

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department

Decided and Entered: February 13, 2025

PM-44-25

---

In the Matter of ATTORNEYS  
IN VIOLATION OF  
JUDICIARY LAW § 468-a.

ATTORNEY GRIEVANCE  
COMMITTEE FOR THE  
THIRD JUDICIAL  
DEPARTMENT,

DECISION AND ORDER  
ON MOTION

Petitioner;

ELIZABETH ANNE STAIRS,  
Respondent.

(Attorney Registration No. 2747947)

---

Calendar Date: December 30, 2024

---

*Monica A. Duffy, Attorney Grievance Committee for the Third Judicial Department, Albany (Alison M. Coan of counsel), for Attorney Grievance Committee for the Third Judicial Department.*

*Foley Griffin, LLP, Garden City (Kelly Guthy of counsel), for respondent.*

---

Motion by respondent for an order reinstating her to the practice of law following her suspension by October 2021 order of this Court (*Matter of Attorneys in Violation of Judiciary Law § 468-a*, 198 AD3d 1068, 1086 [3d Dept 2021]; *see* Rules for Atty Disciplinary Matters [22 NYCRR] § 1240.16; Rules of App Div, 3d Dept [22 NYCRR] § 806.16).

Upon reading respondent's notice of motion and affidavit with exhibits sworn to November 7, 2024, and the December 23, 2024 responsive correspondence from the Attorney Grievance Committee for the Third Judicial Department, and having determined, by clear and convincing evidence, that (1) respondent has complied with the order of suspension and the rules of this Court,<sup>1</sup> (2) respondent has the requisite character and fitness to practice law, and (3) it would be in the public interest to reinstate respondent to the practice of law (*see* Rules for Atty Disciplinary Matters [22 NYCRR] § 1240.16 [a]), we grant her application. Notwithstanding her satisfaction of the substantive requirements for reinstatement, we direct respondent to (1) demonstrate her completion of six continuing legal education credits in the areas of Skills and/or Law Practice Management (*see* Rules of App Div, All Depts [22 NYCRR] § 1500.2 [d], [e]) that specifically relate to the practice of law in New York (*see* Rules of App Div, 3d Dept [22 NYCRR] § 806.16 [c] [5] [i]); and (2) provide proof of her compliance with this condition to both this Court and the Attorney Grievance Committee for the Third Judicial Department within 60 days of this Court's order. Accordingly, it is

ORDERED that respondent's motion for reinstatement is granted; and it is further

---

<sup>1</sup> While respondent attests to her compliance with both the requirements of the order of suspension and Rules for Attorney Disciplinary Matters (22 NYCRR) § 1240.15, we note that respondent is not compliant with said rule, inasmuch as her affidavit of compliance is not in the prescribed form (*see* Rules for Atty Disciplinary Matters [22 NYCRR] § 1240.15 [f]). It is noted that the instructions accompanying Rules for Attorney Disciplinary Matters (22 NYCRR) part 1240, appendix B specifically states that the respondent "should not omit any passages" contained within the affidavit of compliance and, should the respondent be "unable to swear to any of the required statements set forth in the form affidavit, [he or she] must, for each such statement, alternatively explain all facts and circumstances relevant to why the respondent is unable to swear to the statement." Notwithstanding this, a review of respondent's materials, as a whole, supports her assertions that she is compliant with our Rules and the order of suspension.

ORDERED that respondent is reinstated as an attorney and counselor-at-law, effective immediately, subject to the conditions set forth in this decision.

Garry, P.J., Lynch, Fisher, McShan and Powers, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Robert D. Mayberger". The signature is written in a cursive, slightly slanted style.

Robert D. Mayberger  
Clerk of the Court