

**IN THE SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 3087 Disciplinary Docket No. 3
	:	
Petitioner	:	No. 84 DB 2024
	:	
v.	:	Attorney Registration No. 208624
	:	
	:	(Blair County)
MATTHEW PAUL GIEG,	:	
	:	
Respondent	:	

**ORDER**

**PER CURIAM**

**AND NOW**, this 9<sup>th</sup> day of December, 2024, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board, the Joint Petition in Support of Discipline on Consent is granted, and Matthew Paul Gieg is suspended on consent from the Bar of this Commonwealth for a period of one year and one day. The suspension is stayed in its entirety, and Respondent is placed on probation for a period of two years, subject to the following conditions:

1. Respondent shall abstain from using alcohol, drugs, or any other mind-altering chemicals, except as prescribed by Respondent's treating physicians;
2. Respondent shall attend weekly Alcoholics Anonymous meetings;
3. Respondent shall obtain an Alcoholics Anonymous sponsor, with whom he maintains weekly contact;
4. A sobriety monitor shall be appointed to monitor Respondent in accordance with Disciplinary Board Rule § 89.293(c);
5. Respondent shall furnish his sobriety monitor with his Alcoholics Anonymous sponsor's name, address, and telephone number;
6. Respondent shall establish his weekly attendance at Alcoholics Anonymous meetings by providing written verification to the Disciplinary Board on a Board-approved form;

7. Respondent shall undergo any counseling, out-patient, or in-patient treatment prescribed by a physician or alcohol counselor;
8. Respondent shall file with the Disciplinary Board Prothonotary quarterly written reports that address his compliance with the conditions of probation;
9. With the sobriety monitor, Respondent shall:
  - a. meet at least twice per month;
  - b. maintain weekly telephone contact;
  - c. provide the necessary properly executed written authorizations to verify his compliance with the required substance abuse treatment; and
  - d. cooperate fully.
10. The appointed sobriety monitor shall:
  - a. monitor Respondent's compliance with the terms and conditions of the order imposing probation;
  - b. assist Respondent in arranging any necessary professional or substance abuse treatment;
  - c. meet with Respondent at least twice a month and maintain weekly telephone contact with Respondent;
  - d. maintain direct monthly contact with the Alcoholics Anonymous sponsor;
  - e. file with the Disciplinary Board Prothonotary quarterly written reports; and
  - f. immediately report to the Disciplinary Board Prothonotary any violations by Respondent of the terms and conditions of the probation.
11. Respondent shall not commit any violations of the Rules of Professional Conduct in this or any other jurisdiction, shall not commit any criminal violation, and shall submit quarterly sworn certifications to the Board that he is in compliance with this condition.

Respondent shall pay the expenses incurred in the investigation and processing of this matter. See Pa.R.D.E. 208(g).

A True Copy Nicole Traini  
As Of 12/09/2024

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, :

Petitioner :

: No. 84 DB 2024

v. :

MATTHEW PAUL GIEG, :

: Attorney Registration No. 208624

Respondent : (Blair County)

JOINT PETITION IN SUPPORT OF DISCIPLINE  
ON CONSENT UNDER RULE 215(d), Pa.R.D.E.

Petitioner, Office of Disciplinary Counsel, by Thomas J. Farrell, Chief Disciplinary Counsel, and David M. Lame, Disciplinary Counsel, and Respondent, Matthew Paul Gieg, Esquire, file this Joint Petition In Support Of Discipline On Consent Under Rule 215(d), Pa.R.D.E. and respectfully represent as follows:

1. Petitioner, whose principal office is located at Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, P.O. Box 62485, Harrisburg, PA 17106-2485, is invested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement (hereafter "Pa.R.D.E."), with the power and the duty to investigate all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of

**FILED**

**11/01/2024**

**The Disciplinary Board of the  
Supreme Court of Pennsylvania**

Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of the aforesaid Rules.

2. Respondent, Matthew Paul Gieg, was born in 1980. Respondent's attorney registration mailing address is 411 Wayne Street, Hollidaysburg, (Blair County) PA 16648.

3. Respondent was admitted to practice law in the Commonwealth of Pennsylvania on October 16, 2008

4. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

SPECIFIC FACTUAL ADMISSIONS AND RULES OF  
PROFESSIONAL CONDUCT and RULE OF DISCIPLINARY  
ENFORCEMENT VIOLATED

CHARGE I: THE KUMAR MATTER

5. Respondent stipulates that the following factual allegations are true and correct and that he violated both the Rules of Professional Conduct and Rule of Disciplinary Enforcement set forth in paragraph 73, *infra*.

6. In or about 2017 Suresh Kumar and Bhatia Naresh Kumar Bhatia (hereinafter Kumar/Bhatia) and minority owner Prakash Lal Potluri (hereinafter Potluri) formed a Limited Liability Company known as Anantha for purposes of operating residential and commercial real estate, and retail

business operations and to perform any other activities related to such operations.

7. In or about 2018 Respondent was retained by Kumar/Bhatia to represent them with regard to disagreements they were having with Potluri.

8. On December 4, 2020, Respondent filed a Complaint in Equity in the Court of Common Pleas of Cambria County at No. 2020-4082 on behalf of Kumar/Bhatia seeking to divest Potluri as a minority owner of the LLC.

9. Prior to the filing of the Complaint at 2020-4082 both Respondent and Kumar/Bhatia had been in contact with Potluri by email addressed to him at [potluriUSA@gmail.com](mailto:potluriUSA@gmail.com).

10. At the time of, or prior to, the filing of the Complaint at 2020-4082 Respondent and Kumar/Bhatia knew or should have known that Potluri may not have been in the United States and had returned to India.

11. After the Complaint was filed Respondent was not able to effectuate service on Potluri.

12. On February 4, 2021, Respondent filed an *ex parte* Petition for Leave to Obtain Original Service of Process of Complaint by Publication in which Respondent alleged that:

(a) Potluri is an adult individual whose whereabouts, physical location and residence are unknown;

(b) Respondent and Kumar/Bhatia have not been able to ascertain any residential address whatsoever for Potluri despite a diligent search of all publicly available records via all publicly available means;

(c) Respondent conducted inquiries of all relevant postal authorities, examined relevant telephone directories, researched courthouse records including the Cambria County Prothonotary's Office and land records in the Cambria County Recorder of Deeds' Office and performed extensive and thorough internet searches in an attempt to locate Potluri; and

(d) Despite all reasonable efforts Respondent has been unable to locate Potluri, Potluri's residence or his whereabouts.

13. Respondent executed a verification that the content of his *ex parte* filing was, to the best of his knowledge, true and correct and that any false statements made in the filing were made subject to the penalties of 18 PaCSA § 4904 Unsworn Falsification to Authorities.

14. The content of the Petition for Leave to Obtain Original Service of Process of Complaint by Publication contained material misrepresentations which Respondent was aware of or should have been aware of prior to the time the Petition was filed and presented *ex parte* to the Court.

15. Attached to Respondent's pleading was his personal sworn Affidavit made as an officer of the Court, Pursuant to Pennsylvania Rule of Civil Procedure 430, in which Respondent, as counsel of record for Kumar/Bhatia, swore and affirmed that he made a good faith effort to locate the defendant [Potluri] by detailing the efforts to effectuate original service of process of the Complaint in Equity filed on December 4, 2020.

16. In his Affidavit, Respondent represented to the Court that for the reasons set forth in his filing, service of original process of the Complaint in Equity could not be made upon Potluri.

17. Respondent's Affidavit omitted any information that Respondent knew Potluri's email address, had previously communicated with Potluri by email to that email address and therefore knew how to contact him and further knew, or should have known, that Potluri may have been in India.

18. After the Petition was granted, Respondent failed to file any pleading or otherwise notify the Court that the Court's Order was entered based upon false information.

19. After service by publication was completed, and Potluri failed to file an answer to the complaint, Respondent filed a Praecipe for a Default Judgment against Potluri.

20. By Order of Court dated August 2, 2021, a Default Judgment was granted.

21. On or about October 7, 2021, Potluri through his counsel, Attorney Gary A. Jubas, filed a Petition to Open or Strike the August 2, 2021 judgment averring that:

(a) Potluri was out of the United States and in the country of India and that Respondent and Kumar/Bhatia knew or should have known of his whereabouts as the parties were negotiating their legal issues by email to and from Potluri's email address at [potluriUSA@gmail.com](mailto:potluriUSA@gmail.com);



(b) Potluri had provided responses, by email, to the legal issues raised in the Complaint in Equity prior to the filing of the action in December 2020;

(c) Respondent and Kumar/Bhatia failed to disclose to the Court that the parties had been communicating via email; and,

(d) Potluri was denied due process by Respondent's actions when the Complaint could have been emailed to him, but instead he never received notice and a default judgment was entered against him.

22. A hearing on the Petition to Open was scheduled for November 29, 2021, however, Respondent failed to inform his clients about the hearing.

23. Although Respondent drove to the hearing, Respondent did not and/or could not appear for the hearing.<sup>1</sup> Thus, as neither Respondent nor Kumar/Bhatia were present at the November 29, 2021 Hearing, Senior Judge Timothy Creany entered an Order opening and striking the judgment.

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<sup>1</sup> The reasons for Respondent not appearing at the Hearing will be set forth later in the Joint Petition

24. As Respondent failed to advise Kumar/Bhatia that an Order had been entered opening and striking the judgment against Potluri, Kumar/Bhatia became aware that the judgment against Potluri was opened when Potluri, who had returned to the United States, confronted Kumar/Bhatia and conveyed that information to them.

25. After Kumar/Bhatia attempted numerous times to communicate with Respondent about the events that transpired, and he failed to return their telephone calls or respond to the messages they left requesting information, Kumar/Bhatia retained new counsel, Attorney Sidney Bender, who filed a pleading seeking to vacate the November 29, 2021 order opening and striking the judgment.

26. On October 12, 2022, Judge Creany denied Ms. Bender's Petition.

#### CHARGE II: THE FRANEY MATTER

27. On March 20, 2023, Chelsea and Travis Franey (husband and wife) mutually agreed to seek a divorce, and at that time, met with Respondent about filing a complaint in divorce on their behalf along with drafting a Marital Settlement Agreement.

28. At that time Respondent informed Chelsee and Travis that since he knew and had previously done legal work for Chelsee's parents, Chelsee was his client and his fee would be \$2,500 which could be split equally or however they agreed along with a \$199 filing fee and a \$91 fee to search the title to the residence.

29. Although Respondent had not regularly represented Chelsee or Travis, he did not communicate with either of them in writing setting forth the basis or rate of his fee, before or within a reasonable time after commencing the representation.

30. Respondent drafted the Complaint in Divorce and Marriage Settlement Agreement.

31. On March 21, 2023, Respondent had Travis sign an Acceptance of Service in regard to the Complaint in Divorce and further requested that both Chelsee and Travis sign the Marriage Settlement Agreement he had prepared.

32. Respondent failed to inform Travis that he was not representing Travis or his interests and that he had the right to obtain his own counsel to advise him in the divorce proceedings.

33. Thereafter, Respondent informed both Chelsee and Travis that he would go ahead and file the Complaint in Divorce and Marital Settlement Agreement.

34. Despite his representation, Respondent failed to file the Complaint in Divorce.

35. By letter dated March 31, 2023, James R. Huff, Esquire informed Respondent, among other things, that he had been retained by Travis in connection with the divorce action, it was his opinion that the Marriage Settlement Agreement was null and void because Respondent failed to give Travis an opportunity to have an independent review of the Agreement and Travis felt he had been coerced and pressured into signing the document.

36. Although he told Chelsee of Mr. Huff's letter, Respondent took no action on Chelsee's behalf nor did he respond to Mr. Huff's March 31, 2023 letter.

37. By check dated April 3, 2023, in the amount of \$1,540, and made payable to Respondent, Chelsee paid Respondent her share of Respondent's \$2,500 fee, and the costs for the filing fee and deed research in the amounts of \$199 and \$91 respectively.

38. Respondent negotiated the \$1,540 check and failed to deposit the \$1,540 that Chelsee had paid him into an IOLTA or escrow account, or any other account for the deposit of entrusted funds.

39. Although Chelsee called and/or texted Respondent about the status of her divorce at least once per week during April of 2023, Respondent did not respond to any of her inquiries.

40. Concurrently, in or around this time period Respondent was forced out of his position as Managing Partner with the Gieg Law Office in Altoona and relocated his practice to Hollidaysburg. Despite his relocation, Respondent failed to notify Chelsee of his relocation.

41. On or about May 4, 2023, Chelsee filed the Complaint in Divorce in the Court of Common Pleas of Blair County at docket number 2023-01079.

42. By letter dated May 15, 2023, from Respondent's now former law partner, Christopher R. Jancula, Esquire, Respondent was informed among other things, that:

(a) Mr. Jancula had been retained by Chelsee regarding her divorce with Travis;

(b) Because Respondent did not file the Complaint in Divorce, Chelsee was requesting a refund of the \$199 filing fee that she recently paid to him as filing fees for the divorce complaint; and,

(c) Respondent should send a check to Mr. Jancula made payable to Chelsee.

43. Respondent did not respond to Mr. Jancula's letter and did not refund the \$199 filing fee that Chelsee had paid him to file the divorce complaint on her behalf.

44. On August 23, 2023, Chelsee and Travis filed a joint *pro se* Praecipe to Discontinue the divorce action.

### CHARGE III: THE YINGLING MATTER

45. On February 22, 2023, Attorney Terry W. Despoys filed a Complaint in Divorce on behalf of his client, Patricia Yingling against Joseph Yingling in the Court of Common Pleas of Blair County at docket number 2023-00440.

46. On or about March 3, 2023, Mr. Yingling spoke with Respondent about representing him in his divorce and support matters and a meeting was scheduled to take place in Respondent's office on March 6, 2023.

47. Respondent was not present to meet with Mr. Yingling when he came to the office on March 6<sup>th</sup>, but after speaking to Respondent's secretary and upon her request, Mr. Yingling paid her \$750.00 toward Respondent's representation of him in his divorce and support matters.

48. Although Respondent had not regularly represented Mr. Yingling, he did not communicate with Mr. Yingling in writing setting forth the basis or rate of Respondent's fee, either before or within a reasonable time after beginning his representation of Mr. Yingling in his divorce and support matters.

49. On or about March 30, 2023, Attorney Despoy sent Respondent a letter by email informing Respondent that he represented Mrs. Yingling and enclosing a copy of a proposed settlement agreement.

50. Respondent did not respond to Attorney Despoy's email of March 30, 2023, nor did he communicate with Mr. Yingling about Attorney Despoy's letter and proposed settlement agreement.

51. On April 10, 2023, Respondent represented Mr. Yingling during a conference call hearing regarding Mr. Yingling's support matter.

52. After the conference call, although Respondent told Mr. Yingling that he would contact Attorney Despoy about working out a settlement agreement regarding the divorce, Respondent failed to contact Attorney Despoy.

53. Starting in late April of 2023, through approximately mid-May 2023, Mr. Yingling texted Respondent at the cell phone number Respondent had given to him, inquiring about the status of his divorce matter.

54. Respondent did not respond to Mr. Yingling's numerous text messages.

55. On May 2, 2023, during the same time period that Mr. Yingling was texting Respondent for a status update, Attorney Despoy sent Respondent another letter by email inquiring about the settlement offer they had spoken about during the conference call.

56. Respondent did not reply to Attorney Despoy's communication.

57. Starting on or about mid-May 2023, through late June 2023, both Mr. Yingling and Attorney Despoy attempted to communicate with Respondent via both text messages and email.



58. On a few occasions Respondent did reply to Mr. Yingling, however, his responses were without substance and were merely to tell Mr. Yingling he would telephone or email him at a later time; a promise he failed to keep.

59. By text dated June 29, 2023, Mr. Yingling informed Respondent that "Patty is coming to the house to get her stuff - I could really use some paperwork!".

60. When Respondent replied to Mr. Yingling's text and informed him that Respondent would call him that afternoon, but failed to once again follow through, Mr. Yingling informed Respondent, by text dated June 30, 2023, that he had been terminated as his Counsel, he wanted a refund and he would stop by Respondent's office to pick up his paperwork and refund.

61. Respondent did not respond to Mr. Yingling's text or provide him with a refund of any portion of the retainer that he had been paid.<sup>2</sup>

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<sup>2</sup> After the Petition for Discipline was filed and Respondent, at his request, met with Disciplinary Counsel, Respondent refunded the entire \$750 retainer to Mr. Yingling.

62. Despite being terminated as counsel for Mr. Yingling, Respondent failed to notify Attorney Despoy that he had been terminated as counsel for Mr. Yingling.<sup>3</sup>

63. On July 17, 2023, Attorney Despoy filed a Petition for Special Relief on behalf of Mrs. Yingling and served a copy on Respondent as counsel for Mr. Yingling.

64. Mr. Yingling represented himself at the September 8, 2023, hearing on the Petition for Special Relief filed by Mr. Despoy.

#### ADDITIONAL FACTS STIPULATED AS TRUE AND CORRECT

65. Respondent was notified of the disciplinary complaints and the allegations against him in the Kumar/Bhatia and Franey matters by the issuance of DB7's (Request for Statement of Respondent's Position) on August 1, 2023.

66. By email dated September 1, 2023, Respondent communicated with Disciplinary Counsel to request additional time to respond to the DB7 letters.

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<sup>3</sup> The court docket for the Yingling divorce matter at docket 2023-00440 does not list Respondent as counsel for Mr. Yingling although Respondent did represent Mr. Yingling at the Support teleconference call.

67. By reply email to Respondent dated September 5, 2023, Respondent was granted an extension until September 29, 2023, to provide his Statement of Position.

68. By reply email to Disciplinary Counsel that same day, Respondent acknowledged the new due date for his Statements of Position.

69. Respondent was specifically advised in the DB7 letters that his failure to respond without good cause constitutes an independent basis for the imposition of discipline.

70. Despite ODC's efforts to accommodate Respondent's request for additional time Respondent ignored his obligation pursuant to Pa.D.B.R. §87.7 by failing to respond to the allegations thereby violating Pa. R.D.E. 203(b)(7).

71. At, or around the same time, Respondent was notified of the disciplinary complaint and the allegations against him in the Yingling matter by the issuance of a DB7 (Request for Statement of Respondent's Position) on September 26, 2023.

72. Respondent, likewise, failed to submit a Statement of Position as to the allegations in the Yingling matter, thereby again violating Pa.R.D.E. 203(b)(7).

### SPECIFIC RULE VIOLATIONS

73. By his conduct, as set forth in paragraphs 5 through 72, Respondent admits that he violated the following Rules of Professional Conduct and Rule of Disciplinary Enforcement:

(a) Rule of Professional Conduct 1.1 -- A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

(b) Rule of Professional Conduct 1.3 -- A lawyer shall act with reasonable diligence and promptness in representing a client.

(c) Rule of Professional Conduct 1.4(a)(2) -- A lawyer shall reasonably consult with the client about the means by which the client's objectives are to be accomplished.

(d) Rule of Professional Conduct 1.4(a)(3) -- A lawyer shall keep the client reasonably informed about the status of the matter.

(e) Rule of Professional Conduct 1.4(a)(4) -- A lawyer shall

promptly comply with reasonable requests for information.

(f) Rule of Professional Conduct 1.5(b) – When the lawyer has not regularly represented the client, the basis or rate of the fee shall be communicated to the client, in writing, before or within a reasonable time after commencing the representation.

(g) Rule of Professional Conduct 1.7(a)(2) -- Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

(h) Rule of Professional Conduct 1.15(b) – A lawyer shall hold all Rule 1.15 Funds and property separate from the lawyer's own property. Such property shall be identified and appropriately safeguarded.

(i) Rule of Professional Conduct 1.15(e) – Except as stated in this Rule or otherwise permitted by law or by agreement with the client or third person, a lawyer shall promptly deliver to the client or third person any property, including but not limited to

Rule 1.15 Funds, that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding the property; Provided, however, that the delivery, accounting, and disclosure of Fiduciary Funds or property shall continue to be governed by the law, procedure and rules governing the requirements of Fiduciary administration, confidentiality, notice and accounting applicable to the Fiduciary entrustment.

(j) Rule of Professional Conduct 1.15(i) – A lawyer shall deposit into a Trust Account legal fees and expenses that have been paid in advance, to be withdrawn by the lawyer only as fees are earned or expenses incurred, unless the client gives informed consent, confirmed in writing, to the handling of fees and expenses in a different manner.

(k) Rule of Professional Conduct 1.16(d) – Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment

of fee or expense that has not been earned or incurred. The lawyer may retain papers relating to the client to the extent permitted by other law.

(l) Rule of Professional Conduct 3.3(a)(1) – A lawyer shall not knowingly make a false statement of material fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer.

(m) Rule of Professional Conduct 3.3(d) – In an *ex parte* proceeding, a lawyer shall inform the tribunal of all material facts known to the lawyer that will enable the tribunal to make an informed decision, whether or not the facts are adverse.

(n) Rule of Professional Conduct 4.3(b) – During the course of a lawyer's representation of a client, a lawyer shall not give advice to a person who is not represented by a lawyer, other than the advice to secure counsel, if the lawyer knows or reasonably should know the interests of such person are or have a reasonable possibility of being in conflict with the interests of the lawyer's client.

(o) Rule of Professional Conduct 4.3(c) – When the lawyer knows or reasonably should know that the unrepresented person

misunderstands the lawyer's role in the matter, the lawyer should make reasonable efforts to correct the misunderstanding.

(p) Rule of Professional Conduct 8.4(c) – It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

(q) Rule of Professional Conduct 8.4(d) – It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.

(r) Rule 203(b)(7), Pa.R.D.E. - The following shall also be grounds for discipline: Failure by a respondent-attorney without good cause to respond to Disciplinary Counsel's request or supplemental request under Disciplinary Board Rules, § 87.7(b) for a statement of the respondent-attorney's position.

#### SPECIFIC JOINT RECOMMENDATION FOR DISCIPLINE

74. Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent's admitted misconduct is a suspension for a period of one-year and one-day stayed in its entirety, and that Respondent be placed on probation for a term of two years with sobriety monitoring.



75. Respondent hereby consents to the discipline being imposed upon him. Attached to this Petition is Respondent's executed Affidavit required by Rule 215(d), Pa.R.D.E., stating that he consents to the recommended discipline and includes the mandatory acknowledgements contained in Rule 215(d)(i)-(iv), Pa.R.D.E.

76. In support of Petitioner's and Respondent's joint recommendation, it is submitted that the following mitigating circumstances are present:

(a) Respondent admits to engaging in misconduct and violating the charged Rules of Professional Conduct and Pennsylvania Rule of Disciplinary Enforcement.

(b) Respondent has cooperated with Petitioner, as evidenced by his admissions herein and his consent to be sanctioned.

(c) Respondent is remorseful for his misconduct and understands he should be disciplined.

(d) Respondent has no record of discipline since his admission to the Bar of this Commonwealth in 2008.

(e) During the time frame of the complaints to ODC and for a substantial period prior thereto, Respondent was impaired by alcohol use and abuse. If this matter were to proceed to a hearing, Respondent would satisfy his burden of proving a causal connection between his condition and his misconduct under *Office of Disciplinary Counsel v. Braun*, 553 A.2d 894 (Pa. 1989).

77. In support of his mitigation Respondent has proffered the following:

- a. Respondent admits and acknowledges he is an alcoholic as his alcohol use and abuse increased over the past 10 plus years.
- b. Respondent, on two separate occasions, sought treatment as an in-patient at St. Joseph's Institute. The initial in-patient treatment came during the Kumar/Bhatia matter. Respondent relapsed and recognized the need for additional treatment when Respondent drove to the courthouse in the Kumar/Bhatia matter and instead of attending the hearing on the Petition to Open the default Judgment, he sat in his vehicle and got drunk.

Respondent has provided letters from his in-patient treatment marked as Exhibit 1.

- c. Respondent's second in-patient treatment occurred in August of 2023 close in time to his divorce from his wife and estrangement from his 2 children. Additionally, Respondent informed Disciplinary Counsel that he was so debilitated from alcohol he was administratively suspended for non-compliance with his Continuing Legal Education requirements. Respondent has provided letters from both his ex-wife and daughter in support of his sobriety. Respondent was returned to active status in February 2024 after completing his CLE requirements. The letters from his family are marked as Exhibit 2.
- d. Respondent meets with his pastor several times per week to receive both spiritual and dependency counselling. A letter to that effect is marked as Exhibit 3.

- e. Respondent, upon the advice of his personal physician and the St. Joseph in-patient center, agreed to receive a monthly Vivitrol injection through a treatment center associated with Blair County Drug and Alcohol. The injections deter his desire and craving to drink and assist in maintaining his sobriety. A letter concerning his monthly injections is marked as Exhibit 4.
- f. Respondent reports a sobriety date of April 16, 2024.
- g. Respondent has accepted an associate lawyer position at a firm located in Ebensburg, Cambria County and appears to be doing well in that environment.

78. Relevant case law for misrepresentations to a tribunal include sanctions ranging from reprimands and public censure to varying lengths of suspension through disbarment. Although the following case is from 2010, it is offered to lend support for the recommendation of a stayed suspension with probation and sobriety monitoring as the discipline imposed in *Rentschler* was for misconduct with *Braun* mitigation similar in scope as in the instant matter with Respondent Gieg.

a. In the matter of *Office of Disciplinary Counsel v. Michael D. Rentschler*, 33 and 127 DB 2009, (S. Ct. Order 8/27/2010), the Supreme Court imposed a suspension of one year and one day, stayed in its entirety, and two years of probation with sobriety monitoring. The respondent neglected three different client matters. Although Rentschler had prior discipline (informal admonition and private reprimand) he met his burden for establishing mitigation under *Braun* as he suffered from depression and alcohol abuse.

80. In *Office of Disciplinary Counsel v. Jarett Rand Smith*, 4 DB 2011 (S. Ct. Order 5/4/2011), the respondent received a suspension of one-year and one-day, stayed in its entirety, and probation for a three-year term with attached conditions, including a mental health evaluation and treatment as recommended, for neglect of client matters, misrepresentation to a court, and contempt of court.

81. In *Office of Disciplinary Counsel v. Blair Harry Hindman*, 122 DB 2013 (Pa. 2015), the Disciplinary Board, after consideration of the parties' Exceptions recommended Mr. Hindman receive a Public Censure. The Board concluded that Respondent, in his zeal to represent his client, engaged in questionable judgment by submitting altered and false documents to the Court, which he later failed to revise reflecting new

information. In the Board's Recommendation to the Supreme Court the Board opined that as Respondent did not compound the seriousness of his actions by giving false testimony under oath to the tribunal a suspension was not recommended. After *de novo* review the Supreme Court agreed with the Disciplinary Board's recommendation and imposed the Public Censure.

WHEREFORE, Petitioner and Respondent respectfully request that: Pursuant to Rule 215(e) and 215(g), Pa. R.D.E., a Three-member Panel of the Disciplinary Board review and approve the Joint Petition In Support Of Discipline On Consent and file its recommendation with the Supreme Court of Pennsylvania in which it is recommended that the Supreme Court enter an Order that Respondent be suspended for a period of one-year and one-day stayed in its entirety and he be placed on probation for a period of two-years subject to sobriety monitoring subject to the following conditions:

- a. Respondent shall abstain from using alcohol, drugs, or any other mood-altering or mind - altering chemicals except for those medications prescribed by Respondent's treating physicians;
- b. Respondent shall regularly attend Alcoholics Anonymous meetings on a weekly basis;

- c. Respondent shall obtain a sponsor in Alcoholics Anonymous and maintain weekly contact with that sponsor;
- d. A sobriety monitor shall be appointed in accordance with Disciplinary Board Rule §89.293(c ) to monitor Respondent;
- e. Respondent shall furnish his sobriety monitor with his Alcoholics Anonymous sponsor's name, address and telephone number;
- f. Respondent shall establish his weekly attendance at Alcoholics Anonymous meetings by providing written verification to the Board on a Board-approved form;
- g. Respondent shall undergo any counseling, out-patient treatment or in-patient treatment, as prescribed by a physician or alcohol counselor;
- h. Respondent shall file with the Board Prothonotary quarterly written reports;
- i. With the sobriety monitor, Respondent shall:
  - 1) meet at least twice a month;
  - 2) maintain weekly telephone contact;

3) provide the necessary properly executed written authorizations to verify his compliance with the required substance abuse treatment; and

4) cooperate fully.

j. The appointed sobriety monitor shall:

1) monitor Respondent's compliance with the terms and conditions of the order imposing probation;

2) assist Respondent in arranging any necessary professional or substance abuse treatment;

3) meet with Respondent at least twice a month and maintain weekly telephone contact with him;

4) maintain direct monthly contact with the Alcoholics Anonymous chapter attended by Respondent;

5) file with the Board Prothonotary quarterly written reports;  
and

6) immediately report to the Board Prothonotary any violations by Respondent of the terms and conditions of the probation.

k. Respondent shall not commit any violations of the Rules of Professional Conduct in this or any other jurisdiction where he is




admitted to practice, shall not commit any criminal violations and shall submit quarterly sworn certifications to the Board that he is in compliance with this condition.

Further that Respondent comply with all of the provisions of Rule 217, Pa. R.D.E.; and Pursuant to Pa. R.D.E. 215(i), the Three-member Panel of the Disciplinary Board recommend to the Supreme Court that Respondent pay the necessary expenses incurred in the investigation and prosecution of this matter, and that under Pa. R.D.E. 208(g)(1) all expenses are to be paid by Respondent within 30 days after the notice of the taxed expenses is sent to Respondent.

Respectfully and jointly submitted,

OFFICE OF DISCIPLINARY COUNSEL

THOMAS J. FARRELL  
CHIEF DISCIPLINARY COUNSEL

By   
\_\_\_\_\_  
David M. Lame  
Disciplinary Counsel

By   
\_\_\_\_\_  
Matthew Paul Gieg, Esquire  
Respondent

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,:

Petitioner : No. 84 DB 2024

v.

MATTHEW PAUL GIEG, : Attorney Registration No. 208624

Respondent : (Blair County)

VERIFICATION

The statements contained in the foregoing Joint Petition in Support of Discipline on Consent Under Rule 215(d), Pa.R.D.E. are true and correct to the best of my knowledge or information and belief and are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

11/1/2024

Date



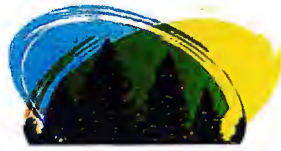
David M. Lame  
Disciplinary Counsel

10/31/2024

Date



Matthew Paul Gieg  
Respondent



**St. Joseph**  
INSTITUTE

**Strictly Confidential**

**DATE: 09/23/2024**

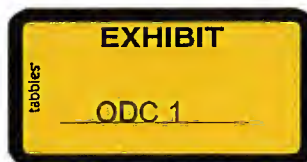
**Re: Matthew Gieg  
DOB: 09/29/1980**

We wish to advise you that Matthew Gieg voluntarily admitted himself for treatment at St. Joseph Institute on 08/03/2023 and completed our detox program successfully on 08/08/2023. Matthew participated in programing during his time here.

Sincerely,

Dr. Brandon Roscoe, MD

Medical Director  
814-414-0888



134 Jacobs Way, Port Matilda, PA 16870  
Fax: 814-692-4485



**St. Joseph**  
INSTITUTE

**Strictly Confidential**

**DATE: 09/24/2024**

**Re: Matthew Gieg**  
**DOB: 09/29/1980**

We wish to advise you that Matthew Gieg voluntarily admitted himself for treatment at St. Joseph Institute on 10/26/2020 and successfully completed treatment on 11/17/2020. Matthew participated in all programming while at St. Joseph Institute.

Our curriculum contains a minimum of 60 hours of intensive programming each week with many additional hours required for reading assignments and homework. Included in our program is the following:

Psycho-education  
Relapse prevention class work and discussions  
Counseling and related therapy  
Wellness programming  
Aftercare planning

Sincerely,

Dr. Brandon Roscoe, MD

Medical Director  
814-414-0888

134 Jacobs Way, Port Matilda, PA 16870  
Fax: 814-692-4485

September 20, 2024

Attention Attorney David M. Lame,

I am writing on behalf of Matthew Gieg. My name is Erin Gieg and I am a Special Education Teacher for the Altoona Area School District. I have known Matt since 2000 and was married to him from 2005-2021. We share two children and co-parent.

I have witnessed Matt during the best and most difficult times in his life. As an attorney when he worked at Gieg Law Offices he represented many townships and had a solid reputation for being fair, reliable, and efficient. He played an important role in the office and worked with his father.

In 2016 his father and best friend passed away after a battle with cancer. I believe this is what triggered Matt to turn to alcohol to numb the pain the following years. It was a slow developing issue and not even noticed by those closest to him until about 2020. That is when I began to realize there was an issue. Even when I noticed it was an issue I am not sure many others would have realized how much he needed help. But he did. In November 2020 he sought help and he entered into Saint Josephs Rehabilitation Center. He stayed as long as the professionals deemed necessary. Upon leaving Saint Josephs he attended therapy individually and with me. He remained sober for quite some time.

After much thought and therapy, we decided to divorce but through everything try to remain amicable. He entered into rehab again in the summer of 2023. He had been sober after his initial stay at Saint Josephs but had a relapse. Through all of the years during his battle with the addiction he has confided in me his steps he is taking to be a better man and to remain a father in his children's lives. He has stated that they are his reason for bettering himself as well as his will to be stronger, lead a Christian life, and to continue to practice as an attorney and uphold the reputation he always had in the community as an attorney.

In addition to Saint Josephs Rehabilitation he receives Vivitrol shots monthly which was recommended by Saint Josephs as well as his doctor. He also undergoes urine drug screenings and those have remained negative.

It is my belief that this does not define who Matt is as a person. He is someone who has faced his addiction and took proactive steps to correct the issue. He is a loving father and employed for Dillon McCandless King Coulter and Graham Attorneys at Law. It is my belief that Matt has grown from this horrible experience and actively taking the steps necessary to beat this disease.

If you have any questions about this letter or would like to ask for more details please reach out to me and I would be happy speak with you.

Sincerely,

Erin Gieg

[eaw754@yahoo.com](mailto:eaw754@yahoo.com)

814-215-2866





Dear Attorney David Lame,

My name is Emily Gieg. I am the daughter of attorney Matthew Gieg. I am writing this letter to tell you that my dad is sober and will be sober the rest of his life. He is an amazing father and has always been extremely dedicated to his work. His top priorities has always been his family and his job. My dad and I talk everyday. He is my best friend. As his daughter and best friend, I would know and certainly be honest with you if I thought he was not sober or if he was going to go back to that stage of his life. I can promise and guarantee he will not ever go back to his addiction. He has completely turned his life around. He is the strongest person I know. He loves my little brother, Christian, and I unconditionally. I am so proud to call him my dad and so proud of him for completely turning his life around. My dad has been through a lot of trauma but is past it now. He accepted Jesus into his life and that was one of the most turning points. I watched him and his fiancé get baptized and he spoke about his addiction and how it affected him. My dad is the most dedicated, hard-working person I know. He would never jeopardize his work or how much he cares for his clients and his desire to provide for his family. My dad is my best friend and knows he would lose me and many things if he fell into addiction again and that's why he never will. My dad is living his best life now and has a good mental state. He is doing outstanding work in his office in Pleasanton. Please save this letter into consideration. I know it won't be anything else you need. Sincerely, Emily Gieg





REDEFINED  
COMMUNITY  
CHURCH

201 S. Walnut Street | Suite A  
Martinsburg, PA 16662  
RedefinedCommunityChurch.com

09/22/2024

Attorney David Lame  
Office of Disciplinary Counsel

RE: Matthew Gieg

Attorney Lame;

My name is Chris Garretson, and I am the lead pastor of Redefined Community Church in Martinsburg Pennsylvania. I am writing to you in regard to Matthew Gieg, who has been faithfully attending our church for many months now.

I have had the pleasure of getting to know Matthew and his family since they have been attending, and he has been under my counsel on a regular basis during this time.

I can confidently state, with conviction, that Matthew has made incredible and admirable progress in moving forward from mistakes made in his past, and to my knowledge has been clean of addictive substances that had at one point in his life had control over him. There is a measurable positive difference in everything about him, and I am not the only one to notice. As his pastor and as a Christian follower of Jesus, I can tell you that his devotion to God and his family, and his determination to be a man of integrity has been the catalyst and driving force behind his life decisions.

As a person who has a past of addiction myself, I can recognize the signs of active addiction, as well as active resistance to the addiction. I can tell you that Matthew is willingly and actively resisting a lifestyle that is contrary to a productive and healthy personal, professional, and spiritual life.

There is no doubt in my mind that I would recommend Matthew as legal counsel to anyone who may need his services, and that includes our church.

Going forward, Matthew and I have put together a plan to meet weekly for spiritual counsel and accountability. He has willingly submitted himself to these regular meetings to maintain his course of healthy and accountable living.

Thank you for your time and attention to this matter. I appreciate the work that you do to maintain integrity in the legal system, and I will be praying for your continued success and discernment in all you do. If you should have any questions, please do not hesitate to contact me at 814-254-8328.

Chris Garretson  
Lead Pastor, Board Chair  
Redefined Community Church

EXHIBIT

ODC 3



**378 W. Chestnut, Suite 103  
Washington, PA 15301  
Office (412) 660-7064  
Fax (724) 249-2825**

September 19, 2024

To whom it may concern:

Matthew Gieg has been a client of ours since April 2024. He is receiving medication assisted treatment with the monthly Vivitrol injection for alcohol dependence. He has been present for all of his scheduled appointments and with each appointment he has completed the required urine drug screen with all results negative to date. He received his injection as scheduled today with plan for his next injection on 10/17/2024. Please feel free to contact me at any time for any additional information. Thanks so much and have a good day.

Respectfully,

Angela McClenathan, CRNP  
Positive Recovery Solutions  
amcclenathan@prs-cares.com  
412.660.3247





BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, :

Petitioner : No. 84 DB 2024

v. :

MATTHEW PAUL GIEG, : Attorney Registration No. 208624

Respondent : (Blair County)

AFFIDAVIT UNDER RULE 215(d), Pa.R.D.E.

Respondent, Matthew Paul Gieg, hereby states that he consents to a suspension of one-year and one-day, stayed in its entirety and to be placed on probation for a period of two years subject to sobriety monitoring and other conditions, as jointly recommended by Petitioner, Office of Disciplinary Counsel, and Respondent, in the Joint Petition in Support Of Discipline On Consent, and further states that:

1. He is an attorney admitted in the Commonwealth of Pennsylvania, having been admitted to the bar on October 16, 2008.

2. He desires to submit a Joint Petition in Support of Discipline on Consent Pursuant to Rule 215(d), Pa.R.D.E.

3. His consent is freely and voluntarily rendered; he is not being subjected to coercion or duress; and he is fully aware of the implications of submitting this affidavit.

4. He is aware that there is a pending proceeding involving allegations that he/she has been guilty of misconduct, as set forth in the Joint Petition in Support of Discipline on consent Pursuant to Rule 215(d), Pa.R.D.E., to which this affidavit is attached.

5. He acknowledges that the material facts set forth in the Joint Petition are true.

6. He consents because he knows that if the matter pending against him is prosecuted, he could not successfully defend against the charges.

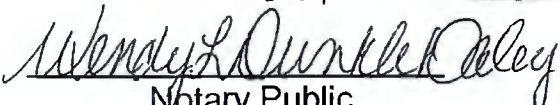
7. He acknowledges that he is fully aware of his right to consult and employ counsel to represent him in the instant proceeding. He has ~~has not~~ retained, consulted or acted upon the advice of counsel in connection with his decision to execute the within Joint Petition.

It is understood that the statements made herein are subject to the penalties of 18 Pa.C.S.A. § 4904 (relating to unsworn falsification to authorities).



Matthew Paul Gieg  
Respondent

Sworn to and subscribed <sup>WDD</sup>  
before me this Oct 31<sup>st</sup> day of Oct, 2023<sup>4</sup>.

  
Notary Public

Commonwealth of Pennsylvania • Notary Seal  
Wendy L. Dunkle-Daley, Notary Public  
Bedford County  
My commission expires September 22, 2027  
Commission number 1043426  
Member, Pennsylvania Association of Notaries

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, :

Petitioner : No. 84 DB 2024

v. :

MATTHEW PAUL GIEG, : Attorney Registration No. 208624

Respondent : (Blair County)

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing documents upon all parties of record in this proceeding in accordance with the requirements of 204 Pa.C.S. §89.22 (relating to service by a participant) By Email Only as follows:

Matthew Paul Gieg, Esquire  
411 Wayne Street  
Hollidaysburg, PA 16648  
Email: [mgieg@dmkcg.com](mailto:mgieg@dmkcg.com)

Dated: 11/1/2024

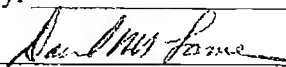


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David M. Lane, Reg. No. 49531  
Disciplinary Counsel  
Office of Disciplinary Counsel  
District IV Office  
Suite 1300, Frick Building  
437 Grant Street  
Pittsburgh, PA 15219  
(412) 565-3173

**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: David M. Lame

Signature: 

Name: David M. Lame

Attorney No. (if applicable): 49531