

STATE OF MAINE
SUPREME JUDICIAL COURT

DOCKET NO. BAR-04-04

BOARD OF OVERSEERS OF THE BAR)
Plaintiff)
V.)
RICHARD G. CERVIZZI)
of Scarborough, Maine)
Me. Bar No. 1607)
Defendant)

ORDER

By agreement of the parties concerning the Board of Overseers of the Bar's pending disciplinary information and related motions, it is HEREBY ORDERED:

1) On or before January 19, 2005 Richard G. Cervizzi will cooperate and assist the Board's agent, Ronald J. Randall, and comply with the Court's Order for Custody of Files dated April 28, 2004 by then turning custody of all Mr. Cervizzi's former clients' files over to Mr. Randall for removal from Mr. Cervizzi's residence to the location described at paragraph # 2 below;

2) On or before January 19, 2005, the Board of Overseers of the Bar shall arrange, through Mr. Randall and other agents as may be needed, to have all the files of former clients of Mr. Cervizzi removed from his residence at 24 Hunnewell Road, Scarborough, Maine and then relocated to the law office of *Smith, Elliott, Smith & Garmey, P.A.* located at 199 Main Street, Saco, Maine;

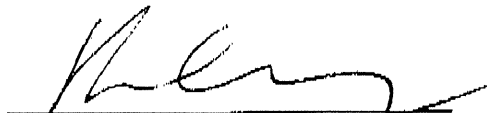
3) The Board is ordered to then provide reasonable public notice by newspaper announcement(s) or other appropriate methods, that former clients of Mr. Cervizzi may obtain their files from the *Smith, Elliott* law office location and that any files not so claimed within 30 days of such notice shall be subject to destruction by the Board;

4) Bar Counsel, Mr. Randall or staff members from the *Smith, Elliott* law

firm may have confidential access to such client files as deemed necessary by Bar Counsel for compliance with this Order to be completed; and

5) Mr. Cervizzi shall reimburse *Smith, Elliott, Smith & Garmey, P.A.* and/or the Board of Overseers of the Bar for such respective expenses and attorney time devoted to this matter for which either or both may seek payment, after being approved by the Court.

Dated: 1-14-05


Hon. Donald G. Alexander, Associate Justice
Maine Supreme Judicial Court