

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
NO: BD-2019-036

IN RE: Ilya Liviz

ORDER OF IMMEDIATE ADMINISTRATIVE SUSPENSION

This matter came before the Court, Gants, C.J., on a Petition for Administrative Suspension and affidavit filed by Bar Counsel pursuant to Supreme Judicial Court Rule 4:01, § 3(2). Upon consideration thereof, it is ORDERED that:

1. Ilya Liviz is administratively suspended from the practice of law in the Commonwealth effective immediately upon the entry of this Order, and, in accordance with Supreme Judicial Court Rule 4:01, § 17(4), the Board of Bar Overseers shall promptly transmit a copy of this Order of Administrative Suspension to the clerk of each court in the Commonwealth, state and federal, in which it has reason to believe the lawyer has been engaged in practice.

If Ilya Liviz is not reinstated within thirty days of the date of entry of this Order, it is hereby FURTHER ORDERED that:

2. The lawyer shall forthwith at the expiration of the thirty days:

a) file a notice of withdrawal as of the effective date of

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THE COUNTY OF SUFFOLK

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the administrative suspension with every court, agency, or tribunal before which a matter is pending, together with a copy of the notices sent pursuant to paragraphs 2(c) and 2(d) of this Order, the client's or clients' place of residence, and the case caption and docket number of the client's or clients' proceedings;

b) resign as of the effective date of the administrative suspension all appointments as guardian, executor, administrator, trustee, attorney-in-fact, or other fiduciary, attaching to the resignation a copy of the notices sent to the wards, heirs, or beneficiaries pursuant to paragraphs 2(c) and 2(d) of this Order, the place of residence of the wards, heirs, or beneficiaries, and the case caption and docket number of the proceedings, if any;

c) provide notice to all clients and to all wards, heirs, and beneficiaries that the lawyer has been administratively suspended; that he is disqualified from acting as a lawyer after the effective date of the administrative suspension; and that, if not represented by co-counsel, the client, ward, heir, or beneficiary should act promptly to substitute another lawyer or fiduciary or to seek legal advice elsewhere, calling attention to any urgency arising from the circumstances of the case;

d) provide notice to counsel for all parties (or, in the absence of counsel, the parties) in pending matters that the lawyer has been administratively suspended and, as a

consequence, is disqualified from acting as a lawyer after the effective date of the administrative suspension;

e) make available to all clients being represented in pending matters any papers or other property to which they are entitled, calling attention to any urgency for obtaining the papers or other property;

f) refund any part of any fees paid in advance that have not been earned; and

g) close every IOLTA, client, trust, or other fiduciary account and properly disburse or otherwise transfer all client and fiduciary funds in his possession, custody or control.

All notices required by this paragraph shall be served by certified mail, return receipt requested, in a form approved by the Board.

3. The lawyer shall file with the Office of the Bar Counsel an affidavit certifying that the lawyer has fully complied with the provisions of this Order and with bar disciplinary rules. Appended to the affidavit of compliance shall be:

a) a copy of each form of notice, the names and addresses of the clients, wards, heirs, beneficiaries, attorneys, courts, and agencies to which notices were sent, and all return receipts or returned mail received up to the date of the affidavit.

Supplemental affidavits shall be filed covering subsequent return receipts and returned mail. Such names and addresses of clients shall remain confidential unless otherwise requested in writing by the lawyer or ordered by the court;

b) a schedule showing the location, title and account number of every bank account designated as an IOLTA, client, trust or other fiduciary account and of every account in which the lawyer holds or held as of the entry date of this Order any client, trust, or other fiduciary funds;

c) a schedule describing the lawyer's disposition of all client and fiduciary funds in the lawyer's possession, custody, or control as of the entry date of this Order or thereafter;

d) such proof of the proper distribution of such funds and the closing of such accounts as has been requested by the bar counsel, including copies of checks and other instruments;

e) a list of all other state, federal, and administrative jurisdictions to which the lawyer is admitted practice; and

f) the residence or other street address where communications to the lawyer may thereafter be directed.

The lawyer shall retain copies of all notices sent and shall maintain complete records of the steps taken to comply with the notice requirements of S.J.C. Rule 4:01, § 17.

4. The lawyer shall file with the Clerk of the Supreme Judicial Court for Suffolk County:

a) a copy of the affidavit of compliance required by paragraph 3 of this Order;

- b) a list of all other state, federal, and administrative jurisdictions to which the lawyer is admitted to practice; and
- c) the residence or other street address where communications to the lawyer may thereafter be directed.

By the Court, (Gants, C.J.)

Assistant Clerk

Entered: April 2, 2019

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
No. BD-2019-

IN THE MATTER OF ILYA LIVIZ, ESQ.

PETITION FOR ADMINISTRATIVE SUSPENSION

Pursuant to S.J.C. Rule 4:01, § 3(2), bar counsel petitions this Honorable Court for an order of immediate administrative suspension of Ilya Liviz, Esq. In support of this petition, bar counsel incorporates the accompanying affidavit and represents as follows:

1. The respondent, Ilya Liviz, Esq., was admitted to the bar of this Court on November 27, 2012.
2. By letter dated February 20, 2019, to the respondent's last registered office address, bar counsel sent the respondent a request for information and records in connection with a pending investigation and directed him to reply within 20 days. That letter was not returned as undeliverable or otherwise rejected. The respondent failed to reply to that letter.
3. By letter to the respondent dated March 18, 2019, bar counsel reiterated her request for information and records. By the same letter, bar counsel notified the respondent that his failure to comply within ten days, or by March 28, 2019, would result in, among other things, the entry of an order for his administrative suspension without further notice or hearing. The letter was sent to the respondent's last registered office address by certified mail, return receipt requested, by first class mail, postage prepaid and by e-mail. The respondent received and signed for the certified letter on March 19, 2019. The first class mail and e-mail have not been returned as undeliverable or otherwise rejected. The respondent has failed to reply to that letter.

4. To date, the respondent has not furnished any specified information or records or replied to bar counsel's communications.

WHEREFORE, bar counsel requests:

A. entry of an order for the administrative suspension of Ilya Liviz, Esq., from the practice of law in the Commonwealth, effective forthwith and until further order of the Court;

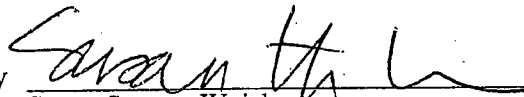
B. such further relief as is just and appropriate.

Respectfully submitted,

DOROTHY ANDERSON
ACTING BAR COUNSEL

April 1, 2019

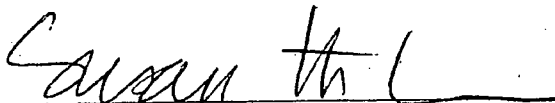
By


Susan Strauss Weisberg
Assistant Bar counsel
99 High Street
Boston, MA 02110
617-728-8750
BBO #483080

Certificate of Service

I hereby certify that I have this day filed the foregoing petition and accompanying affidavit through the Electronic Filing Service Provider. I hereby certify that I have this day served copies of the foregoing documents by e-mail and by first class mail, postage prepaid, to the respondent at 200 Central Street, Lowell, MA 01852.

Dated this 1st day of April, 2019.


Susan Strauss Weisberg
Assistant Bar Counsel
BBO #483080

COMMONWEALTH OF MASSACHUSETTS

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SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
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IN THE MATTER OF ILYA LIVIZ, ESQ.

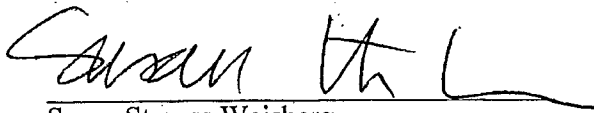
AFFIDAVIT OF SUSAN STRAUSS WEISBERG

Susan Strauss Weisberg hereby deposes and says:

1. I am an assistant bar counsel in the Office of Bar Counsel and have held that position at all times relevant to the matters set forth in this affidavit. At all relevant times, I have been assigned to investigate the professional conduct of the respondent, Ilya Liviz, Esq.

2. I am personally familiar with the allegations in the petition for administrative suspension filed herewith. I affirm that the allegations in the petition are true to the best of my knowledge and belief; that the respondent was served with requests for information in accordance with S.J.C. Rule 4:01, § 21; that the respondent was afforded a reasonable period of time for compliance with the requests for information and has failed to comply; and that the requests for information were accompanied by a statement advising the respondent that failure to comply with the requests for information would result in his administrative suspension without further notice or hearing.

Sworn to and signed under the penalties of perjury this 1st day of April, 2019.


Susan Strauss Weisberg