

**SUPREME COURT OF LOUISIANA**

**NO. 99-B-0522**

**IN RE: WALTER J. CUDZIK**

**ATTORNEY DISCIPLINARY PROCEEDINGS**

CALOGERO, C.J., concurring

I join three of my colleagues who would suspend respondent from the practice of law for 36 months. I do so in order to achieve a majority in this case. Left to me alone, I would impose an 18 month suspension as recommended by Disciplinary Counsel in his brief to the Disciplinary Board, and by the Disciplinary Board member attorney from New Orleans.

There was no great harm to the only person warranting consideration in this case, that is, the minor child, Courtney Cooper. Furthermore, regarding the law office which this attorney maintained in Kenner, there was no proof in this record that respondent countenanced, encouraged, or even permitted the disbarred attorney/paralegal to engage in the practice of law.

This case presents an attorney who did not control his rage when the young lawyer he hired to help him handle a major personal injury case (a \$5 million settlement ultimately) left his employ and took with her this same client. Under the circumstances, I think the 18 month suspension recommended by one board member and by Disciplinary Counsel before the Disciplinary Board is ample discipline for what was undoubtedly ethical misconduct. Disbarment, in my mind, would clearly be excessive.