

CATHLEEN LONDON,)
Petitioner)
)
v.)
BOARD OF BAR EXAMINERS,)
Respondent)

AMENDED JUDGMENT ON PETITION
FOR ADMISSION TO THE MAINE BAR¹

Cathleen London has petitioned the Maine Supreme Judicial Court for admission to the Maine bar, seeking a determination that she is a person of good character and is fit to practice law after receiving an adverse decision from the Maine Board of Bar Examiners. M. Bar Admission R. 9(d)(6)(A). The Chief Justice designated the undersigned to conduct proceedings on the petition. M. Bar Admission R. 9(d)(6)(C).

The Court held a de novo hearing on August 21-22 and December 16-17, 2024. At the hearing, evidence was admitted if it was the kind of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs.² M. Bar Admission R. 9(d)(6)(C)(v). Petitioner retains the burden of producing to the Court satisfactory evidence of good character and fitness to practice law and of persuading the Court that she is a person of good character and is fit to practice law. M. Bar Admission R. 9(d)(6)(D).

The Comprehensive Guide to Bar Admission Requirements (2021), authored by the American Bar Association and the National Conference of Bar Examiners, provides non-binding, but helpful and appropriate, factors to consider in evaluating character and fitness qualifications. They include:

¹ This Amended Judgment corrects and supersedes, pursuant to Rules 59(e) and 60(a) of the Maine Rules of Civil Procedure, the court’s earlier Judgment dated February 19, 2025.

² Board Exhibit 13 (Maine Board of Licensure in Medicine Complaints and Responses) is ORDERED sealed.

- unlawful conduct
- academic misconduct
- making of false statements, including omissions
- misconduct in employment
- acts involving dishonesty, fraud, deceit, or misrepresentation
- abuse of legal process
- neglect of financial responsibilities
- neglect of professional obligations
- violation of an order of a court
- evidence of mental or emotional instability
- evidence of drug or alcohol dependency
- denial of admission to the bar in another jurisdiction on character and fitness grounds
- disciplinary action by a lawyer disciplinary agency or other professional disciplinary agency of any jurisdiction

Id. p. 10, ¶ 13.³

INTRODUCTION

Over the course of four days of hearings, the Court received a large volume of testimony and exhibits. That evidence requires consideration in the context of the nature of the Petitioner’s behaviors and the circumstances in the specific timeframes in which they occurred.

Many of the transgressions cited by the Board date back ten years or more, during times when the Petitioner found herself isolated and in highly stressful circumstances: recently divorced; a single parent; practicing medicine in a remote rural locale where opioid misuse was rampant; losing a trusted supervisor; separating from a partner practitioner; and having virtually no

³ The *Comprehensive Guide* also offers this observation: “A lawyer should be one whose record of conduct justifies the trust of clients, adversaries, courts, and others with respect to the professional duties owed to them. A record manifesting a significant deficiency in the honesty, trustworthiness, diligence, or reliability of an applicant may constitute a basis for denial of admission.” *Id.*, p.10, ¶ 12.

friends and no immediate access to faith-based congregations. Although she never characterized her state of mind as being “at wits-end,” the Court concludes that would probably be an accurate description her circumstance during most of that particular timeframe. While the Court understands that actions taken under times of great emotional tension are not necessarily dispositive of a person’s character or ability to practice a profession, by the same token, stress cannot excuse unacceptable behaviors or actions.

In considering the nature of the Petitioner’s behaviors, the evidence is replete with instances of Petitioner using verbally abrupt, aggressive, and abusive language, both inside and outside of professional settings. In a civil society we value civil discourse, but must acknowledge that departures from that norm do not always equate to deficits in character and fitness necessary to practice in a profession. The challenge for the Court is to distinguish instances when Petitioner’s behavior simply fell short of society’s expectations of civility from those where her behavior may be truly indicative of a character unfit to practice law. The Court’s focus is on the full context of what was happening during the events in question, as opposed to simply judging the propriety of Petitioner’s choice of language and mode of expression.

EVIDENCE

From the evidence admitted at the hearing, the Court finds the following facts.

Petitioner is a medical doctor. She has a distinguished academic record, culminating in her graduation from the Yale University School of Medicine in 1995. She completed a medical residency in Oregon before taking a faculty position at Boston University. Shortly thereafter, she entered a family medicine practice with a Boston healthcare alliance. Largely at her two sons’ urging, she relocated to New York and served as an assistant professor at Weill Cornell Medical College. In addition to teaching, she saw patients at a women’s health center and was an editor for an alternative medical journal.

Petitioner was not enthralled with living in New York City. She received a recruiting inquiry from a healthcare facility in Fort Kent that piqued her interest. She thought her interview with the facility's representative went quite well, and she was intrigued by the local ski area. During this time, she realized that her true aspiration was to provide medical services to needy persons in a very underserved area. She turned her attention to Washington County and took a position there. Although she looked forward to working with the CEO of her new facility, he resigned shortly after her arrival, and she was less enthusiastic about working with the replacement CEO.

Petitioner then took a position in Milbridge at the Harrington Health Center and opened a general medical practice ("Door-to-Door Doctors") with a partner physician. She was quickly taken aback at the major health issues confronting too many Downeast residents: heavy smoking, poor physical condition, and widespread opioid abuse disorders. She quickly hit her "cap" on the number of prescriptions that she was allowed to write for buprenorphine (Suboxone)—an opioid misuse treatment medication. After she wrote protocols for opioid disorder treatment that conflicted with her partner's approach, the two parted company. She later reviewed her former partner's patients' medical records knowing that she did not have the prerogative to do so, and ultimately she filed a complaint regarding her former partner's prescription practices.

In 2016, Petitioner opened a medical office, employing a receptionist and a medical assistant. Her practice quickly grew to approximately 2,000 patients. Many of Petitioner's patients presented with challenging needs, but she had limited or no resources to attempt to address their specific circumstances. As an example, many patients could not participate in counseling and therapy because they had no transportation. During this time, in addition to the burdens of her medical practice, Petitioner served as a medical director at methadone clinics in Bangor and Ellsworth. This necessitated her being on the road a lot and she was cited three times for speeding.

A. Traffic Infractions, Dogs, and Related Court Events

On January 27, 2016, Petitioner was driving on an unpaved road to get from her home in Milbridge to Route 1A when she was met by a police officer, Brandon Parker, coming in the opposite direction. He told her that a neighbor had complained about her dogs being loose on a regular basis. Officer Parker also advised Petitioner that the dogs needed to be registered with the town and that her driver's license had been suspended. Petitioner admits that she was contentious and inappropriate with the officer. In Officer Parker's words, Petitioner was very irate, argumentative, threatening, and out of control. He told her that she could not drive with a suspended license. Disregarding the officer's instructions, Petitioner (in her words) "lost it," got in her car, and sped off with the officer in hot pursuit. She eventually stopped.⁴

Officer Parker later investigated neighbors' complaints that Petitioner's dogs were roaming at large on the road and entering onto their properties. Specifically, he advised her during a telephone call in July 2016 that the neighbors reported that her dogs were on their property. Petitioner responded that the neighbors were misinformed. The officer told her about photos of the dogs on the road and upon the neighboring property and asked her what she was planning to do about it. She responded with a profanity-laced retort. The officer offered to arrange a time when she could pick up a summons at her convenience, but she said she did not have time. Petitioner ultimately admitted to the violation and built a fence to contain the dogs on her property, but police continued to receive complaints. Petitioner later spoke with the officer at the Milbridge municipal parking lot and accused the officer of being unprofessional. She never admitted any wrongdoing.

During a trial on a traffic offense in 2016, the Petitioner suggested that the court should credit her testimony over that of a police officer because she is a physician and accused the officer of lying. She was admonished by the court

⁴ As noted below, Petitioner was ultimately convicted of operating after suspension.

for her behavior. She referred to the proceedings, after they concluded, as a joke.

At a later date, in a separate proceeding (the Operating After Suspension charge), Petitioner was advised that she would need to return on a day when she was scheduled to be at a clinic. She said something about the proceedings being a “kangaroo court,” and was immediately held in contempt, handcuffed, and taken to jail in orange jail garb.⁵

Ruthann Weist is a Portland Police Department Animal Control Officer who interacted with the Petitioner in mid-November 2021, when Petitioner was living at the Tamerlane Apartments. Witnesses reported that her dogs had attacked a dog belonging to another tenant. The tenant advised Officer Weist that Petitioner’s dog charged at her and bit her dog. Officer Weist spoke with Petitioner in her apartment. Petitioner blamed the event on the small dogs who barked at her dog, but she ultimately admitted that she had lost control of her dog and she signed an agreement regarding a rabies quarantine for the dog. The officer said that the dog could be in the apartment yard if leashed, and Petitioner was summonsed to court on a “nuisance dog” complaint. Officer Weist later received a call reporting that Petitioner was walking the dog outside of the limited quarantine area. The report was supported by video evidence. Officer Weist had another meeting with the Petitioner at her apartment, during which the Officer observed that Petitioner was “agitated.”

A month later, in December 2021, Officer Weist received a new complaint of an attack by Petitioner’s dog. The attacked dog received a laceration that required splinting, bandaging, and physical therapy. The Officer contacted the Petitioner, who responded that some unknown person must have let the dogs out. The Officer and Petitioner exchanged emails in which Petitioner became increasingly verbally aggressive, and ultimately Petitioner refused to answer questions. Petitioner and the Animal Control Department eventually entered

⁵ As noted below, Petitioner did not report the contempt citation on her application for admission to the University of Maine School of Law.

into a consent judgment whereby Petitioner agreed to keep her dog out of Portland. Petitioner offered to pay for veterinary expenses for the injured dog.

B. Board of Licensure in Maine Proceedings

Assistant Attorney General Michael Miller, counsel to the Board of Licensure in Medicine (BOLM), provides legal advice to the BOLM. She identified and authenticated multiple complaints filed against Petitioner as contained in Board Exhibit 13(A)-(Q). The complaints consist of a litany of patient grievances, alleging in most instances perceived mistreatment and unsatisfactory physician-patient communications, as well as allegations by the BOLM alleging improper treatment modalities and unprofessional behavior. In each instance, the Petitioner either denied the allegations against her outright or offered her explanation or interpretation of the conduct attributed to her.

The complaints contain serious allegations. After reviewing the complaints, the BOLM voted to set them for an adjudicatory hearing. Thereafter, the BOLM and Petitioner, with the aid of an attorney, negotiated a consent agreement to resolve the complaints. Board Exhibit 15. The "COVENANTS" section of the consent agreement provides in pertinent part:

37. Dr. London admits the facts stated above and agrees that such conduct constitutes grounds for discipline pursuant to 32 M.R.S. § 3282-A(2)(F) for engaging in unprofessional conduct, and 32 M.R.S. § 3282-A(2)(H) for violation of Board Rules.

38. As discipline for the foregoing conduct, Dr. London agrees to accept, and the Board imposes:

a) A REPRIMAND for engaging in unprofessional conduct arising out of inappropriate interactions with patients, inappropriate interactions with other professionals, inappropriate prescribing of controlled substances, violating patient confidentiality, violating Board rules, and inappropriate use of the PMP.

b) A PROHIBITION on the prescribing of methadone.

c) A LICENSE PROBATION with the following terms and conditions: . . .

The BOLM enumerated seven probation conditions to address the circumstances that precipitated the disciplinary action.

The Petitioner claims to have agreed to the August 2018 Consent Agreement simply to get past a difficult time in her life. Her admission of the facts contained in the complaints and her acceptance of a reprimand as discipline for unprofessional conduct cannot, however, be minimized as inconsequential, and the Court accepts the admitted allegations as true for the purposes of this proceeding.⁶

The BOLM resolved seven additional complaints with letters of guidance dated May 14, 2019, and December 10, 2019. Board Exhibit 16. On April 14, 2020, the BOLM voted to terminate the consent agreement based upon Petitioner's satisfactory completion of the requirements contained therein.

A final BOLM contested hearing was held in early 2024 to address allegations of unprofessional behavior by the Petitioner toward Dr. Norris regarding Dr. Norris's evaluation and treatment of a particular patient. The BOLM voted seven-to-one that Petitioner had engaged in unprofessional conduct by engaging in disruptive and aberrant behavior that was likely to interfere with delivery of care to the patient.

The Board determined that if Petitioner sought to change her licensure status from inactive to active before the final expiration of her license on August 31, 2024, a probationary term with specific conditions would be

⁶ The Board issued a "First Amendment to Consent Agreement" in January 2019 that provided for monitoring of Petitioner's recordkeeping and prescribing practices by an interdisciplinary team that would report to the BOLM.

imposed. Petitioner's license to practice medicine expired on August 31, thus mooted any further action by the BOLM.

C. The NO FRILLS OIL Situation and Litigation

Petitioner entered into a heating oil contract with a company called NO FRILLS OIL (NO FRILLS). Prior to entering into that contract, Petitioner advised William Birdsall, the owner of NO FRILLS, that her dog had bitten a delivery driver from a previous company. Birdsall and Petitioner agreed that a telephone call would be made prior to any delivery and the dog would be restrained.

After a couple of deliveries, the situation deteriorated—NO FRILLS had trouble contacting anyone to restrain the dog. When drivers arrived, Petitioner's dogs were often not restrained. One of the dogs chased a driver back to the truck. He did not return to close the gate, and Petitioner called the NO FRILLS office later in the day to address the non-delivery and the open gate. Her tone was aggressive, and she was swearing and belittling the office staff. Subsequent deliveries became difficult. The office staff was upset by Petitioner's calls.

On December 19, 2019, Petitioner telephoned NO FRILLS in the morning, yelling and screaming to the point that the secretary hung up the phone after two minutes. Birdsall took a call from her later in the day. He advised that he would send a truck to her house later in the day and restart her oil burner, but the dogs had to be restrained. She responded that she would do whatever she wanted with her dogs. A state trooper accompanied Birdsall to the house, but the trooper would not enter the house. The scene at the house was chaotic. The Petitioner was yelling, and the dogs were barking aggressively. Petitioner had a camera. Birdsall said he would not enter the house to light the oil burner, and he left.

On December 27, NO FRILLS received a call from Petitioner indicating that she wanted the propane tanks filled. Petitioner advised that R.H. Foster

was going to purchase the propane tanks from NO FRILLS. Petitioner went to court to get an injunction to require NO FRILLS to fill the tanks. NO FRILLS made a delivery later that day but was not paid.⁷

NO FRILLS filed a collection case in small claims court. Petitioner filed an independent claim against NO FRILLS. The cases were consolidated, and a hearing was held on November 7, 2022. On November 22, 2022, the court rejected Petitioner's claims and entered judgment in favor of NO FRILLS in the amount of \$1664.24, plus attorney fees of \$499.27, interest, and costs.

During the trial in November—after having completed law school, after bring a student attorney, and after clerking for a few months—the Petitioner was admonished by a judge for her in-court behavior.

D. The Drug Enforcement Administration Investigation and Letter

Petitioner held a license issued by the Drug Enforcement Administration that made her office subject to the inspection and review of certain office records. In February 2020, Assistant United States Attorney Andrew Lizotte obtained an administrative search warrant to inspect Petitioner's office in Milbridge. The search warrant was issued after Special Agent Lizotte averred that, based upon his personal interactions with Petitioner, her office appeared to lack institutional control of controlled substances and appeared to be out of compliance with the Controlled Substances Act. AUSA Lizotte had traveled to Petitioner's office on January 14, 2020, for the purpose of conducting a DEA inspection, but the Petitioner, after consulting with an attorney, told the agent to "come back with a warrant."

Following execution of the warrant on February 15, 2020, a DEA inspection found eight violations of regulations, including violations related to the inventory, maintenance, disposal, and dispensing of controlled substances.

⁷ Petitioner cancelled the existing electronic funds transfer arrangement whereby NO FRILLS would receive an automatic payment after delivery.

A letter of admonition⁸ was issued to the Petitioner on December 15, 2022. After receiving Petitioner's responses to the alleged violations cited in the letter of admonition, which she rejected as unfounded, the DEA formally closed the investigation after being advised that Petitioner had closed her medical practice; the DEA took no further action.

E. Licenses in Massachusetts and New York

Petitioner was still practicing medicine while in law school. In 2010, she obtained an inactive license in Massachusetts. Eight complaints against her were received by the Commonwealth of Massachusetts Board of Registration in Medicine (MABORIM) during the period between 2001 and 2010. Concluding that it would be too expensive and complex to defend the complaints listed in Board Exhibit 10, Petitioner wrote a letter indicating that she would simply resign her inchoate right to renew her license to practice medicine in Massachusetts, with the understanding that her resignation that she submitted to the MABORIM would be reported as a disciplinary action to any national data reporting agency.

Petitioner kept her license in New York, but that state took reciprocal action based on (1) the actions of the Maine BOLM, and (2) a consent agreement, Board Exhibit 43, whereby she agreed not to contest the charges made against her by the New York State Board for Professional Medical Conduct, Board Exhibit 43, p. 1572-1574. The New York action was taken with the understanding that a censure and reprimand would issue with conditions that: (a) Petitioner's license to practice in New York would be limited exclusively to the prescription and administering of methadone; (b) a probationary period of thirty-six months with conditions would be imposed; (c) Petitioner would pay a \$2,500 fine; and (d) Petitioner would satisfy the conditions of the Maine BOLM consent agreement, along with other conditions related to the practice of medicine.

⁸ A letter of admonition is not a disciplinary action.

F. Center for Disease Control Interactions

Petitioner received a letter from the Maine Center for Disease Control regarding a requirement that she have temperature-controlled facilities to keep certain medications and other items refrigerated. She purchased clinical refrigerators that automatically measure temperatures within one degree and automatically print the temperature readings at regular intervals. Maine CDC regulations required Petitioner to observe and manually enter temperatures onto a standardized log and report them monthly by fax. Petitioner felt this was pointless because the specialized refrigerators automatically logged temperatures without human intervention.

She found the interaction with the CDC very frustrating. The CDC regulators advised that they were suspending her participation in the COVID vaccination program. On April 1, 2021, the Maine Department of Health and Human Services advised that her practice would be one of four primary care locations that would be approved for Johnson & Johnson vaccines.

Tina Pare is the Manager of Policy and Compliance at the Maine Center for Disease Control. She also serves as liaison to the Maine Attorney General's Office and holds a law degree from the University of Maine School of Law. Pare supervises the federal "Vaccines for Children" program that provides vaccines for children who would not ordinarily receive them. The vaccines are shipped to providers who can store them on site, but they must comply with program requirements regarding training, certification, reports, and temperature logs. Petitioner was participating in the program in January 2018. Pare was advised that Petitioner was not in compliance.

"ImmPact" is a database that documents how Maine complies with the requirements of the federal program. Providers log into the ImmPact database to report things like vaccine refrigeration temperatures, which must be monitored and reported monthly. Pare started an email communication with Petitioner on March 19, 2019. The refrigeration temperatures must be reported every thirty days, but Petitioner had not done so according to the CDC

requirements for months.⁹ Petitioner's response was that the mandated reporting process was "stupid and a waste of [her] time." In a dismissive tone, she expressed an unwillingness to comply with the procedures and accused the CDC program of being anti-Semitic. Program administrators offered Petitioner a six-month probationary agreement to begin reporting in compliance with program requirements. The agreement was signed April 16, 2019, but on April 22, Petitioner was terminated from the "Vaccines for Children" program.¹⁰

Petitioner demanded to be reinstated, asserting that she did not need to keep paper reports. She wrote to a legislator, accusing the program of bullying her and requesting a legislative inquiry. She complained to the federal CDC.¹¹ She accused the program of putting Maine kids at risk. In May 2019, she left voicemails with the CDC accusing the CDC of lying to the federal CDC. An audio recording of one of the voicemails was played in court, in which the Petitioner accused the Maine CDC of lying and harming children.¹² Petitioner asked Pare why the CDC used the term "provider," stating that the term was offensive to Jewish people. Petitioner yelled and swore at Pare and hung up.

A year later, Petitioner's practice ("Door-to-Door") was invited to reapply for readmission to the program, and Petitioner was again offered a probation agreement in order to do so. The Petitioner yelled at CDC employee Alvarez and called her a "dummy." Notwithstanding Petitioner's conduct, she was ultimately reenrolled in the children's program because the only reason for her earlier expulsion was that she was not faxing the paper temperature logs as required by the Maine CDC.

G. Law School Application for Admission Issues

The application form for the University of Maine School of Law asks, at Question 12(10) in which state the applicant filed their income tax return in the

⁹ Petitioner was apparently reporting temperature readings via email.

¹⁰ Petitioner's noncompliance continued immediately after the probation agreement was signed.

¹¹ The federal CDC apparently had no concerns with the reporting requirements that the Maine CDC was imposing.

¹² The court finds that Petitioner was extremely agitated throughout the recording.

previous year [in this case 2018]; the Petitioner answered “Maine.” Question 13(4) asks whether the applicant has ever been charged with any moving traffic violation within the ten years preceding the application; the Petitioner answered, “No.”¹³ Question 13(5) asks whether the applicant’s driver’s license has ever been suspended; the Petitioner answered, “No.” Question 13(10) asks, “Have you ever surrendered a professional license or had such license suspended or revoked, on grounds of . . . breach of an ethical obligation?”; the Petitioner answered, “No.” Question 13(11) asks, “Have there ever been or are there now any pending charges, complaints, or grievances (formal or informal) concerning your conduct of as a member of any other profession . . . ?”; the Petitioner answered, “No.” Question 13(12) asks, “Have you ever been asked to resign or given the opportunity to resign in lieu of disciplinary action or termination from any organization for any reason?”; the Petitioner answered, “No.”

Petitioner plainly and clearly admitted during her testimony at the hearing in this matter that in each instance her answer to Question 12(10) on the law school application should have been, “Yes.” But rather than expressing a sincere *mea culpa* and remorse, she equivocated and said, “It’s totally on me for misunderstanding the question.” For a person of her intellect and semantic sophistication, the plain language of the questions cannot reasonably be misconstrued. The Court finds Petitioner’s characterization of her answers as simple textual misunderstandings not credible.

The Court additionally finds that her alternative excuse for not providing this information—lack of memory, i.e. “I totally forgot about the [OAS]”—to be equally not credible. Being remanded into custody during the Operating After Suspension trial by a judge and spending the better of a day in orange jail garb would seem to be a relatively unforgettable experience. Finally, Petitioner has asserted that she received advice from counsel indicating that that she did not need to report charges or complaints issued by professional regulatory entities if the charge or complaint did not result in discipline. The court finds this

¹³ Petitioner did disclose her Operating After Suspension conviction to the Board of Bar Examiners.

assertion to be patently not credible, and no attorney was offered as a witness to confirm that such advice was given.¹⁴

H. Law School Discipline

On September 17, 2019, Associate Deans Niang and Wilshusen filed a disciplinary complaint against the Petitioner for failure to disclose information required on her law school admissions application. After investigation by the Associate Dean for Academic Affairs, and by agreement, a reprimand was issued against the Petitioner on December 27, 2019.

Professor Sarah Schindler reduced Petitioner's grade in her property class by one-third because Petitioner used commercial material as part of the "open book" format for the final exam. Professor Schindler's policy as it appears on her syllabus and in her instructions to the class is: *It will be a partially open-book exam. You may use your casebook, and one outline that you have typed or written yourself.* (Emphasis by underscore in original.)

Petitioner electronically "cut-and-pasted" text and graphics from commercial materials that she then wrote over by hand. Petitioner complains that "no one else's outline was checked," and that she did not see "what this had to do with her property thing"; without conceding any degree of responsibility, in her words, she "took the punishment and moved on."

I. Disclosures and Nondisclosures to the Board of Bar Examiners

Melissa Hansen is the Executive Director of the Maine Board of Bar Examiners. Board Exhibit 1 is Petitioner's *Application to Take the Maine Bar Examination*. The application contains a number of checkboxes. If any are

¹⁴ Petitioner offers other reasons for her nondisclosure: (1) regarding the "[a]re there past or present charges" question, she said, "It's hard to answer such a compound question" and (2) regarding the Washington County dog case, she testified that she went to Washington County officials to get case materials but the case was not given to her; and (3) regarding her case with NO FRILLS OIL, she claimed no recollection of it despite the fact that the judge had to intercede and tell her to "dial it back about 20 notches."

checked “Yes,” the applicant is directed to provide further information. Petitioner checked boxes 17(A)-(C) and provided additional information in three typewritten pages. The handwriting at the bottom of the second page is Petitioner’s handwriting. Petitioner never amended or supplemented her application after filling it.

In the three pages of additional information, Petitioner reported that the Maine Board of Licensure in Medicine had received complaints about her. She also reported that she had filed a report against a former partner who had been in practice with her. She stated that she resolved those complaints through a consent agreement with the BOLM. She also reported a that a complaint had been lodged against her by another physician who accused her of being unprofessional.¹⁵ Finally, she reported in the handwritten note that New York had taken a “reflexive action” against her as a result of the Maine consent agreement.

Petitioner also reported some civil lawsuits and a divorce at page thirty of the application. The Board became aware of other lawsuits when they received a letter from New Jersey. Board Exhibit 34, page 1106. Petitioner did not report that she had been held in contempt of court. Exhibit 44 is the letter from Professor Schindler regarding the discipline related to the property exam. Exhibit 45 is a request for information from the BOLM. Petitioner did not update the Board on proceedings other than the Norris case and the consent agreement. The Board was not aware of any other board of licensing in medicine proceedings, taking the position that it was the obligation of the applicant to update information required by the application.

Regarding tax returns, Petitioner typed “[i]n progress” on her application, but she did not complete Form 6. She said she believed that she had paid all of her taxes, but she did not provide updates until well after her application had been filed. She stated that she sent financial materials to her accountant, but she could not recall the details. She was fairly certain that she

¹⁵ The Maine BOLM matter involving Dr. Norris, referenced above.

did not owe anything because she lost money during the period 2016 to 2021, but she acknowledged knowing that a tax return must be filed even if one does not owe taxes.

Petitioner credibly reports that she paid ahead for tax year 2024. She places blame and responsibility for any previously unpaid taxes or late tax returns solely upon her accountant. She paid federal taxes quarterly. She owed small amounts in 2017 and 2021 and paid any penalties, which were small. Petitioner did not update the Board concerning her status with taxing authorities; she justified her inaction by saying she did not think it was important to update the bar examiners about anything because they had already denied her application and so she did not see a need to follow up.

Petitioner is currently self-reporting income other than employer withholding. She admits that timely filing tax of returns is necessary because “It’s the right thing to do.”

J. Law School / Internships

During law school, Petitioner received an award for legal writing. She served in the legal aid/juvenile justice clinic and had no adverse issues during that service or any problems with judges or others. She served as lawyer of the day five or six times during that period.

Petitioner interned in a personal injury firm with Attorney David Kreisler. He testified very credibly that the quality of her work was very good, her demeanor was very professional, and she was highly intelligent. She did well under his mentorship, and he was very complimentary of her overall performance. In his opinion, she would be a good lawyer.

Petitioner also served as an interim with the Essex County Superior Court in New Jersey. During that experience she was assigned a wide variety of tasks, including drafting decisions, interacting with lawyers, and conducting mediations. She enjoyed it immensely. Tina Bianchi, a law clerk in the Essex

County Court for thirty years, testified that the Petitioner was well thought of, and had no problems of any sort.

After law school, Petitioner interned with Davis, Saperstein, and Solomon, a medium-sized law firm in Teaneck, New Jersey. She is currently employed as paralegal there. Evan Baker, Esq., a partner in the firm who supervises Petitioner as a member of his practice team, testified very credibly that she has very high standards and produces excellent work. He reports that Petitioner has passionate, strong opinions, but never goes overboard. He has no concerns regarding her credibility or professionalism and gives her high marks in both regards. He believes that she would be a terrific lawyer.

K. Current Status

Petitioner acknowledges that her behavior has occasionally been inappropriate. She describes her current status as “finally being a human being,” and reports that she has been exposed to bad behaviors by persons in the past and she does not want to be like them.

Petitioner is trying to be healthy. She attends self-improvement programs, including anger management sessions. She is eating right and running. She reports that she has friends in New Jersey, and now realizes that earlier in her life she was so preoccupied with taking care of others that she forgot to take care of herself. Regarding previous incidents, many of which are discussed above, she realizes that she simply did not understand what she needed to do in those trying situations. She asserts that her current experiences are all good. She talks to others if she is getting agitated for any reason. Ultimately, she wants to help people, and medicine and law are both helping professions.

DISCUSSION

Cathleen London presents a complex amalgam of characteristics that are seemingly at odds with each other. She credibly presents as a person whose

life ambition seems to be of service to her fellow human beings. She is extremely intelligent and hard working. Her post-law school supervisors and her current employer speak of her in glowing terms that are difficult to reconcile with the historical picture that is otherwise painted.

Her history of personal interactions is filled with highly inappropriate, aggressive and abusive language and actions, most of which she acknowledges but blames on surrounding circumstances, taking little or no responsibility for them.¹⁶ Can some of this be attributed in part to the extremely stressful circumstances in which she found herself in earlier years? Perhaps, but as noted previously, unprofessional behavior cannot be excused or condoned by simply “playing the stress card.” Still, as her counsel argues, socially inappropriate behavior and actions are not, *ipso facto*, disqualifying without more. Similarly, single seemingly minor transgressions viewed in isolation are not, *ipso facto*, disqualifying without more.

There is more here.

The Court finds two characterological attributes of the Petitioner to be concerning. First, she has demonstrated a disdain for—and a seemingly ingrained disinclination to follow—rules, regulations, and requirements that she deems to be pointless or ill-advised. That is a troubling trait for any member of society, but deeply disturbing if embodied in a lawyer—an officer of the court who is bound by oath to adhere to the law. Second, the Petitioner has evidenced a lack of candor in her refusal to take responsibility for her actions, blaming bad legal advice and a claimed inability to understand the plain language of her law school and bar admission applications. The Court finds neither supposed justification credible. The more likely explanation is that full and prompt disclosure of events noted above would have reflected negatively upon her, and she simply wanted to sweep such adverse information under the carpet rather than expose it to the light of day.

¹⁶ Although the Court finds that Petitioner expresses regret for the actions that have placed her in her current circumstances, the Court does not find genuine remorse or sincere acceptance of personal responsibility.

As noted previously, the Court finds that the ABA/NCBE *Comprehensive Guide to Bar Admission Requirements* provides helpful guidance in assessing character and fitness issues. Concerning the relevant factors set out there:

- **Unlawful conduct:** Other than a conviction for operating after suspension,¹⁷ Petitioner has no known criminal convictions. In the civil sphere, as noted previously, the Petitioner has failed to follow regulatory rules and regulations, such as her failure to record and report refrigeration temperatures for vaccines.
- **Academic misconduct:** Petitioner received a reprimand for failing to follow instructions concerning allowable materials that could be used for an open book exam in her law school property course.
- **Making of false statements, including omissions:** As noted above, Petitioner made material misstatements and omissions on her law school and bar admission applications that the Court finds were not simply the result of inadvertence.
- **Misconduct in employment:** Petitioner has had complaints to professional regulatory organizations, particularly the BOLM, filed against her asserting unprofessional conduct, which she admitted as part of the BOLM consent agreement. Petitioner also accessed the “PMP” database to gain access to the confidential prescription records of an individual who was not then her patient.
- **Acts involving dishonesty, fraud, deceit, or misrepresentation:** Other than the omissions on applications noted above, the Court finds no other actions by the Petitioner that would fall within this category.¹⁸

¹⁷ The fact that Petitioner willfully drove away from an officer after he advised her that her license had been suspended, requiring the officer to chase her, adds an aggravating element to what would otherwise be a comparatively benign offense.

¹⁸ The Board may argue that the interaction with NO FRILLS OIL, in which Petitioner demanded and received an oil delivery but then rescinded her EFT authorization, forcing NO FRILLS OIL to

- **Abuse of Legal Process:** The Court finds no abuse of legal process in the traditional meaning of that term, but notes that Petitioner was admonished by judges on several occasions for her in-court inappropriate behaviors.
- **Neglect of financial responsibilities:** Petitioner neglected to file timely income tax returns, blaming her accountant for the failure, but she eventually filed them and paid any overdue taxes to date.
- **Neglect of professional obligations:** Although the Petitioner had a troubled relationship with patients and regulators, the Court cannot find that she intentionally or negligently neglected her professional obligations.
- **Violation of an order of a court:** While not expressly an order of a court, this Court finds that being cited for contempt and taken into custody by a court is a similar transgression and equally concerning.
- **Evidence of mental or emotional instability:** Petitioner admits that she had a history of inappropriate responses when faced with anger-producing stimuli during stressful times.
- **Evidence of drug or alcohol dependency:** None.
- **Denial of admission to the bar in another jurisdiction on character and fitness grounds:** None.
- **Disciplinary action by a lawyer disciplinary agency or other professional disciplinary agency of any jurisdiction:** See the actions of Maine, Massachusetts, and New York medical review boards as noted above.

In *Allison McGonagle v. Board of Bar Examiners*, Supreme Judicial Court docket no. BAR-23-14, the applicant committed an egregious violation of the

commence legal action to recover payment, constitutes dishonesty, fraud, deceit, or misrepresentation, but the Court stops short of reaching that conclusion.

law. She entered into a sham marriage for the sole purpose of illegally facilitating a foreign national, who was subject to removal and deportation proceedings, in gaining United States citizenship. She filed joint tax returns with the individual. She did not mention the sham marriage on her application to the University of Maine School of Law.¹⁹

McGonagle was not fully truthful with Department of Homeland Security officials who initially interviewed her, but later, at her initiative, she provided a full and truthful account of the event and testified under oath to a grand jury. She also advised the Dean of the law school about the circumstances. In her application to take the Maine bar examination, she checked “Yes” to the character and fitness question, and provided a full account of the sham marriage and subsequent events. Significantly, the single justice found that McGonagle was very remorseful and wanted to make amends and rectify the situation. The Court issued a judgment granting her a certificate of qualification to take the bar examination.

In *Robert P. Weinberg v. Board of Bar Examiners*, Supreme Judicial Court docket no. BAR-14-11, the single justice found that in a 2000 application for a position as a physician at a New York hospital, Weinberg falsely indicated that there were no pending disciplinary actions against him in any other state, at a time when the Massachusetts Board of Registration in Medicine was investigating his conduct. Regarding that transgression, which was one of several presented to the Board of Bar Examiners and the Court, the single justice stated:

Weinberg admits that his misrepresentation was intentional and credibly states that he regrets the conduct. He cites the incident as one of the gravest mistakes he has ever made. This clear breach of ethical standards reflects poorly on his character at the time. Given the years that have passed, the timing of the events, and Weinberg’s acceptance of

¹⁹ The single justice in that matter concluded, “[T]hat information would not have been responsive to any of the questions asked [on the application form].”

responsibility and expressions of remorse, however, these actions, alone, would not create a barrier to his bar application.

Further, in a footnote, the single justice noted:

I do not find that the errors uncovered in the application [to the Board of Bar Examiners] were an attempt to conceal the existence of any incident in his past; rather, they reflect his organizational deficiencies.

Nevertheless, the single justice ultimately denied Weinberg's petition for certification of his character and fitness to practice law, concluding that:

The record shows that Weinberg has a history of acts and omissions that demonstrate a lack of character and fitness to practice law. Although it is unlikely that he will repeat the sexual misconduct, his continuing pattern of litigiousness, aggression, and willingness to misrepresent the truth demonstrates that he does not have sufficient good character and fitness to practice law.

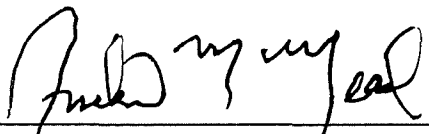
CONCLUSION

Petitioner correctly argues that the transgressions attributed to her do not necessarily, in isolation, provide a basis for a denial of the character and fitness certificate she seeks. However, when taken as a whole, over the course of an extended period of time, the evidence leads to the conclusion that the Petitioner repeatedly, as a matter of character and ingrained behavior, engages in unprofessional conduct and noncompliance with rules. While her aggressive and verbally abusive behavior does not quite reach the level demonstrated in the *Weinberg* case, neither does Petitioner accept moral responsibility or express remorse as demonstrated in the *McGonagle* case. She redirects responsibility for her actions to other persons or attributes her behavior to circumstances. As noted above, the Court does not find credible Petitioner's explanations of lack of understanding or lack of memory.

In conclusion, it bears saying that this matter presents an extremely close call that ultimately turns on the burden of proof, which is upon the Petitioner to produce sufficient satisfactory evidence to persuade the Court by a preponderance of the evidence that she is of good character and is fit to practice law. Although the Petitioner has produced some evidence that, standing alone, would be indicative of good character and fitness, the full body of evidence, considered in its entirety, leaves the Court unpersuaded that she has met her burden of proof. The Petitioner's petition for a Certificate of Character and Fitness must be denied.

So ordered.

Dated: April 4, 2025



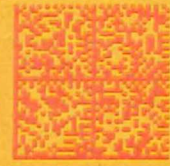
Hon. Andrew M. Mead
Associate Justice
Maine Supreme Judicial Court

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