

**IN THE SUPREME COURT  
STATE OF MISSOURI**

---

**IN RE:**

**DAVID BEN MANDELBAUM**

**Respondent.**

)  
)  
)  
)  
)

**Supreme Court #SC93964**

---

---

**RESPONDENT'S BRIEF**

---

**J. D. WILLIAMSON, JR. #18962**  
**10821 Milton Thompson Road**  
**Lee's Summit, MO 64086**  
**(816)524-6242**  
**[jdwilliamson@comcast.net](mailto:jdwilliamson@comcast.net)**  
**ATTORNEY FOR RESPONDENT**

**TABLE OF CONTENTS**

<b>TABLE OF CONTENTS .....</b>	<b>2</b>
<b>TABLE OF AUTHORITIES .....</b>	<b>3</b>
<b>STATEMENT OF JURISDICTION.....</b>	<b>4</b>
<b>STATEMENT OF FACTS.....</b>	<b>5</b>
<b>POINTS RELIED ON</b>	
<b>I .....</b>	<b>6</b>
<b>II.....</b>	<b>7</b>
<b>ARGUMENT</b>	
<b><i>I</i> .....</b>	<b>8</b>
<b><i>II</i>.....</b>	<b>9</b>
<b>CONCLUSION .....</b>	<b>10</b>
<b>CERTIFICATE OF SERVICE .....</b>	<b>11</b>
<b>CERTIFICATION: RULE 84.06(C).....</b>	<b>11</b>

## **TABLE OF AUTHORITIES**

**Respondent has no additional Authorities.**

**STATEMENT OF JURISDICTION**

**Respondent agrees with the Statement of Jurisdiction.**

**STATEMENT OF FACTS**

**Respondent agrees with Informant's Statement of Facts.**

**POINT RELIED ON**

**I.**

**RESPONDENT AGREES WITH INFORMANT’S POINT RELIED ON I.**

**POINT RELIED ON**

**II.**

**RESPONDENT AGREES WITH INFORMANT'S POINT RELIED ON II.**

## ARGUMENT

### **I.**

Respondent does not dispute the rule violation alleged by Informant nor that discipline by this Court is appropriate. Respondent has provided all information requested during Informants investigation, he has fully cooperated in such investigation and has contested only those matters contained in the original Information which were subsequently abandoned by the filing of the Amended Information herein.

As pointed out by Informant, there was no misappropriation of any funds and no client or third party was financially damaged or delayed. The prior disciplinary proceedings against Respondent are based on conduct over 10 years ago and are unrelated to those before this Court.

At the hearing in this matter, Mrs. Fuller testified to her continued trust and confidence in Respondent and considered him her lawyer now and in future matters. **App. Vol 2 (P. 165-168).**

Two of Respondent's professional associates, who were well acquainted with Respondent, testified to their opinion based on observation and experience in dealing with Respondent to his skill and competency of the law. **App. Vol 2 (P. 146-148).**

The recommendation made in this case should be followed by this Court.



## **ARGUMENT**

### **II.**

Respondent has been licensed in Missouri since 1986. Respondent has been previously disciplined by reprimand for conduct occurring over 10 years ago. The evidence is that Respondent is a competent attorney who has garnered the confidence of other attorneys and of his clients. **App. Vol 2 (P. 146-148 & 165-168)**. After full cooperation and candor regarding the conduct at issue, the Respondent has entered into the Joint Stipulation herein which sets out the sanctions recommended and the supervision and conditions he must follow to insure future compliance with the Rules of this Court. As set forth in Informant's Brief the sanction recommended should be imposed by this Court.

## **CONCLUSION**

Respondent respectfully requests this Court impose the sanctions and conditions of probation set for in the Joint Stipulation.

Respectfully submitted,

/s/ J. D. Williamson, Jr.  
**J. D. WILLIAMSON, JR. #18962**  
**10821 Milton Thompson Road**  
**Lee's Summit, MO 64086**  
**(816)524-6242**  
**[jdwilliamson@comcast.net](mailto:jdwilliamson@comcast.net)**  
**ATTORNEY FOR RESPONDENT**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 15<sup>th</sup> date of August, 2014, the Respondent's Reply Brief was sent to Staff Counsel via the Missouri Supreme Court e-filing system:

Sharon K. Weedin  
Staff Counsel

/s/J. D. Williamson, Jr.

**CERTIFICATION: Rule 84.06(c)**

I certify to the best of my knowledge, information and belief, that this brief:

1. Includes the information required by Rule 55.03;
2. Complies with the limitations contained in Rule 84.06(b);
3. This is to certify that J. D. Williamson, Jr. has signed the original of Respondent's Brief;
4. Contains 591 words, according to Microsoft Word, which is the word processing system used to prepare this Reply Brief.

/s/J. D. Williamson, Jr.