

11/16/2015 "See News Release 056 for any Concurrences and/or Dissents."  
SUPREME COURT OF LOUISIANA

NO. 15-OB-1769

IN RE: DAVID H. BERNSTEIN

ATTORNEY DISCIPLINARY PROCEEDINGS

**KNOLL, J., concurs in part, dissents in part, and assigns reasons.**

I concur with the majority in denying respondent readmission to the bar. I join Justice Clark in his reasons for concurring and dissenting in part permanently denying respondent readmission to the bar.

Respondent has a long “fifteen year history of deceit and dishonesty” as noted by the majority upon respondent’s initial disbarment. Significantly, respondent did not feel guilty and self-report his criminal conduct. Instead, he was caught by the law firms who trusted him when, indeed, he was cheating his clients and the firms who employed him.

Respondent lacks the strength of character to represent his clients and his employers with trustworthiness. He has a flawed propensity for stealing and for dishonesty. While he may have performed well in his capacity as a C.P.A., his authorities, up until recently, were significantly curtailed and “structured” to guard against his dishonesties. The public and the legal profession cannot countenance respondent’s lack of fundamental moral character. In my view, as I stated in my dissent to the initial sanction of disbarment, respondent should have been permanently disbarred. Accordingly, I would permanently deny respondent readmission to this honorable bar and profession.