Thomas J. Farrell
Chief Disciplinary Counsel

Raymond S. Wierciszewski
Deputy Chief Disciplinary Counsel

James M. Fox
Disciplinary Counsel-in-Charge

THE DISCIPLINARY BOARD
OF THE
SUPREME COURT OF PENNSYLVANIA

Disciplinary Counsel
Cory John Cirelli
David M. Lame
Susan N. Dobbins
Daniel S. White
LaTammie D. Bivins
Eric G. Soller

District IV Office
Frick Building, Suite 1300
437 Grant Street
Pittsburgh, PA 15219
(412) 565-3173
(412) 565-7620 (fax)
Email: DBoard.D4@pacourts.us

OFFICE OF DISCIPLINARY COUNSEL
www.padisciplinaryboard.org

December 4, 2025

PERSONAL AND CONFIDENTIAL

Marcee Sloan
Board Prothonotary
Disciplinary Board: Executive Office
Pennsylvania Judicial Center
601 Commonwealth Ave., Ste. 5600
P.O. Box 62625
Harrisburg, PA 17106-2625

Re: In the Matter of DAVID CHARLES AGRESTI
PETITION FOR REINSTATEMENT
No. 2793 Disciplinary Docket No. 3
No. 68 DB 2020
Attorney Registration No. 79582
(Erie County)

Dear Ms. Sloan:

Pursuant to the requirement of Rule 218(c)(2), Pa.R.D.E., this will serve as Disciplinary Counsel's response to the Petition for Reinstatement filed in the above-referenced matter. The Office of Disciplinary Counsel now responds accordingly.

Initially, it is important to note that, contrary to the Petition, Petitioner was suspended from the practice of law for a period of three years ***after a disciplinary hearing, his filing of exceptions to the Hearing Committee's Report and Recommendations, and the Disciplinary Board's recommendation filed with the Supreme Court***. He was ***not*** "suspended on consent," as set forth in paragraph 1 of his Petition for Reinstatement.

Following the effective date for the commencement of Petitioner's suspension, Petitioner complied with the provisions of Rule 217, Pa.R.D.E. and Disciplinary Board

Rule 91.91 in that he averred that he had no clients nor third parties to notify pursuant to those Rules. Similarly, Petitioner filed a verified statement required by Rule 217(e)(1), Pa.R.D.E. and Disciplinary Board Rule 91.95. Respondent has satisfied his Continuing Legal Education Requirement by taking 19 Ethics and 20 Substantive credits within one year prior to the filing of his Petition. As of September 8, 2025, Petitioner satisfied his outstanding obligation to the Disciplinary Board to pay the Taxed Expenses related to his suspension.

The Office of Disciplinary Counsel reserves the right to review whatever testimony and other evidence Mr. Agresti formally offers before taking a final position on his Petition for Reinstatement. Additionally, ODC specifically reserves the right to raise any objections to Petitioner's request for reinstatement that might arise before or at the time of hearing. As set forth in Rule 218(c)(3), Pa.R.D.E., when seeking reinstatement from suspension, Petitioner has the burden of demonstrating by clear and convincing evidence that he has the moral qualifications, competency and learning in the law required for admission to practice law in this Commonwealth. Petitioner must prove that his reinstatement to the bar of the courts of the Commonwealth of Pennsylvania will be neither detrimental to the integrity and standing of the bar nor the administration of justice, nor subversive of the public interest. Therefore, a Hearing Committee should be convened to take testimony and make a recommendation as to whether Petitioner should be reinstated at this time to the practice of law.

Very truly yours,

Cory John Cirelli
Disciplinary Counsel

CJC/rgc

cc: Craig Evan Simpson, Esquire, Counsel for Petitioner
Ryan H. James, Esquire, Counsel for Petitioner
Thomas J. Farrell, Chief Disciplinary Counsel
Raymond S. Wierciszewski, Deputy Chief Disciplinary Counsel

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Cory John Cirelli

Signature:

Name: Cory John Cirelli

Attorney No. (if applicable): 59954