BEFORE THE DISCIPLINARY BOARD OF
THE SUPREME COURT OF PENNSYLVANIA

TODD ANDREW GOODMAN,	:	No. 3030 Disciplinary Docket No. 3
Petitioner,	:	
	:	No. 14 DB 2024
v.	:	
	:	Atty. Reg. No. 57626
PETITION FOR REINSTATEMENT	:	(PHILADELPHIA COUNTY)

REPORT AND RECOMMENDATION OF THE HEARING COMMITTEE

I. SUMMARY OF THE CASE

Petitioner filed a Petition for Reinstatement under Rule 218 of the Pennsylvania Rules for Disciplinary Enforcement ("Rules"). This Committee conducted a hearing on the Petition, and based on the testimony and evidence presented during the proceeding, we recommend that the Petition be granted.

Petitioner was a licensed pharmacist and a licensed attorney. In 2023, he pleaded guilty to federal misdemeanor charges relating to his filling a fraudulent opioid prescription at a pharmacy in Philadelphia County. On March 25, 2024, the Pennsylvania Supreme Court temporarily suspended Petitioner's law license and referred him to the Office of Disciplinary Counsel ("ODC").

On July 12, 2024, the ODC and Petitioner entered a Joint Petition for Discipline on Consent ("Joint Petition"), pursuant to which Petitioner agreed to a one-year-and-one-day suspension of his law license. On October 16, 2024, the Supreme Court approved the Joint Petition, and on April 24, 2024, Petitioner's suspension became effective.

On March 18, 2025, Petitioner filed his Petition for Reinstatement. One issue raised at Petitioner's reinstatement hearing was whether Petitioner, as a formerly

admitted attorney, violated Pa.R.D.E. 217(j)(4)(i) by resuming legal work at the same firm that employed him after he committed his suspension-related misconduct. This Committee finds that Petitioner violated Rule 217(j)(4)(i) by resuming employment at the firm while suspended. However, this Committee finds that Petitioner's Rule violation was neither wilful nor deceptive and was based on Petitioner's good-faith reliance on the advice of his disciplinary counsel. Petitioner resumed employment at the firm after conferring several times with his disciplinary counsel, whom Petitioner retained to guide him through the disciplinary process. Counsel consistently advised Petitioner that working at the firm did not violate Rule 217(j)(4)(i). This Committee therefore finds that Petitioner's Rule violation is mitigated by his reliance on the advice of counsel, and that the infraction alone should not preclude Petitioner's reinstatement.

This Committee further finds that Petitioner presented sufficient evidence to sustain his burden for reinstatement under Pa.R.D.E. 218(c)(3). The testimony supports that Petitioner's criminal conduct was an aberration in his otherwise law-abiding life, that he fully accepts responsibility for his conduct, that he is remorseful, that he is an honest and ethical attorney, that he is competent in the law, and that he is an upstanding member of his community who devotes significant time to community service.

Upon considering the totality of the circumstances, this Committee concludes that Petitioner "has the moral qualifications, competency and learning in law for admission to practice law in this Commonwealth and that [his] resumption of the practice of law … will be neither detrimental to the integrity and standing of the bar or the administration of justice nor subversive to the public interest." Quoting Pa.R.D.E. 218(c)(3). Therefore, this Committee respectfully recommends to the Board that Petitioner's Petition be granted.

II. FINDINGS OF FACT

A. Petitioner's Biographical and Employment Background

1. Petitioner was born on April 1, 1963. He has been married 35 years and has two adult children. (Joint Petition, ¶ 2; N.T. 7/31/25 at 148, 153).

2. Petitioner graduated from Temple University in 1986 with a degree in Pharmacy. (N.T. 7/31/25 at 147).

3. Petitioner graduated from Widener Law School in 1989. He passed the Pennsylvania and New Jersey bar exams that same year. (Id. at 147).

4. Following law school, Petitioner worked for Kornblau & Kornblau, P.C. ("Kornblau") from 1989 to 2003. (Id. at 150).

5. Petitioner's legal practice at Kornblau focused on personal injury law and eventually centered around medical malpractice. (Id. at 151).

6. Petitioner left Kornblau in 2003 and started his own law firm while also working part-time as a pharmacist at Walgreens. (Id. at 151).

7. Petitioner left Walgreens around 2005 and worked part-time as a pharmacist at Verree Pharmacy. (Id. at 152).

8. While working at Verree Pharmacy, Petitioner performed per diem legal work for the law firm Oxman Goodstadt Kuritz ("Oxman"). (Id. at 152).

9. Petitioner became a part-time employee of Oxman in 2015. (Id. at 152).

10. Petitioner left Verree Pharmacy in 2021 and began working at Rapoport Pharmacy. (Id. at 153).

11. Petitioner left Rapoport Pharmacy in April 2022 and became a full-time attorney at Oxman. (Id. at 153).

12. Petitioner never maintained his own case files at Oxman. Rather, Petitioner worked on the case files of the firm's three shareholders – Harry J. Oxman, Esquire; Sheldon A. Goodstadt, Esquire; and David Kuritz, Esquire. (Id. at 114-115).

B. Petitioner's Criminal Conviction

13. In December 2022, Petitioner was indicted on ten felony counts alleging that he filled forged opioid prescriptions while working at Verree Pharmacy. (Id. at 157).

14. Petitioner denies committing the felonies charged in the indictment. (Id. at 158-160).

15. In December 2023, the government filed a superseding indictment that dismissed the ten felony counts but charged Petitioner with the misdemeanor offenses of knowingly dispensing a controlled substance without a valid prescription in violation of 21 U.S.C. §§ 842(a)(1) and (c)(2)(A, and aiding and abetting the same, in violation of 18 U.S.C. § 2. (Guilty Plea Agreement, ¶ 1).

16. Petitioner did not recall filling the fraudulent prescription underpinning the misdemeanor charges. (Id. at 159-160).

17. However, when the government showed him the prescription, Petitioner admitted it was forged and that he indeed must have filled it when it was presented to him around five years earlier. (Id. at 159-160).

18. Petitioner testified that he takes full responsibility for filling the forged prescription, that he sincerely regrets his conduct and the shame he brought on his family, that he recognizes the severity of opioid-related problems in society, that he blames nobody but himself, and that he strives to redeem himself. (Id. at 157-165, 180-181).

19. Petitioner described his criminal conduct as the "worst thing [he has] ever done" and an aberration from his otherwise law-abiding life. (Id. at 180-181).

20. In December 2023, Petitioner pleaded guilty to the superseding indictment. He was sentenced to four months' incarceration followed by one year of supervised probation. (Joint Petition, ¶¶ 5, 8).

21. Petitioner also paid a fine, but he was not required to pay restitution because he received no financial benefit from his crime. (Id. at 161-162).

22. On May 3, 2024, after serving 3 out of his 4-month sentence, Petitioner was released from prison for good behavior. (Id. at 161, 167).

C. Petitioner's Suspension

23. In compliance with Pa.R.D.E. 214(a), Petitioner reported his conviction to the ODC. (Joint Petition, ¶ 11).

24. On July 12, 2024, the ODC and Petitioner filed a Joint Petition for Discipline on Consent. (Joint Petition).

25. The Joint Petition recommended that Petitioner be suspended from the Pennsylvania bar for one year and one day. (Joint Petition, ¶ 13).

26. The Joint Petition noted there are "several mitigating circumstances" in Petitioner's case, including his admission of misconduct, his cooperation with the ODC, and his remorsefulness. (Joint Petition, ¶ 15).

27. The Joint Petition further noted that Petitioner's criminal conviction "did not involve clients and/or former clients of his law practice, and there was no evidence that [Petitioner] was a drug user." (Joint Petition, ¶ 18).

28. On October 16, 2024, the Supreme Court approved the Joint Petition, and on April 24, 2024, Petitioner's suspension became effective.

D. Petitioner's Employment With Oxman

29. While incarcerated, Petitioner communicated regularly with David Kuritz, Esquire ("Mr. Kuritz"), who is Petitioner's personal friend and the managing shareholder of Oxman. (N.T. 7/31/25 at 166).

30. Upon release from prison, Petitioner sought to resume working at Oxman. (Id. at 167).

31. However, Petitioner had concerns that Pa.R.D.E. 217(j)(4)(i) prohibited his employment with Oxman during his suspension. (Id. at 167).

32. Rule 217(j)(4)(i) states that a formerly admitted attorney "is specifically prohibited from … performing any law-related activity for a law firm, organization or lawyer if the formerly admitted attorney was associated with that law firm, organization or lawyer on or after the date on which the acts which resulted in the disbarment, suspension or temporary suspension occurred, through and including the effective date of disbarment, suspension or temporary suspension[.]" Pa.R.D.E. 217(j)(4)(i).

33. Petitioner was familiar with the Rule,[1] and he initially interpreted it to prohibit his employment at Oxman during his suspension. (N.T. 7/31/25 at 195-196).

34. Nevertheless, Petitioner testified that he believed the Rule may not, and should not, apply to his particular circumstances because his suspension-related conduct was entirely unrelated to his practice of law at Oxman. (Id. at 167, 195-196).

[1] Petitioner testified that he read the Rule even before his incarceration. (Id. at 167).

35. Petitioner therefore sought advice from his disciplinary counsel, Daniel Siegel, Esquire ("Mr. Siegel"), regarding whether he could resume employment at Oxman without violating Rule 217(j)(4)(i). (Id. at 167-169).

36. Petitioner testified that he aimed "to do everything possible to comply with the rules" so he could get back his law license. (Id. at 176, 201). That is why Petitioner retained Mr. Siegel for advice regarding compliance with the Rules. (Id. at 198).

37. Petitioner also contacted his former employer, Kornblau & Kornblau, P.C., to make employment arrangements at that firm if Mr. Siegel advised he could not work at Oxman. (Id. at 167).

38. Petitioner testified that if Mr. Siegel advised that Rule 217(j)(4)(i) applied to his circumstances, he would have worked at Kornblau & Kornblau, P.C. instead of at Oxman. (Id. at 167).

39. However, after communicating with the ODC about Rule 217, Mr. Siegel advised Petitioner that his resumption of employment at Oxman would **not** violate the Rule. (Id. at 169, 196).[2]

40. Petitioner similarly spoke to Mr. Kuritz about whether Rule 217 prohibited his returning to work at Oxman. (Id. at 86).

41. Mr. Kuritz told Petitioner that Rule 217(j)(4)(i) "did not appear to apply" because Petitioner's suspension-related misconduct was unrelated to his practice of law at Oxman. (Id. at 87-88).

[2] The content of the conversations between Mr. Siegel and ODC (Gloria Ammons) is disputed. Mr. Siegel came away from the conversations believing that the ODC agreed with his Rule interpretation, while Ms. Ammons believes she informed Mr. Siegel that she disagrees with his Rule interpretation.

42. Mr. Kuritz testified that the Rule is "ambiguous" in Petitioner's circumstances. According to Mr. Kuritz, the Rule "implies" that its prohibitions apply when the formerly admitted attorney's suspension-related misconduct involved the practice of law. (Id. at 102-104).

43. Mr. Kuritz discussed the Rule with the firm's other partners, and he ultimately agreed with Petitioner's counsel, Mr. Siegel, that the Rule does not apply "because the events that led to the suspension had nothing to do with [Oxman] or with the practice of law[.]" (Id. at 88-89).

44. On May 9, 2024, Mr. Kuritz sent an engagement letter to the Disciplinary Board advising that Oxman would employ Petitioner during his suspension, that Mr. Kuritz would be Petitioner's supervising attorney as required by Rule 217, and that the Board should contact him with any questions. (Id. at 89). On or around May 9, 2024, Petitioner also sent an engagement letter to the Board advising of his employment with Oxman. (Id. at 173).

45. Mr. Kuritz testified that he believes Oxman complied with Rule 217 in employing Petitioner, and that he would not have employed Petitioner if he believed it violated the Rule. (Id. at 95-96).

46. Since resuming work at Oxman, Petitioner has not held himself out as an attorney and has had no contact with the firm's clients. (Id. at 92-93, 182-183).

47. Since resuming work at Oxman, Petitioner has not worked on cases that he worked on before his suspension. (Id. at 177).

48. Moreover, Oxman removed Petitioner's name from its website and letterhead, and Mr. Kuritz wrote letters to all of Oxman's clients informing them of Petitioner's status at the firm. (Id. at 93).

49. Petitioner reports to Mr. Kuritz and apprises him of all his work for Oxman. (Id. at 178).

50. Mr. Kuritz believes Petitioner has "followed all the [R]ules during [his] period of suspension." (Id. at 97).[3]

E. PETITIONER'S CHARACTER

51. Petitioner testified that he takes full responsibility for his criminal conduct. Petitioner testified that he sincerely regrets the incident and the shame he brought on his family, that he appreciates the problem of opioid abuse in society, that he blames nobody but himself, and that he strives to redeem himself. (Id. at 157-165, 180-181).

52. Petitioner described his criminal conduct as the "worst thing [he has] ever done" and an aberration from his otherwise law-abiding life. (Id. at 180-181).

53. Petitioner described how he was ardently involved in coaching youth sports for many years (*e.g.*, baseball, basketball, roller hockey, and soccer). (Id. at 153-156).

54. Petitioner enjoyed mentoring the young players and developed lasting friendships with several of them, who have invited Petitioner to their weddings and sought his advice. (Id. at 156).

[3] After Petitioner filed his Petition for Reinstatement on March 18, 2025, the ODC responded by letter and expressed concerns about Petitioner's compliance with Rule 217(j)(4)(i). After receiving the letter, Petitioner again discussed the Rule with his disciplinary counsel and decided, on the advice of counsel, to continue working for Oxman. (Id. at 197-199).

55. Petitioner similarly mentored younger inmates while incarcerated. Upon his release, the prison's Pretrial Services asked Petitioner to continue mentoring "incoming inmates" to assist them in preparing for prison life. Petitioner now volunteers every quarter to confer with incoming prisoners. (Id. at 161-164).

56. Petitioner also performed pro bono work during his legal career, and he has regularly volunteered at a local food bank. (Id. at 188-190, 220).

AMY TITUS (MS. TITUS)

57. Ms. Titus befriended Petitioner when her son and Petitioner's sons were teammates on Little League baseball teams coached by Petitioner. (Id. at 21-22).

58. Ms. Titus described Petitioner as an "honest," "honorable," "kind," and "trustworthy" man with "high integrity." (Id. at 22).

59. Ms. Titus described how her husband died unexpectedly in 2019 and Petitioner was "the person [she] went to for everything to help … make the decisions [she] was incapable of making at that time." (Id. at 23-24).

60. Petitioner has since helped Ms. Titus's son with career advice and assistance. (Id. at 24).

61. Ms. Titus testified that Petitioner told her about his arrest "when it occurred," that she visited Petitioner three times during his 3-month incarceration, that Petitioner was "devastated" by his criminal matter, that Petitioner is "very remorseful," and that Petitioner accepts responsibility for his misconduct. (Id. at 25-26, 29-30).

62. Ms. Titus testified that Petitioner's criminal misconduct is "completely out of character" with the "honest," "true," "good person" she has known for fifteen years. (Id. at 23).

63. Ms. Titus testified that Petitioner's reputation in the community is that of "a person who is helpful, kind [and] generous with his time." Ms. Titus trusts Petitioner 100% and she is 100% comfortable sharing "confidential or sensitive information" with him. (Id. at 24-25).

MS. KORNBLAU

64. Ms. Kornblau testified that Petitioner worked for her law firm from 1989 to 2003. During that time, Ms. Kornblau came to know Petitioner both personally and professionally. (Id. at 41-42).

65. Ms. Kornblau described Petitioner as a "reliable" and "wonderful attorney," and a "genuinely good" and "honorable person." She emphasized that Petitioner is "a man of impeccable character and integrity." (Id. at 41-42, 46).

MR. KURITZ

66. Mr. Kuritz testified that he first met Petitioner when their children played on Little League baseball teams that Petitioner coached. (Id. at 68-69).

67. Mr. Kuritz and Petitioner soon became friends and coached Little League together for several years. (Id. at 69).

68. Mr. Kuritz explained that all the parents desired Petitioner as their children's coach. Petitioner "tried to teach kids not just about Little League, be it baseball or basketball, but also how those lessons apply to life." (Id. at 70).

69. Mr. Kuritz testified that Petitioner is more involved in the community than "the vast majority of other residents." (Id. at 128).

70. Mr. Kuritz testified that Petitioner is a competent lawyer and he has no concerns about Petitioner's integrity or ethics. (Id. at 73).

71. Mr. Kuritz testified that Petitioner's reputation in the legal community is "very good." (Id. at 128).

72. Mr. Kuritz testified that Petitioner told him that he accepts responsibility for his criminal conduct. (Id. at 127).

73. Mr. Kuritz described Petitioner's criminal conduct as out of character with the person whom Mr. Kuritz knows "very well … both personally and professionally." (Id. at 75).

74. Mr. Kuritz testified that Petitioner regularly expressed concerns about dispensing opioids in his pharmacy practice. Petitioner told Mr. Kuritz that he was cautious and "would turn people away with prescriptions" he believed were illegitimate. (Id. at 76-79). When "new prescriptions came in, [Petitioner] would go out of his way to make sure the patients presenting those prescriptions were legitimately in need of opioids." (Id. at 127-128). Petitioner described to Mr. Kuritz how he conducted background checks on physicians, and how he called or sometimes visited their offices to ensure their prescriptions were legitimate. (Id. at 78-79, 127-128).

75. Mr. Kuritz ultimately testified that Petitioner has the moral competency and qualifications for reinstatement, and that his reinstatement would not be detrimental to the integrity and standing of the bar. (Id. at 94-95).

III. CONCLUSION

Petitioner demonstrated by clear and convincing evidence that he has "the moral qualifications, competency and learning in law for admission to practice law in this Commonwealth and that [his] resumption of the practice of law … will be neither

detrimental to the integrity and standing of the bar or the administration of justice nor subversive to the public interest." Quoting Pa.R.D.E. 218(c)(3).

IV. DISCUSSION

A. Petitioner's breach of trust was not so egregious that it precludes consideration of his Petition.

The "threshold inquiry in a reinstatement matter is whether the petitioner has demonstrated that his breach of trust was not so egregious that it precludes [the Supreme Court] from even considering his petition for reinstatement." In re Cappuccio, 338 A.3d 115, 126 (Pa. 2025). This inquiry recognizes that "[t]he primary purpose of our lawyer disciplinary system is to protect the public from unfit attorneys and to maintain the integrity of the legal system." Id. at 131-132.

The "inquiry focuses on the public interest and the damage the misconduct caused to the legal system." Id. at 132. "[D]isciplinary sanctions are not primarily designed for their punitive effects. … Instead, disciplinary sanctions are intended to protect the public from unfit attorneys and maintain the integrity of the legal system." Id. Moreover, in determining an appropriate sanction (if any), the Supreme Court "is mindful of the need for consistency in the results reached … so that similar misconduct is not punished in radically different ways." Id. at 135.

Here, Petitioner's misconduct was not so egregious that it precludes consideration of his Petition. In In re Cappuccio, the Supreme Court granted the reinstatement petition of an attorney who was disbarred after pleading guilty to three counts of endangering the welfare of children, one count of criminal use of a communication facility, three counts of corruption of minors, and three counts of furnishing alcohol or malt or brewed beverages to minors. In re Cappuccio, 338 A.3d 115, 119. In doing so, the Court cited multiple cases

where reinstatement was granted to petitioners whose conduct was more egregious, or at least as egregious, as Petitioner's conduct here. Id. at 127, 132 (citing *e.g.*, In the Matter of Halfpenny, 1483 & 1649 DD3 (Pa. 2024) (reinstating disbarred attorney "who violated a protection from abuse order obtained by his former wife, entered a guilty plea to attempted burglary, stalking, and related offenses, and was later found to have possessed child pornography")); see also In re Malone, 18 Pa. D. & C.5th 80 (2010) (reinstating attorney convicted of attempted involuntary deviate sexual intercourse against minors).

Consistent with In re Cappuccio and the cases cited therein, Petitioner's isolated misdemeanor offense, which occurred several years ago, is not so egregious that it precludes consideration of his Petition.

B. Petitioner's employment with Oxman during his suspension should not preclude his reinstatement.

At the conclusion of the reinstatement hearing, the Committee requested Petitioner and the ODC to brief the following issues: (1) whether a violation of Rule 217(j)(4)(i) requires the denial of Petitioner's Petition, or whether the infraction is just another factor for consideration under the standard for reinstatement outlined in Rule 218(c)(3); and (2) whether Petitioner's reliance on the advice of counsel is a valid defense in a disciplinary hearing. (N.T. 7/31/25 at 229-232).

In Petitioner's Brief filed on September 15, 2025, Petitioner did not cite any precedent directly addressing the first issue, but he argued that "[a] violation of Pa.D.R.E. 217(j)(4)(i) is not a basis to deny admission" and is just "one factor to be balanced against all the evidence presented[.]" (Petitioner's Brief, at 27). Regarding the second issue, Petitioner conceded that "advice of counsel is not a per se defense as a matter of law in

disciplinary hearings," but that it is a "factor" that the Committee "should consider." (Id. at 21).

In the ODC's Letter Brief filed on October 8, 2025, the ODC did not object to Petitioner's reinstatement. Rather, the ODC argued that Petitioner violated Rule 217(j)(4)(i), that the Committee should consider the violation in assessing Petitioner's competency and "moral qualifications to be reinstated," and that "the decision rests with the Hearing Committee whether to recommend Petitioner's reinstatement." (ODC Letter Brief, at 3-4). The ODC further argued that "advice of counsel is not a defense in disciplinary proceedings," but that "the Hearing Committee has the discretion to consider all the facts surrounding the advice of counsel issue and apply whatever weight the Committee deems appropriate to those circumstances when determining if Petitioner should be reinstated." (Id. at 1-2).

Regarding the first issue, this Committee agrees with the ODC that Petitioner's employment at Oxman violates Rule 217(j)(4)(i). The Rule states that a formerly admitted attorney "is specifically prohibited from … performing any law-related activity for a law firm, organization or lawyer if the formerly admitted attorney was associated with that law firm, organization or lawyer on or after the date on which the acts which resulted in the disbarment, suspension or temporary suspension occurred, through and including the effective date of disbarment, suspension or temporary suspension[.]" Pa.R.D.E. 217(j)(4)(i).

Petitioner testified that he believes the Rule does not apply to his circumstances because his suspension-related conduct was unrelated to his practice of law at Oxman. (N.T. 7/31/25 at 199). However, Petitioner's interpretation cannot be squared with the

Rule's terms, and Petitioner has cited no legal precedent to support his interpretation. The Rule prohibits a formerly admitted attorney – *i.e.*, Petitioner – from "performing any law-related activity for a law firm … or lawyer" that he "was associated with … on or after the date on which the acts which resulted in the … suspension or temporary suspension occurred[.]" Pa.R.D.E. 217(j)(4)(i). There is no dispute that Petitioner performed law-related activity for Oxman even though he was associated with the firm "on or after the date on which the acts which resulted in the … suspension" occurred. Id. The Rule clearly applies, and Petitioner's contrary interpretation is unsupported by the Rule's plain language.

Regarding the second issue, this Committee has found no Pennsylvania precedent prohibiting "the advice of counsel" as an available defense to allegations of Rule violations. However, other jurisdictions have rejected the defense in disciplinary proceedings, holding that attorneys cannot delegate their responsibility to understand ethical rules. See e.g., People v. Katz, 58 P. 3d 1176, 1187 (Colo. 2002); Atty. Griev. Comm'n v. Pennington, 387 Md. 565, 583 (Md. 2005); In re Gatti, 330 Ore. 517, 526 (Or. 2000); Fla. Bar v. Adorno, 60 So. 3d 1016, 1028 (Fla. 2011).

Consistent with these other jurisdictions, this Committee does not consider Petitioner's reliance on advice of counsel to be a complete defense to an allegation that he violated Rule 217(j)(4)(i). Rather, the Committee agrees with the ODC that we have "the discretion to consider all the facts surrounding the advice of counsel issue and apply whatever weight the Committee deems appropriate to those circumstances when determining if Petitioner should be reinstated." (ODC Brief, 10/8/25, at 2). Accordingly,

this Committee views Petitioner's reliance on advice of counsel as a factor that mitigates his culpability for violating Rule 217(j)(4)(i).

The defense of advice of counsel "is not designed to insulate illegal conduct." United States v. Traitz, 871 F.2d 368, 382 (3d Cir. 1989) (citations omitted). "Rather, the basis for the defense is that, in relying on counsel's advice, a defendant lacked the requisite intent to violate the law." Id. "It must be remembered that the advice of counsel defense is meant to be available only to those who, after full and honest disclosure of the material facts surrounding a possible course of action, seek and obtain the advice of counsel on the potential legality of their actions." Id.

The record here reflects that Petitioner, "after full and honest disclosure of the material facts surrounding a possible course of action," sought advice from his disciplinary counsel on whether his resuming work at Oxman would violate Rule 217(j)(4)(i). Quoting Traitz, supra. Petitioner testified that he read the Rule and initially interpreted it to prohibit his employment at Oxman during his suspension. (N.T. 7/31/25 at 195-196). However, Petitioner believed the Rule may not, and should not, apply to his circumstances because his suspension-related conduct occurred several years earlier and involved only his work as a part-time pharmacist, and not his work as a lawyer practicing at Oxman. (Id. at 167, 195-196).

Petitioner therefore sought advice from his disciplinary counsel, Mr. Siegel, regarding whether he could resume employment at Oxman under Rule 217(j)(4)(i). (Id. at 167-169). Petitioner testified that he aimed "to do everything possible to comply with the rules" so he could get back his law license. (Id. at 176, 201). That is why Petitioner retained Mr. Siegel for advice regarding compliance with the Rules. (Id. at 198).

Petitioner also contacted his former employer, Kornblau & Kornblau, P.C., to make employment arrangements at that firm if Mr. Siegel advised he could not work at Oxman. (Id. at 167). Petitioner testified that if Mr. Siegel advised him Rule 217(j)(4)(i) applied to his circumstances, he would have worked at Kornblau & Kornblau, P.C. instead of at Oxman. (Id. at 167).

However, after communicating with the ODC about Rule 217, Mr. Siegel advised Petitioner that his employment at Oxman would **not** violate the Rule. (Id. at 169, 196). After filing his Petition, Petitioner again discussed the Rule with Mr. Siegel, who again advised Petitioner that his working at Oxman did not violate Rule 217. (Id. at 197-199). Moreover, Oxman's managing shareholder, Mr. Kuritz, discussed the Rule with the firm's other shareholders and told Petitioner that he agreed with Mr. Siegel's advice – *i.e*., that Rule 217(j)(4)(i) "did not appear to apply" because Petitioner's suspension-related misconduct was unrelated to his practice of law at Oxman. (Id. at 87-88).

Accordingly, the record reflects that Petitioner relied in good faith on the advice of his disciplinary counsel, whom Petitioner retained to guide him through the disciplinary process and ensure his compliance with the Enforcement Rules. Petitioner's violation of Rule 217(j)(4)(i) was neither wilful nor intentional.[4] He did not circumvent the Rule so he

[4] Pa. R.D.E. 203, which governs "grounds for discipline," provides that the "**[w]ilful** violation of any … provision of the Enforcement Rules" shall be "grounds for discipline." Pa.R.D.E. 203(b)(3) (emphasis added). The Rules do not explicitly define "wilful," so this Committee looks to the "common and approved usage" of the term. K.B. v. Del. Cnty. Off. of Jud. Support, 342 A.3d 123 (Pa. Commw. 2025) (construing the term "willful" in the Criminal History Record Information Act ("CHRIA")). "In ascertaining the common and approved usage or meaning, a court may resort to the dictionary definitions of the terms left undefined by the legislature." Id.

"Per Black's Law Dictionary, a 'willful' act is one that was done wittingly or on purpose, as opposed to accidentally or casually[.]" Id. (citing Black's Law Dictionary (12th ed. 2024)). "The name connotes blameworthiness." Id. "[A] voluntary act becomes willful, in

could resume practicing law, as he could have resumed practicing law at Rosenblau & Rosenblau without implicating the Rule. Rather, Petitioner relied in good faith on the erroneous advice of disciplinary counsel, who consistently advised that Petitioner could work at Oxman without breaching Rule 217(j)(4)(i).

This Committee therefore finds that Petitioner's Rule violation is mitigated by his reliance on the advice of counsel, and that the infraction should not preclude Petitioner's reinstatement under Pa.R.D.E. 218(c)(3).

C. Petitioner sustained his burden under Rule 218(c)(3).

Rule 218(c)(3) provides that a "disbarred or suspended attorney has the burden of demonstrating, by clear and convincing evidence, that he has the moral qualifications, competency and learning in law required for admission to practice law in this Commonwealth and that his resumption of practice of law within the Commonwealth … will be neither detrimental to the integrity and standing of the bar or the administration of justice nor subversive of the public interest." In re Cappuccio, 338 A.3d 115, 136 (citing Pa.R.D.E. 218(c)(3). "[T]he petitioner must demonstrate not only that he understands the nature of his wrongdoing, but also he must convince [the Supreme Court] that he is not predisposed to commit future ethical infractions." Id. (citations omitted).

"A reinstatement proceeding is a searching inquiry into a lawyer's present professional and moral fitness to resume the practice of law." In re Cappuccio, 338 A.3d

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law, only when it involves conscious wrong or evil purpose on the part of the actor, or at least inexcusable carelessness, whether the act is right or wrong." Id. "The term willful is stronger than voluntary or intentional; it is traditionally the equivalent of malicious, evil, or corrupt." Id.

Here, the record supports that Petitioner's violation of Rule 217(j)(4)(i) was not "wiful." Petitioner credibly testified that he believed, based on his counsel's consistent advice, that his working at Oxman did not violate the Rule.

115, 138 (citations omitted). “The object of concern is not solely the transgressions which gave rise to the lawyer’s suspension or disbarment, but rather the nature and extent of the rehabilitative efforts he has made since the time the sanctions were imposed, and the degree of success achieved in the rehabilitative process.” Id.

The record here reflects that Petitioner’s suspension-related conduct was an isolated event that occurred several years ago. Petitioner’s misconduct was unrelated to his practice of law, and there is no indication that he has ever had any ethical transgressions in his legal practice. Petitioner appreciates the problems of opioid abuse in society, and he characterizes his filling of the fraudulent prescription as the “worst thing [he has] ever done.” (N.T. 7/31/25 at 180-181).

Petitioner pleaded guilty to the crime and consented to the suspension of his law license. He testified that he sincerely regrets his conduct and the shame he brought on his family, that he blames nobody but himself, and that he is striving to redeem himself. (Id. at 157-165). Petitioner seeks reinstatement so he can continue helping people, particularly in medical malpractice cases. (Id. at 186).

In his personal life, Petitioner has been an asset to his community. He has a long history of volunteering to coach and mentor youth, and he developed lasting friendships with former players. (Id. at 153-156). Petitioner regularly volunteers at a local food bank, and he now volunteers to assist incoming prisoners adapt to incarceration. (Id. at 161-164, 188-190, 220).

Petitioner’s character witnesses all attest to his integrity and trustworthiness. Ms. Titus described how Petitioner helped her when her husband died, and how Petitioner continues to be a source of assistance and advice for her son. (Id. at 23-24). Ms. Kornblau

described Petitioner as a "wonderful attorney," and a genuinely "good" and "honorable person." (Id. at 41-42, 46). Mr. Kuritz testified that Petitioner is an ethical and competent attorney, whose reinstatement would not be detrimental to the integrity and standing of the bar. (Id. at 73, 94-95).

Overall, this Committee finds that Petitioner "has the moral qualifications, competency and learning in law required for admission to practice law in this Commonwealth and that his resumption of practice of law within the Commonwealth … will be neither detrimental to the integrity and standing of the bar or the administration of justice nor subversive of the public interest." Quoting Pa.R.D.E. 218(c)(3).

V. RECOMMENDATION

Having considered the evidence, testimony, and briefings, as well as the lack of any objection to Petitioner's reinstatement from the ODC, this Hearing Committee recommends to the Disciplinary Board that Petitioner's Petition be granted.

Respectfully submitted,

/s/ Thomas A. Lynam, III
THOMAS A. LYNAM, III, ESQUIRE

/s/ Harris T. Bock
HARRIS T. BOCK, ESQUIRE

/s/ Brian J. Zeiger
BRIAN J. ZEIGER, ESQUIRE, CHAIR

Dated: November 24, 2025