

MARK A. ELLISON
(Resignation in Lieu of Discipline)

On October 27, 2014, the Idaho Supreme Court entered an Order accepting the resignation in lieu of discipline of Boise attorney, Mark A. Ellison. The Idaho Supreme Court's Order followed a stipulated resolution of a disciplinary proceeding that related to the following conduct.

On May 17, 2013, a federal grand jury issued a Superseding Indictment. The Superseding Indictment charged Mr. Ellison with 88 counts of securities fraud, wire fraud, mail fraud and interstate transportation of stolen property, conspiracy to commit money laundering and interstate transportation of property taken by fraud. The charges related to Mr. Ellison's representation of DBSI.

On July 7, 2014, following trial, a federal jury found Mr. Ellison guilty of 44 counts of securities fraud and aiding and abetting securities fraud. The jury found Mr. Ellison not guilty on 35 counts and 9 counts of the Superseding Indictment were dismissed on motion of the United States.

Mr. Ellison was sentenced to 5 years on each of the counts, all to be served concurrently. Following his release from custody, Mr. Ellison will be on supervised release for 3 years.

The Idaho Supreme Court accepted Mr. Ellison's resignation in lieu of discipline. By the terms of the Order, Mr. Ellison may not make application for admission to the Idaho State Bar sooner than five years from the date of his resignation. If he does make such application for admission, he will be required to comply with all of the bar admission requirements in Section II of the Idaho Bar Commission Rules and shall have the burden of overcoming the rebuttal presumption of the "unfitness to practice law."

The Order also provides that consistent with I.B.C.R. 512(d), if an appeals court vacates or reverses Mr. Ellison's conviction, or if a trial court enters an order granting a motion for a new trial, a motion for judgment of acquittal, or a motion to withdraw a plea of guilty, that removes Mr. Ellison's conviction of the crimes, which are the basis for this sanction, Mr. Ellison may file with the Clerk of the Idaho Supreme Court, a motion for dissolution or amendment of the sanction.

By the terms of the Idaho Supreme Court's Order, Mr. Ellison's name was stricken from the records of the Idaho Supreme Court and his right to practice law before the courts in the State of Idaho was terminated on October 27, 2014.

Inquiries about this matter may be directed to: Bar Counsel, Idaho State Bar, P.O. Box 895, Boise, Idaho 83701, (208) 334-4500.