

INFORMATION MEMORANDUM

July 25, 1975

TO: The Commission

FROM: Office of the General Counsel **PG**

RE: Suspension of former Chairman Cook from the practice of law by the Nebraska Supreme Court

Yesterday afternoon we were advised by Robert C. Blair, Counsel for Discipline to the Nebraska State Bar Association, that yesterday the Supreme Court of the State of Nebraska had suspended former Chairman G. Bradford Cook, a member of the Nebraska bar, from the practice of law for a period of three years. Mr. Blair stated that he expected a copy of the court's opinion within a few days and would send it to us promptly. Upon receipt, we will distribute it to the Commission.

Mr. Blair advised us that Mr. Cook is also a member of the bar of the State of Illinois, and that he expects that Illinois will suspend Mr. Cook from practice for a similar period on a reciprocity basis. In addition, Mr. Cook has applied for admission to the bar of the District of Columbia, but that application has been pending for some time, awaiting disposition of the complaint filed in the Nebraska Supreme Court.

Under Rule 2(e)(2) of the Commission's Rules of Practice, an attorney who has been suspended from practice is automatically suspended from appearing or practicing before the Commission. 1/

1/ Rule 2(e)(2) provides in pertinent part:

"Any attorney who has been suspended or disbarred by a Court of the United States or in any State, . . . shall be forthwith suspended from appearing or practicing before the Commission. A disbarment, suspension, . . . within the meaning of this rule shall be deemed to have occurred when the disbarring, suspending, . . . tribunal enters its judgment or order, regardless of whether appeal is pending or could be taken, . . ."

Rule 2(e)(4)(ii) provides in pertinent part:

"Any person suspended under paragraph (2) of this rule shall be reinstated by the Commission, upon appropriate application, if all the grounds for application of the provisions of that paragraph are subsequently removed by a reversal of the conviction or termination of the suspension, disbarment or revocation. An application for reinstatement on any other grounds by any person suspended under paragraph (2) of this rule may be filed at any time and the applicant shall be accorded an opportunity for a hearing on the matter; however, such suspension shall continue unless and until the applicant has been reinstated by order of the Commission for good cause shown."

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We are awaiting receipt of the court's opinion before preparing a letter for the Secretary to Mr. Cook, advising him of his suspension from practice before the Commission under this provision.

Paul Conson - 51482