

IN RE: THE COMPLAINT OF Mr. Karel Sochor, President /Chairman of
FIDC INC. of the City of Monrovia, Liberia COMPLAINANT VERSUS
Counselor **Richard F. McFarland** The Flaawgaa R. McFarland Legal Services
Monrovia RESPONDENT

UNETHICAL BEHAVIOUR

Heard: June 19, 2007 Decided: August 10, 2007.

MR. JUSTICE JA'NEH DELIVERED THE OPINION OF THE COURT.

A letter of complaint dated May 3, 2006, from Messrs Finance Investment & Development Corporation (FIDC), by and thru its President and Chairman of the Board of Directors, Mr. Karel Sochor was addressed to the Chief Justice of the Supreme Court of Liberia, His Honour Johnnie N. Lewis, accusing Counselor Richard

R. McFarland of unethical conduct.

In substance, the letter reads as follows:

"Mr. Chief Justice, I am President and Chairman of the Board of Directors of FIDC....."

"Our corporation retained the services of Counselor McFarland as our legal counsel. In that position, he had access to all the corporate information, secrets and documents. He guided the Corporation through negotiation of an agreement for the sale of shares by which the ownership of our corporation was transferred to Mr. Vladimir Juba on certain terms and conditions."

"When the buyer, Mr. Vladimir Juba, defaulted on his part of the Transfer of Shares Agreement, Counsellor McFarland, on our instruction and behalf filed for its cancellation and the Civil Law Court granted our Petition for cancellation on May 25, 2005. Thereafter, Counselor McFarland connived with Mr. Juba and obtained a fake, forged and fraudulent

judgment on July 7, 2005 in which it is alleged that the Civil Law Court denied our cancellation."

"Mr. Chief Justice, how can one lawyer represent the two opposing parties in the same case and obtain two conflicting judgments from the same Court, one in favor of each of the contending parties?"

"Your Honour, I now bring this complaint against Counselor F. Richard McFarland and respectfully request that the appropriate disciplinary action be taken against him for his unethical and unprofessional conduct which is causing serious problems for our corporation and its associates/affiliates both here and abroad."

The Chief Justice sent the complaint to the Grievance & Ethics Committee of the Supreme Court Bar requesting said Committee to investigate same. Consistent with the principle of due process, the Committee invited Counselor McFarland to submit his observation to said complaint.

In response, Cllr. McFarland appeared before the Grievance and Ethics Committee and strongly denied the allegations made against him by FIDC. The Respondent denied ever representing two conflicting parties in the same case. He also rejected any connections with obtaining two conflicting judgments from the Civil Law Court.

During the investigation spanning over five months, the Committee considered and passed on the single issue: "WHETHER OR NOT RESPONDENT CLLR. McFARLAND IS LIABLE FOR UNPROFESSIONAL CONDUCT?"

At the close of the exhaustive investigation, Cllr. Richard F. McFarland Sr. was found liable for unethical conduct by the Grievance & Ethics Committee. The Committee submitted to the Honourable Supreme Court the following:

".....the Committee recommends that Cllr. McFarland having committed acts which render him liable for gross unprofessional conduct, it would be within the province of the law that he be suspended from its practice directly or indirectly for a period long enough that a reflection of his ugly practice be obliterated."

In the body of the report itself, the Committee was more direct and specific when it stated:

"This illegal, criminal conduct is to say the least, unethical, illegal and a violation of the Code of Moral Ethics. Such behavior, your Committee is obliged to recommend be discouraged and subject the violator to disbarment." [Emphasis supplied]

The following acts of professional misconduct committed by Respondent Counsellor McFarland were highlighted in the Report of the Grievance & Ethics Committee:

- 1. That Cllr McFarland in violation of the Code of Professional Ethics and the Oath as Counselor of the Supreme obtained a second judgment without strict conformity of the trial procedure in Liberia, in that the entire case records reveal no motion filed by either of the parties to rescind the previous ruling of May25, 2005.*
- 2. That Cllr. McFarland was the legal Counsel for FIDC represented by and thru Karel Sochor et al and he filed the petition for cancellation of the Sales Agreement on behalf of FIDC by and thru Karel Sochor et. Al. and there was no showing that his position as counsel for FIDC et. al. was ever changed. But the self-same McFarland turned around and became legal Counsel for Mr. Juba, an adversary to Karel Sochor, et al.; and by said act, air. McFarland demonstrated unprofessional conduct by representing conflicting interests in the self and the same case."*
- 3. That while investigation of this mater was pending before the Grievance & Ethics Committee, Cllr. McFarland on June 7, 2006, caused the issuance of a writ of arrest in the name of Vladimir Juba against Mr. Karel Sochor on the concocted charge of forgery in which he falsely alleged that Karel Sochor had forged the signature of Nathaniel Barnes. But Mr. Barnes openly*

denied that his signature had been forged and issued an affidavit to that effect. What a transgression of the Code of Ethics of this profession! As if this was not enough, air. McFarland went to the extent of organizing a photographer to take photos of Mr. Sochor under arrest and have it published, making the falsely charged Karel Sochor to appear as though he was a criminal under arrest and being taken to jail.

The Grievance and Ethics Committee found act so reprehensible that as to this act, the Committee indicated as follows:

"This illegal, criminal conduct is to say the least, unethical, illegal and a violation of the Code of Moral Ethics. Such behavior, your Committee is obliged to recommend be discouraged and subject the violator to disbarment."

Finally the Committee says:

"It is clear to the Committee, as it would be to any rational mind, that indeed Counsellor McFarland is guilty of ethical transgression and unprofessional conduct. We are convinced that the complainant satisfactorily established their complaint against Counselor McFarland, for which there should abide legal consequences."

When the Committee submitted its report to the Supreme Court, the Respondent Cllr. McFarland, on January 10, 2007, filed thirteen (13) page- ten (10)-count Amended Returns. Therein he defended himself as follows:

"a. I, Cllr. Flaangaa R. McFarland Sr., have never been employed by the Complainants, Karel Sochor or Mr. Nathaniel Barnes, in order to have access to their corporate files, information, secrets and documents. I, Cllr. McFarland was never, ever a negotiating member of the sales agreement, leading to the sale of Messer FIDC, to Mr. Vladimir Juha, on November 29, 2004."

"b. Further, I Cllr. McFarland never filed any Cancellation or any Legal receipt for or on behalf of the Complainants, as I have never been employed by the said Complainants, as a lawyer in

any matter. Besides, Cllr. McFarland never connived with Mr. Vladimir Juha, his client and owner of Messer. FIDC, to obtain any fraudulent judgment dated July 7, 2006. The Civil Law Court judgment of July 7, 2006 is legitimate and legal in all respects; as fully supported by exhibits 16 and 15, attached hereto."

"c. Cllr. McFarland also denies preparing any amendments of FIDC, restoring ownership to the Complainants and filing any illegal criminal complaint against the complaints; as shall be established infra; the criminal complaint for forgery was in support of our client's right, filed thru the judicial process; by and thru the Republic of Liberia; not filed by all.. McFarland."

It is important to state that in the Returns, the Respondent Counsel has clearly questioned the legal capacity of Complainant Karel Sochor to file this complaint before His Honour, the Chief Justice. In count 2 (two) of the Returns, Counsellor McFarland argued as follows:

"2. The importance of Count I of these Returns, is to confirm and affirm that complainants Karel Sochor, Nathaniel Barnes Petre Mlensky, had completely by March, 2004, sold out their assets including the property right of the 800,000 metric tons of iron ore FIDC owned in Buchanan City, Grand Bassa County, Republic of Liberia AND HAD NOTHING LEFT TO SELL TO ANY BODY INCLUDING MR. VLANDIMIR JUHA; and besides had no rights to present himself in this Complaint as president of Messer. FIDC, or Chairman of its Board of Directors; or to file any complaint on behalf of FIDC, already sold. These are all lies and misinformation, intended to stir up misinformation and confusion.

How can the complainants be,...still be president and chairman of a corporation they have already sold?

On February 2, 2007, counsel for the complainants filed their two-count Reply conceding the legal soundness of the Respondent's contention as regard Complainant lacking legal capacity in the matter at bar.

This Court has carefully examined the complaint, the returns and the reply thereto. We have taken keen note of the admission made in the reply that the complainants lack legal standing in the first place to file this complaint.

In view of the facts and circumstances of this case, we have concluded that two issues are determinative of the controversy at bar:

(1) Whether a complaint on professional and ethical transgression is dismissible as a matter of law for want of legal capacity?

(2) Whether the findings of the Grievance & Ethics Committee are supported by the facts and laws applicable to require disciplinary action against the Respondent?

We will discuss these issues in the order they have been presented.

Under our laws, practice and procedure, want of legal standing or lack of legal capacity to sue is adequate ground for dismissal of a cause.

Section 11.2, Paragraph 1, Title 1, 1LCLR, under the caption *Motion to dismiss*, provides:

1. Time grounds. At the time of service of his responsive pleading, a party may move for judgment dismissing one or more claims for relief asserted against him in a complaint or counterclaim on any of the following grounds.

(a) That the court has not jurisdiction of the subject matter of the action;

(b) That the court has not jurisdiction of the person;

(c) That the court has not jurisdiction of a thing involved in the action;

(d) That there is another action pending between the same parties for the same cause in a court in the Republic of Liberia;

(e) That the party asserting the claim has not legal capacity to sue. [Emphasis supplied].

Under the same said section 11.2, text at pp. 118-9, lack of jurisdiction over the subject matter is of such legal importance that even waiver of same by a party by its failure to make the appropriate motion, does not vest the court with jurisdiction over said matter. Ibid Section 11.2 (6).

Counsel for Complainant has clearly conceded Complainant's lack of legal capacity when he stated as follows:

"Counsel for Complainants inform this Honourable Court that he concedes the facts and arguments as raised in the.... Amended Returns because Counsel says that the Complainants have never discussed with him the facts of the resale of Messrs FIDC to the Liberian Mining Company by the Complainants and which FIDC Corporation was subsequently sold to Messrs. Shandong International Trading Company against available receipts. These are facts counsel never knew and was never told and informed about by the Complainants...."

"Counsel for Complainants accordingly accepts the arguments that the Complainants having sold Messrs. FIDC as it has been confirmed and as displayed in Counts 1-4 of the McFarland's Amended Returns; the said Complainants could not legally be and never again were the owners of Messrs. FIDC to have sold the same to Mr. Vladimir Juba; and to subsequently have filed a Complaint to this Honourable Court in the capacity of President and Chairman of the Board of FIDC against Counselor McFarland, since indeed and in fact the Complainants had divested themselves and their interest from Messrs. FIDC; the Complainants can never again, represent FIDC as is in the case at Bar."

We have duly noted the legal argument raised by the Respondent on the question of Complainant not having any standing as well as the concession made thereto by

counsel for Complainants. This Court is however disinclined to accept that legal capacity is a mandatory requirement to hearing a complaint on ethical misconduct.

Upholding the integrity of the legal profession is so jealously guarded that on a simple motion filed by some members of the Bar in 1837, this Court presided over by His Honour Chief Justice C. L. Simpson laid the principle which says: "In the matter of the motion to disbar Counsellor H. W. Johnson, Sr., the Court says that the gentlemen [and we add gentle ladies as well] of the Bar constitute, in a sense, a distinct corps, possessing certain privileges, and as such they have a right to motion the Court to suspend any Counsellor, whenever they consider it necessary to the honour of the Court " 1 LLR 506-7 (1837). [Emphasis supplied]

Also in 1937, a question was squarely raised on the necessity in every case to have a formal complaint lodged to the Bar Committee against a member of the legal profession before said Committee can call upon such a member to answer for professional misconduct. Speaking for this Court on that question, Justice Tubman said: ".....Such a position [that a formal complaint is a necessity to investigating professional misconduct] is entirely without the reason of law...and it has been held that where the reason of the law ceases, the law itself ceases, and whatever appears to be within the reason of the law should be considered within the law itself." It was therefore in harmony with its powers to regulate the conduct of lawyers that this Court then held: "There are cases in which a Bar Committee may *sua sponte* take notice of the professional misconduct of a lawyer and cite him to appear and answer for notorious acts, even if no complaint be otherwise made within reasonable season...." [Emphasis supplied] 6 LLR 61, 67-8 (1937).

In line with the opinions cited above, this Court holds that it shall at all times hear complaints against any member of this Bar informally as such complaints may appear, and shall cause such member to answer for professional misconduct. Aside from the opinions herein referenced, this position is also in consonance "with the supervisory power vested in this Court by the laws of the land over all

lawyers" as succinctly stated in the case: *Massaquoi Versus Worrell*, 3 LLR 331, 334 (1932).

Accordingly, Respondent's argument that Complainant Karel Sochor want of capacity warrants dismissal of the complaint against said Respondent, is totally irregular and unsupported by law. Said argument is hereby dismissed in its entirety.

On the second issue, whether the facts in this case and the laws applicable thereto, thereby imposing a duty on this Court to take disciplinary action against the Respondent, this Court holds that the findings of the Grievance & Ethics Committee as set out in its report are clearly supported by the facts and laws applicable. In our opinion, the Committee's findings unarguably make a compelling and convincing case against the Respondent Counsellor F. R. McFarland.

We must remind all lawyers especially members of the Supreme Court that they are duty bound to conduct themselves within the strict rules as stipulated in the Code of Moral and Ethical Conduct of Lawyers as amended and revised (January 1999).

We have also observed with interest that throughout the hearing before this Court, the Respondent Counselor failed to show any evidence of any application that he filed upon which a second ruling to rescind the previous ruling of May 25, 2005 was entered. Upon the insistence of the Bench that Respondent Counselor show copy of a Motion he claimed to have so filed, even if that will necessitate taking a recess to allow him fetch through his record, the Respondent indicated that he could not easily lay his hands on his copy.

Consistent with the Committee's findings and having satisfied ourselves on all pertinent issues during argument before this Court, it is our unanimous holding that Cllr. McFarland is indeed guilty of Rule 9. We concur with Committee's

finding that Cllr. McFarland did purposely, intentionally and deliberately violate Rule 9 by representing two contending parties.

Satisfied that the Committee did satisfactorily establish the complaint as filed, we hereby endorse the Committee's findings and by that declare that Cllr. McFarland is guilty of ethical transgression and professional misconduct, for which Counsellor McFarland should abide the legal consequences thereof.

Meanwhile, our attention has been drawn to a rather belated submission made by the Respondent dated June 22, 2007, three days after the Court heard this matter, praying for "Clemency.... growing out of errors committed."

As this submission has nevertheless informed our final determination of this cause, we have substantially recited said submission as stated hereunder:

"I admit that I Cllr. Flaangaa R. Mcfarland Sr. was the Architect and Engineer of all the transactions occurring and leading to the filing of the complaint against me by the complainant."

"In order that I may be fair to request for a Clemency I have decided in this communication to fully narrate to you the occurrences as they actually occurred and involving the three Counselors and the complaint, as followed:"

"....knowing fully well that under the practice, I could not prepare such document against my Client, Vladimir Juha, I decided to hire Cllr. Charles Abdullah to file the said cancellation proceeding. Cllr. Abdullah accepted, agreed and charged me for such Task.

"Cllr. Charles Abdullah charged 1,000USD (One Thousand United States Dollars) to file the said cancellation proceeding. I accepted and advanced Cllr. Abdullah in piece meal, nine hundred, \$900USD (Nine Hundred) remaining balance of 100USD. Accordingly, Cllr. Abdullah signature could not have been forged; he

was part of the whole operation. He only decided to sign the Petition with his left hand."

"Cllr. M. Wilkin Wright in the initial was brought into the picture to associate with me as lawyer for Vladimir Juha in Liberia. We served together as counselors for Vladimir Juha until Cllr. M. Wilkins decided to locate for himself greener pasture. He then departed from the combined legal services he and I were rendering Vladimir Juha, arch enemy of the complainant and moved into the Complainant's camp as the new legal counsel."

"Cllr. Abdullah got to know of how much payment we had paid Cllr. M. Wilkins Wright and therefore decided to hike the price for filing the cancellation proceeding; which we refused to accept. Cllr. Abdullah wanted more payment than the first agreed upon. The internal controversy of Cllr. Abdullah started."

"Cllr. M. Wilkins Wright who had departed from Vladimir Juha's camp had knowledge about the controversy with Cllr. Abdullah along with many other secrets from our prior association when we served as Lawyers for Vladimir Juha against the complainant."

"Full of all of the information and secrets from outside, Cllr. Wright changed course and was subsequently employed by the Complainant and commenced all kind of action against the Respondent and his client Vladimir Juha. For example, Cllr. Wright challenged that no motion for relief from Judgment was ever filed by the Respondent Cllr. McFarland; Cllr. Wright also challenged that Cllr. Abdullah filed no cancellation proceeding. He knew the whole truth. This was the beginning of the problem."

In his conclusion, the Respondent said: "As we said before we are not contesting, we are appealing for your mercy. I should have stood my ground and told the complainant no that I could not help his cost and let him go elsewhere; that was the error that I committed for which I apologize."

In order to convince ourselves that Cllr. McFarland is truly penitent in light of the clemency prayed for, we have undertaken the painstaking exercise to profile the professional conduct of the Respondent since his admission to the Bar on December 31, 1981 as Counsellor-At-Law.

In doing so, this Court has taken judicial notice of its own records, a practice consistent with law and procedure hoary with time in this jurisdiction. *Gbassage versus Holt*, 24 LLR, 293, 296 (1975), *Willie-Jorcie et. al. Vs. Azzam* 31 LLR 606, 610 (1983),

Records of this Court reveal that in August, 1986, some 21 years ago, this Court cited Respondent Counsellor McFarland for contempt of Court. The citation was based on a petition the Respondent participated in filing at the National Legislature of the Republic of Liberia against the entire Nagbe Bench comprising of His Honors James N. Nagbe, Chief Justice and Associate Justices Elwood L. Jangaba, Patrick K. Biddle, Frederick K. Tulay and John A. Dennis. In the said petition, Counsellor McFarland along with some residents of the Fallah Varney Bridge Community requested the Legislature to impeach the members of the Supreme Court on the stated grounds that they were corrupt, and incompetent. The petition to the Legislature, followed the Respondent Counsellor losing a case before the Supreme Court while he represented the said community.

Following the contempt herein, the Supreme Court held as herein stated to follow:

"We are of the unanimous opinion that the respondent has been grossly contemptuous to this court. The fact is that the respondent, as a counselor-at-law representing a party, had a right to file a petition for re-argument on behalf of his client after losing the matter before this Court, but which he flagrantly failed to pursue. Where one or two or even any number of Justices less than five who concurred in an opinion refuse a re-argument, the petitioner must still exhaust all available remedies by seeking the approval of his petition by any of the other Justices who signed

the opinion. In this case, the respondent argued that the Chief Justice and Associate Justice Dennis had denied approval of his petition for re-argument. However, he admitted that he had failed to try any of the other remaining Justices of the Supreme Court. As a counselor of this Court, he is supposed to be conversant with the precedents thereof and he should conduct himself accordingly, instead of making a mockery of this Court. He must have known that when he accused this Bench of bribery, corruption and an inability to comprehend our laws, he was at the same time demoralizing the dignity of the Court, in the light of such unfounded charges. He must have comprehended that this Court is the highest and final forum of adjudication of this land, and that an appeal of its decisions to another branch of government was unconstitutional, and could lead to certain conflict between this Branch and said other Branches of government. The charges levied against all of the Justices, including those who did not even participate in the hearing were completely false.

"Respondent remained uncompromising and impenitent, even in the face of all the evidence against him and he broadly exhibited to every serious mind the lack of the professional spirit of patience, caution, care and diligence, both in his acts and in his arguments. Therefore, this Bench has no alternative but to adjudge the said respondent, Flaawgaa Richard McFarland, in gross contempt of the dignity, respect and authority of this Honourable Court, and to view his action as a shame to our legal profession and practice."

The Court therefore ruled on January 23, 1987, disbarring completely and totally Counsellor McFarland from the practice of law in any form or manner, directly or indirectly, forever thereafter, within the bailiwick of the Republic of Liberia. 34 LLR 439-457 (1987).

Barely seven months after his disbarment from the practice of law, this being the only profession he knows, Counsellor McFarland filed a petition in July, 1988 asking for re-consideration and clemency of this court.

Count six of the petition for clemency filed by Counsellor. McFarland reads as follows:-

"Petitioner says further that no acts on the part of your humble petitioner, relative to the petition to the Legislative body, were intended to castigate or ridicule the Honorable members of the Nagbe Bench, or the person of his Honor, former Chief Justice James N. Nagbe, or any other judicial personality in the premises. Your humble petitioner respectfully informs and confirms that he holds, and has held, and shall always hold the Supreme Court and the members thereof in high esteem for their integrity and dignity."

In consideration of petition aforementioned, the Supreme Court expressed the view that his disbarment was, in the words of the Supreme Court *"too strong a punishment for contempt"*. The Supreme Court therefore granted the petition and reduced the penalty to suspension from the practice of law for a period of twenty (24) calendar months as of the date of his disbarment. The Supreme Court further expressed the hope that Counsellor McFarland will not repeat such an act.

Our review further shows, that on September 4, 1992, Counsellor. McFarland was also adjudged guilty of criminal contempt to the Honorable Supreme Court of Liberia and fined \$500.00 as a reprimand. The contempt proceedings against Counsellor McFarland followed letters he wrote to His Honor Chief Justice James G. Bull, Associate Justices Victor Hne and Boima K. Morris requesting that they recuse themselves from hearing a bill of information he had filed before the full Bench. In its unanimous decision, the Supreme Court said that Counsellor. McFarland's intention was to have the said bill of information held in abeyance and never to be disposed of. These narrations tend to show that the Respondent Counsellor has a pattern of conduct that must be discouraged in a commensurate manner.

Giving all that we have said, both in consideration of this complaint as well as the apparent pattern of conduct of the Respondent demonstrated in a number of instances some of which are referred to in this opinion we declare unanimously that Cllr. McFarland has violated RULES # 1, 9, 29, 32, 35 and 36 of the Code for Moral and Ethical Conduct of Lawyers, as amended.

Before concluding this matter, we must mention that at the hearing of this matter by this Court, Amicus Curiae, Counsellor F. Musah Dean, Jr. drew the Court's attention to the signature on the petition for the Cancellation of the November 29, 2004 Sales Agreement which the Respondent claimed to be that of Counsellor Charles Abdullai. But the Amicus Curiae strongly expressed the view that said signature could not have been Counsellor Abdullai's. And when Counsellor Abdullai made a sudden appearance in the Chambers of the Supreme Court, the following question was posed to him by the Bench:

QUESTION: "Cllr. Abdullai were you ever hired by the Complainant Karel Sochor to represent his legal interest as a result of which you filed on his behalf a Petition for Cancellation?"

Counsellor Abdullai answered in the following words: "I was never contacted nor hired by the Complainant to represent his legal interest. It was Cllr. McFarland who prepared a draft letter and asked me to place same on my official letterhead and promised that he will get the Complainant to me as a client. The said draft letter I prepared on the letterhead of my law firm Watch Law Chambers, Inc. dated May 24, 2005. It is this letter that I signed. As to the Petition for Cancellation of a November 29, 2004 Agreement which is purported to have been signed by me representing the Complainant FIDC, my signature on said Petition was forged. I had nothing to do with it."

This Court has taken due consideration of the apology offered by Respondent Cllr. McFarland and his prayer for clemency. But his apology and plea for clemency, this Court says, must, be appropriately weighed against the gravity of the violations committed by the Respondent. Accordingly, we unanimously hold and adjudged as enumerated hereunder to with:

(1) That the Respondent Counsellor Flaangaa Richard McFarland be and he is hereby suspended from the practice of law directly or indirectly in every shape, form and manner within

the bailiwick of the Republic of Liberia, for a period of three (3) years as of the date of rendition of this judgment;

(2) That the Respondent Counsellor Flaangaa Richard McFarland is ordered to write a formal letter of apology to Complainant Karel Sochor for pressing false criminal charge against said complainant and subjecting him to illegal detention. The Respondent is further ordered to have said letter of apology also published in three widely circulated dailies on three separate days within 72 hours, as of August 13, 2007 and evidence of full compliance to this order filed with the Clerk of this Court. Failing, the Clerk of this Court is hereby ordered to prepare a commitment on August 17, 2007, and have Respondent imprisoned where he shall remain until such compliance is made;

(3) That in light of what appears to be questionable circumstances involving the conduct of both Cllr. Charles Abdullai and His Honor Emery Paye, the said two persons are hereby ordered to appear before the Grievance and Ethics Committee and the Judicial Inquiry Commission respectively for investigation; accordingly, the two bodies shall without delay investigate Cllr. Abdullai and Judge Paye respectively and findings therefrom promptly forwarded to the Supreme Court for appropriate action(s) thereon.

(4) Consistent with the findings of the Grievance and Ethics Committee, we hereby order the second judgment entered by Judge Emery Paye on the 7th day of July, 2005, vacated and set aside as though never entered. Accordingly, we hereby order that the first judgment dated May 25, 2005, shall remain undisturbed.

The Clerk of this Court is hereby instructed to communicate this judgment to all courts within the Republic of Liberia as to the suspension of the Respondent from practice of law. The Clerk is further ordered to send a mandate to the Civil Law Court to give effect to this judgment in respect to May 25, 2005 Ruling. AND IT IS SO ORDERED.