

**THE LAW SOCIETY OF BRITISH COLUMBIA**

IN THE MATTER OF THE *LEGAL PROFESSION ACT*, SBC 1998, C. 9

AND

**LEE SCOTT TUPPER**

(a member of the Law Society of British Columbia)

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**RULE 3-7.1 CONSENT AGREEMENT**

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1. On May 10, 2024, the Chair of the Discipline Committee accepted a proposal submitted by Lee Scott Tupper (the “Lawyer”) under Rule 3-7.1 of the Law Society Rules (“Rules”).
2. Under the proposal, the Lawyer admitted that he committed the following professional misconduct:

Between January 2019 and June 2020, in relation to his client, [a company], he disbursed \$61,463.23 from his firm’s trust account in circumstances where he had not provided legal services in regard to the disbursements.
3. Under the proposal, the Lawyer agreed to be suspended from the practice of law for a period of two weeks, from July 2, 2024 to July 16, 2024.
4. In making its decision, the Chair of the Discipline Committee considered an Agreed Statement of Facts and a letter to the Chair of the Discipline Committee, both dated April 30, 2024. The Chair also considered that the Lawyer does not have a prior professional conduct record.
5. This consent agreement will now form part of the Lawyer’s professional conduct record.

6. Pursuant to Rule 3-7.1(5) of the Rules, and subject to Rule 3-7.2 of the Rules, the Law Society is bound by an effective consent agreement, and no further action may be taken on the complaint that gave rise to the agreement.
7. The admitted facts were set out in the Agreed Statement of Facts. They have been anonymized and summarized below.

## **I. Summary of Facts**

8. The Lawyer was called to the bar and admitted as a member of the Law Society of British Columbia on July 13, 1977. Since then, he has worked at a small firm in Vancouver (the “Firm”), practising primarily in the areas of securities law and corporate law.
9. In January 2019, the Lawyer opened a client file for a corporate client, a private British Columbia company (the “Company”).
10. The Lawyer understood that the Company would ultimately be converted to a public company by listing on an exchange.
11. The Lawyer maintained the Company’s central securities register at the Firm, as the Company’s records office. The Lawyer prepared directors’ resolutions, updated the Company’s central securities register, and printed share certificates to assist with the Company’s distribution of shares in connection with its financings.
12. Between January and July 2019, the Company raised funds in three rounds of financing (the “Investor Funds”). The Lawyer deposited the Investor Funds in the Firm’s trust account.
13. Between January 2019 and June 2020, pursuant to instructions received from the Company, the Lawyer disbursed \$61,463.60 from the Firm’s trust account. The disbursements of Investor Funds were not made in suspicious circumstances, and there was nothing to suggest that the disbursements were an inappropriate corporate use of the Investor Funds. Nonetheless, the Lawyer’s actions amounted to professional misconduct as the disbursements were made in circumstances where the Lawyer had not provided legal services in relation to the disbursements.