

State of Maine

MAINE SUPREME JUDICIAL COURT

Docket No. BAR-12-8

IN RE:

George P. Kesaris, Esq.

Order for
Appointment of Receiver
M. Bar R. 7.3(f)(1)

Upon this Petition for Appointment of Receiver filed by the Board of Overseers, pursuant to M. Bar R. 7.3(f), the Court Orders the following:

As of this date, Nathaniel R. Fenton, Esq. is appointed the Receiver of Attorney George P. Kesaris' law practice. With the cooperation of Personal Representative Philip Kesaris, Attorney Fenton shall:

1. Secure the professional files, client property and client data of Attorney Kesaris.
2. Obtain access to Attorney Kesaris' post office boxes to secure any law office or legal mail.
3. Inventory the open and closed client files.
4. Give priority attention to client matters which are open and time sensitive.
5. Notify clients or former clients that the law practice has concluded and provide opportunity for clients to retrieve their property.
6. Attorney Fenton shall also prudently access and utilize Attorney Kesaris' operating and IOLTA accounts to effect the formal conclusion

of the practice, including the temporary retention of office staff or other personnel as necessary and appropriate.

As a service to the bar, Attorney Fenton has agreed to serve as this Receiver on a *pro bono* basis. He shall submit a quarterly written report to the Court and the Board of Overseers of the Bar containing a record of time worked and disbursements made in this matter. Attorney Kesaris' Estate shall be the first choice for source of payment for those disbursements. If insufficient assets are available from Attorney Kesaris' Estate, the Board of Overseers of the Bar may be an alternate payment source for those disbursements.

Attorney Fenton shall act as Receiver until discharged by the Court either by Motion or in accordance with M. Bar R 7.3(f).

Attorney Fenton so appointed shall not disclose any information contained in any file listed in such inventory without the consent of the client to whom such file relates except as may be necessary to carry out an order of court including any order under M. Bar R 7.3(f).

Furthermore, Attorney Fenton may be engaged by any former client of Attorney Kesaris' provided that he informs such client in writing that the client is free to choose to employ any attorney, and that the Court's appointment order does not mandate or recommend the Receiver's employment by the client.

Attorney Fenton is subject to all Maine Rules of Professional Conduct, including M. R. Prof Conduct 1.7; 1.8 and 1.9 regarding conflicts of interest. However, a client's retention of the Receiver(s) as successor counsel is not a per se conflict of interest solely by reason of Attorney Fenton's appointment by this Order.

Attorney Fenton shall be protected from liability for professional services rendered in accordance with this Order to the extent permitted by law.

Finally, within one hundred twenty-five (125) days of this Order, the Receiver shall file a status report with the Court, with a copy to the Board of Overseers of the Bar, c/o Bar Counsel J. Scott Davis, Esq.

Dated 8-23-2012

 /s/ Donald G. Alexander
Associate Justice
Maine Supreme Judicial Court



A handwritten signature in blue ink, appearing to read 'D. Alexander', is written over a horizontal line.