appropriate and should be applied in Law Society conduct proceedings.[2] The public interest test requires the decision—maker to consider the following, which the Supreme Court of Canada recognized sets an "undeniably high" but justified threshold:

   i. Is the joint submission so markedly out of line with the expectations of reasonable persons aware of the circumstances of the offence and the offender that the joint submission would be viewed as a break down in the proper functioning of the criminal justice system?

   ii. Would the joint submission cause an informed and reasonable person to lose confidence in the constitution of the courts?

   iii. Is the joint submission so unhinged from the circumstances of the offence and the offender that its acceptance would lead reasonable and informed persons, aware of all the relevant circumstances, including the importance of promoting certainty in resolution discussions, to believe that the proper functioning of the justice system had broken down?

   (Public interest Test).

16. LSA counsel referenced three authorities in support of the Joint Sanction Submission:

[1] Pre-Hearing and Hearing Guideline of the Law Society of Alberta, June 3, 2022, as amended [Guideline], paras 207-215.
[2] Guideline, *supra* note 1, paras 210-211 (referencing *R v Anthony-Cook*, 2016 SCC 43 at para 34). See *Law Society of Alberta v Goldsworthy*, 2025 ABLS 22 at paras 15-16 and the decisions cited therein.

1) *Law Society of Alberta v Adsit*, 2022 ABLS 23, wherein the member failed to report a criminal charge (and conviction) to the LSA contrary to Rule 105 of the Rules and failed to be candid with the LSA on her application for reinstatement with respect to her removal of her child from Saskatchewan in disobeyance of two court orders of the Saskatchewan Court of Queen's Bench. The LSA issued a reprimand and costs of $11,401.55, granting the member one year to pay the same.

2) *Law Society of Alberta v Holder*, 2007 LSA 6, wherein the member failed to report criminal charges to the LSA contrary to Rule 105 of the Rules and failed to be candid with the LSA. In that case, the member also had addiction issues. The LSA issued a reprimand a fine of $500.00, and costs in an amount equal to 50% of the actual costs of the hearing, capped at $1,500.00, and agreed to Practice Review conditions connected to his addiction issues.

3) *Law Society of Alberta v Botan*, 2021 ABLS 25, wherein the member failed to report a criminal charge to the LSA contrary to Rule 105 of the Rules and failed to be candid with the LSA. In that case, the member consulted with an LSA practice advisor, who confirmed to the member that he must report the criminal charge to the LSA. Despite that, the member failed to do so. The member had also been suspended due to repeated non-payment of fees. The LSA issued a reprimand and costs of $997.50 to be paid within one year or by the time of his reinstatement, whichever occurred first.

17. LSA counsel noted that Mr. Ezejiofor had been extremely cooperative, which avoided a contested hearing. She noted that the criminal charges against Mr. Ezejiofor had been fully withdrawn. Mr. Ezejiofor did not have a disciplinary record with the LSA, no ALIA claims had been against him, and he had been practicing for approximately five years without incident (Mr. Ezejiofor was charged with criminal offences on December 6, 2021). Mr. Ezejiofor expressed his extreme remorse and his promise to do better. LSA counsel also noted some personal stressors occurring in Mr. Ezejiofor's life at the time of the criminal charges against him.

18. LSA counsel noted that pursuant to *Charkhandeh v College of Dental Surgeons of Alberta*, 2025 ABCA 258 (*Charkhandeh*), the appropriate sanction is the most lenient sanction that would serve the legitimate purposes of the sanctioning process.[3] Denunciation, retribution and punishment are not primary

[3] *Charkhandeh v College of Dental Surgeons of Alberta*, 2025 ABCA 258 [*Charkhandeh*] at para 95.

objectives of the sanctioning process, except to the extent that they serve the objective of protection of the public.[4]

19. With respect to costs, LSA counsel referenced the decision in *Law Society of Alberta v Scott*, 2025 ABLS 21, which in turn considered (*inter alia*) the decision in *Charkhandeh* with respect to costs. In response to questions regarding the application to the principles in *Charkhandeh* regarding costs as they apply to the Joint Sanction Submission (and specifically, with respect to the decision in *Charkhandeh* setting out that costs cannot be crushing or disproportionate[5]), LSA counsel referenced the Estimated Statement of Costs marked as Exhibit 8 at the hearing, noting that the time spent was quite modest and at a rate of $125/hr for LSA legal counsel, which is lower than the recently-approved LSA counsel rate, and that providing 18 months for Mr. Ezejiofor to pay the costs award alleviates the burden to do so.

20. Mr. Ezejiofor made submissions that this has been a traumatic experience, of which he is deeply remorseful. He stated that he should have reported the criminal charges to the LSA within a reasonable time. He admitted he made mistakes and stated that he knows he can contribute more to the profession and promised to uphold the values of the LSA.

Decision on Sanction and Costs

21. The Committee is not bound by a joint submission on sanction. That said, a hearing committee is required to give significant deference to a joint submission and should not depart from a joint submission on sanction unless it would bring the administration of justice into disrepute or is otherwise contrary to the public interest.

22. The approach taken by both Mr. Ezejiofor and the LSA in dealing with this matter through the Agreed Statement and the Joint Sanction Submission also avoided an unnecessary contested hearing, witness inconvenience, and process costs.

23. With respect to the application of the Public Interest Test in this case, and in consideration of the Guideline and authorities provided by LSA counsel, the Agreed Statement, the Joint Sanction Submission, and the submissions of LSA counsel and of Mr. Ezejiofor, I find that:

    1) the Joint Sanction Submission is not so markedly out of line with the expectations of reasonable persons aware of the circumstances of the

[4] *Charkhandeh*, *supra* note 2, at para 93.
[5] *Charkhandeh, supra* note 2, at para 167.

Citations that the joint submission would be viewed as a breakdown of the LSA's conduct system;

2) the Joint Sanction Submission would not cause an informed and reasonable public to lose confidence in the institution of the LSA;

3) the Joint Sanction Submission is not so unhinged from the circumstances of the Citations and the member that its acceptance would lead reasonable and informed persons, aware of all the relevant circumstances, including the importance of promoting certainty in resolution discussions, to believe that the proper functioning of the LSA's conduct system had broken down.

24. At the hearing, the following reprimand was delivered to Mr. Ezejiofor:

> Mr. Ezejiofor, you have admitted guilt to two citations. Specifically, you have admitted that you failed to report criminal charges to the Law Society of Alberta, in breach of Rule 105 of the Rules of the Law Society of Alberta, and that you failed to be candid with the Law Society, and that in both cases, such conduct is deserving of sanction.
>
> You have a responsibility to the members of the public and to the Law Society to represent their best interest. This failure represents the type of thing that the Law Society strives to avoid. You failed in this case. You must do better.
>
> As a member of this Law Society, you will be expected to look at what you have done to determine whether or not you can improve on what's happened, learn from this particular matter, and, of course, to move forward.
>
> The Pre-Hearing and Hearing Guideline of the Law Society of Alberta requires that Hearing Committees take a purposeful approach to sanctioning a member who has been found guilty of conduct deserving of sanction. The fundamental purpose of sanctioning is the protection of the best interests of the public and the protection of the reputation and standing of the legal profession generally. Mr. Ejiofor, I acknowledge your co-operation with the Law Society leading up to today and resolving these complaints by admitting guilt and by proceeding with a single Bencher hearing. Your admissions have permitted these citations to be resolved on a more efficient basis, which is not just a benefit to you, but is a benefit to the public and to the Law Society.
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> In these matters, you put your professional reputation and integrity at risk. In making these comments today and in expressing this reprimand today,

I urge you to constantly have at the forefront of your mind and your practice the integrity required of all of us as members of this profession and the diligence that we all must demonstrate to protect our clients' interests and to maintain our reputation and the reputation of this profession.

In concluding, I wish you the best as you move forward from these difficult circumstances and thank you for your attendance today.

25. In accordance with the Joint Sanction Submission, which I have accepted, I also direct that Mr. Ezejiofor pay a fine of $2,000.00, and I grant an award of costs against Mr. Ezejiofor in the amount of $5,159.18, in accordance with the Estimated Statement of Costs included at Exhibit 8 marked at the hearing. I direct that Mr. Ezejiofor has 18 months from the date of this decision to pay the costs award.

Concluding Matters

26. No notice to the Attorney General is required.

27. No Notice to the Profession is required or appropriate in this case.

28. The Committee directs that Tabs 1 and 2 of Exhibit 6 will remain private. The remaining exhibits, other hearing materials, and this report will be available for public inspection, including the provision of copies of Exhibits for a reasonable copy fee, except that identifying information in relation to persons other than Mr. Ezejiofor will be redacted and further redactions will be made to preserve client confidentiality and solicitor-client privilege (Rule 98(3)).

Dated October 16, 2026.

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Kelsey Meyer, KC