

STATE OF CONNECTICUT



Michael P. Bowler  
Statewide Bar Counsel

Frances Mickelson-Dera  
Christopher L. Slack  
First Assistant Bar Counsel

Tel: (860) 568-5157

Fax: (860) 568-4953

**STATEWIDE GRIEVANCE COMMITTEE**

[www.jud.ct.gov/sgc/](http://www.jud.ct.gov/sgc/)

Second Floor - Suite Two  
287 Main Street, East Hartford, Connecticut 06118-1885

05/02/2011

OFFICE OF CHIEF DISCIPLINARY C  
100 WASHINGTON STREET  
HARTFORD CT 06106

MUSA PETTY SEBADDUKA  
MUSA P SEBADDUKA LLC  
1100 NEW BRITAIN AVE.  
SUITE 102  
WEST HARTFORD CT 06110

RE: GRIEVANCE COMPLAINT #09-1121  
DESOUZA vs. SEBADDUKA

Dear Respondent and Disciplinary Counsel:

Enclosed herewith is the decision of the reviewing committee of the Statewide Grievance Committee concerning the above referenced matter. In accordance with the Practice Book Sections 2-35, 2-36 and 2-38(a), the Respondent may, within thirty (30) days of the date of this notice, submit to the Statewide Grievance Committee a request for review of the decision.

A request for review must be sent to the Statewide Grievance Committee at the address listed above.

Sincerely,

Michael P. Bowler

Encl.

cc: Attorney Richard T. Florentine  
Attorney John A. Sodipo  
Dorcas Desouza



STATE OF CONNECTICUT  
JUDICIAL BRANCH

STATEWIDE GRIEVANCE COMMITTEE

Michael P. Bowler, *Statewide Bar Counsel*

287 Main Street  
Second Floor – Suite Two  
East Hartford, CT 06118-1885  
(860) 568-5157 Fax (860) 568-4953  
Judicial Branch Website: [www.jud.ct.gov](http://www.jud.ct.gov)

Attorney Suzanne Sutton  
Assistant Disciplinary Counsel  
100 Washington Street  
Hartford, CT 06106

Attorney Musa Sebadduka  
Musa P Sebadduka LLC  
1100 New Britain Ave.  
Suite 102  
West Hartford CT 06110

RE: Grievance Complaint #09-1121, Dorcas DeSouza v. Musa Sebadduka

Dear Assistant Disciplinary Counsel and Respondent:

Pursuant to Practice Book §2-82(b), the undersigned, duly-appointed reviewing committee of the Statewide Grievance Committee, has reviewed the *Proposed Disposition Pursuant to Practice Book § 2-82(b)* (hereinafter "*Proposed Disposition*") filed March 28, 2011, and submitted for approval in the above referenced matter. After careful consideration of the *Proposed Disposition*, the *Affidavit* of the Respondent submitted pursuant to Practice Book §2-82(d) and the entire record of the complaint, and after conducting a hearing pursuant to Practice Book §2-82(b) on March 10, 2011, the undersigned hereby APPROVE the *Proposed Disposition*, a copy of which is attached hereto together with the *Affidavit* of the Respondent. Accordingly, the disposition agreed to by the Assistant Disciplinary Counsel and the Respondent in the above referenced matter and set forth in the *Proposed Disposition* is hereby made an order of this reviewing committee.

We order the Respondent to attend, in-person and at his own expense, two continuing legal education ("CLE") courses: in 1) legal ethics and 2) a substantive course in Connecticut probate law. On-line courses and materials only courses do not comply. The courses must cover Connecticut law. Each CLE course is to consist of a minimum of three credit hours for a total of six credits, and is to be taken within eight months of the approval of this agreement. The Respondent will provide the Statewide Grievance Committee with written confirmation of his compliance with this condition within thirty days of completion of the CLE course.

Pursuant to Practice Book §2-37(a)(7), we further order the Respondent to submit quarterly audits of his IOLTA and all conservator accounts to the office of the Statewide Grievance Committee for one year to insure compliance with the provisions of Practice Book §2-27.

Grievance Complaint #09-1121

Decision

Page 2

There was a vacancy for the lay member of the reviewing committee. Assistant Disciplinary Counsel and the Respondent waived the participation of a lay member in the consideration and decision of the *Proposed Disposition*. Accordingly, the matter was considered and decided by the undersigned.

So ordered.

cc: Dorcas DeSouza  
Attorney Richard Florentine

(D)  
EMR

DECISION DATE: 4/29/11

Grievance Complaint #09-1121

Decision

Page 3



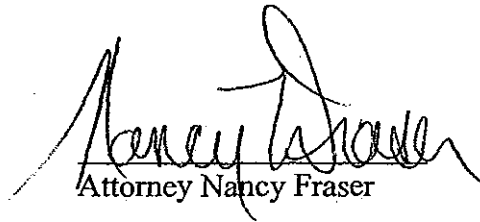
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Attorney David Channing

Grievance Complaint #09-1121

Decision

Page 4



Attorney Nancy Fraser

STATEWIDE GRIEVANCE COMMITTEE

DORCAS DESOUZA  
Complainant

GRIEVANCE COMPLAINT #  
09-1121

v.

MUSA SEBADUKKA  
Respondent

PROPOSED DISPOSITION PURSUANT TO PRACTICE BOOK § 2-82(b)

Pursuant to Practice Book § 2-82(b), and Practice Book § 2-82(a)(2), the undersigned Respondent and Disciplinary Counsel stipulate and agree as follows:

1. Musa Sebadduka (hereinafter Respondent), juris number 425881, was admitted to the bar of the State of Connecticut on November 27, 2006 and has no history of discipline.
2. The Respondent has registered with the Statewide Grievance Committee and is currently in good standing.
3. This matter was instituted by grievance complaint dated December 4, 2009.
4. On March 19, 2010, the Local Grievance panel for New Britain Judicial District found probable cause that the Respondent violated Rule 8.4(3) of the Rules of Professional Conduct in that "respondent maintained civil legal remedies for the (unprofessional) work alleged to be performed and subject to payment, in lieu of unilateral action of stopping payment of the tendered check". (See attached Probable cause finding exhibit A).
5. On April 30, 2010 Assistant Bar Counsel Rowe requested further documentation from the Respondent and on May 4, 2010 Disciplinary Counsel supplemented that request for more information from Respondent. In response Respondent provided all that was requested to the extent it existed.
6. Based upon the documentation provided, Disciplinary Counsel sent a request for Additional Probable Cause on May 20, 2010. (See attached Exhibit B).
7. On June 11, 2010, Assistant Bar Counsel Rowe requested certain information from Respondent and on June 17, 2010 and July 19, 2010, First Assistant

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OFFICE OF  
DISCIPLINARY COUNSEL

Mickelson-Dera requested certain documentation from Respondent (See Exhibit C). Respondent hired an accountant in order to properly respond to the requests. Much documentation was provided although from what Disciplinary Counsel can ascertain - not all.

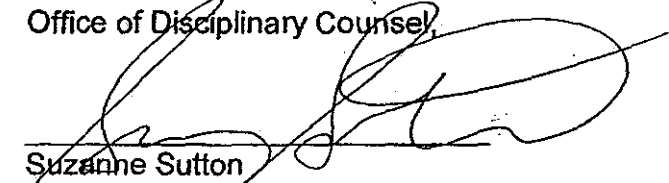
8. On August 11, 2010, after review of the documentation received by Bar Counsel, First Assistant Bar Counsel Mickel-Dera requested specific itemized information and or documentation (See attached exhibit D). Most of the items listed within this request were investigated by Disciplinary Counsel. Primarily, those items relating to Disciplinary Counsel's concerns in her APC letter and any "cash" type payments.
9. On September 30, 2010 Additional Probable Cause was found in that ;  
  
"Respondent violated Rule 8.4(4) by failing to pay the bills of Mr. Moscone, his ward, on time and incurring late fees, by failing to properly budget his ward's funds, by writing checks on his ward's account that resulted in several overdrafts and by neglecting his ward. All of these actions demonstrate that the Respondent violated his fiduciary duty as a conservator; such a failure to fulfill his court-appointed duties is prejudicial to administration of justice."  
  
The Committee also found that Respondent violated Rule 8.4(3) in that he "wrote checks from the ward's account to the respondent without providing appropriate documentation and paid personal bills with the ward's funds".
10. Disciplinary Counsel has been unable to find support beyond the Complainant's testimony that any of the ward's funds were used to pay for personal services or expenses. Disciplinary did try to contact certain potential witnesses to no avail. Disciplinary Counsel has been made aware of evidence which would contradict that Respondent neglected his ward in any way beyond the financial neglect via late payment and bank fees. Respondent has stated that he should have paid the complainant her money rather than stop payment on the check and that the money has now been paid to complainant.
11. Respondent asserts that he did not avoid or refuse to answer any request for information from a Disciplinary authority and thought he was in compliance with the requests especially after having answered all of Disciplinary Counsel's inquiries. Respondent apologizes for any information that he failed to provide First Assistant Mickelson-Dera and any such failure was inadvertent or explained to Disciplinary Counsel.

12. The Respondent has tendered an affidavit pursuant to Practice Book § 2-82(d) attached hereto, and admits that he was neglectful of making timely payments for his ward and that he failed to respond to all of the financial inquiries relative to the Statewide Grievance Committee Audit and that conduct constitutes a violation of Rule 8.4(3) of the Rules of Professional Conduct.
13. The Respondent and the Disciplinary Counsel agree that the Respondent will attend in-person and at his own expense 3 hours continuing legal education ("CLE") course(s) in legal ethics and 3 hours continuing legal education course(s) in probate/conservator law. Online courses and materials only courses do not comply. The CLE course(s) are to consist of a minimum of 3 credit hours each, and are to be taken within eight (8) months of the approval of this agreement. The Respondent will provide the Statewide Grievance Committee and the Office of the Chief Disciplinary Counsel with written confirmation of his compliance with this condition within 30 days of completion of the CLE course(s).
14. The Respondent and Disciplinary Counsel agree that the Respondent shall reimburse his ward, Joseph Moscone, the sum of \$550.00 in restitution to cover all late fees and interest charges unnecessarily incurred.
15. The Respondent and Disciplinary Counsel agree that Respondent shall submit to quarterly audits of his client funds account(s) and conservator accounts commencing on or after July 15, 2010 for the period of April 1, 2011 – June 30, 2011; on or after October 15, 2011 for the period of July 1, 2011 – September 30, 2011; on or after January 15, 2012 for the period of October 1, 2011 to December 31, 2011; and on or after April 15, 2012 for the period of January 1, 2012 – March 31, 2012.
16. The Respondent understands that these are disciplinary sanctions and conditions pursuant to Practice Book § 2-37(a).
17. The Respondent further understands that his failure to comply with all the terms of these conditions will result in the filing of a presentment pursuant to Practice Book § 2-37(c).
18. The Respondent and the Disciplinary Counsel agree that the Disciplinary Counsel will recommend that the Statewide Grievance Committee impose the sanction set forth in this agreement. If this agreement is rejected by the Statewide Grievance Committee, the Disciplinary Counsel will pursue this matter at a contested hearing.


WHEREFORE, this matter is submitted to the Statewide Grievance Committee for its approval in accordance with Practice Book § 2-82(b).

Office of Disciplinary Counsel

3/28/11  
Date

By:   
Suzanne Sutton  
Assistant Disciplinary Counsel

03/24/2011  
Date

  
Musa Sebadduka  
Respondent

**STATEWIDE GRIEVANCE COMMITTEE**

**DORCAS DESOUZA**  
Complainant

**GRIEVANCE COMPLAINT #**  
09-1121

v.

**MUSA SEBADUKKA**  
Respondent

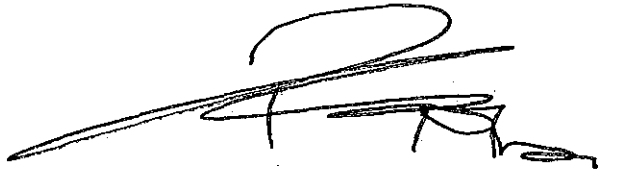
**AFFIDAVIT**

I am over the age of 18 and believe in the obligation of an oath. Pursuant to Practice Book § 2-82(d), I make the following affidavit:

1. The Proposed Disposition attached hereto and made a part hereof is voluntarily submitted.
2. I hereby consent to the form of disposition set out in the foregoing Proposed Disposition.
3. I am aware that I have a right to a full evidentiary hearing on this matter with the assistance of an attorney and I waive that right by entering into this agreement.
4. I have been neither subject to coercion nor duress and I am fully aware of the consequences of this Affidavit and Proposed Disposition.
5. I am aware of the current proceeding regarding my alleged violation of Rules 8.4 (3) and 8.4(4) of the Rules of Professional Conduct.
6. I admit that I was neglectful of making timely payments for my ward and that I failed to respond to all of the financial inquiries relative to the Statewide Grievance Committee Audit and that conduct constitutes a violation of Rule 8.4(3) of the Rules of Professional Conduct.

7. I have paid the complainant the money she has claimed due her. I admit that I need continuing legal education in the area of attorney ethics and probate/conservator law. I also believe that quarterly audits are a necessary discipline which will help me achieve my goal of proper legal advocacy and avoidance any possibility of recidivism.
8. I agree to attend in-person and at my own expense 3 hours continuing legal education ("CLE") course(s) in legal ethics and 3 hours continuing legal education course(s) in probate/conservator law. Online courses and materials only courses do not comply. The CLE course(s) are to consist of a minimum of 3 credit hours each, and are to be taken within eight (8) months of the approval of this agreement. I will provide the Statewide Grievance Committee and the Office of the Chief Disciplinary Counsel with written confirmation of my compliance with this condition within 30 days of completion of the CLE course(s).
9. I agree that I shall reimburse his ward, Joseph Moscone, the sum of \$550.00 in restitution to cover all late fees and interest charges unnecessarily incurred within six (6) months of the approval of this agreement. I will provide the Statewide Grievance Committee and the Office of the Chief Disciplinary Counsel with written confirmation of this condition along with a copy of the negotiated check immediately upon payment.
10. I agree to submit to quarterly audits of my client funds account(s) and conservator accounts commencing on or after July 15, 2010 for the period of April 1, 2011 – June 30, 2011; on or after October 15, 2011 for the period of July 1, 2011 – September 30, 2011; on or after January 15, 2012 for the period of October 1, 2011 to December 31, 2011; and on or after April 15, 2012 for the period of January 1, 2012 – March 31, 2012.
11. I understand that Disciplinary Counsel will recommend that this matter be resolved by the imposition of the sanction set forth in the Proposed Disposition. If this agreement is rejected by the Statewide Grievance Committee, the Disciplinary Counsel will pursue this matter at a contested hearing.

12. I further understand that my failure to comply with all the terms and conditions stated herein will result in a presentment.



Musa Sebaddukka

STATE OF CONNECTICUT)

COUNTY OF HARTFORD )

ss. WEST HARTFORD

Subscribed and sworn to before me

This <sup>12</sup> day of March 2011



Notary Public/Commissioner of the Superior Court

5735

STATE OF CONNECTICUT  
JUDICIAL BRANCH



**NEW BRITAIN J.D. and J.D. of HARTFORD for G.A. #12  
and the TOWNS of AVON, BLOOMFIELD, CANTON,  
FARMINGTON and WEST HARTFORD GRIEVANCE PANEL**

Richard Florentine, *Grievance Counsel*  
E-Mail: [rtflorentine@snet.net](mailto:rtflorentine@snet.net)

PO Box 381, Branford, CT. 06405  
Telephone: (203) 483-9609

March 19, 2010

425881

Dorcas Desouza  
105 Norton Road  
Berlin, CT. 06037

Attorney Muza Petty Sebadduka  
c/o John Sopido, Esq.,  
65 Memorial Road  
Suite 545  
West Hartford, CT. 06107

Ke 9015

**GRIEVANCE PANEL FINDING OF PROBABLE CAUSE  
of Grievance Complaint Number 09-1121**

Dear Ms. Desouza and Attorney Sebadduka and Attorney Sopido:

The above-captioned grievance was considered by the New Britain Judicial District and Hartford Judicial District, GA 12 & Avon, Bloomfield, Canton, Farmington, West Hartford Grievance Panel. Based upon the panel's careful review of the information submitted and at its disposal, and in accordance with the Rules of Professional Practice Section 2-32(h) the panel has determined that no investigative hearing is necessary and none has been conducted.

**BRIEF BACKGROUND:**

The complainant submits she performed personal services for the benefit of the respondent; however, the payment made to the complainant by the respondent was returned for insufficient funds and /or stopped payment. It is alleged by the complainant that the respondent threatened the complainant with immigration proceedings and with respect to the initiation of a small claims action, as well as, a number associated litigation matter(s).

The respondent denies the allegations of the plaintiff, although through counsel does concede that the respondent did issue a stop payment on a check for reasons that the professional services rendered by the complainant were performed poorly, if at all.

EV A

**PANEL'S DECISION:**

The grievance panel determined that probable cause exists that the respondent violated the following Rules of Professional Conduct:

1. **Rule 8.4(3). Misconduct-** It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation in so far as the respondent maintained civil legal remedies for the (unprofessional) work alleged to be performed and subject of payment, in lieu of unilateral action of stopping payment of the tendered check.

A copy of this determination has been sent to the Statewide Grievance Committee **for the scheduling of a hearing. YOU WILL BE NOTIFIED DIRECTLY BY THE STATEWIDE GRIEVANCE COMMITTEE REGARDING THE HEARING.** It should be noted that **this grievance panel has concluded its investigation** into this matter; therefore, it is respectfully requested that **any additional filings or responses be submitted directly to the Statewide Grievance Committee, Second Floor, and Suite Two, 287 Main Street, East Hartford, Connecticut, 06118-1885.** In addition, a copy of this letter and the complete record has also been sent to the Office of the Chief Disciplinary Counsel, 100 Washington Street, Hartford, Connecticut 06106. The telephone number at the Office of the Chief Disciplinary Counsel is (860) 706-5055. The disciplinary counsel will be involved in this matter as it proceeds.

Respectfully submitted,



---

Richard Florentine  
Grievance Counsel



**State of Connecticut  
Judicial Branch**

**Court Operations  
Chief Disciplinary Counsel's Office**  
100 Washington Street, Hartford, CT 06106

# Memorandum

TO: Attorney Elizabeth Rowe and members, Bridgeport Reviewing Committee  
FM: Suzanne Sutton  
RE: #09-1121 Desouza v. Sebadduka  
DT: May 20, 2010

We are preparing this matter for a hearing before the Bridgeport Reviewing Committee.

Bar Counsel had requested certain financial documentation from Respondent. Most of that information was provided to Bar Counsel and to this office. Respondent failed to provide bank statements under the Sovereign Bank account ending with 90175 for the month of September 2009. Disciplinary Counsel also requested certain financial documentation from Respondent regarding Sovereign Bank account ending with 87564. That documentation was not provided.

Complainant sent a copy of the small claims judgment for \$1,475.00 entered on April 12, 2010 (See attached). She has not yet been paid.

Upon review of the bank statements provided and accompanying documentation Disciplinary Counsel notes the following:

1. There are three conservator bank accounts for one ward. Two with Sovereign Bank and one with New Alliance Bank.
2. The bank statements show an inordinate number of overdraft charges.
3. There are no billing records to support the payments to the Respondent.
4. There is an inordinate amount of late charges assessed on monthly bills.
5. There is a total payment of \$4,500.00 for landscaping charges which seems unreasonable since the ward lives in a condominium complex.
6. There are several different individuals who were paid for cleaning services.
7. It is unclear as to why Respondent has not paid the Complainant the amount owed to her. There is money in the conservator accounts to make payment and there is a small claims judgment requiring payment. If the service was provided to Respondent personally then there is a concern as to why the original check payment to complainant was written from a conservator account.

Disciplinary Counsel believes that these facts necessitate additional review and hereby requests that the Committee find additional probable cause of a violation of the Rules of

EV R

Professional Conduct , specifically Rules 1.1 and 1.3 in that Respondent has not acted with sufficient competence or diligence in his representation of his ward as a conservator as evidenced by the plethora of late fees and insufficient funds charges charged against his ward's estate; 1.5 (a) in that it appears that attorney's fees have been taken from the conservator account which are not supported by contemporaneous time records and therefore are not reasonable; 1.15 (d) in that it is unclear as to when and how the attorney's fees withdrawn by Respondent were earned and if all of the services paid for out of the conservator accounts were for services required for the ward or were for personal services for the Respondent ; 1.15 (e) in that Complainant has an interest in funds held by Respondent supported by a small claims judgment and said money has not been distributed; 8.4 (3) and (4) in that Respondent's failure to pay Complainant what she is owed, his failure to reimburse his ward's accounts for fees and charges incurred due to his lack of diligence and competence, and his payment out of the conservator accounts for unreasonable attorney's fees and personal landscaping fees constitute conduct involving dishonesty, fraud, deceit or misrepresentation and conduct prejudicial to the administration of justice.

Disciplinary Counsel also requests that the Statewide Grievance Committee conduct an audit of Respondent's conservator accounts and of his IOLTA account.

CC: Counsel for the Respondent, Complainant

A handwritten signature in black ink, appearing to be the initials 'JL' or similar, with a horizontal line extending to the right.



STATE OF CONNECTICUT  
JUDICIAL BRANCH

**STATEWIDE GRIEVANCE COMMITTEE**

Elizabeth M. Rowe, *Assistant Bar Counsel*

287 Main Street  
Second Floor – Suite Two  
East Hartford, CT 06118-1885  
(860) 568-5157 Fax (860) 568-4953  
Judicial Branch Website: [www.jud.ct.gov](http://www.jud.ct.gov)

June 11, 2010

Attorney Musa Sebadduka  
Musa P. Sebadduka, LLC  
1100 New Britain Avenue  
Suite 102  
West Hartford, CT 06110

RE: Grievance Complaint #09-1121, DeSouza v. Musa Sebadduka

Dear Attorney Sebadduka:

Pursuant to Practice Book Section 2-27(c), and at the request of the reviewing committee of Attorney Salvatore DePiano, Attorney Frank Riccio II, and Ms. Dahlia Johnston, as well as the Office of Statewide Bar Counsel, counsel for the Statewide Grievance Committee, this office will be conducting an audit of all of your clients' funds accounts.

In order to comply with our request for an audit, you are required to compile the following information and documentation listed below and submit it to our office by June 25, 2010. The documentation to be produced is for the time period of November 2007 through April 30, 2009.

1. A list of all bank account numbers and bank names in which you or your firm hold funds in any fiduciary capacity.
2. For each fiduciary account, the appropriate receipts and disbursements journal containing a record of all deposits, withdrawals and a running balance.
3. For each fiduciary account, a separate ledger/accounting page for each client on whose behalf funds were held during the audit period showing all deposits, withdrawals and a running balance.
4. For each fiduciary account, all bank statements for the audit period.
5. For each fiduciary account, provide the quarterly reconciliations of the receipts/disbursements journal, client's individual ledgers for the audit period, checks, deposit slips and bank statements. Any discrepancies need to be fully explained and fully supported by the records at the time of the audit.
6. All cancelled and voided checks, and a list of all outstanding checks pertaining to each

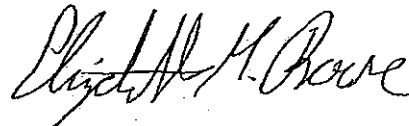
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- fiduciary account.
7. For each fiduciary account, a list off all personnel authorized to sign checks.
  8. For each fiduciary account, all deposit slips and wire transfer orders.
  9. For closings that occurred during the audit period, provide the HUD-1 and settlement statement.
  10. For each fiduciary account, a list of balances held for each client as of the last day of the audit period.

**During the audit be prepared to provide explanations and supporting documentation on checks made payable to cash and ATM withdrawals. In addition, identify the bank accounts to which wire transfer of funds occurred.**

Please be advised that failure to comply with this audit will result in the reviewing committee requesting disciplinary counsel pursue an interim suspension against you in accordance with Practice Book Section 2-42. If you have any questions about the audit process or the documentation required, please contact Attorney Francis Mickelson-Dera at (860)-568-5157 x3368, who will be conducting this audit.

Very truly yours,



Elizabeth M. Rowe

cc: Attorney Suzanne Sutton  
Dorcas DeSouza  
Jacobs & Sodipo LLC  
Attorney Salvatore DePiano  
Attorney Frank Riccio II  
Ms. Dahlia Johnston  
Attorney Francis Mickelson-Dera



STATE OF CONNECTICUT  
JUDICIAL BRANCH

**STATEWIDE GRIEVANCE COMMITTEE**

Frances Mickelson-Dera, *First Assistant Bar Counsel*

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Second Floor – Suite Two  
East Hartford, CT 06118-1885  
(860) 568-5157 Fax (860) 568-4953  
Judicial Branch Website: [www.jud.ct.gov](http://www.jud.ct.gov)

June 17, 2010

Attorney Musa Sebadduka  
Musa P. Sebadduka, LLC  
1100 New Britain Avenue, Suite 102  
West Hartford, CT 06110

RE: Grievance Complaint #09-1121, DeSouza v. Musa Sebadduka

Dear Attorney Sebadduka:


It has come to the attention of my office that, as part of the order of a Reviewing Committee of the Statewide Grievance Committee on June 11, 2010, you have been ordered to submit to an audit, and to cause to occur a complete accounting of your clients' funds account.

Attached hereto you will find a list of documents the audit team will need in order to conduct the reconciliation. If you have any questions, please feel free to contact myself or Chris Winship at extension 3031 from this office at any time.

The audit will encompass November 1, 2007 through April 30, 2009 and the requisite documents must be submitted to this office by June 30, 2010.

Thank you in advance for your cooperation.

Sincerely,

  
Frances Mickelson-Dera  
First Assistant Bar Counsel  
OFFICE OF  
DISCIPLINARY COUNSEL

FMD/mp

Cc: Attorney Suzanne Sutton  
Attorney Salvatore C. DePiano  
Attorney Frank J. Riccio, II  
Ms. Dahlia Johnston

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STATE OF CONNECTICUT  
JUDICIAL BRANCH

**STATEWIDE GRIEVANCE COMMITTEE**

Frances Mickelson-Dera, *First Assistant Bar Counsel*

Juliana Guerrero, *Accountant*

Chris Winship, *Accountant*

287 Main Street

Second Floor – Suite Two

East Hartford, CT 06118-1885

(860) 568-5157 Fax (860) 568-4953

Judicial Branch Website: [www.jud.ct.gov](http://www.jud.ct.gov)

**AUDIT DOCUMENTATION**

The attorney is required to compile the documentation listed below before the scheduled audit and make it available to the Accountant at the time of the audit (Practice Book §2-27).

1. A list of all bank account numbers and bank names that hold funds held in any fiduciary capacity.
2. For the clients' funds account, please provide the appropriate receipts and disbursements journal containing a record of all deposits, withdrawals, and a running balance.
3. For the clients' funds account, please provide a separate ledger/accounting page for each client on whose behalf funds during the audit period were held showing all deposits, withdrawals and a running balance.
4. Bank statements for the clients' funds account.
5. For the clients' funds account, please provide the quarterly reconciliations of the receipts/disbursements journal, client's individual ledgers for the previous six months, checks, deposit slips and bank statements. Any discrepancies need to be fully explained and fully supported by the records.
6. All canceled and voided checks, and a list of all outstanding checks pertaining to the clients' funds account.
7. A list of all personnel authorized to sign checks on the clients' funds account.
8. All deposit slips and wire transfer orders pertaining to the clients' funds account.
9. For closings that occurred during the audit period, provide the HUD-1 and settlement statement.
10. A list of balances held for each client as of the last day of the audit period.

**During the audit be prepared to provide explanations and supporting documentation on checks made payable to cash and ATM withdrawals. In addition, identify the bank accounts to which wire transfer of funds occurred.**



STATE OF CONNECTICUT  
JUDICIAL BRANCH

**STATEWIDE GRIEVANCE COMMITTEE**

Elizabeth M. Rowe, *Assistant Bar Counsel*

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Second Floor – Suite Two  
East Hartford, CT 06118-1885  
(860) 568-5157 Fax (860) 568-4953  
Judicial Branch Website: [www.jud.ct.gov](http://www.jud.ct.gov)

**SECOND NOTICE—CERTIFIED MAIL**

July 19, 2010

Attorney Musa Sebadduka  
Musa P. Sebadduka, LLC  
1100 New Britain Avenue  
Suite 102  
West Hartford, CT 06110

RE: Grievance Complaint #09-1121, DeSouza v. Musa Sebadduka

Dear Attorney Sebadduka:

Pursuant to Practice Book Section 2-27(c), this office is conducting an audit of all of your clients' funds accounts.

In order to comply with our request for an audit, you were required to compile the following information and documentation listed below and submit it to our office by June 25, 2010. You were given an extension of time to comply until July 9, 2010. The documentation to be produced is for the time period of November 2007 through April 30, 2009.

1. A list of all bank account numbers and bank names in which you or your firm hold funds in any fiduciary capacity.
2. For each fiduciary account, the appropriate receipts and disbursements journal containing a record of all deposits, withdrawals and a running balance.
3. For each fiduciary account, a separate ledger/accounting page for each client whose behalf funds were held during the audit period showing all deposits, withdrawals and running balance.
4. For each fiduciary account, all bank statements for the audit period.
5. For each fiduciary account, provide the quarterly reconciliations of the receipts/disbursements journal, client's individual ledgers for the audit period, deposit slips and bank statements. Any discrepancies need to be fully explained and fully supported by the records at the time of the audit.

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OFFICE OF THE CLERK OF THE JUDICIAL BRANCH  
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6. All cancelled and voided checks, and a list of all outstanding checks pertaining to each fiduciary account.
7. For each fiduciary account, a list off all personnel authorized to sign checks.
8. For each fiduciary account, all deposit slips and wire transfer orders.
9. For closings that occurred during the audit period, provide the HUD-1 and settlement statement.
10. For each fiduciary account, a list of balances held for each client as of the last day of the audit period.

**During the audit be prepared to provide explanations and supporting documentation on checks made payable to cash and ATM withdrawals. In addition, identify the bank accounts to which wire transfer of funds occurred.**

**THIS INFORMATION IS NOW OVERDUE. YOU HAVE UNTIL JULY 29, 2010 TO COMPLY WITH THIS ORDER.** Please be advised that failure to comply with this audit will result in the reviewing committee requesting disciplinary counsel pursue an interim suspension against you in accordance with Practice Book Section 2-42. If you have any questions about the audit process or the documentation required, please contact Attorney Francis Mickelson-Dera at (860)-568-5157 x3368, who will be conducting this audit.

Very truly yours,



Elizabeth M. Rowe

cc: Attorney Suzanne Sutton  
Dorcas DeSouza  
Jacobs & Sodipo LLC  
Attorney Salvatore DePiano  
Attorney Frank Riccio II  
Ms. Dahlia Johnston  
Attorney Francis Mickelson-Dera



STATE OF CONNECTICUT  
JUDICIAL BRANCH

**STATEWIDE GRIEVANCE COMMITTEE**

Frances Mickelson-Dera, *First Assistant Bar Counsel*

287 Main Street  
Second Floor – Suite Two  
East Hartford, CT 06118-1885  
(860) 568-5157 Fax (860) 568-4953  
Judicial Branch Website: [www.jud.ct.gov](http://www.jud.ct.gov)

August 11, 2010

Attorney Musa Sebadduka  
Musa P. Sebadduka, LLC  
1100 New Britain Avenue, Suite 102  
West Hartford, CT 06110

RE: Grievance Complaint #09-1121, DeSouza v. Musa Sebadduka


Dear Attorney Sebadduka:

I am the attorney in the Office of the Statewide Grievance Committee that is responsible for auditing your clients' funds accounts. After reviewing the documents submitted pertaining to your fiduciary accounts, I have compiled separate sheets for each account that must be responded to. In addition to the individual issued raised for each fiduciary account, submit the following:

1. A list of all outstanding checks as of May 30, 2010 for each account.
2. A list of client balances held in each account on May 30, 2010.
3. Bank statements, checks, general ledger and individual client ledgers for the period of May 2009 through May, 2010. (These documents were overlooked in Attorney Rowe's June 11, 2010 request for documents).

Thank you in advance for your cooperation.

Sincerely,

  
Frances Mickelson-Dera  
First Assistant Bar Counsel

FMD/mp

Cc: Attorney Suzanne Sutton  
Attorney Salvatore C. DePiano  
Attorney Frank J. Riccio, II  
Ms. Dahlia Johnston  
Attorney Elizabeth Rowe  
Attorney John A. Sodipo

OFFICE OF  
DISCIPLINARY COUNSEL

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For the Estate of Sedrick Baxter  
Account #0020583192

1. Submit copies of the actual bank statements and checks for the period of November 2007 through May of 2010.
2. Describe the nature of the representation of Sedrick Baxter, for example, when and why representation began.
3. Explain and document the following transactions:

a.	Cash Withdrawal	\$100	February 3, 2009
b.	Check #125	Ryan E. Bausch	\$200
c.	Cash Withdrawal	\$30	February 11, 2009
d.	Check #255	Cash "Attorney fees to Ryan"	\$250
e.	Check #116	Cash "Clothes Cash (illegible)"	\$100



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For the Estate of Joseph Moscone  
Sovereign Account #49000037710

1. Fully explain and document disbursements to Carla Peralta (?) via check #174 in the amount of \$50 and check #175 in the amount of \$100.
2. Fully explain and document the April 25, 2008 funds withdrawal in the amount of \$10,000.
3. Submit a copy of the bank statement and checks for June 2010.
4. Please submit the missing bank statements and checks for October of 2008 and March of 2009.



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For the Estate of Joseph Moscone  
Sovereign Account #10021290175

1. Provide the general client ledger for this account only from May 1, 2008 through May 31, 2009.
2. On April 25, 2008 there was a funds transfer into this account. What was the source of these funds and from what account did the transfer originate?
3. On May 16, 2008 there was a cash withdrawal of \$200. Explain the purpose of the transaction and name the recipient of the funds.
4. Who is Dorcas DeSousa and what is his/her relationship to Mr. Moscone and Attorney Sebadduka?
5. On November 21, 2008 there was a cash withdrawal of \$2690. Explain the purpose of this transaction and name of the recipient of the funds.
6. Submit the March 2009 bank statement and checks.



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For the Estate of Joseph Moscone  
New Alliance Account #20080710

1. Provide a copy of check #105, 108, 109, 135, 140-142, 152, 154, 156, 165, 166, 170-176, 183 and 184.
2. Provide a copy of New Alliance Bank Statement, checks & reconciliation for June 2008, August 2008, September 2008, October 2008, and the reconciliation for July 2008.
3. Provide a complete explanation and documentation for the following disbursements;

July 1, 2008	Check #111	To Musa Sebadduka	\$300 "Food"
July 9, 2008	Check #118	Cash	\$300 "Food & Pet Supplies"
July 9, 2008	Check #115	AT&T Universal	\$103.60 #100872914
	(for this check submit the bill from AT&T Universal)		
June 30, 2008	ARC Payment	CL&P	\$31.26
July 1, 2008	ARC Payment	Veteran's Affairs	\$76.30
Sept. 3, 2008	Cash Withdrawal		\$4000
Oct. 6, 2008	PPD Payment	AT&T	\$2.18
Nov. 13, 2008	Telephone Payment	AT&T	\$147.99
	(for this check submit the bill from AT&T)		
Nov. 24, 2008	Check #145	Carla Peralta	\$250
Nov. 26, 2008	Check #149	Carla Peralta	\$100
Dec. 16, 2008	Check #153	Carla Peralta	\$100
Dec. 26, 2008	ARC Payment	HOA Association Dues	\$389.27
Dec. 26, 2008	ARC Payment	HOA Association Dues	\$390.31
Jan. 15, 2009	Check #157	Carla Peralta	\$200 "Shopping"
Feb. 4, 2009	ARC Payment	HOA Association Dues	\$389.27
Feb. 6, 2009	Check #163	Carla Peralta	\$300
Feb. ?, 2009	Check #164	Carla Peralta	\$330

Feb. 18, 2009	Check #168	Carla Peralta	\$150
Feb. 17, 2009	Check #169	Cash	\$200
Feb. 18, 2009	ARC Payment	Veteran's Affairs	\$212.01
Mar. 11, 2009	ARC Payment	HOA Association Dues	\$389.27
Apr. 9, 2009	ARC Payment	HOA Association Dues	\$389.27
Mar. 23, 2009	Check #181	Carla Peralta	\$50 "Shopping"
Mar. 23, 2009	Check #182	Carla Peralta	\$100 "Cash"
Apr. 13, 2009	Check #187	Cash	\$50

4. Who is Carla Peralta and what is her relationship to Joseph Moscone and Attorney Sebadduka?
5. The complete general client ledger for New Alliance Bank only for the period of May 2008 through April 30, 2009.



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For the Estate of Nathaniel Hilton  
Bank of America Account #3850-0487-2810

1. Fully explain the failure to balance the 1<sup>st</sup> Quarter 2009 reconciliation.
2. Explain the "Counter Debit" on Feb. 11, 2009 in the amount of \$1000.
3. Explain the "Cash Withdrawal" on Feb. 12, 2009 in the amount of \$1003.50.
4. Why is Nathaniel Hilton's money being held in a non-interest bearing account?
5. Who is Debra Bailey and what is her relationship to Nathaniel Hilton and Attorney Sebadduka? Why do check and/or the ledgers reference payments to Ms. Bailey as "counseling", "food" and "April expenses"?
6. Who was the payee on check #93.
7. Who is Dennis R. Smith and what is his relationship to Nathaniel Hilton and Attorney Sebadduka?
8. Explain why the reconciliation for November and December 2008 and January through April 2009 is negative.



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For Account #0010357644

1. The general ledger for account #0010357644 goes negative on and off for extended periods of time between January 9, 2008 and December 31, 2008. The steepest negative balance occurred on November 7, 2008. (-\$91,153). Fully explain.
2. I need individual client ledgers for every client on whose behalf any transaction occurred between January 9, 2008 and December 31, 2008 in account #0010357644.
3. There are numerous transactions during the period of January 9, 2008 and December 31, 2008 which must be explained and documented:
  - a. Deposit of \$4575 on August 28, 2008 with a client reference of “unknown”.
  - b. Deposit of \$10,426 on November 7, 2008 with a client reference of “unknown”.
  - c. Why are there transfers out of the IOLTA account in June 2008 to account #010357907? Provide the June, 2008 bank statement and checks for the receiving account.
  - d. Explain the June 16, 2008 online transfer to checking account #010357907.
  - e. Explain the online payment to “Comcast” on June 18, 2008.
  - f. Fully explain and document Webster transfer withdrawals on December 1, 2008; December 10, 2008; December 17, 2008; December 19, 2008; December 22, 2008 and December 23, 2008.
  - g. Fully explain and document Webster transfer withdrawals on November 7, 2008; November 12, 2008; November 12, 2008, November 18, 2008 and November 21, 2008.

- h. Fully explain and document Webster online transfer withdrawals on October 16, 2008; October 20, 2008; October 24, 2008 and October 29, 2008.
  - i. Fully explain and document Webster online transfer withdrawals on April 23, 2008 and April 23, 2008.
  - j. Fully explain and document Webster online transfer withdrawals on March 2, 2008 and March 30, 2008.
  - k. Fully explain and document Webster online transfer withdrawal on February 12, 2008 in the amount of \$503.
  - l. Fully explain and document Webster online transfer withdrawals on January 2, 2009; January 5, 2009; January 12, 2009; January 14, 2009; January 20, 2009; January 23, 2009; January 26, 2009; January 27, 2009 and January 29, 2009.
4. Copies of all checks disbursed between January 1, 2008 and December 31, 2008.
  5. Explain check #1080 in the amount of \$309.00 made payable to the IRS referencing "Fed Tax".
  6. Explain check #1084 in the amount of \$500 made payable to Tyesha Casted referencing "Bonus".
  7. Explain check #1077 in the amount of \$420 made payable to Colleen Walsh CPA referencing "Tax Preparation".