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THE DISCIPLINARY BOARD
OF THE
SUPREME COURT OF PENNSYLVANIA



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May 19, 2005

Evelyn S. Berwick, M.D.
1524 Tretter Drive
Pittsburgh, PA 15227

Re: Complaint Against Wilbur McCoy Otto, Esquire
File Reference #C4-05-472

Dear Dr. Berwick:

This will acknowledge receipt of your May 12, 2005 complaint recently filed with this office. We will conduct appropriate reviews of the problem you have described and will contact you again either to obtain further information or to advise you of the outcome of our inquiries and review. In the event that there is any change in the situation which you have described, please let me know.

At the outset, it is important for you to know some limitations on this office's consideration of your disciplinary complaint. First, our jurisdiction and authority is limited to attempting to enforce the Rules of Professional Conduct, a set of minimum ethical standards with which all attorneys must abide. While the Rules are quite broad in their scope, they simply do not prohibit all conduct by an attorney which might be considered as unprofessional, inappropriate, or "unethical."

Second, even though you have filed a complaint, this office does not represent you or your personal interests. We are not your attorney and cannot provide you with any personal legal advice. We cannot attempt to obtain any remedy or damages you might feel you are entitled to nor can we interfere with or intercede in any pending or future legal proceedings you might be involved in. We will, however, deal with your complaint in a fair and unbiased manner.

PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Rule 209. Immunity.

(a) Complaints submitted to the Board or Disciplinary Counsel shall be confidential. Members of the Board, members of hearing committees, special masters, Disciplinary Counsel and staff shall be immune from civil suit for any conduct in the course of their official duties. All communications to the Board, a hearing committee, special master, or Disciplinary Counsel relating to misconduct by a respondent-attorney and all testimony given in a proceeding conducted pursuant to these rules shall be absolutely privileged and the person making the communication or giving the testimony shall be immune from civil suit based upon such communication or testimony, except that such immunity shall not be extend to any action that violates Rules 402 (relating to confidentiality). For purposes of this subdivision (a), the staff of the Board shall be deemed to include conservators and sobriety, financial or practice monitors appointed pursuant to these rules or the Rules of the Board.

PLEASE SEE REVERSE SIDE