

**Electronically Filed
Supreme Court
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NO. SCAD-12-0000667

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

GREGORY T. HIGHNOTE, Respondent.

ORIGINAL PROCEEDING
(ODC 09-029-8752)

ORDER

(By: Recktenwald, C.J., Nakayama, Acoba, McKenna, and Pollack, JJ.)

Upon consideration of the Report and Recommendation of the Disciplinary Board of the Supreme Court of the State of Hawai'i and the record, it appears Respondent Gregory T. Highnote failed, upon withdrawal of representation, to take reasonable steps to protect the interests of his client Somsamai Singwiset and failed to return original documents to her for a period in excess of three years, in violation of Rule 1.16(d) of the Hawai'i Rules of Professional Conduct. It further appears Respondent Highnote failed to cooperate with lawful requests from the Office of Disciplinary Counsel (ODC) during its investigation

of Singwiset's subsequent complaint, from March to July of 2009, and from June 2011 to February 2012, including failing to respond to ODC's June 14, 2011 petition and summons and failing to attend a November 29, 2011 pre-hearing conference. It further appears in aggravation that Highnote has a single previous discipline imposed by the California Bar, and has extensive experience in the practice of law. It appears, in mitigation, that Highnote's behavior did not spring from a dishonest or selfish motive, that he has assumed full responsibility for his behavior, apologized to all parties, including Singwiset and ODC, for his neglect and his failure to cooperate, and made good faith offers of full restitution. Therefore, it appearing that suspension is warranted,

IT IS HEREBY ORDERED that Respondent Highnote is suspended from the practice of law in this jurisdiction for a period of sixty days, effective thirty days after the date of entry of this order, as provided by Rule 2.16(c) of the Rules of the Supreme Court of the State of Hawai'i (RSCH).

IT IS FURTHER ORDERED that Respondent Highnote shall pay \$246.25 to his former client, Somsamai Singwiset, in reimbursement for fees and costs incurred by her as a result of his inaction, and that Respondent Highnote shall submit proof of such payment to this court within thirty days after the entry of this order.

IT IS FURTHER ORDERED that, in addition to any other requirements for reinstatement imposed by the Rules of the Supreme Court of the State of Hawai'i, Respondent Highnote shall pay all costs of these proceedings as approved upon timely submission of a bill of costs, pursuant to RSCH Rule 2.3(c).

IT IS FINALLY ORDERED that Respondent Highnote shall, within 10 days after the date of this order, file with this court an affidavit in full compliance with RSCH Rule 2.16(d).

DATED: Honolulu, Hawai'i, September 24, 2012.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

