

*In re Wolff*, 5 ROP Intrm. 155 (1995)  
**IN THE MATTER OF MARTIN WOLFF,**  
**Respondent.**

DISCIPLINARY PROCEEDING 10-95

Supreme Court, Disciplinary Tribunal  
Republic of Palau

Order of dismissal  
Decided: December 4, 1995

Disciplinary Counsel: Steven R. Marks

BEFORE: ARTHUR NGIRAKLSONG, Chief Justice; JEFFREY L. BEATTIE, Associate Justice; LARRY W. MILLER, Associate Justice.

PER CURIAM:

Before the Disciplinary Tribunal are the Findings of Fact and Recommendations of the Disciplinary Counsel, made in his report filed pursuant to Disciplinary Rule 4(b). As discussed below, having reviewed the allegations and supporting documents submitted by complainant, and the report and accompanying materials submitted by the Disciplinary Counsel, the Tribunal concludes that the proceeding should be dismissed without further action.

The investigation centered on potential violations by respondent of Model Rules of Professional Conduct 3.4(b) (falsifying evidence and offering an inducement to a witness that is prohibited by law) and 3.4(f) (improperly requesting that a non-client refrain from voluntarily giving relevant information to another party). As to the first potential violation, the Tribunal agrees with Disciplinary Counsel that the likelihood that the evidence supporting the finding of a violation will be clear and convincing is too small to warrant further proceedings.

As to the second potential violation, the Tribunal concludes that any violation is *de minimis* at most and does not warrant further proceedings. Respondent is cautioned, however, to strictly adhere to the duties imposed on him by Model Rule of Professional Conduct 3.4(f). Respondent is reminded that, as one of his ethical responsibilities, he may not request that a non-client refrain from voluntarily giving relevant information to another party, unless one of the narrow exceptions expressly stated in that Rule applies.

**1156** Accordingly, pursuant to Disciplinary Rule 5(b), the proceeding is hereby DISMISSED.