

**Electronically Filed
Supreme Court
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SCAD-19-0000605

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

OFFICE OF DISCIPLINARY COUNSEL,
Petitioner,

vs.

CHARLES H. BROWER,
Respondent.

ORIGINAL PROCEEDING
(ODC Case Nos. 15-010-9229, 15-023-9242 and 15-041-9260)

ORDER

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

Upon review of the record in this matter, and the briefs submitted by the parties, we find and conclude, by clear and convincing evidence, that Respondent Charles H. Brower, in Office of Disciplinary (ODC) Case No. 15-010-9229, violated Rules 1.2(a), 1.4(a)(2), 1.4(a)(3), and 1.4(b) of the Hawai‘i Rules of Professional Conduct (HRPC) (2014). We also find, however, that the client did not ultimately suffer any injury as a result of this misconduct.

We also find and conclude that, in ODC Case No. 15-041-9260, Respondent Brower violated HRPC Rules 1.5(a), 3.4(e), and 8.4(c) (1994).

We find, in aggravation, Respondent Brower has substantial experience in the practice of law and has received a single, minor, prior discipline. We find, in mitigation, that he was forthcoming and cooperative in the disciplinary proceedings and has a good reputation in the legal community. Therefore,

IT IS HEREBY ORDERED that Respondent Brower is privately reprimanded.

IT IS FURTHER ORDERED that Respondent Brower shall submit proof of payment of \$10,015.64 in restitution to his client in ODC Case No. 15-041-9260, within 30 days of the entry date of this order. Proof of full restitution may include an affidavit from the former client, averring to that fact. Respondent Brower is hereby notified that failure to timely provide proof of restitution may result in further discipline.

IT IS FURTHER ORDERED that Respondent Brower shall bear the costs of these disciplinary proceedings, upon the approval of a timely submitted verified bill of costs by ODC, pursuant to RSCH Rule 2.3(c).

DATED: Honolulu, Hawai'i, April 30, 2020.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

