

RECEIVED ELECTRONICALLY

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

In re

Todd V. Harms,

Lawyer (Bar No. 31104).

Supreme Court No. _____

DISCIPLINARY COUNSEL
DECLARATION

I, Francesca D'Angelo, declare and state:

1. I am the disciplinary counsel assigned to the disciplinary proceedings against Respondent lawyer, Todd V. Harms. This statement is submitted in support of the Petition for Interim Suspension filed by the Office of Disciplinary Counsel pursuant to Rule for Enforcement of Lawyer Conduct (ELC) 7.2(a)(3).

2. On December 31, 2015, ODC received a grievance against Respondent. The grievance was sent to Respondent on January 7, 2016 with a letter stating that ODC was dismissing the grievance.

3. Based on information received from the grievant that the grievant was unable to reach Respondent, on January 26, 2016, ODC mailed Respondent a letter stating that ODC was re-opening the grievance. The letter requested Respondent's written response to the grievance within 30 days. The letter was sent to Respondent's business address on file with the Association.

4. On February 16, 2016, ODC's January 26, 2016 letter to Respondent was returned by the United States Postal Service.

5. On February 17, 2016, ODC re-sent the letter requesting Respondent's written response within 30 days. The letter was sent to Respondent's confidential home address on file with the Washington State Bar Association.

6. ODC's February 17, 2016 letter was not returned by the U.S. Postal Service.

7. Respondent did not provide a written response to the grievance within 30 days as requested.

8. On March 21, 2016, Disciplinary Counsel sent Respondent a letter to notify him that failure to comply within 10 days may result in his deposition or subject him to interim suspension under ELC 7.2. The letter was sent to Respondent's business address on file with the Association.

9. On March 30, 2016, the March 21, 2016 letter was returned by the U.S. Postal Service.

10. On March 31, 2016, Disciplinary Counsel sent Respondent another letter to notify him that failure to comply within 10 days may result in his deposition or subject him to interim suspension under ELC 7.2. The letter was sent to Respondent's confidential home address on file with the Association and via email.

11. Disciplinary Counsel's March 31, 2016 letter was not returned by the U.S. Postal Service.

12. Respondent did not provide a written response to the grievance by April 12, 2016.

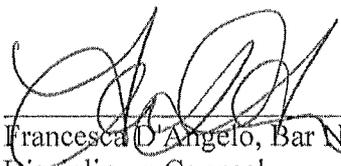
13. On April 13, 2016, Disciplinary Counsel issued a subpoena duces tecum requiring Respondent to appear for a deposition at the Association's offices on May 4, 2016.

14. On April 19, 2016, Respondent was personally served with the subpoena duces tecum. Attached hereto as Exhibit 1 is a true and correct copy of the process server's declaration of service.

15. Respondent did not appear for his May 4, 2016 deposition or otherwise contact Disciplinary Counsel.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Seattle May 31, 2016
Date & Place



Francesca D'Angelo, Bar No. 22979
Disciplinary Counsel

9707 Vincenza Dr. Pasco WA, 99301-6732, on April 19th, 2016

And that the deponent knows the person so served to be Todd V. Harms, the subject mentioned and described in the pleadings, and the deponent is not a party to, nor interested in the action.

Phil Bassett
Phil Bassett, Process Server
2839 W. KENNEWICK AVENUE #199
KENNEWICK, WA 99336³

Sworn to before me this 20th day of April 2016

S. B. Haun
Notary Public for Washington

My Commission expires on 5.5.2017

