



Phone: 602-340-7244

August 22, 2006

Stacy K. Mobbs
23650 North 36th Drive
Glendale, AZ 85310

Re: File No. 05-2175
Augustus H. Shaw, IV, Respondent

Dear Ms. Mobbs:

This is to inform you that your complaint has been resolved by the Probable Cause Panelist of the State Bar under the authority of Rules 54(b)2 and 4, Ariz.R.S.Ct.

The Panelist has issued an Order of Informal Reprimand, a copy of which is enclosed. An Order of Informal Reprimand is an admonition that is a permanent part of the attorney's record with the State Bar.

The lawyer may choose not to accept the Order of Informal Reprimand and, instead, demand a formal hearing. I will let you know if the lawyer takes this action.

Thank you for bringing this matter to our attention.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ariel I. Worth", is written over a horizontal line.

Ariel I. Worth
Staff Bar Counsel

AIW/sg
Enclosure

**BEFORE THE PROBABLE CAUSE PANELIST
OF THE STATE BAR OF ARIZONA**

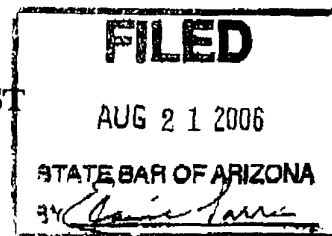
**IN THE MATTER OF A MEMBER
OF THE STATE BAR OF ARIZONA,**

**AUGUSTUS H. SHAW, IV,
Bar No. 021593**

Respondent.

No. 05-2176
(Stacy K. Mobbs)

**ORDER OF INFORMAL
REPRIMAND, PROBATION
(EEP) AND COSTS**



The undersigned Probable Cause Panelist of the State Bar, having reviewed this matter pursuant to Rule 54(b), Ariz.R.S.Ct., finds that probable cause exists to believe that Respondent has violated Rule 42, Ariz.R.S.Ct., to wit:

Respondent violated Rule 42, Ariz.R.S.Ct., ER 3.1 when he filed a motion to enforce the Rules of Professional Conduct against a non-lawyer pro per litigant. Furthermore, Respondent's written communications to the pro per litigant directing her to cease contacting Respondent's client were abusive and unprofessional in violation of Rule 42, Ariz.R.S.Ct., ER 4.4. Respondent's refusal to accept a settlement agreement reached between the opposing pro per litigant and an agent of his client, and Respondent's subsequent improperly presented challenge of that settlement in court, caused significant additional litigation and thus was prejudicial to the administration of justice, in violation of Rule 42, Ariz.R.S.Ct., ER 8.4(d).

IT IS THEREFORE ORDERED that:

(1) Pursuant to Rules 54(b) and 60(a)4, Ariz.R.S.Ct., Respondent is informally reprimanded for such conduct.

(2) Pursuant to Rules 54(b) and 60(a)5, Ariz.R.S.Ct., Respondent is hereby placed on probation for a period of one year under the following terms and conditions:

(a) Respondent shall attend a one-day Ethics Enhancement Program. Respondent must contact the Program Coordinator, at (602) 340-7241, within 20 days from the date this order is mailed;

(b) Respondent shall have a practice monitor. Respondent shall contact the Law Office Management Assistance Program (LOMAP) director (602) 340-7313 within 20 days from the date this order is mailed to initiate the selection of a practice monitor and preparation of a probation contract. Respondent shall enter into a probation contract and comply with all terms contained therein;

(c) Respondent shall obtain and view the following CLE self-study materials from the State Bar of Arizona's CLE department (602) 340-7325, within 20 days from the date this order is mailed: "Recovering Attorney's Fees in Arizona"; "Ethics for Trial Lawyers", and "Pretrial Motions". Respondent shall provide bar counsel with handwritten notes demonstrating that Respondent has viewed the above-referenced CLE materials;

(d) If Respondent fails to comply with the foregoing conditions within 20 days from the date this order is mailed this order will then be vacated and an Order of Probable Cause shall be entered pursuant to Rule 54(b)5, Ariz.R.S.Ct.


(3) Pursuant to Rule 54(b)(5), Ariz.R.S.Ct., within 10 days of service of this order, Respondent has the right to demand that a formal proceeding be instituted, whereupon this order will be vacated and an Order of Probable Cause will be issued directing bar counsel to prepare and file a formal Complaint concerning this matter pursuant to Rule 57(a), Ariz.R.S.Ct. Respondent must lodge any demand for formal proceedings with assigned bar counsel.

(4) Pursuant to Rules 48(k)3 and 60(a)4, this order will be entered in the Respondent's permanent record at the State Bar and, pursuant to Rule 70(a)2, is not confidential. It may also be considered by a hearing officer, the Disciplinary Commission or the Supreme Court in recommending or imposing discipline in a subsequent disciplinary proceeding against Respondent.

IT IS FURTHER ORDERED, pursuant to Rule 60(b), Ariz.R.S.Ct., that Respondent shall pay the costs and expenses of these proceedings, as set forth in the attached Statement of Costs and Expenses, within thirty (30) days of receipt of this order.

IT IS FURTHER ORDERED that Respondent shall be responsible for the enrollment charge of \$400.00 for attending the Ethics Enhancement Program, and all charges associated with the CLE self-study materials.

DATED this 16th day of August, 2006.



Probable Cause Panelist
State Bar of Arizona
Steven P. Sherick

Copy was mailed by regular first class mail
and by certified mail this 16th day
of August, 2006, to:

Augustus H. Shaw
The Shaw Law Firm
7551 S. Willow Drive - Suite 101
Tempe, AZ 85283-0001
Respondent

7005 2570 0001 0669 1807

Copy was hand-delivered this 16th day
of August, 2006, to:

Cathy McNeele, EEP Program Coordinator
State Bar of Arizona
4201 N. 24th St., Suite 200
Phoenix, Arizona 85016-6288

Lawyer Regulation Records Manager
State Bar of Arizona
4201 N. 24th St., Suite 200
Phoenix, Arizona 85016-6288

by: 

ATW:sg

Statement of Costs and Expenses

In the Matter of a Member of the State Bar of Arizona,
Augustus H. Shaw, Bar No. 021593, Respondent

File No(s). 05-2176

Administrative Expenses

The Board of Governors of the State Bar of Arizona has adopted a schedule of administrative expenses to be assessed in disciplinary proceedings. The administrative expenses were determined to be a reasonable amount for those expenses incurred by the State Bar of Arizona in the processing of a disciplinary matter. An additional fee of 20% of the administrative expenses is also assessed for each separate matter over and above five (5) matters due to the extra expense incurred for the investigation of numerous charges.

Factors considered in the administrative expense are time expended by staff bar counsel, paralegal, secretaries, typists, file clerks and messenger; and normal postage charges, telephone costs, office supplies and all similar factors generally attributed to office overhead. As a matter of course, administrative costs will increase based on the length of time it takes a matter to proceed through the adjudication process.

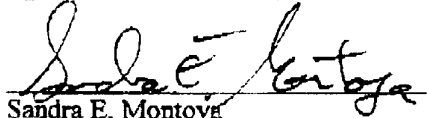
General Administrative Expenses for above-numbered proceedings = \$300.00

Additional costs incurred by the State Bar of Arizona in the processing of this disciplinary matter, and not included in administrative expenses, are itemized below.

Staff Investigator/Miscellaneous Charges

Total for staff investigator charges \$0.00

TOTAL COSTS AND EXPENSES INCURRED \$300.00


Sandra E. Montoya
Lawyer Regulation Records Manager

8-15-06
Date