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SUPREME COURT OF LOUISIANA

NO. 2016-OB-1933

IN RE: APPEAL OF DECISION OF THE  
DISCIPLINARY BOARD NO. 16-PDB-049

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ORDER

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Based on our review of the record, we find the disciplinary board was arbitrary and capricious in dismissing the complaint. This court's opinion in *In re: Bilbe*, 02-1740 (La. 2/7/03), 841 So. 2d 729, is limited to the unique facts presented and does not stand for the blanket proposition that an attorney's failure to pay litigation-related expenses can never constitute conduct prejudicial to the administration of justice. Accordingly, pursuant to Supreme Court Rule XIX, § 11(B), this matter is remanded to the Office of Disciplinary Counsel to conduct further investigation and to institute formal charges, if appropriate.

NEW ORLEANS, LOUISIANA, this \_\_\_\_\_ day of January, 2017.

FOR THE COURT:

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JUSTICE, SUPREME COURT OF LOUISIANA