

STATE OF VERMONT
PROFESSIONAL RESPONSIBILITY PROGRAM

In Re: Glenn Robinson, Esq., Respondent
PRB Docket No. 2013-172

RESPONDENT'S SUPPLEMENTAL REQUESTS TO FIND
(with respect to Count V of Complaint)

Respondent submits the following requests to find with respect to the issue of the paycheck raised by Count V of the Complaint.

1. Andrea Poutre was paid \$9 an hour for her 40 hours a week of work for a total weekly compensation of \$360. Vol II Tr 219
2. Respondent's bookkeeper came only once a month to prepare formal paychecks with withholdings and to do all bank reconciliations.
3. Respondent paid Ms. Poutre by law firm check the amount of \$360 a week. Vol II Tr. 218-219
4. At some point after Ms. Poutre had been working for Respondent for approximately four weeks, Ms. Poutre's probation officer asked Ms. Poutre to provide proof that she was actually employed by Respondent. Tr 218
5. Respondent asked whether he should call the probation officer or send her a letter, but Ms. Poutre told Respondent that the probation officer wanted to see a pay stub to confirm Ms. Poutre's employment status.
6. Respondent was not able to provide a pay stub because his bookkeeper generated the pay stub when she did the end of month bookkeeping, and that bookkeeping had not yet been done.

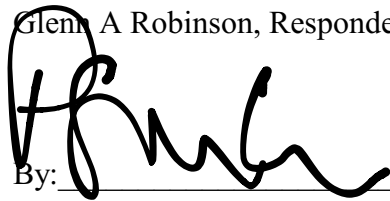
7. Ms. Poutre told Respondent she could generate a formal pay stub that would be sufficient for the probation officers purposes to provide proof of Ms. Poutre's employment "for their files." Tr 218-219
8. The purpose of the pay stub was to provide evidence that Ms. Poutre was actually employed by Respondent's law office.. Tr 220
9. Respondent believed that the sole goal of providing the pay stub was to establish that Ms. Poutre was employed by Respondent and was being paid a regular weekly paycheck, which was the case. Tr 220-221
10. Respondent had no direct discussions with the probation officer about the requested proof of employment and believed that creating a pay stub that accurately reflected the payments made to Ms. Poutre to that date would verify that Ms. Poutre was employed by Respondent which Respondent understood to be the sole issue to be confirmed. Tr 222-223
11. Although the pay stub created by Ms. Poutre to demonstrate that she had been paid \$1,440 for the first four weeks of her employment (\$360/wk x 4 wks) was not the official pay stub that was later prepared by the bookkeeper, Nekol Pyle, it did accurately reflect the amount Ms. Poutre had been paid to that date and it did accurately confirm that she was a bona fide employee of Respondent's law firm, which was the issue on which the probation officer wanted confirmation.
12. The use of an unofficial pay stub to verify Ms. Poutre's employment was not misleading with respect to the issue raised by the probation officer, namely, evidence that Ms. Poutre was employed by Respondent's law office. The pay stub

accurately confirmed Ms. Poutre's employment and the amount she was being paid.

13. The use of the pay stub created by Ms. Poutre to verify her employment was not misleading with respect to any issue material to the inquiry by the probation office.
14. Respondent believed in good faith that allowing his employee, Andrea Poutre, to create a Quickbooks pay stub reflecting the actual payments she had received to date was an appropriate and accurate way to confirm Ms. Poutre's employment status and was not misleading with respect to that issue. Tr 218-221

Dated 12/30/17

Glenn A Robinson, Respondent

By: 

P. Scott McGee, Esq.

Dated _____

Glenn A Robinson, Respondent

By _____

P. Scott McGee, Esq.