



By Order of the Court, Associate Judge JOSEPH N. CAMACHO

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**FOR PUBLICATION**



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**CNMI SUPERIOR COURT**  
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**IN THE SUPERIOR COURT  
FOR THE  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

**IN RE THE MATTER OF:** ) **CIVIL CASE NO. 14-0176**  
)  
) **DISCIPLINARY ACTION: PUBLIC**  
) **REPRIMAND FOR**  
) **(1) MISREPRESENTING FACTS ABOUT**  
**RAMON KING QUICHOCHO, JR.,** ) **A JUDGE AND CASE LAW; AND**  
) **(2) TIMING COURT FILINGS TO**  
**Respondent.** ) **DELAY PROCEEDINGS AND AVOID**  
) **DISCIPLINE**  
)  
)

**I. INTRODUCTION**

The disciplinary hearing in this case was held on December 9, 2014 at 10:30 a.m. in Courtroom 220A. Daniel T. Guidotti was the appointed disciplinary counsel (“Disciplinary Counsel”). Respondent Ramon King Quichocho, Jr. did not appear for the hearing.

This matter was forwarded to the Court by the Commonwealth of the Northern Mariana Islands Bar Association Disciplinary Committee and arises out of conduct and actions occurring during the litigation of *Fujie v. Atalig*, Civil Action Number 10-0131, wherein Respondent Quichocho was a defendant and represented himself. During the *Fujie* case, Respondent Quichocho twice requested the recusal of Associate Judge Kenneth Govendo. Both Judge Govendo and the plaintiffs’ counsel submitted complaints to the CNMI Bar Association Disciplinary Committee

1 concerning Respondent’s tactics for seeking recusal, and whether those tactics violated Respondent  
2 Quichocho’s duties to maintain the integrity of the legal profession.

3 Disciplinary Counsel alleged four violations of the American Bar Association’s Model  
4 Rules of Professional Conduct<sup>1</sup> related to Respondent’s attempts to force Associate Judge  
5 Govendo’s disqualification from the *Fujie* case after Judge Govendo issued an order that was  
6 unfavorable to Respondent, and immediately before Respondent faced possible disciplinary action.

7 Based on the filings, evidence presented at the hearing, and applicable standards of  
8 professional conduct, the Court finds by clear and convincing evidence that Respondent’s acts  
9 constituted professional misconduct, in violation of the rules governing attorneys in this  
10 jurisdiction. The appropriate sanction for these violations is a public reprimand.

## 11 II. PROCEDURAL HISTORY

12 The Complaint in this case was filed by Disciplinary Counsel on August 29, 2014, about six  
13 weeks after Respondent was disbarred at the conclusion of a separate disciplinary action. *See In re*  
14 *Quichocho*, Civ. No. 13-0196 (NMI Super. Ct. July 16, 2014) (Disciplinary Action: Disbarment).  
15 At the time the Complaint was filed in this case, Respondent had departed the Commonwealth, so  
16 Respondent was served by certified mail at his last known address. *See* NMI R. Disc. 12(a). The  
17 Complaint was delivered on September 29, 2014. When no answer was filed within 20 days  
18 following service, Disciplinary Counsel filed a motion for entry of default on November 3, 2014,  
19 and such entry of default was granted the same day. *See* NMI Disc. R. 9(c); *and* NMI R. Civ. Pro.  
20 55(a). At the time of the disciplinary hearing, Respondent had not appeared or made contact of any  
21 kind with the Court concerning this matter. *See* NMI Disc. R. 9; *and* NMI R. Civ. Pro. 55(b).  
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24 <sup>1</sup> The ABA Model Rules of Professional Conduct apply in the Commonwealth. NMI Disc. R. 2. In this decision, these  
rules will be referred to as the “Model Rules.”

1 **III. FINDINGS OF FACT**

2 The Court bases the factual findings in this case on the allegations in the Complaint, all of  
3 which have been deemed admitted by Respondent’s failure to timely file an answer, documentary  
4 evidence presented by Disciplinary Counsel at the disciplinary hearing, and other court records. *See*  
5 NMI R. Disc. 9(c) and NMI R. Civ. Pro. 55(b). The Court finds the following facts to be  
6 established by clear and convincing evidence.

7 Respondent Quichocho was a defendant in *Fujie v. Atalig*, Civil Case Number 10-0131, a  
8 case pending in Courtroom 217 before Associate Judge Kenneth Govendo. On May 10, 2013, Judge  
9 Govendo granted in part and denied in part the *Fujie* plaintiffs’ motion for summary judgment  
10 (“May 10, 2013 Order”).

11 On May 29, 2013, Respondent filed a motion requesting that Judge Govendo reconsider the  
12 May 10, 2013 Order (the “Motion to Reconsider”). In the Motion to Reconsider, Respondent raised  
13 many arguments, but began the motion by requesting that Judge Govendo “recuse himself *sua*  
14 *sponte*, because he is prejudiced against Filipinos and locals.” Ex. A at 3. Respondent cited to a  
15 2010 CNMI Supreme Court Opinion that sanctioned Judge Govendo for statements he made in  
16 three different family law cases and found that based on the statements “a neutral observer could  
17 reasonably infer racial bias or prejudice or the appearance of such bias.” *In re Govendo*, 2010 MP  
18 ¶ 10. Respondent argued that the first three sentences of the May 10, 2013 Order had racial  
19 undertones, directing Respondent and his co-defendant who are local, to “respect” the plaintiffs,  
20 who are Japanese investors.<sup>2</sup> Respondent repeatedly argued that the May 10, 2013 Order was  
21 decided based not on legal analysis, but on Judge Govendo’s alleged racial prejudice. Respondent  
22 made the following statements in the Motion to Reconsider:

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24 <sup>2</sup> The first three sentences of the May 10, 2013 Order read: “Render to all what is due them: tax to whom tax is due; custom to whom custom; fear to whom fear; honor to whom honor. This holds true for respect. In this case respect was owed, but not paid.” The first sentence cites to the Bible, Romans 13:17.

- 1 • “Associate Judge Kenneth Govendo should recuse himself *sua sponte*, because he is  
2 prejudiced against Filipinos and locals. *See In [re Govendo]*, 2010 MP 16 ¶ 2 (Judge  
3 Govendo stated, ‘ . . . . I wish I could get rid of the locals but I can’t. They’re  
4 American citizens . . . .’)” Ex. A at 3.
- 5 • “The Court’s erroneous and bizarre determination that the Notice of Termination  
6 document that was filed with the Commonwealth Recorder’s Office in 2009, all of a  
7 sudden became a false document in 2013, because the Court ruled that [co-  
8 defendant] Atalig did not have the authority to terminate the Lease. Which begs the  
9 question whether the Court intends to get rid of locals by not honoring lease  
10 agreements that favor locals, who are the fee-simple owners of the lands in the  
11 CNMI.” Ex. A at 16.
- 12 • “Under these circumstances, to force [co-defendant] Atalig out of his property  
13 because he is local or because he ‘owed’ Plaintiffs ‘respect’ and he did not pay it,  
14 even though Atalig was within his rights under the Lease to terminate for violations  
15 of the Lease, is manifestly unjust.” Ex. A at 17.
- 16 • “[T]o hold Quichocho liable for slander of title because he is local or because he is  
17 married to a Filipino lady, and who has Filipino kids, or because he owed respect  
18 and he did not pay it to Plaintiffs, is manifestly unjust.” Ex. A at 18.
- 19 • “[Judge Govendo] has a personal bias or prejudice concerning a party, because  
20 Defendants are ‘locals[.]’” Ex. A at 18.
- 21 • “Associate Judge Govendo, in no uncertain terms declared in open court, ‘I wish I  
22 could get rid of the locals but I can’t. They’re American citizens. But the ones who  
23 are not, there’s no reason why we should have to put up with them.’” Ex. A at 18 n.  
24 8 (citing *In re Govendo*, 2010 MP 16 ¶ 2 and adding emphasis).

1 Respondent filed a reply on June 13, 2013 (the “Reply”) that repeated the same argument  
2 for recusal embodied in the May 29, 2013 Motion to Reconsider.

3 On August 6, 2013, Judge Govendo issued an Order to Show Cause warning Respondent  
4 and counsel for his co-defendant of possible sanctions based on their filing of the May 29, 2013  
5 Motion to Reconsider. Judge Govendo noted that Respondent’s conduct was concerning in two  
6 ways: (1) The Motion to Reconsider was virtually copied word for word from the original motions;  
7 and (2) the Motion to Reconsider and later filings were “rife with personal attacks, conspiracy  
8 theories, and wild accusations directed at [plaintiffs’ attorney] and [Judge Govendo].” Ex. D at 2.  
9 The Order to Show Cause ordered Respondent to appear at 9:00 a.m. on September 3, 2013 for a  
10 hearing to determine whether sanctions were appropriate. Ex. D at 1.

11 At 7:54 a.m. and 8:07 a.m. on September 3, 2013, about an hour before the disciplinary  
12 hearing was scheduled to occur, Respondent filed two documents. The first was a taxpayer lawsuit  
13 against Judge Govendo, alleging that the Commonwealth should force Judge Govendo to disgorge  
14 any money paid to him “for acts for which he was sanctioned by the Supreme Court.” Ex. G at 13.  
15 The second was a Motion to Disqualify Judge Govendo from hearing further proceedings in *Fujie v.*  
16 *Atalig*, because Respondent had named Judge Govendo as a defendant in the taxpayer lawsuit.

17 The Court takes judicial notice that Respondent and his co-counsel appealed a portion of the  
18 May 10, 2013 Order, namely Judge Govendo’s grant of summary judgment for the *Fujie* plaintiffs  
19 concerning their quiet title claim, and that decision was recently affirmed by the CNMI Supreme  
20 Court. *See Fujie v. Atalig*, 2014 MP 14 ¶¶ 5, 17. In affirming Judge Govendo’s decision, the  
21 Supreme Court found that Respondent cited the wrong legal standard for abandonment, and in  
22 doing so, ignored Judge Govendo’s correct statement of the legal standard and the Federal District  
23 Court for the Northern Mariana Islands’ statement of the legal standard for abandonment in a  
24 similar case in which Respondent Quichocho was also a party. *Id.* ¶ 14. The Supreme Court found

1 that Respondent Quichocho’s statement of the incorrect legal standard on appeal could “only be  
2 deemed a deliberate attempt to misdirect the Court.” *Id.* ¶ 15. Moreover, the Supreme Court stated:  
3 “The actions of Quichocho and his co-counsel, Robert H. Myers, appear to be intentional  
4 malfeasance. It seems they willfully ignored the proper standard because . . . the correct standard  
5 clearly prevents Atalig and Quichocho from prevailing on their abandonment argument and likely  
6 makes the appeal frivolous.” *Id.* ¶ 16.

7 For a portion of the time period relevant to this disciplinary case, Respondent Quichocho  
8 was a nominee for judicial office. From May 9, 2013 when he was nominated by Acting Governor  
9 Jude U. Hofschneider, until June 10, 2013, when his nomination was withdrawn by Governor Eloy  
10 S. Inos, Respondent was a candidate for the position of Associate Judge of the Superior Court of the  
11 Commonwealth of the Northern Mariana Islands. Ex. K.

12 Given the above facts, the Court finds that Respondent’s allegations of racial bias as the  
13 motivating force behind the May 10, 2013 Order, and Respondent’s September 3, 2013 filing of the  
14 taxpayer lawsuit and motion to disqualify, were not sincere attempts to improve the integrity of the  
15 judicial process. Instead, they were intentional attempts to harass Judge Govendo, subvert the  
16 judicial process, and unethically seek an outcome that favored Respondent.

#### 17 **IV. CONCLUSIONS OF LAW**

18 Disciplinary Counsel alleged that Respondent violated the following rules: Model Rule  
19 8.2(a) by making statements known to be false about the integrity of a judge; Model Rule 8.2(b), by  
20 not adhering to Canons 1 and 2A of the NMI Code of Judicial Conduct and failing to observe high  
21 standards of conduct and promote public confidence in the impartiality and integrity of the judiciary  
22 while Respondent was a candidate for judicial office; Model Rule 8.4(c), by engaging in  
23 misrepresentation by alleging that one of Judge Govendo’s orders was based on racial prejudice;  
24 and Model Rule 8.4(d), by engaging in conduct prejudicial to the administration of justice by

1 bringing a lawsuit against Judge Govendo on the morning of a hearing in which Respondent was  
2 facing possible sanctions.

3 **Counts I and III: Violation of ABA Model Rules 8.2(a) and 8.4(c)**

4 Under Model Rule 8.2(a) “[a] lawyer shall not make a statement that the lawyer knows to be  
5 false or with reckless disregard to its truth or falsity concerning the qualifications or integrity of a  
6 judge.” The reason for this rule is that “false statements by a lawyer can unfairly undermine public  
7 confidence in the administration of justice.” MODEL RULES OF PROF’L CONDUCT R. 8.2 cmt 1.

8 Similarly, “it is professional misconduct for a lawyer to: . . . engage in conduct involving  
9 dishonesty, fraud, deceit or misrepresentation.” Model Rule 8.4(c). “[M]isrepresentation means a  
10 statement made by a party that a thing is in fact a particular way, when it is not so; untrue  
11 representation[s]; [or] false or incorrect statements or accounts.” *In re Yana*, 2014 MP 1 ¶ 30  
12 (internal quotations and citations omitted).

13 Disciplinary Counsel alleges that Respondent Quichocho’s statements in his May 29, 2013  
14 Motion to Reconsider constitute violations of Model Rules 8.2(a) and 8.4(c). The statements at  
15 issue are those where Respondent Quichocho alleges that the May 10, 2013 Order was decided  
16 based on racial prejudice against locals and Filipinos, citing as proof of such prejudice the 2010  
17 disciplinary sanction against Judge Govendo. Ex. A at 3, 16-18.

18 As noted above in Section III, there are multiple indications that Respondent’s statements in  
19 this case were not good-faith attempts to improve the integrity of the administration of justice. First,  
20 Respondent did not demonstrate the logical relevance between the statements for which Judge  
21 Govendo was sanctioned in 2010 and the allegations of prejudice in the *Fujie* case. Respondent  
22 repeatedly noted that Judge Govendo stated, “I wish I could get rid of the locals but I can’t. They’re  
23 American citizens.” Ex. A at 3, 16, 18. However, the context of Judge Govendo’s original statement  
24 (which was found to be improper by the CNMI Supreme Court) indicates that the statement

1 specifically concerned alleged perpetrators of domestic violence: “It is now time to start cleaning  
2 house in the CNMI. We don’t need perpetrators of domestic violence here. I wish I could get rid of  
3 the locals but I can’t. They’re American citizens. But the ones who are not, there’s no reason why  
4 we should have to put up with them.” *In re Govendo*, 2010 MP 16 ¶¶ 2, 10. The other two  
5 statements for which Judge Govendo was sanctioned racially stereotyped Filipino people “as  
6 wanting to adopt all of their relatives in order to give them a better life in the Commonwealth.” *In*  
7 *re Govendo*, 2010 MP 16 ¶¶ 2, 10. In the Motion to Reconsider and Reply, Respondent did not  
8 explain how the CNMI Supreme Court’s finding that Judge Govendo’s statements could lead a  
9 “neutral observer [to] reasonably infer racial bias or prejudice or the appearance of such bias,”  
10 demonstrated that Judge Govendo based his decision in the *Fujie* case, concerning real property  
11 rights, on actual racial prejudice.<sup>3</sup>

12 Second, Respondent did not follow the proper procedures to request a recusal based on  
13 personal bias or prejudice. *See* Canon 3(D)(c) Code of Judicial Conduct. If a party requests recusal  
14 based on personal bias or prejudice, “an affidavit shall accompany the motion,” and such affidavit  
15 “shall be accompanied by a certificate of counsel of record stating it is made in good faith.” *Id.*  
16 Additionally, the affidavit “shall be filed in sufficient time not to delay any proceedings unless the  
17 moving party can show he or she had no reason to previously question the . . . judge’s bias or  
18 prejudice.” *Id.* By requiring a party to submit a timely affidavit explaining the “facts and reasons  
19 for the belief that bias exists,” accompanied by a good faith certificate, the procedure prevents  
20 frivolous or harassing motions, but still provides recourse for a party who believes that there is a  
21 true impediment to the fair administration of justice. Canon 3(D)(c); *see also Berger v. United*  
22 *States*, 255 U.S. 22, 33-34 (1921). Respondent’s failure to comply with any of the procedural

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24 <sup>3</sup> Moreover, the CNMI Supreme Court made the specific finding that “the Court . . . does not believe that Judge Govendo is a racist.” *In re Govendo*, 2010 MP 16 ¶ 10.



1 requirements indicates that the allegations of racial prejudice made by Respondent were not made  
2 in good faith, but were intentional misrepresentations, both of the Supreme Court’s findings in *In re*  
3 *Govendo*, and of Judge Govendo’s analysis in the May 10, 2013 Order.

4 Finally, the fact that Respondent was on notice that he was citing the incorrect legal  
5 standard concerning real property abandonment and that he could not prevail under the correct  
6 standard indicates that Respondent’s allegations that Judge Govendo’s May 10, 2013 Order was  
7 motivated by personal bias and prejudice were not honest opinions, but were misrepresentations.  
8 *See Fujie v. Atalig*, 2014 MP 14 ¶¶ 14-16.

9 For the above stated reasons, the Court finds that Respondent Quichocho’s allegations that  
10 the May 10, 2013 Order was based on Judge Govendo’s personal bias and prejudice were  
11 misrepresentations under Model Rule 8.4(c), and because they were misrepresentations about the  
12 partiality of a judge, they also violate Model Rule 8.2(a).

13 **Count II: Violation of ABA Model Rule 8.2(b)**

14 Model Rule 8.2(b) makes the entire NMI Code of Judicial Conduct binding on attorneys  
15 who are judicial candidates. *See, e.g., Pa. Family Inst. Inc. v. Black*, 489 F.3d 156, 161 n. 3 (3d Cir.  
16 2007); *and In re Gaudet*, 922 So. 2d 477, 479, 484 (La. 2006) (Judicial candidate’s lewd comments  
17 violated Louisiana Code of Judicial Conduct that requires candidates to maintain dignity  
18 appropriate to office). Under Model Rule 8.2(b), “A lawyer who is a candidate for judicial office  
19 shall comply with the applicable provisions of the Code of Judicial Conduct.”

20 Disciplinary Counsel alleges that Respondent Quichocho violated Canons 1 and 2A of the  
21 NMI Code of Judicial Conduct. Canon 1 states in relevant part that “[a] judge . . . should himself  
22 observe . . . high standards of conduct so that the integrity and independence of the judiciary may  
23 be preserved.” Canon 2A states: “A judge should respect and comply with the law and should  
24

1 conduct himself at all times in a manner that promotes public confidence in the integrity and  
2 impartiality of the judiciary.”

3 As established above, while Respondent Quichocho was a nominee for judicial office, he  
4 misrepresented the disciplinary sanctions against Judge Govendo and made false statements  
5 concerning Judge Govendo’s motivations in the *Fujie* case. The Court finds that the bad faith  
6 Respondent Quichocho demonstrated in making these statements falls below the “high standards of  
7 conduct” required of a judge by Canon 1. Respondent’s statements, which suggested that Judge  
8 Govendo’s decision in the *Fujie* case was based on a bias against “locals” and the desire to get rid  
9 of locals by invalidating their real property interests, were logically disconnected both from Judge  
10 Govendo’s legal analysis in the *Fujie* case, and the actual statements made by Judge Govendo for  
11 which he was disciplined in 2010. As such, the Court finds that Respondent’s conduct in making  
12 these statements wrongfully undermined public confidence in the integrity and impartiality of the  
13 judiciary in violation of Canon 2A.

14 Accordingly, because they violated Canons 1 and 2A of the NMI Code of Judicial Conduct,  
15 Respondent Quichocho’s above-described statements violated Model Rule 8.2(b).

16 **Count IV: Violation of Model Rule 8.4(d)**

17 Under Model Rule 8.4(d), “[i]t is professional misconduct for a lawyer to: . . . engage in  
18 conduct that is prejudicial to the administration of justice.” Conduct that is prejudicial to the  
19 administration of justice includes strategically timing filings for the purpose of delaying judicial  
20 proceedings. *See In re Yana*, 2014 MP 1 ¶ 35 (describing with approval the 366-day suspension  
21 imposed in *People v. Davis*, 911 P.2d 45 (Colo. 1996)).

22 Here, Respondent Quichocho filed a Motion to Disqualify Judge Govendo at 8:07 a.m. on  
23 September 3, 2013, less than an hour before Respondent Quichocho was to appear before Judge  
24 Govendo for a hearing concerning possible sanctions based on Respondent’s May 29, 2013 Motion

1 to Reconsider. The Motion to Disqualify argued that Judge Govendos' recusal was necessary due  
2 to a lawsuit that Respondent Quichocho filed at 7:54 a.m. that same morning, naming Judge  
3 Govendo as a defendant. The lawsuit was a taxpayer complaint requesting that Judge Govendo be  
4 forced to return wages and benefits paid to him during the time the Judge Govendo made the  
5 statements that were at issue in *In re Govendo*, 2010 MP 16.

6 The timing of Respondent's taxpayer complaint against Judge Govendo indicates that it was  
7 Respondent's intent to delay the *Fujie* proceedings and avoid sanction. *In re Govendo* was decided  
8 by the CNMI Supreme Court on December 1, 2010. However, Respondent Quichocho did not file  
9 the taxpayer complaint until nearly three years later, about an hour before Respondent Quichocho  
10 was to appear before Judge Govendo for a disciplinary hearing. Similarly, on September 27, 2013,  
11 Respondent Quichocho filed a lawsuit against Judge Wiseman's wife on the morning of a  
12 disciplinary hearing before Judge Wiseman. Ex. H. Thus, the Court finds, based on the repetition  
13 and timing of this conduct, that Respondent Quichocho intended to delay proceedings and avoid  
14 discipline.

15 Accordingly, the Court finds that Respondent Quichocho's conduct in filing a taxpayer  
16 complaint and motion to disqualify Judge Govendo on the morning of his disciplinary hearing was  
17 prejudicial to the administration of justice. While it generally would not be an abuse of the legal  
18 process to file in good faith a motion to disqualify a judge, or to file in good faith a claim against a  
19 judge or a judge's relative, the manner in which Respondent Quichocho used legal tools to  
20 undermine the legal process in an attempt to avoid sanction cannot be tolerated. Such conduct  
21 wastes judicial resources and undermines the judicial function of regulating attorney conduct. Thus,  
22 Respondent Quichocho violated Model Rule 8.4(d) when he attempted to disqualify Judge Govendo  
23 in the *Fujie* matter through his September 3, 2013 filings.

1 **V. SANCTION**

2 Because the Court finds that Respondent Quichocho committed acts constituting  
3 professional misconduct, the Court must “determine and impose appropriate sanctions.” NMI Disc.  
4 R. 2(a) & (b), 9(i)(1). The Court looks to the ABA Standards for Imposing Lawyer Sanctions for  
5 guidance in making these determinations. *In re Yana*, 2014 MP 1 ¶ 39. The Court considers (1) the  
6 duty violated; (2) the lawyer’s mental state; (3) the potential or actual injury caused by the lawyer’s  
7 misconduct; and (4) the existence of aggravating or mitigating factors. *See* ABA Standards for  
8 Imposing Lawyer Sanctions § 3.0 (1992). The Court also takes into consideration any prior  
9 sanctions imposed on the lawyer. NMI Disc. R. 9(i)(3). Additionally, the Court considers sanctions  
10 imposed in similar situations. *In re Yana*, 2014 MP 1 ¶ 44.

11 Here the Court found that Respondent violated Model Rules 8.2(a) and (b), which constitute  
12 professional misconduct under Model Rule 8.4(a).<sup>4</sup> Additionally, the Court found that Respondent  
13 committed professional misconduct under Model Rules 8.4(c) and (d).

14 Through this professional misconduct, Respondent Quichocho violated his duty to maintain  
15 the integrity of the legal profession. These violations were intentional, and were motivated by a  
16 desire to avoid professional sanctions and unfavorable judicial rulings. While it is not possible to  
17 quantify the actual injury to the integrity of the legal profession caused by Respondent’s conduct,  
18 the potential for injury is great: Our legal system relies on attorneys maintaining a high standard of  
19 professional conduct, and using their legal skills to uphold and improve the integrity of the system,  
20 not to damage it.

21 The Court notes that many of the aggravating factors listed in section 9.22 of the ABA  
22 Standards for Imposing Lawyer Sanctions are present in this case. Section 9.22 states:

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24 <sup>4</sup> Model Rule 8.4(a) states, “It is professional misconduct for a lawyer to: (a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another.”

- 1 Aggravating factors include:  
2 (a) prior disciplinary offenses;  
3 (b) dishonest or selfish motive;  
4 (c) a pattern of misconduct;  
5 (d) multiple offenses;  
6 (e) bad faith obstruction of the disciplinary proceeding by intentionally failing to comply  
7 with rules or orders of the disciplinary agency;  
8 (f) submission of false evidence, false statements, or other deceptive practices during the  
9 disciplinary process;  
10 (g) refusal to acknowledge wrongful nature of conduct;  
11 (h) vulnerability of victim;  
12 (i) substantial experience in the practice of law;  
13 (j) indifference to making restitution;  
14 (k) illegal conduct, including that involving the use of controlled substances.  
15 ABA Standards for Imposing Lawyer Sanctions § 9.22.

16 Respondent has several prior disciplinary offenses. *See id.* at § 9.22(a). As noted above,  
17 Respondent was recently disbarred as a result of multiple rule violations involving conflicts of  
18 interest, dishonesty, and criminal conduct that breached the trust of his client and the trust of the  
19 public in the legal system. *See In re Quichocho*, Civ. No. 13-0196 (NMI Super. Ct. July 16, 2014)  
20 (Disciplinary Action: Disbarment). Earlier this year, Respondent was suspended for three years for  
21 violations of Model Rules 1.9(a) and (c) and 8.4(c) and (d) because he, in concert with his wife and  
22 uncle, submitted a series of Open Government Meetings and Records Act requests to his former  
23 client, the Municipality of Tinian and Aguiguan, to improperly pressure the client to make  
24 payments for legal services. *In re Quichocho*, Civ. No. 13-0098 (NMI Super. Ct. May 28, 2014)  
(Disciplinary Action: Suspension) (unpublished).

19 The Court also takes judicial notice of Judge Manglona's January 28, 2010 order wherein  
20 Judge Manglona found that Respondent Quichocho's representation of Mayor-elect Ramon M. Dela  
21 Cruz violated Model Rule 1.7(a) and required disqualification. *Dela Cruz v. San Nicholas*, Civ. No.  
22 09-0492 (NMI Super. Ct. Jan. 28, 2010) (Decision on Order Granting Defendant's Motion to  
23 Disqualify Ramon K. Quichocho as Plaintiff's Legal Counsel at 8-10).

1           Additionally, the Court takes judicial notice of the Memorandum Opinion and Order issued  
2 on September 23, 2013 by Judge Govendo, finding that Respondent Quichocho and his co-counsel  
3 Robert Myers violated Rule 11(b) of the Commonwealth Rules of Civil Procedure by filing the  
4 Motion to Reconsider at issue in this disciplinary case. *Fujie v. Atalig*, Civ. No. 10-0131 (NMI  
5 Super. Ct. Sep. 23, 2013) (Memorandum Opinion and Order at 10). The sanction imposed included  
6 an award of attorney’s fees, and a fine of \$5,000. *Id.* at 12.

7           Finally, the Court takes judicial notice of the recent public reprimand imposed on  
8 Respondent for violations of Model Rules 1.1 and 1.4(a)(2) & (3). *In re Quichocho*, Civ. No. 13-  
9 0086 (NMI Super. Ct. July 15, 2014) (Findings of Fact and Conclusions of Law at 17). In that case,  
10 the court found that Respondent violated Model Rules 1.1 and 1.4 by failing to inform his client  
11 that the government was possibly filing criminal charges against the client, and that the CNMI  
12 Office of the Attorney General was potentially willing to discuss a settlement. *Id.* at 8-9.

13           Respondent’s conduct in the *Fujie* case demonstrates a selfish and dishonest motive. *See*  
14 ABA Standards for Imposing Lawyer Sanctions § 9.22(b). As found above, Respondent was  
15 representing himself throughout these proceedings, and he misrepresented the opinion of the CNMI  
16 Supreme Court and statements made by Judge Govendo, as a strategy to delay proceedings and  
17 avoid sanctions.

18           Along with the prior disciplinary offenses, the offenses in this case establish that  
19 Respondent demonstrates a pattern of using his knowledge of legal tools, such as motions to  
20 disqualify, Open Government Act requests, or the process of forming and owning business entities,  
21 to harm his clients and the administration of justice. *See id.* at § 9.22(c). The acts described in this  
22 matter also constitute multiple offenses of the Model Rules of Professional Conduct. *See id.* at  
23 § 9.22(d). Respondent did not respond or engage in the disciplinary process, so has not  
24 acknowledged the wrongfulness of his conduct. *See id.* at § 9.22(e), (f), (g). Finally, Respondent has

1 substantial experience practicing law. *See id.* at § 9.22(i). The Court takes judicial notice of the fact  
2 that, at the time the conduct in this case occurred, Respondent had been a member of the CNMI Bar  
3 for over ten years.

4 Section 9.32 of the ABA Standards for Imposing Lawyer Sanctions lists several mitigating  
5 factors. The Court finds as a mitigating factor that other sanctions have already been imposed on  
6 Respondent. *See* ABA Standards for Imposing Lawyer Sanctions § 9.32(k). Respondent has already  
7 been fined \$5,000 by Judge Govendo for his violation of Rule 11(b) in this case. *Fujie v. Atalig*,  
8 Civ. No. 10-0131 (NMI Super. Ct. Sep. 23, 2013) (Memorandum Opinion and Order at 12). And in  
9 the time since the conduct described in this case occurred, Respondent has been disbarred and is no  
10 longer able to practice law in this jurisdiction. *In re Quichocho*, Civ. No. 13-0196 (NMI Super. Ct.  
11 July 16, 2014) (Disciplinary Action: Disbarment).

12 Section 6.22 of the ABA Standards for Imposing Lawyer Sanctions states that, “Suspension  
13 is generally appropriate when a lawyer knows that he or she is violating a court order or rule . . .  
14 [and] causes interference or potential interference with a legal proceeding.” Similarly, under  
15 Section 7.2, “Suspension is generally appropriate when a lawyer knowingly engages in conduct that  
16 is a violation of a duty owed as a professional and causes injury or potential injury to a client, the  
17 public, or the legal system.” Here the Court finds that although suspension would be warranted,  
18 because Respondent is already disbarred, the appropriate sanction is a public reprimand.

19 Similarly, public censure was the sanction imposed on a Colorado attorney who engaged in  
20 “protracted and unnecessary litigation” and engaged with the court and opposition counsel with an  
21 unprofessional demeanor. *See In re Olsen*, 2014 Colo. 42 ¶¶ 19, 23, 37.

22 Accordingly, the Court finds that Respondent’s conduct warrants public reprimand. Judicial  
23 officers must be held to the highest of standards. Attorneys play a vital role in screening for  
24 conflicts and requesting disqualification of judges in good faith. However, the integrity of the

