

June 30, 2016

## NOTICE

### Section 61 Resignation – Deemed Disbarment

On June 27, 2016, a Resignation Committee of the Law Society of Alberta accepted an application by Peter Charles McElhaney, who resides in Red Deer, Alberta, to resign pursuant to section 61 of the *Legal Profession Act*, R.S.A. 2000, c. L-8. Mr. McElhaney had been suspended for the non-payment of membership fees and his practice had been placed in the custody of a Court-ordered custodian. Mr. McElhaney is now disbarred effective immediately.

At the time of his resignation, Mr. McElhaney was facing disciplinary proceedings arising out of eight complaints submitted by former clients and by the Law Society of Alberta. In support of his application for resignation, Mr. McElhaney submitted a signed Agreed Statement of Facts in which he admitted to multiple instances of conduct deserving of sanction, including: engaging in a scheme to shield assets from Canada Revenue Agency by preparing, executing, and filing false and misleading Court documents sworn by him and by others; misappropriating trust monies and failing to report trust shortages; failing to report writs that had been filed against him; failing to respond to the Law Society of Alberta when required to so; and failing to serve his clients, including failing to execute their instructions and failing to communicate with them. A copy of the Agreed Statement of Facts may be obtained from the Law Society of Alberta upon request.

The Resignation Committee directed that Mr. McElhaney pay the costs of the investigation and of the application for resignation, estimated to be approximately \$156,496.99, immediately upon any successful application for reinstatement.

The full written decision of the Resignation Committee will be posted to the Law Society of Alberta website when it is issued.

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**Elizabeth J. Osler**  
Deputy Executive Director &  
Director, Regulation

NOTICE TO: Public  
All Active Lawyers and Students-at-Law  
All Executive Directors of other Law Societies in Canada  
All Justices of the Court of Appeal and Court of Queen's Bench  
All Judges of the Provincial Court of Alberta  
All Masters in Chambers  
All Clerks of the Court