



CANADA)
PROVINCE OF SASKATCHEWAN)
TO WIT)

IN THE MATTER OF *THE LEGAL PROFESSION ACT, 1990*
AND IN THE MATTER OF DAVID MACKAY,
A LAWYER OF REGINA, SASKATCHEWAN

Formal Complaint

I, STACEY MCPEEK, of the City of Regina, in the Province of Saskatchewan, Complaints Counsel for the Law Society of Saskatchewan, do hereby certify that Brenda Hildebrandt, Q.C. 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 Scott Moffat, as Chair, Monte Gorchinski and Ron Barsi to hear and determine a Formal Complaint set out by the Conduct Investigation Committee consisting of David Bishop and Ian Wagner, pursuant to Section 46(1) of *The Legal Profession Act, 1990*, against David MacKay, 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 DAVID MACKAY, of the City of Regina, in the Province of Saskatchewan is guilty of conduct unbecoming a lawyer in that he:

1. did, after agreeing to trust conditions imposed by Lawyer S. in relation to the release of certain settlement funds coming into his possession, fail to comply with those trust conditions by releasing said funds without first ensuring the trust conditions had been met.

DATED at the City of Regina, in the Province of Saskatchewan, this 17th day of February, 2017.

STACEY MCPEEK
Complaints Counsel
for the Law Society of Saskatchewan