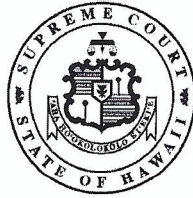


Office of Disciplinary Counsel
Hawai'i Supreme Court
201 Merchant Street, Suite 1600
Honolulu, Hawai'i 96813
Telephone (808) 521-4591
www.dbhawaii.org



Chief Disciplinary Counsel
Bradley R. Tamm

Deputy Chief Disciplinary Counsel
Chloe M. R. Fasi

Assistant Disciplinary Counsel
Ryan S. Little
Alana B. Rask

Senior Disciplinary Counsel
Charlene M. Norris

Investigators
Andrea R. Sink
Joanna A. Sayavong
Josiah K. Sewell
Lisa K. Lemon

November 19, 2020

CONFIDENTIAL

Sherri Kane
5348 Vegas Drive, Suite 353
Las Vegas, NV 89108

Re: ODC No. 18-0212
Gary V. Dubin, Respondent

Dear Ms. Kane:

I am writing with regard to the complaint you submitted to this office on August 27, 2018. Until now, that complaint has been under investigation; however, on November 9, 2020, Mr. Dubin has been disbarred from the practice of law, by order of the Hawai'i Supreme Court.¹ As disbarment is the most severe form of professional discipline that can be imposed, and given Mr. Dubin's age, it is highly unlikely that he will be able to seek reinstatement after his five-year minimum disbarment term, it would serve no purpose to continue the investigation or prosecution of your complaint. As a result, your complaint is being dismissed as "moot" (no longer having any practical significance.) However, should Mr. Dubin's disbarment be reversed by the U.S. Supreme Court, or should he seek reinstatement, this office might reopen your complaint and pursue additional discipline.

This decision to dismiss your complaint as moot has been reviewed and approved by a member of the Supreme Court's Disciplinary Board, and is therefore a final decision.

¹ The Order was entered on September 9, 2020 but did not take effect until November 9, 2020.

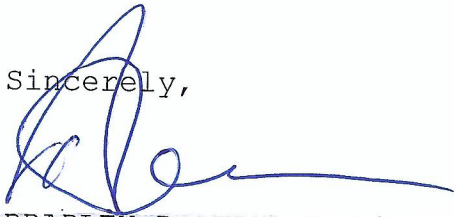
Sherri Kane
November 19, 2020
Page 2

Dismissal of your ODC complaint, however, does not affect or impair your legal rights against Mr. Dubin, or anyone else. You should pursue and preserve your private rights as you find appropriate. The Office of Disciplinary Counsel cannot advise you as to your personal rights, duties or privileges.

We can however, once more, refer you to the Lawyer's Fund for Client Protection (LFCP). If you feel that you lost money due to the dishonesty of Mr. Dubin, you should contact the LFCP directly.² If you have already filed a LFCP claim, you can disregard this reminder. If you have not filed a LFCP claim, please understand that the LFCP accepts claims for restitution of fees paid to a lawyer which were unearned and not returned after demand. The LFCP does not resolve fee disputes (arguments over the value of services), nor does the LFCP compensate for lost benefits (e.g., lost value of a foreclosed home). But, if you paid a retainer to the lawyer, and the lawyer did no work (or such little work as to constitute the wrongful taking of money), and where he refused to return your money, you may have an allowed claim. However, the claims process is complicated and requires timely submission of your claim to the LFCP - do not delay.

With this letter, the above referenced ODC case is now closed. Should you have any further questions, please contact me directly.

Sincerely,



BRADLEY R. TAMM
CHIEF DISCIPLINARY COUNSEL

Enclosure: LFCP brochure and Statement of Claim

² LFCP website: <https://www.hawaiilawyersfund.com/>