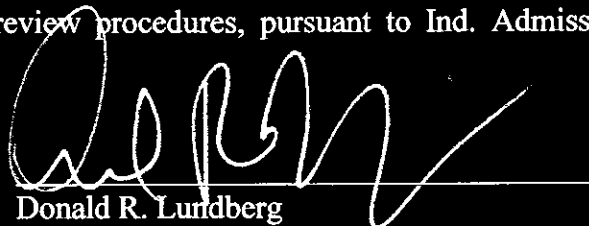


12. A reasonable attorney would have known that there was a high degree of probability that Evan's past arrest and resolution of his Florida case would be relevant to a prosecutor's exercise of discretion to allow deferral or diversion of his case in Delaware County.

13. Under these circumstances, by knowingly signing the Agreement as Evan's attorney without reading it and without taking appropriate steps to verify that the document he was signing was truthful, the Respondent acted with such willful blindness and recklessness as to constitute knowing conduct. By knowingly executing a document, the Agreement, containing a false statement of material fact, the Respondent violated Ind. Professional Conduct Rule 4.1(a).

14. By recklessly executing a document that contained a misrepresentation of Evan's criminal history in order to obtain the benefits of a deferred prosecution for his client, the Respondent engaged in conduct prejudicial to the administration of justice in violation of Ind. Professional Conduct Rule 8.4(d).

**WHEREFORE**, the Executive Secretary prays that Thomas J. Broderick be disciplined as warranted for professional misconduct, and that Thomas J. Broderick be ordered by the Court to pay such expenses to the Clerk of the Court as shall be prepared and submitted to the Court by the Executive Secretary as an itemized statement of expenses allocable to this case incurred in the course of investigation, hearing and review procedures, pursuant to Ind. Admission and Discipline Rule 23, § 16.



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