



CANADA)
PROVINCE OF SASKATCHEWAN)
TO WIT)

**IN THE MATTER OF *THE LEGAL PROFESSION ACT*, 1990
AND IN THE MATTER OF JONATHAN GOBY,
A LAWYER OF ESTEVAN, SASKATCHEWAN**

ORDER

The Discipline Committee of The Law Society of Saskatchewan (hereinafter called the "Discipline Committee"), having convened a meeting on February 11, 2011, to assess penalty in relation to the decision of the Hearing Committee in this matter comprised of Victor Dietz Q.C. as Chair, Greg Stevens and Nicholas Cann, that Jonathan Goby (hereinafter called the "Member"):

Is guilty of conduct unbecoming a lawyer in that he:

- 1. did prepare, or cause to be prepared, and did commission false Affidavits of Value in relation to certain real estate transactions handled by his law office;**
- 2. did mislead Information Services Corporation of Saskatchewan (ISC) by submitting Affidavits of Value which did not reflect the actual value of titles being transferred in relation to certain real estate transactions handled by his law office and in doing so did deprive ISC of fees to which it was entitled;**
- 3. did, by submitting Affidavits of Value to ISC reflecting values less than the actual value of titles, reduce the amount of fees paid to ISC and thereby obtained an unfair competitive advantage in the marketplace; and**

4. did withdraw funds from his trust account prior to those funds becoming properly payable to him in respect of a liability of his clients for fees, disbursements or other expenses.

and after having heard submissions of the Member, and counsel on behalf of the Law Society of Saskatchewan Investigation Committee and after due deliberation to determine the action to be taken as a result of the Hearing Committee's decision, the Discipline Committee orders the following:

1. That the Member shall be suspended for a period of 12 months;
2. That the Member's suspension shall commence on May 1, 2011, or sooner with the consent of the Chair of Discipline;
3. That from the date of this Order until the commencement of the period of suspension, the Member shall not take on any new matters;
4. That the Member shall pay further restitution to Information Services Corporation in the amount of \$18,000.00 within one year of his resumption of practice, or such further period as may be allowed by the Chair of Discipline;
5. That the Member shall cooperate with the Law Society in notifying all clients impacted by his conduct and assist with the rectification of titles, shall pay any costs incurred in rectifying titles, and shall comply with any further direction from the Chair of Discipline with respect to the rectification of titles; and
6. That the Member shall pay costs in the amount of \$6,018.12 to the Law Society of Saskatchewan within one year of his resumption of practice, or such further period as may be allowed by the Chair of Discipline.

DATED at the City of Regina, in the Province of Saskatchewan, this 18 day of February, 2011.



Thomas Schonhoffer Q.C., Executive Director
Law Society of Saskatchewan