

June 7, 2012

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Mr. & Mrs. William S. Lund  
6632 North 66th Place  
Paradise Valley, AZ 85253

Mr. Brad D. Lund  
Mr. & Mrs. Rob Schemitsch  
6638 North 66<sup>th</sup> Place  
Paradise Valley, AZ 85253

Re: File No. 11-2210 Bryan F. Murphy, Respondent  
File No. 11-2296 Daniel Cracchiolo, Respondent

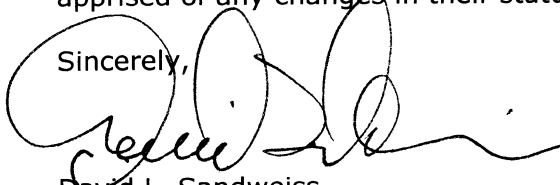
Dear Gentlemen and Ladies:

This is to advise you that on June 6, 2012, the Presiding Disciplinary Judge issued an order staying all discipline proceedings until the underlying litigation is concluded. A copy of his order is enclosed. The effect of this order is that all disciplinary proceedings against Mr. Cracchiolo and Mr. Murphy are being held in abeyance pursuant to rules of the Supreme Court of Arizona. If and when Judge O'Neil lifts his stay order, these disciplinary matters will be reactivated and pursued to final resolution.

The effect of Judge O'Neil's order is that these disciplinary cases are held in abeyance and Mr. Cracchiolo and Mr. Murphy need not, for now, respond to your charges. The Supreme Court rules allow the State Bar to continue investigating pending complaints and, where necessary, to take steps to preserve evidence and testimony. Thus, we may be in touch with you while the stay is in effect. Additionally, because there may be a significant delay in reinstatement of the disciplinary proceedings, I encourage you to take whatever steps you can to preserve relevant information and your recollection of your dealings with Mr. Cracchiolo and Mr. Murphy.

Thank you for your continued interest and cooperation in these matters. We will keep you apprised of any changes in their status.

Sincerely,



David L. Sandweiss  
Senior Bar Counsel

DLS/dds

Enclosure



than any present investigative efforts. The State Bar wisely recognizes this. The disposition of numerous issues in the civil suits will efficiently dispose of, or confirm, many of the probable concerns in any potential discipline case. Further it is equally plain that the complicatedness of the charges and sheer volume of relevant documents would make it more than difficult to thoroughly scrutinize and decide issues related to Respondents conduct and defenses.

While the ultimate resolution of these other cases should not have preclusive effect in any disciplinary matter, such findings will doubtlessly serve to aid the parties in better identifying and winnowing issues. If any of these charges ultimately proceed to probable cause findings, the hearing panel will make independent findings and conclusions based on the evidence presented. However, both parties will be aided by judicial findings, even if done over the course of years, than an investigation stunted by the multiple practical problems of disclosure and the distraction offered by the potential misuse of the disciplinary process these unique circumstances present.

Good cause appearing and the bar not opposing the motion therefore:

**IT IS ORDERED, Granting the Motion to Stay these Proceedings.**

**IT IS FURTHER ORDERED,** directing the parties to submit to the PDJ a joint status memorandum by December 13, 2012.

DATED this 6<sup>th</sup> day of June, 2012.



**Honorable William J. O'Neil**  
**Presiding Disciplinary Judge**

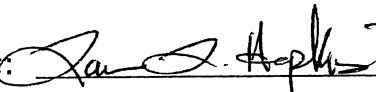
Original filed with the Disciplinary Clerk  
of the Office of the Presiding Disciplinary Judge  
of the Supreme Court of Arizona  
this 6<sup>th</sup> day of June, 2012.

Copies of the foregoing mailed/e-mailed  
this 6<sup>th</sup> day of June, 2012, to:

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Respondents

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by:  \_\_\_\_\_