

**STATEMENT FROM ERIC GUIRARD and THOMAS PITTENGER
REGARDING THE DISCIPLINARY INQUIRY IN WHICH THEY ARE
NAMED AS RESPONDENTS, 11-11-08**

E. Eric Guirard and Thomas R. Pittenger recognize the Attorney Disciplinary Board's opinion as another step along the path toward their ultimate appearance before the Louisiana Supreme Court, where this 9-year-old inquiry will be resolved – an inquiry marked by **no** client complaints, involving **no** client funds and during which **no** specific client harm has ever been identified. Guirard and Pittenger are saddened by the Board's conclusions and strongly disagree with their opinions, which are only recommendations.

However Mr. Guirard and Mr. Pittenger believe that the judicial system within which they have so proudly worked and the Louisiana's Supreme Court's judgment and even hand will bring this issue to a fair conclusion.

The Board's recommendations are very different from those of the Hearing Committee which actually heard the witnesses and received the evidence. Guirard and Pittenger are also astonished to see that the Board is recommending the most serious sanctions possible for a rule violation not listed in the original charges.

The 2 Formal Charges concerned a good faith dispute over how Guirard and Pittenger assigned duties to non-lawyer support staff in the year 2000, as well as how that staff was paid during that period of time, 8 years ago. All payments to the staff came from Guirard and Pittenger's regularly earned fees and no client's funds were EVER involved.

As part of their ongoing cooperation during this inquiry, the office procedures leading to the 2 Formal Charges were changed years ago by Guirard and Pittenger to comply with suggestions made by the Office of Disciplinary Counsel (ODC). The ODC confirmed these changes were in compliance with all Rules of Professional Conduct specifically articulated in the Formal Charges during an on-site visit to the firm of E Eric Guirard & Associates in October of 2005, all as is confirmed in the Board's recommendations to the Court.

In its earlier findings, the Disciplinary Committee confirmed an absence of dishonest or selfish motives on the part of Guirard and Pittenger and specifically noted that both men were of good character and reputation. Neither attorney had any previous ethical rules infractions.

In addition, the Committee determined there was a timely good faith effort to rectify any potential consequences of the misconduct since Guirard and Pittenger promptly changed the manner in which their law firm personnel were paid and restricted the tasks of their non-lawyer support personnel, who are and who have always been supervised by licensed attorneys. Furthermore, the Committee confirmed the two lawyers made full and complete disclosure during the investigative process and cooperated fully and openly with the panel.

The law firm E. Eric Guirard and Associates is a respected and successful group of 16 lawyers who have diligently represented thousands of clients over almost 20 years. The firm has been, and will continue to be, a good citizen in the professional legal community.

The Board's recommendations must now be reviewed by the Louisiana Supreme Court. Thus, Guirard and Pittenger will now do what they tell their clients to do on a daily basis. They will put their faith in the Louisiana judicial system. During that process, the 16 lawyers who practice under the firm name E. Eric Guirard & Associates will continue working diligently to secure fair compensation for its many clients.

- Eric Guirard
- Thomas R. Pittenger