



CANADA )  
 )  
PROVINCE OF SASKATCHEWAN )  
 )  
TO WIT )

**IN THE MATTER OF *THE LEGAL PROFESSION ACT, 1990*  
AND IN THE MATTER OF STERLING MCLEAN,  
A LAWYER OF REGINA, SASKATCHEWAN**

**NOTICE OF HEARING**


**TO: STERLING MCLEAN**

Pursuant to Rule 431 the Chairperson of The Hearing Committee has appointed the following as the date, time and place for the hearing into the complaint against you as attached.

**Conference Call: Tuesday, April 28, 2009  
commencing at 10:00 a.m. at the office of The Law Society of Saskatchewan,  
located at 1100 -2002 Victoria Avenue, Regina, SK.**

Pursuant to Section 49(3) of *The Legal Profession Act, 1990*, should you fail to attend at the above noted time and place, the hearing may proceed in your absence upon proof of service of this notice.

DATED at the City of Moose Jaw, in the Province of Saskatchewan, this 9 day of April, 2009.

  
George Patterson  
Chairperson of the Hearing Committee  
The Law Society of Saskatchewan



### HEARING – STERLING MCLEAN

to proceed via conference call on **Tuesday, April 28, 2009 at 10:00 a.m.**

**between the offices of:  
George Patterson, Sterling McLean, and Timothy F. Huber**

The call is going to be customer dialed rather than operator handled. Instructions to participate in the call are as follows:

- Dial **781-5999** or toll free **1-866-296-5646**.
- You will then be asked for a “passcode”, which will be **359900#** (press pound key after the number).
- William Holliday, as Chair, will have a different “passcode”, which will be **1242000#** (press pound key after the number).
- You should then be automatically connected to the conference call.

*Please advise Pamela at the Law Society office at 569-8242 or [pamela@lawsociety.sk.ca](mailto:pamela@lawsociety.sk.ca) if you have any difficulty joining the call.*



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## Amended Formal Complaint

I, DONNA SIGMETH, of the City of Regina, in the Province of Saskatchewan, Complaints Counsel for the Law Society of Saskatchewan, do hereby certify that William Holliday, Vice-Chair of the Discipline Committee of the Benchers of The Law Society of Saskatchewan, has appointed a Hearing Committee pursuant to Section 47(1) of *The Legal Profession Act, 1990*, comprised of George Patterson as Chair, Joanne Moser and Gail Wartman to hear and determine a formal complaint set out by the Investigation Committee consisting of Greg Walen Q.C. and Robert Kennedy Q.C., pursuant to Section 46(1) of *The Legal Profession Act, 1990*, against Sterling McLean, a lawyer and a member of The Law Society of Saskatchewan, carrying on the practice of law at all of the relevant times in the City of Regina, in the Province of Saskatchewan, as follows:

THAT Sterling McLean, of the City of Regina, in the Province of Saskatchewan:

1. Is guilty of conduct unbecoming a lawyer in that he did fail to comply with a trust condition imposed by letter dated June 19, 2007, which he accepted, upon the use of documents in connection with a transfer of land from DDC to his client BN;

Reference Chapters XVI of the *Code of Professional Conduct*.

2. Is guilty of conduct unbecoming a lawyer in that, during the course of his representation of a vendor in a real estate transaction, he did breach an undertaking provided to W.J., a fellow member, wherein he undertook that he would not release purchase funds provided to him in trust without first having secured a discharge in relation to a Federal Writ on the title to the property being sold;

Reference Chapter XVI of the *Code of Professional Conduct*.

3. Is guilty of conduct unbecoming a lawyer in that he failed to act in a conscientious, diligent and efficient manner on behalf of the Estate of D.D. in that he failed to complete estate business in a timely fashion;

Reference Chapter II of the *Code of Professional Conduct*.

4. Is guilty of conduct unbecoming a lawyer, in that he did attempt to mislead a member of the public K.D., by misrepresenting the status of an estate matter;

Reference Chapter I of the *Code of Professional Conduct*.

5. Is guilty of conduct unbecoming a lawyer in that he failed to serve his client, J.L., in a conscientious, diligent and efficient manner in the course of a real estate transaction.

Reference Chapter II of the *Code of Professional Conduct*.

DATED at the City of Regina, in the Province of Saskatchewan, this 26<sup>th</sup> day of March, 2009.

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**DONNA SIGMETH**

Complaints Counsel for the Law Society of Saskatchewan