

**IN THE MATTER OF PART 3 OF THE
LEGAL PROFESSION ACT, RSA 2000, C. L-8**

AND

**IN THE MATTER OF A HEARING REGARDING
THE CONDUCT OF DAVID KOBLYNYK
A MEMBER OF THE LAW SOCIETY OF ALBERTA**

DISPOSITION SUMMARY – HE20170205

David Kobylnyk admitted guilt to seven citations, namely that he failed to serve three clients on civil litigation matters by failing to advance their files, failing to respond to them, and exposing them to applications to strike their actions. One such application resulted in a consent cost order allowing the case to proceed, however, it gave costs against the client of \$1,000.00 (without the client being advised). The other resulted in a dismissal of the action and \$7,000.00 in assessed costs of which Mr. Kobylnyk did not apprise the client. In addition, Mr. Kobylnyk showed disregard with the LSA investigation. He did not respond to the LSA, refused to have the interview with the investigators taped until an application to court had been made in that regard. He repeatedly failed to respond to email communication with the Law Society. Finally, he was habitually late on his trust reporting to the LSA despite numerous promptings.

The Statement of Admitted Facts and Admission of Guilt was accepted by the Hearing Committee pursuant to section 60 of the *Legal Profession Act*.

The Hearing Committee accepted the joint submission on sanction that Mr. Kobylnyk be suspended for two months commencing August 1, 2019, pay costs of \$30,000.00, be referred to Practice Management, and undertake to promptly respond to and cooperate with the LSA.

This Disposition Summary will be replaced by the written Hearing Committee Report once the report is published.