

Resignation for Wrongful Conversion of Estate Funds

DONALD WAYNE MUTALA

Vancouver, B.C.

Called to the Bar: July 13, 1982

Resigned September 9, 1993

Between September 3, 1991 and March 18, 1992 the member wrongfully converted to his own use \$39,455 from an estate for which he was solicitor.

In order to accomplish the conversions, the member rendered a series of false accounts for services rendered to the estate in order to make it appear that he was lawfully entitled to the money.

In November, 1992 the member returned the \$39,455 to the estate beneficiaries by way of cheques drawn on his general account. Those cheques purported to be "fee reimbursements."

On September 9, 1993 the Discipline Committee accepted the member's admission of wrongful conversion, his resignation and his undertakings to:

1. not apply for reinstatement with the Law Society for two years;
2. not allow his name to appear on any lawyer's letterhead without the prior written consent of the Law Society;
3. notify the Secretary in writing before applying for admission to practise law in any other jurisdiction; and
4. refrain from working in any capacity for any lawyer or law firm in B.C. without the prior written consent of the Law Society.