

DISTRICT OF COLUMBIA COURT OF APPEALS
BOARD ON PROFESSIONAL RESPONSIBILITY
HEARING COMMITTEE NUMBER TWELVE



FILED

Nov 17 2023 4:33pm

In the Matter of: :
: :
JEFFREY B. CLARK : : Board on Professional Responsibility
: Board Docket No. 22-BD-039
Respondent. : Disciplinary Docket No. 2021-D193
: :
A Member of the Bar of the : :
District of Columbia Court of Appeals : :
(Bar Registration No. 455315) : :

ORDER

Upon consideration of Respondent’s Motion to Dismiss on Grounds of Inconsistent Theories or, Alternatively, to Require the Office of Disciplinary Counsel (“ODC”) to Pick One Theory of Violation and Stick to It, seeking dismissal of the Specification of Charges or, in the alternative, an order directing Disciplinary Counsel to elect a single theory of prosecution, and Disciplinary Counsel’s Opposition thereto, it is hereby

ORDERED that Respondent’s motion is DENIED insofar as he seeks a dismissal of the Specification of Charges. *See* Board Rule 7.16(a); *See also In re Stanton*, 470 A.2d 281, 285 (D.C. 1983) (appended Board report) (once a Specification of Charges has been filed, “the underlying purposes of the Board require that we proceed directly to a hearing on the merits rather than being detoured into questions of pleading and form.”). It is further

ORDERED that the remainder of Respondent’s motion is DENIED without prejudice to his ability to reassert his contentions in his post-hearing brief.

HEARING COMMITTEE NUMBER TWELVE

By: Merril Hirsh
Merril Hirsh
Chair

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