



November 30, 2009

NOTICE TO THE PROFESSION

NOTICE TO: All Active Members 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

Notice of Disbarment

On November 26, 2009, a Resignation Committee of the Benchers of the Law Society of Alberta granted the application of **John H.G. Casuga** to resign, pursuant to section 61 of the *Legal Profession Act*, R.S.A. 2000, c. L-8, and Rule 92, effective immediately. Mr. Casuga is therefore disbarred. Mr. Casuga was a suspended member of the Law Society. He resides in Calgary and practised there from October 5, 2000, until March 21, 2008 when his membership was suspended for separate disciplinary reasons.

Mr. Casuga faced a discipline hearing on 26 citations and several other complaints under formal review at the time of his resignation application. The citations alleged that, *inter alia*, Mr. Casuga failed on numerous occasions to honour undertakings to other solicitors, failed to respond to complaints to the Law Society, engaged in practice without maintaining or filing the financial records required by the Rules, improperly withdrew money from trust, improperly employed a disbarred member of the Law Society, failed to respond to clients, and assisted a client in committing a fraud.

Mr. Casuga admitted the foregoing allegations with the exception of assisting a client in committing a fraud, and also admitted further misconduct still pending investigation and review including breaching the cash rule, failing to respond to clients, failing to serve clients, failing to be candid with a client, and failing to respond to complaints to the Law Society.

The Resignation Committee directed, in accordance with section 78(5) of the Act, that the Executive Director refer this matter to the Minister of Justice and Attorney General.

The Resignation Committee directed that Mr. Casuga pay the actual costs of the discipline proceedings and the resignation application, estimated at \$4,454.63, prior to any application for re-admission.

Mr. Casuga already has a custodian appointed with respect to his practice.

R. Gregory Busch
Director, Lawyer Conduct
Law Society of Alberta