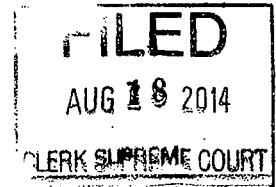


IN THE SUPREME COURT OF IOWA



THE IOWA SUPREME COURT
ATTORNEY DISCIPLINARY BOARD,
Complainant,

vs.

CAMERON A. DAVIDSON,
Respondent.

ORDER OF PUBLIC REPRIMAND

No. 14-0878

Pursuant to Court Rule 35.3 the attached reprimand of attorney Cameron A. Davidson, Bettendorf, by the Iowa Supreme Court Attorney Disciplinary Board has been filed with the clerk of this court together with proof of service thereof and a statement that no exception has been filed within the time prescribed.

It is therefore ORDERED by the court, Waterman, J., not participating, that the reprimand of Cameron A. Davidson be included in the records of this court as a public document.

Dated this 18 day of August, 2014.

THE SUPREME COURT OF IOWA

By Mark S. Cady
Mark S. Cady, Chief Justice

Copies to:

Members of the Court
Chief Judge
District Court Administrator
Clerk of Court
Iowa State Bar Association

Charles L. Harrington
Attorney Disciplinary Board

Paul H. Wieck, II
Office of Professional Regulation

Copies to (cont'd):

Cameron A. Davidson (Restricted Certified No. 91 7199 9991 7032 4162 5116)
665 Mississippi Blvd.
Bettendorf, IA 52722

Cameron A. Davidson
665 Mississippi Blvd.
Bettendorf, IA 52722

*Iowa Supreme Court
Attorney Disciplinary Board*

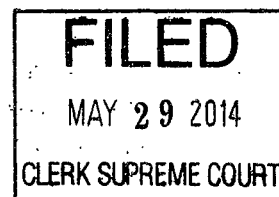
Phone: 515-725-8017
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Iowa Judicial Branch Building
1111 East Court Avenue
Des Moines, IA 50319-5003

CHARLES L. HARRINGTON
ADMINISTRATOR, ATTORNEY
DISCIPLINARY BOARD
ASSISTANT DIRECTOR, OPR

February 4, 2013

Mr. Cameron A. Davidson
Attorney at Law
665 Mississippi Blvd.
Bettendorf, IA 52722



Re: Our File No.: 2013-273
Respondent: Cameron A. Davidson

Dear Mr. Davidson:

The above complaint file came on for consideration by the Board (John Gosma not participating) at its recent hearing meeting. The matter first came to the Board's attention through your self-report of misconduct.

The conduct you reported occurred during the representation of Deere & Co. (Deere) as defendant in an employment lawsuit in federal court. At the time of the conduct, you practiced in the firm of Lane & Waterman in Davenport.

The plaintiff in the lawsuit was a former Deere employee who had been fired, purportedly for violating the employer's travel expense policy. She claimed this was a pretext and that her termination resulted from age discrimination. Through interrogatories and requests for production, she sought information regarding all other Deere employees who were investigated during the same time period (2005-2012) for travel expense violations. On behalf of Deere, you identified four such employees. Among other things, the plaintiff's interrogatories requested these four employees' birth dates. When you objected to the interrogatories, the plaintiff filed a motion to compel and obtained orders to compel and for sanctions. Despite these orders, you continued to delay providing complete interrogatory answers. You also failed to arrange for two of the employees to be deposed, as requested by the plaintiff.

In reporting the misconduct, you wrote:

In 2012 the Plaintiff sent discovery requests to Deere & Company. I consulted with the client and the client wanted to object to some of the discovery requests. I raised those objections following my consultation.

Plaintiff's counsel [B. Douglas Stephens] disagreed with the objections and ... filed a Motion to Compel and for Sanctions.¹ I filed a resistance.... The Court ruled [in] Plaintiff's favor and ordered Deere & Company to pay \$700 to Plaintiff's counsel ... for attorney's fees. I believed that I had discussed this matter with my client, however, my file does not reflect that I sent the Motion or the Order to the client. I did repeatedly correspond with the client advising the client that we needed to provide additional information. I also arranged for my former firm to pay the sanctions, and billed the client for reimbursement, which was disclosed to and paid by the client.

Discovery disputes ... continued and in November, 2012 Plaintiff's counsel filed a Motion for Sanctions and a Motion to Compel. I was unsure how to respond to some of the allegations contained in the Motion at the time and ultimately missed the deadline to file a resistance or reply. In December 2012 the Court granted the Motion and ordered Deere & Company to pay \$1,750 in attorneys' fees. My former firm paid the sanction and I billed the client for reimbursement. I again failed to send the Motion or the Court's Order to the client, which was not aware of the seriousness of the discovery dispute.

In March 2013 the Plaintiff's counsel filed a Motion for Contempt and Sanctions as a result of the client's failure to respond completely to the Court's December 2012 order directing discovery. We filed a resistance. The Magistrate issued a Report and Recommendation critical of me and it was followed up by the Federal Judge's Order. The Federal Judge ... order[ed] that Deere & Company produce documents, produce witnesses and further ordered that Defendant pay additional attorneys' fees in the amount of \$1,050. My former firm ... again paid the sanction and I billed the amount paid to the client.

I did not forward the Motion or the Orders to the client. Partners in my former firm became aware of the existence of the Motions and Orders, and my failure to communicate with the client. The firm subsequently informed the client. We also moved the Court to issue an Order Nunc Pro Tunc wherein the Court was requested to revise the Orders so that the sanctions were imposed solely against Lane & Waterman as a result of my failure to communicate, and not against the client.²

The Board concluded that your acknowledged misconduct was contrary to Iowa Rules of Professional Conduct 32:1.4 (client communication), 32:3.4(c) (obedience to court rulings), and 32:3.4(d) (duty to make reasonably diligent effort to comply with legally proper discovery request from opposing party). Your conduct also was contrary to rule 32:8.4(d) (conduct prejudicial to the administration of justice) because it required the court to spend valuable time resolving discovery issues. *See Att'y Disciplinary Bd. v. Stowers*, 823 N.W.2d 1, 15 (Iowa 2012)

¹ The court granted these initial motions on July 3, 2012, ordering Deere to answer two interrogatories and produce two Deere employees for deposition.

² This motion was filed not by you but by another member of your former law firm.

(attorney's misconduct was prejudicial to administration of justice because it triggered a series of otherwise unnecessary court proceedings and orders).

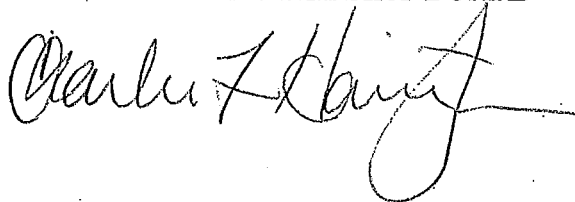
The Board further concluded it was unreasonable to bill your client for sanctions which principally resulted from your own lack of diligence and communication. This conduct violated R. of Prof'l Conduct 32:1.5(a) (lawyer shall not charge unreasonable fees or expenses).

The billing of the client for the three sanctions amounts was troubling because you failed to plainly inform the client that the sanctions resulted from your own lack of diligence and communication. You did make a partial disclosure with respect to the first sanction of \$700 when you billed the client for this amount as "Miscellaneous; Penalty on Discovery; Doug Stephens Law Firm." Yet even here you failed to disclose your responsibility for the penalty. In billing the client for the second sanction of \$1,750, you presented the charge simply as "Misc[ellaneous] Costs." The preliminary billing statement (not sent to the client) noted that this charge was "payable to B. Douglas Stephens," plaintiff's attorney. You struck the words "payable to B. Douglas Stephens" before causing the statement to be sent to the client. The third sanction of \$1,050 was billed to the client as "Miscellaneous; Attorneys' Fees; B. Douglas Stephens," but without explanation of why the court had ordered Deere to pay this amount to opposing counsel. Only after your former law partners learned of the sanctions orders was the client fully informed.

The Board concluded that your self-report of the misconduct was a mitigating factor.

It was the determination of the Board that you be and hereby are publicly reprimanded for violating the rules cited above in neglecting to arrange for your client's complete answers to discovery and compliance with court orders; ignoring repeated attempts by opposing counsel to resolve the discovery issues; failing to fully communicate with and disclose to the client the nature of the discovery dispute and the consequences thereof; charging the client for expenses (sanctions) resulting from your acts or omissions; and prejudicing the administration of justice by causing the court to waste valuable time in addressing the discovery issues.

FOR THE IOWA SUPREME COURT
ATTORNEY DISCIPLINARY BOARD



CLH/slc