

STATE OF VERMONT  
PROFESSIONAL RESPONSIBILITY PROGRAM

**In Re: Melvin Fink**  
**PRB File No. 012-2019**

**DISCIPLINARY COUNSEL'S MOTION TO LIFT STAY**

**EXHIBIT 2**

STATE OF VERMONT

SUPERIOR COURT  
BENNINGTON UNIT

CRIMINAL DIVISION  
Docket No. 124-1-19 Bncr

STATE OF VERMONT

v.

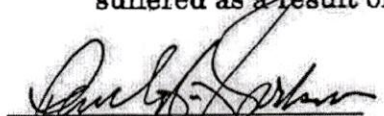
MELVIN FINK

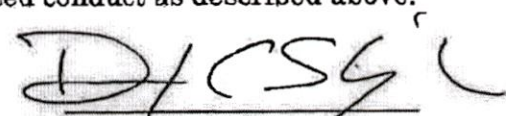
NOTICE OF RESOLUTION AGREEMENT

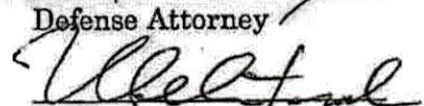
The State has agreed to refer the above-captioned case to Diversion provided that the Defendant first admit to a stipulated set of facts under oath during a diversion referral colloquy with the Court. During that hearing, the parties agree the victim, J.H., shall have an opportunity to offer a public impact statement to the Court. The State has conferred extensively with J.H. and she supports this resolution.

*Stipulated Factual Basis for Diversion Referral*

1. Melvin Fink was a lawyer for J.H.'s adult son until he withdrew; but, he continued in an advisory role and responded to the son's inquiries through his mother, J.H.
2. Mr. Fink acknowledges that J.H. and her son perceived their relationship as akin to a lawyer client relationship and ethical norms regulating his conduct, while not strictly applicable, should have provided guidelines for his conduct.
3. While at J.H.'s house to review documents, Mr. Fink erroneously perceived that J.H. harbored romantic feelings for him. While there, and without invitation, instigation or consent, express or implied, from J.H., Mr. Fink embraced her, putting his hands on her clothed buttocks and kissed her. He asked her if she wanted him to pleasure her. J.H. did not invite or consent to Mr. Fink's advance.
4. Mr. Fink understands that his conduct violated the norms that J.H. would have expected to govern a professional meeting.
5. Mr. Fink is truly sorry and apologizes for the emotional distress that J.H. has suffered as a result of Mr. Fink's unwanted conduct as described above.

  
Assistant Attorney General

  
Defense Attorney

  
Defendant

Kmc  
11/7/23