

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF:

§

§ No. 17, 2025

JOHN DU WORS, ESQUIRE,

§ Board Case No. 116437-B

§

Respondent.

§

Submitted: May 21, 2025

Decided: July 25, 2025

Before **SEITZ**, Chief Justice; **VALIHURA** and **LEGROW**, Justices.

Upon Review of the Report of the Board on Professional Responsibility.
DISBARRED.

Jessica L. Tyler, Esquire, Chief Disciplinary Counsel, and Robert D. Cecil, Jr, Deputy Disciplinary Counsel, Office of Disciplinary Counsel, Wilmington, Delaware.

John Du Wors, Esquire, Bainbridge Island, Washington.

PER CURIAM:

A panel of the Board on Professional Responsibility (“Panel”) issued a report (“Report”) recommending the disbarment of John Du Wors, Esquire for his violations of Rules 3.3(a),¹ 3.4(c),² 5.5(c)(3),³ 8.4(c),⁴ and 8.4(d)⁵ of the Delaware Lawyers’ Rules of Professional Conduct (“DLRPC”). Du Wors was admitted *pro hac vice* in the Superior Court, and the violations arose from Du Wors’ certification to the Superior Court that he was not the subject of pending disciplinary proceedings in another jurisdiction while such proceedings were pending, his failure to correct that false certification, and his participation in mediation of the Superior Court case while suspended from practice in another jurisdiction.

The Office of Disciplinary Counsel (“ODC”) does not object to the Panel’s Report. Du Wors argues that the Report was untimely and this Court therefore should dismiss the disciplinary proceedings. Du Wors also contends that he was never properly served with the disciplinary petition, and the Panel therefore should

¹ Rule 3.3(a)(1) provides that a lawyer shall not knowingly “make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer.”

² Rule 3.4(c) provides that a lawyer shall not “knowingly disobey an obligation under the rules of a tribunal[,] except for an open refusal based on an assertion that no valid obligation exists.”

³ Rule 5.5(c)(3) provides that a lawyer admitted in another jurisdiction and not suspended from practice in any jurisdiction may provide temporary legal services in a Delaware mediation if the services are related to the lawyer’s admission to practice elsewhere.

⁴ Rule 8.4(c) provides that it is professional misconduct for a lawyer to “engage in conduct involving dishonesty, fraud, deceit or misrepresentation.”

⁵ Rule 8.4(d) provides that it is professional misconduct for a lawyer to “engage in conduct that is prejudicial to the administration of justice.”

not have treated his failure to file a timely answer as an admission to the petition’s allegations. He also asserts that many of the Panel’s findings were contrary to the evidence or to evidence that he would have introduced if permitted to contest the petition’s allegations. After our independent review, we agree with the Panel’s findings and adopt the Panel’s sanction recommendation.

I. Factual Background

Du Wors was admitted to practice law in Washington in 2003, in California in 2004, and in New York in 2012. Over the course of his career, Du Wors was admitted *pro hac vice* in different jurisdictions ten to fifteen times.

In June 2021, Delaware counsel moved for Du Wors’ admission *pro hac vice* to represent Zeta Interactive Corporation in an action pending in the United States District Court for the District of Delaware. The motion included Du Wors’ certification to his admission in good standing to the Bars of California, New York, and Washington, and his familiarity with the District Court’s local rules. The District Court granted the motion.

In September 2022, the Office of Disciplinary Counsel of the Washington State Bar Association (“Washington ODC”) filed a complaint against Du Wors for violations of the Washington Supreme Court’s Rules of Professional Conduct (“Washington RPC”). The alleged violations were related to Du Wors’ criminal convictions for a hit and run in 2018 and driving under the influence in 2019.

In April 2023, Delaware counsel moved for Du Wors' admission *pro hac vice* to represent Zeta Global Corporation ("Zeta") in a Superior Court case. The motion included Du Wors' certification, as required by Superior Court Civil Rule 90.1, that he was not the subject of pending disciplinary proceedings in any jurisdiction where he had been admitted to practice generally, *pro hac vice*, or in any other way. Du Wors also certified that he consented to the appointment of the New Castle County Prothonotary as his agent for service of process in all actions, including disciplinary actions, arising out of his practice of law under Rule 90.1. The Superior Court granted the motion.

In May 2023, Du Wors stipulated to his suspension from the practice of law in Washington. In the stipulation, Du Wors admitted that, in connection with the hit and run, he made false statements to the police in violation of Washington RPC 8.4(c),⁶ 8.4(d),⁷ and 8.4(i)⁸ and to his insurance company in violation of Washington

⁶ Like Rule 8.4(c) of DLRPC, RPC 8.4(c) provides that it is professional misconduct for a lawyer to "engage in conduct involving dishonesty, fraud, deceit or misrepresentation."

⁷ Like Rule 8.4(d) of DLRPC, RPC 8.4(d) provides that it is professional misconduct for a lawyer to "engage in conduct that is prejudicial to the administration of justice."

⁸ RPC 8.4(i) provides that it is professional misconduct for a lawyer to "commit any act involving moral turpitude, or corruption, or any unjustified act of assault or other act that reflects disregard for the rule of law, whether the same be committed in the course of their conduct as a lawyer, or otherwise, and whether the same constitutes a felony or misdemeanor or not; and if the act constitutes a felony or misdemeanor, conviction thereof in a criminal proceeding shall not be a condition precedent to disciplinary action, nor shall acquittal or dismissal thereof preclude the commencement of a disciplinary proceeding."

RPC 8.4(c). On August 17, 2023, the Washington Supreme Court suspended Du Wors from the practice of law for six months beginning on August 24, 2023.

In September 2023, Delaware counsel learned of Du Wors' suspension in Washington and informed him that he needed to advise the District Court and the Superior Court of his suspension. During an extensive debate between Delaware counsel and Du Wors concerning his obligation to notify the Delaware courts of the Washington discipline, Du Wors offered various excuses for why it was unnecessary for him to do so.

On September 18, 2023, the United States District Court for the District of Idaho revoked Du Wors' *pro hac vice* admission and suspended him from appearing before the Idaho District Court until his Washington license was reinstated. The Idaho District Court found it "troubling that Du Wors did not immediately notify the Court of his suspension in Washington, and instead left it to [opposing] counsel to do so several weeks later."⁹ The Idaho District Court also described it as "disturbing that Du Wors engaged in briefing in this case after he was suspended in Washington."¹⁰

On September 20, 2023, Delaware counsel informed the District Court that Du Wors had recently been suspended from the practice of law in Washington. On

⁹ *Stubborn Mule LLC v. Grey Ghost Precision, LLC*, 2023 WL 6119895, at *1 (D. Idaho Sept. 18, 2023).

¹⁰ *Id.*

September 22, 2023, Delaware counsel filed notices of withdrawal and substitution of counsel in the District Court and Superior Court actions, withdrawing Du Wors' appearance and substituting a new law firm as Delaware counsel.

On October 10, 2023, mandatory mediation took place in the Superior Court case. Du Wors appeared at the mediation, along with new Delaware counsel, and participated on Zeta's behalf. He did not disclose to the mediator that he was suspended from practice in Washington and before the Idaho District Court.

II. Disciplinary Proceedings

A. Petition, Service, and Answer

On June 17, 2024, ODC filed a petition for discipline against Du Wors. The petition asserted the following counts:

Count 1—violation of Rule 3.3(a)(1) based on Du Wors falsely certifying to the Superior Court that he was not the object of any pending disciplinary proceedings;

Count 2—violation of Rule 3.3(a)(1) based on Du Wors failing to correct his false certification to the Superior Court;

Count 3—violation of Rule 3.4(c) based on Du Wors knowingly disobeying Superior Court Civil Rule 90.1 when he falsely stated that he was not the object of any pending disciplinary proceedings;

Count 4—violation of Rule 5.5(c)(3) based on Du Wors actively participating in the Superior Court mediation while he was suspended from practice in Washington;

Count 5—violation of Rule 8.4(c) based on Du Wors' false certification to the Superior Court;

Count 6—violation of Rule 8.4(c) based on Du Wors’ participation in the mediation;

Count 7—violation of Rule 8.4(d) based on Du Wors’ false certification to the Superior Court; and

Count 8—violation of Rule 8.4(d) based on Du Wors’ participation in the mediation.

ODC served the petition by (i) emailing it to Du Wors, (ii) sending it by certified mail to Du Wors’ law firm address, and (iii) delivering it by hand to the New Castle County Prothonotary. The petition—as well as a letter from the Prothonotary—warned that the allegations and charges in the petition would be deemed admitted if Du Wors failed to file an answer within twenty days. Du Wors did not answer the petition.

On August 26, 2024, the Administrative Assistant to the Board on Professional Responsibility (“BPR”) issued a notice scheduling a sanctions hearing for October 17, 2024. On October 1, 2024, Du Wors moved for leave to file an untimely answer and included with that motion his answer to the petition. He claimed that he did not become aware that an answer was required until he reviewed the Delaware Lawyers’ Rules of Disciplinary Procedure (“DLRDP”) to prepare for the upcoming hearing.

The Panel chair denied the motion. The chair found that the petition, which advised that an answer was due in twenty days and warned of what would happen if an answer was not timely filed, was delivered by hand to the Prothonotary, sent by

certified mail to Du Wors, and emailed to Du Wors on June 17, 2024. The Panel chair further noted that Du Wors acknowledged not filing an answer during an August 26, 2024 scheduling teleconference and was silent when there was discussion of the hearing being limited to sanctions.

B. Sanctions Hearing

At the October 17, 2024 hearing, ODC submitted exhibits, including the disciplinary petition,¹¹ reviewed the events leading to the proceeding, discussed the relevant American Bar Association Standards for Imposing Lawyer Sanctions (“ABA Standards”), and requested Du Wors’ disbarment.

Du Wors maintained that he did not review the *pro hac* papers or sign the certifications before Delaware counsel filed them and that he did not answer the petition because he expected to be formally served with it. He also asserted that he did not promptly comply with Delaware counsel’s urging that he disclose the Washington discipline to the Delaware courts because his client objected to such disclosure as being against its interests. Du Wors believed, based on the advice of his Washington ethics counsel, that he should withdraw without disclosing the suspension.

¹¹ The Panel admitted the exhibits over Du Wors’ objection to admission of the *pro hac* applications.

As to the mediation, Du Wors testified that Zeta's new Delaware counsel took the leading role and Du Wors only acted in a supporting role by sending research and written materials to Delaware counsel. Du Wors testified that he asked one question during a joint session with the mediator, but did not present or make arguments to the mediator. In rebuttal, ODC called an attorney for the opposing party in the Superior Court litigation. The attorney, who participated in the mediation, testified that Du Wors made an approximately seven-minute presentation during a joint session with the mediator.

At the hearing's conclusion, the Panel chair directed the parties to submit memoranda. Post-hearing briefing concluded on October 31, 2024.

C. Panel Report and Recommendation

On January 6, 2025, the Panel issued its Report. The Report focused on the appropriate sanction because the allegations in the petition were deemed admitted under DLRDP 9(d)(2). Applying the four-part framework set forth in the ABA Standards, the Panel concluded that disbarment was the appropriate sanction.

III. Analysis of the Objections and Recommended Sanction

Du Wors asserts general and specific objections to the Report. His general objections are: (i) the Report was untimely so the matter should be dismissed; and (ii) he was not properly served so the disciplinary petition's allegations should not have been deemed admitted after he failed to file a timely answer. For his specific

objections, Du Wors identifies thirty-three of the Panel’s findings that he claims are contrary to the evidence or to evidence that he would have introduced if permitted to defend himself.

ODC argues that any untimeliness of the Report does not require dismissal of the matter and that Du Wors was properly served with the petition. As to the specific objections, ODC contends that Du Wors failed to meet the standard for reversal and that the Panel correctly applied the ABA Standards.

A. Standard of Review

The Court has the “inherent and exclusive authority to discipline members of the Delaware Bar.”¹² Although the Panel’s recommendations are helpful, the Court is not bound by them.¹³ The Court has an obligation to review the record independently and determine whether there is substantial evidence to support the Panel’s factual findings.¹⁴ The Court reviews the Panel’s conclusions of law *de novo*.¹⁵

¹² *In re Abbott*, 925 A.2d 482, 484 (Del. 2007) (quoting *In re Froelich*, 838 A.2d 1117, 1120 (Del. 2003)).

¹³ *In re Nadel*, 82 A.3d 716, 720 (Del. 2013).

¹⁴ *Abbott*, 925 A.2d at 484.

¹⁵ *Id.*

B. Du Wors' Objections

Relying on DLRDP 9(d)(5), Du Words argues that this matter should be dismissed because the Panel issued the Report more than sixty days after the hearing and completion of post-hearing briefing. DLRDP 9(d)(5) provides that, absent a granted extension, the Panel “shall submit to the Court a final report containing its findings, reasons, and recommendations within 60 days after the conclusion of its proceedings.” The sanctions hearing occurred on October 17, 2024, post-hearing briefing finished on October 31, 2024, the hearing transcript was received on November 6, 2024, and the Panel issued the Report on January 6, 2025. Assuming that the proceeding concluded when post-hearing briefing was complete, rather than when the Panel received the hearing transcript, the Report was issued a few days after expiration of the sixty-day deadline.

This does not, however, make dismissal of the matter appropriate as Du Wors contends. Du Wors points to nothing in the DLRDP dictating such an outcome. In fact, DLRDP 15(i) provides otherwise:

Except as otherwise provided in these Rules, time provisions are directory and not jurisdictional. Failure to observe prescribed time intervals may result in sanctions against the violator *but does not justify abatement of any disciplinary or disability investigation or proceeding.*¹⁶

¹⁶ DLRDP 15(i) (emphasis added).

Du Wors complains that it is unfair to allow the untimely Report when he was not allowed to file an untimely answer, but this comparison misses the mark. Despite the petition warning—in bolded text—that the allegations would be deemed admitted under DLRDP 9(d) if an answer was not filed within twenty days of service, Du Wors failed to file a timely answer. He did not even seek leave to file an answer until more than three months after service of the petition and less than three weeks before the sanctions hearing. Neither the DLRDP nor the record in this case serve as a basis for dismissal of these disciplinary proceedings.

Du Wors next objects that he was not served with the disciplinary petition so his failure to file a timely answer did not justify admission of the petition's allegations. He is mistaken. DLRDP 11(a) provides that service of a disciplinary petition “shall be made by personal service by any person authorized by the ODC, or by registered or certified mail at the address last furnished by the respondent pursuant to Supreme Court Rule 69.” ODC sent the petition by: (i) email to Du Wors; (ii) certified mail to Du Wors’ law firm address; and (iii) hand delivery to the New Castle County Prothonotary.

Supreme Court Rule 69 applies to members of the Delaware Bar, but it is well-settled that this Court also has authority to discipline non-Delaware attorneys who

provide legal services in Delaware, including attorneys admitted *pro hac vice*.¹⁷ In addition, Du Wors’ application for his *pro hac vice* admission in the Superior Court included his certification that he consented to appointment of the New Castle County Prothonotary as his agent for service of process in all actions, including disciplinary actions, arising from his practice of law under Superior Court Civil Rule 90.1. Du Wors argues that he did not read or sign the certifications before filing, but this failure only raises questions about Du Wors’ fitness to practice law. It does not release Du Wors—an experienced attorney who had previously been admitted *pro hac vice* multiple times in other jurisdictions—from his consent to the Prothonotary serving as his agent for service of process.¹⁸ ODC’s service of the petition by certified mail to Du Wors’ law firm address and by hand delivery to the Prothonotary satisfied DLRDP 11(a) and due process.

As set forth in the disciplinary petition and DLRDP 9(d)(2), Du Wors had twenty days from service to answer the petition, unless the time period was extended by the BPR Chair or Vice Chair. There was no such extension. In the absence of a timely answer, DLRDP 9(d)(2) provides that “all of the allegations and charges in the petition shall be deemed admitted, such that the sole remaining issue to be

¹⁷ *In re McCarthy*, 2017 WL 4810769, at *1 n.1 (Del. Oct. 23, 2017); *In re Tonwe*, 929 A.2d 774, 781 (Del. 2007); DLRDP 5(a).

¹⁸ See, e.g. *In re Martin*, 105 A.3d 967, 974 (Del. 2014) (finding an experienced attorney’s failure to read suspension order of an attorney he was overseeing constituted “intentional ignorance of the Court’s order that should not absolve him of responsibility for complying with its terms”).

determined by the Board shall be the appropriate disciplinary sanction.”¹⁹ Given Du Wors’ failure to file a timely answer within twenty days of service of the petition, the Panel correctly deemed the petition’s allegations and charges admitted.²⁰

Finally, Du Wors objects to thirty-three of the Panel’s findings as not supported by the evidence or contrary to evidence that he would have introduced if permitted to defend himself. He offers no details in support of these objections. Given the conclusory nature of the objections, the deemed admissions, and the hearing record, there is no merit to Du Wors’ specific objections. Du Wors’ violations of Rules 3.3(a)(1), 3.4(c), 5.5(c)(3), 8.4(c), and 8.4(d) were deemed admitted, and there was substantial evidence to support the Panel’s findings.²¹

¹⁹ DLRDP 9(d)(2).

²⁰ *In re Fountain*, 913 A.2d 1180, 1181 (Del. 2006) (affirming the panel’s denial of a motion to vacate a decision deeming petition allegations admitted based on lack of timely answer); *In re Shearin*, 765 A.2d 930, 934 (Del. 2000) (noting the panel denied ODC’s request to deem the allegations and the charges in the petition admitted when the respondent failed to answer and stating that “[i]n the future, however, the Board’s procedural rules should be enforced”).

²¹ See, e.g., *In re Abbott*, 308 A.3d 1139, 1172–73 (Del. 2023) (holding that attorney violated Rule 8.4(c) by making misrepresentations in letter to trial court); *In re Beauregard*, 189 A.3d 1236, 1253 (Del. 2018) (finding that attorney violated Rules 8.4(c) and 8.4(d) by filing a Certificate of Compliance with misrepresentations); *In re Lankenau*, 2017 WL 934709, at *1–4 (Del. Mar. 9, 2017) (accepting the panel’s finding that attorney violated Rule 3.3(a)(1) when he failed to disclose that he did not give complete and accurate testimony in previous disciplinary proceeding and Rule 3.4(c) when he filed a complaint while not maintaining a Delaware office as required by Superior Court Civil Rule 90); *In re Favata*, 119 A.3d 1283, 1289 (Del. 2015) (agreeing with the panel that attorney violated Rule 3.3(a)(1) when he knowingly made false statements of fact to the trial court and failed to correct material misstatements of fact); *Martin*, 105 A.3d at 975 (holding that lawyer violated Rules 3.4(c) and 8.4(d) by knowingly permitting a suspended lawyer to practice law in violation of a court order).

C. Imposed Sanction

“The objectives of the lawyer disciplinary system are to protect the public, to protect the administration of justice, to preserve the confidence in the legal profession, and to deter other lawyers from similar misconduct.”²² In determining the appropriate discipline, the Court considers the four-part framework set forth in the ABA Standards.²³ Under that framework, the Court examines: (i) the ethical duty violated; (ii) the attorney’s mental state; (iii) the extent of the actual or potential injury caused by the attorney’s misconduct; and (iv) aggravating and mitigating factors.²⁴ Based on the first three factors, the Court makes a preliminary determination of the presumptive sanction and then considers the fourth factor to determine whether the presumptive sanction should be increased or decreased.²⁵ The ABA Standards do not account for multiple charges of misconduct, but provide that the “ultimate sanction imposed should at least be consistent with the sanction for the most serious instance of misconduct among a number of violations; it might well be and generally should be greater than the sanction for the most serious misconduct.”²⁶

²² *In re Bailey*, 821 A.2d 851, 866 (Del. 2003).

²³ *In re Steiner*, 817 A.2d 793, 796 (Del. 2003).

²⁴ See ABA STANDARDS FOR IMPOSING LAWYER SANCTIONS (2d ed. 2019) (hereinafter, “ABA Standards”) 3.0.

²⁵ *Steiner*, 817 A.2d at 796.

²⁶ ABA Standards, II.

Du Wors' violations of Rules 3.3(a)(1), 3.4(c), 5.5(c)(3), 8.4(c), and 8.4(d) constitute breaches of his duties to the public, legal system, and legal profession.²⁷

As to Du Wors' mental state, the ABA Standards define knowledge as "the conscious awareness of the nature or attendant circumstances of the conduct but without the conscious objective or purpose to accomplish a particular result."²⁸

Based on Du Wors' admissions and the record, Du Wors had a knowing state of mind when he falsely certified to the Superior Court that he was not the object of any pending disciplinary proceedings.

At the disciplinary hearing, Du Wors tried to excuse this false certification by claiming that he did not personally review or sign his *pro hac vice* application before its filing, but "[l]awyers cannot stick their heads in the sand and blind themselves to their professional obligations."²⁹ Moreover, even after Delaware counsel told Du Wors that he had to inform the Superior Court of his Washington suspension and the Idaho District Court criticized his failure to promptly advise the court of that

²⁷ ABA Standards 5.0 (violations of duties owed to the public); ABA Standards 6.0 (violations of duties owed to the legal system); ABA Standards 7.0 (violations of duties owed to the profession). *See also Abbott*, 308 A.3d at 1183 (holding that lawyer's violations of Rules 3.4(c), 8.4(c), and 8.4(d) were violations of his duties to the public and legal system); *Nadel*, 82 A.3d at 722 (relying on ABA Standard 7.0 for attorney's unauthorized practice of law).

²⁸ ABA Standards, Definitions.

²⁹ *In re Beauregard*, 189 A.3d at 1252. *See also Martin*, 105 A.3d at 974 (finding an experienced attorney's failure to read suspension order of an attorney he was overseeing constituted "intentional ignorance of the Court's order that should not absolve him of responsibility for complying with its terms").

suspension, Du Wors still knowingly failed to correct his false certification to the Superior Court.

The ABA Standards define injury as “harm to a client, the public, the legal system or the profession which results from a lawyer’s misconduct.”³⁰ Potential injury is the “harm to a client, the public, the legal system or the profession that is reasonably foreseeable at the time of the lawyer’s misconduct, and which, but for some intervening factor or event, would probably have resulted from the lawyer’s misconduct.”³¹ As the Panel recognized, Du Wors’ false statements and refusal to correct those statements demonstrated an inability to be truthful that undermined the integrity of the legal system and public trust in that system.³² Du Wors’ misconduct caused injury and potential injury to the public, the legal system, and the profession.³³

³⁰ ABA Standards, Definitions.

³¹ *Id.*

³² Du Wors’ inability to tell the truth continued at the hearing when he testified that he did not present any arguments to the mediator. *See supra* IIB.

³³ See, e.g., *In re Beauregard*, 291 A.3d 192, 206 (Del. 2023) (finding that attorney’s false statements to trial court caused actual and potential harm to the public and the legal system); *McCarthy*, 2017 WL 4810769, at *7 (accepting the Board’s finding that attorney caused actual and/or potential injury to the public and legal system by knowingly failing to supplement discovery responses and engaging in dishonest conduct by failing to provide altered medical records); *In re Gray*, 2016 WL 7188110, at *5 (Del. Dec. 9, 2016) (finding that a Certificate of Compliance containing misrepresentations caused actual injury to the legal system because the Court believed that the attorney was in compliance when he was not).

The presumptive sanction for Du Wors' misconduct is disbarment. Under ABA Standard 8.1(b), disbarment is “generally appropriate” when an attorney “has been suspended for the same or similar misconduct, and intentionally or knowingly engages in further similar acts of misconduct that causes injury or potential injury to a client, the public, the legal system, or the profession.”³⁴ Du Wors was previously suspended in Washington for violating RPC 8.4(c) and (d) by making false statements to the police and his insurance company, and he knowingly engaged in similar misconduct here that caused injury and potential injury to the public, the legal system, and the profession.

The aggravating³⁵ and mitigating³⁶ factors do not weigh in favor of decreasing the presumptive sanction. As the Panel recognized, Du Wors had prior disciplinary offenses, acted with a selfish or dishonest motive, was an experienced attorney familiar with *pro hac vice* admission, engaged in a pattern of misconduct, and

³⁴ ABA Standards 8.1(b).

³⁵ The aggravating factors include prior disciplinary offenses, dishonest or selfish motive, a pattern of misconduct, multiple offenses, bad faith obstruction of the disciplinary proceeding, submission of false evidence or statements during the disciplinary process, refusal to acknowledge the wrongful conduct, vulnerability of the victim, substantial experience in the practice of law, indifference to making restitution, and illegal conduct. ABA Standards 9.22.

³⁶ The mitigating factors include absence of a prior disciplinary record, absence of a dishonest or selfish motive, personal or emotional problems, timely good faith effort to rectify the consequences of misconduct, full and free disclosure to disciplinary board of cooperative attitude toward proceedings, inexperience in the practice of law, character or reputation, physical disability, mental disability or chemical dependency under certain circumstance, delay in disciplinary proceedings, imposition of other penalties or sanctions, remorse, and remoteness of prior offenses. ABA Standards 9.32.

refused to acknowledge his misconduct. Disbarment is consistent with this Court’s precedent.³⁷

VI. Conclusion

For the reasons set forth above, John Du Wors is DISBARRED. He is unconditionally excluded from the admission to or the exercise of any privilege to practice law in this State. ODC shall disseminate this Order in accordance with DLRDP 14. Under DLRDP 27, Du Wors shall promptly pay the costs of these disciplinary proceedings upon presentation of a statement of costs by ODC. IT IS SO ORDERED.

³⁷ See, e.g., *McCarthy*, 2017 WL 4810769, at *1 (disbarring attorney admitted *pro hac vice* who failed to disclose altered medical records and failed to disclose his client’s fraudulent conduct and to correct her false testimony in medical malpractice action); *In re Davis*, 43 A.3d 856, 866-867 (Del. 2012) (disbarring Delaware attorney who was previously suspended for “knowingly violating this Court’s ethical rules through deceit and misrepresentation” and then violated the suspension order and made misrepresentations in his reinstatement questionnaire); *Tonwe*, 929 A.2d at 781 (disbarring Pennsylvania attorney who knowingly violated cease and desist order by continuing to engage in the unauthorized practice of law in Delaware); *In re McCoy*, 767 A.2d 191, 196-97 (Del. 2001) (disbarring Delaware attorney who abandoned law practice and was previously suspended for similar misconduct).