

# STATE BAR OF NEVADA



## LETTER OF REPRIMAND

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[www.nvbar.org](http://www.nvbar.org)

Re: State Bar of Nevada Disciplinary Grievances:  
OBC20-0519 (Kiara Williams)

Dear Mr. Dimopoulos:

A Screening Panel of the Southern Nevada Disciplinary Board reviewed the above-referenced grievance and unanimously determined to issue you a Letter of Reprimand for violations of Rules of Professional Conduct (RPC) set forth below regarding your handling of Ms. Williams's Case.

### GRIEVANCE

On June 9, 2019, Kiara Williams (Williams), and other members of her family, were in a car accident. On June 10, 2019, they retained your office to represent them.

On October 7, 2019, Yoselyn Segundo (Segundo), your non-lawyer case manager, communicated with the opposing insurance company, Farmers Insurance, about the property damage claim. On January 7, 2020, Deanna Kope (Kope), Farmers' adjustor, sent Segundo an email that she did not have a demand letter on Williams. On January 27, 2020, a demand letter signed by your associate attorney, Jennifer Tang (Tang), was sent to Farmers.

Subsequently, on February 4, 2020, Segundo sent an email to attorney Tang advising that Farmers offered \$2,150.90 to settle Williams's case. You provided interoffice emails between David Torres (Torres) (your non-lawyer claims supervisor), Segundo, and Tang discussing a counteroffer to Farmers and the range where the settlement should fall. Torres suggested that Segundo propose a counteroffer of \$6,000 and that she try to resolve the case between \$3,500-\$4,000. Tang agreed. Segundo replied "Okay, I will keep that in mind with negotiating." Segundo had also exchanged emails with Kope in April and May with counteroffers for other members of the Williams family.

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EXHIBIT A

RECEIVED, 02/03/2022 10:40:22 AM, Clerk, Supreme Court

In your response to the State Bar, you stated that your office policy is that an attorney should be cc'd on all negotiation emails sent by your staff to an opposing insurance company. However, you admitted that this was not done in the Williams case.

#### REPRIMAND

Based upon the foregoing, you are hereby REPRIMANDED for your conduct related to representation of the foregoing client(s), which conduct violated the Nevada Rules of Professional Conduct ("RPC") as follows:

RPC 5.3 (Responsibilities Regarding Nonlawyer Assistants) – for failing to make reasonable efforts to ensure that the conduct of your nonlawyer assistant, Yoselyn Segundo, complied with your obligations not to engage or assist in the unauthorized practice of law.

RPC 5.5 (Unauthorized Practice of Law) – for assisting in the unauthorized practice of law by allowing nonlawyer, Yoselyn Segunda, to negotiate terms of a personal injury settlement with Farmers Insurance.

The Nevada Supreme Court and the American Bar Association Standards for Imposing Lawyer Sanctions adopted an analysis of four factors to consider for disciplinary sanctions: the duty violated, the lawyer's mental state, the potential or actual injury caused by the lawyer's misconduct, and the existence of aggravating or mitigating factors..." In re Lerner, 124 Nev. 1232, 1246, 197 P.3d 1067, 1077 (Nev. 2008).

You have a duty not to engage or assist in the unauthorized practice of law as set forth in the RPCs listed above. You also have a duty to supervise your nonlawyer assistants to ensure that they comply with your professional obligations. The In re Lerner Court determined that negotiations with an opposing insurance company regarding a personal injury settlement is the practice of law. In re Lerner, 197 P.3d 1067 (Nev. 2008) (citing Louisiana Claims Adj. Bureau v. State Farm, 877 So.2d 294, 299 (La.Ct.App.2004); see also People v. Stewart, 892 P.2d 875, 876 (Colo. 1995); Mays v. Neal, 327 Ark. 302, 938 S.W.2d 830, 835-36 (1997); In re Flack, 272 Kan. 465, 33 P.3d 1281, 1287 (2001).

The evidence shows that you were negligent in allowing your nonlawyer assistant to conduct negotiations with an opposing insurance company, Farmers Insurance, regarding Ms. Williams's personal injury case. Therefore, your conduct is in direct violation of Nevada precedent. As a result, your conduct has injured the public, and the legal system.

Thus, weighing the rules violated, your mental state, the potential or actual injury caused, ABA Standard 7.4 provides the most appropriate discipline. It states that "Admonition is generally appropriate when a lawyer engages in an isolated instance or negligence in determining whether the lawyer's conduct violates a duty owed as a professional, and causes little or no actual or potential injury to a client, the public, or the legal system."

The Supreme Court of Nevada has provided two types of reprimand: a Public Reprimand or a Letter of Reprimand. The latter is the lowest form of discipline available. Based upon the above factors, the Panel finds that the lesser of the two sanctions is appropriate.

Finally, in accordance with Nevada Supreme Court Rule 120 you are assessed costs in the amount of \$1,500.

Sincerely,

*Dan R. Waite*

Dan R. Waite (Nov 19, 2020 15:22 PST)

Dan R. Waite, Esq.,  
Screening Panel Chair  
Southern Nevada Disciplinary Board