

BEFORE THE HEARING BOARD  
OF THE  
ILLINOIS ATTORNEY REGISTRATION  
AND  
DISCIPLINARY COMMISSION

In the Matter of:

ILAN BOROCHOV,  
Attorney-Respondent,  
No. 6335300.

Comm. No. 2023PR00072

**ANSWER**

NOW COMES Respondent, Ilan Borochov, by and through his attorney, James A. Doppke, Jr., Robinson, Stewart, Montgomery & Doppke, LLC, admitting the accuracy of his date of licensure in Illinois as alleged in the prefatory paragraph of the Administrator's Complaint but denying all other allegations of that paragraph, and for his answer to the Administrator's Complaint in this matter, states as follows:

COUNT I

*(Allegedly committing a criminal act that allegedly reflects adversely  
on the lawyer's fitness as a lawyer)*

1. At all times alleged in this count, Respondent was a litigation associate at Bradley Arant Boult Cummings LLP in Dallas, Texas.

ANSWER: Respondent admits the allegations contained in paragraph 1.

2. At all times alleged in this count, Respondent was admitted to practice law in New York and Texas and had pending an application to be admitted to practice law in Illinois.

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ARDC Clerk

ANSWER: Respondent admits the allegations contained in paragraph 2.

3. At all times alleged in this count, Respondent resided in a townhouse located in Irving, Texas.

ANSWER: Respondent admits the allegations contained in paragraph 3.

4. At all times alleged in this count, Section 42.092 of the Texas Penal Code, titled "Cruelty to Nonlivestock Animals" provided:

(a) In this section:

- (1) "Abandon" includes abandoning an animal in the person's custody without making reasonable arrangements for assumption of custody by another person.
- (2) "Animal" means a domesticated living creature, including any stray or feral cat or dog, and a wild living creature previously captured. The term does not include an uncaptured wild living creature or a livestock animal.
- (3) "Cruel manner" includes a manner that causes or permits unjustified or unwarranted pain or suffering.
- (4) "Custody" includes responsibility for the health, safety, and welfare of an animal subject to the person's care and control, regardless of ownership of the animal.
- (5) "Depredation" has the meaning assigned by Section 71.001, Parks and Wildlife Code.
- (6) "Livestock animal" has the meaning assigned by Section 42.09.
- (7) "Necessary food, water, care, or shelter" includes food, water, care, or shelter provided to the extent required to maintain the animal in a state of good health.
- (8) "Torture" includes any act that causes unjustifiable pain or suffering.

(b) A person commits an offense if the person intentionally, knowingly, or recklessly:

- (1) tortures an animal or in a cruel manner kills or causes serious bodily injury to an animal;
- (2) without the owner's effective consent, kills, administers poison to, or causes serious bodily injury to an animal;
- (3) fails unreasonably to provide necessary food, water, care, or shelter for an animal in the person's custody;
- (4) abandons unreasonably an animal in the person's custody;
- (5) transports or confines an animal in a cruel manner;
- (6) without the owner's effective consent, causes bodily injury to an animal;
- (7) causes one animal to fight with another animal, if either animal is not a dog;
- (8) uses a live animal as a lure in dog race training or in dog coursing on a racetrack; or
- (9) seriously overworks an animal.

(c) An offense under Subsection (b)(3), (4), (5), (6), or (9) is a Class A misdemeanor, except that the offense is a state jail felony if the person has previously been convicted two times under this section, two times under Section 42.09, or one time under this section and one time under Section 42.09.

(c-1) An offense under Subsection (b)(1) or (2) is a felony of the third degree, except that the offense is a felony of the second degree if the person has previously been convicted under Subsection (b)(1), (2), (7), or (8) or under Section 42.09.

(c-2) An offense under Subsection (b)(7) or (8) is a state jail felony, except that the offense is a felony of the third degree if the person has previously been convicted under this section or under Section 42.09.

(d) It is a defense to prosecution under this section that:

- (1) the actor had a reasonable fear of bodily injury to the actor or to another person by a dangerous wild animal as defined by Section 822.101, Health and Safety Code; or
  - (2) the actor was engaged in bona fide experimentation for scientific research.
- (e) It is a defense to prosecution under Subsection (b)(2) or (6) that:
- (1) the animal was discovered on the person's property in the act of or after injuring or killing the person's livestock animals or damaging the person's crops and that the person killed or injured the animal at the time of this discovery; or
  - (2) the person killed or injured the animal within the scope of the person's employment as a public servant or in furtherance of activities or operations associated with electricity transmission or distribution, electricity generation or operations associated with the generation of electricity, or natural gas delivery.
- (f) It is an exception to the application of this section that the conduct engaged in by the actor is a generally accepted and otherwise lawful:
- (1) form of conduct occurring solely for the purpose of or in support of:
    - (A) fishing, hunting, or trapping; or
    - (B) wildlife management, wildlife or depredation control, or shooting preserve practices as regulated by state and federal law; or
  - (2) animal husbandry or agriculture practice involving livestock animals.
- (g) This section does not create a civil cause of action for damages or enforcement of the section.

ANSWER: Respondent admits that Section 42.092 of the Texas Penal Code contains the text set forth in paragraph 4. Respondent denies all remaining allegations of paragraph 4.

5. On February 10, 2021, near his residence, Respondent held up, berated and repeatedly hit his female Rottweiler mix dog, Luna, about her head, then threw her into a fence and kicked her.

ANSWER: Respondent admits that on February 10, 2021, near his residence, he struck his female Rottweiler mix dog, Luna, on or near her head approximately four times while holding her above the ground. Respondent denies all remaining allegations contained in paragraph 5.

6. Several witnesses reported the incident to the Irving, Texas Police Department, who along with other authorities investigated the incident. A search warrant was issued for Respondent's dwelling. After the search warrant was executed, Respondent's two dogs were removed from the house.

ANSWER: Respondent admits the allegations contained in the first and second sentences of paragraph 6 upon information and belief. Respondent admits the allegations contained in the third sentence of paragraph 6, but he denies any allegation to the effect that the dogs were forcibly removed from the home. Further answering, Respondent states that he and his wife voluntarily relinquished possession of their two dogs while police officers were present at his home pursuant to the search warrant, and that they cooperated with the police in ensuring that the dogs would accompany the police. Respondent denies all remaining allegations contained in paragraph 6.

7. In March of 2021, Respondent was arrested for, and charged in Dallas County, Texas case number F2133181 with a felony violation of the Cruelty to Nonlivestock Animals statute arising from the February 10, 2021 incident.

ANSWER: Respondent admits that in March of 2021, he was arrested for allegedly committing Cruelty to Nonlivestock Animals. Respondent denies all remaining allegations contained in paragraph 7, including any allegation to the effect that he committed a felony violation of the Cruelty to Nonlivestock Animals statute, or that he caused any physical injury to Luna.

8. On November 29, 2022, Respondent entered into a plea agreement on the charge. In exchange for the state striking the words “cause unjustifiable pain and suffering, and in a cruel manner kill, and in a cruel manner cause serious bodily” from the indictment, Respondent admitted that on February 10, 2021, he “then and there intentionally and knowingly and recklessly injur[ed] an animal, to wit: a Female Rottweiler mix named Luna, by hitting said dog in the face with his hand.” Respondent pled *nolo contendere* to the offense of Cruelty to Nonlivestock Animals statute as a lesser included offense.

ANSWER: Respondent denies the allegations contained in the first sentence of paragraph 8. Respondent specifically denies any allegation to the effect that he entered a plea to a felony violation of the Cruelty to Nonlivestock Animals statute. Respondent admits that on November 29, 2022, he executed a Judicial Confession stating, *inter alia*, that on February 10, 2021, he “intentionally and knowingly and recklessly injur[ed] an animal, to wit, a Female Rottweiler mix named Luna, by hitting said dog in the face with

his hand.” Respondent denies any remaining allegations contained in the second sentence of paragraph 8. Respondent admits the allegations contained in the third paragraph of paragraph 8, except any allegation to the effect that Respondent pled guilty to a felony offense, which allegation Respondent denies. Respondent denies all remaining allegations contained in paragraph 8, including any allegation to the effect that he caused any physical injury to Luna.

9. Respondent was sentenced to deferred community supervision for two years, as well as standard conditions, completion of a responsible pet owner class and no pets.

ANSWER: Respondent admits the allegations contained in paragraph 9.

10. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. committed a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness or fitness as a lawyer in other respects, by violating Texas Penal Code Section 42.092 by then and there intentionally and knowingly and recklessly injuring an animal, to wit: a female Rottweiler mix named Luna, by hitting said dog in the face with his hand, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010).

ANSWER: The allegations contained in paragraph 10 constitute legal conclusions, and therefore, no answer is required.

COUNT II

*(Alleged failure to correct or supplement his pending application to be admitted to the Illinois Bar with information regarding his arrest and charge for felony cruelty to animals)*

11. On January 14, 2020, Respondent submitted an Application for Admission to the Bar of Illinois (“Application”) to the Illinois Board of Bar Admissions (“IBAB”) of the Supreme Court of Illinois pursuant to Illinois Supreme Court Rule 704(a), entitled “Admission by Transferred Uniform Bar Examination Score.”

ANSWER: Respondent admits the allegations contained in paragraph 11.

12. At all times related to this count, Illinois Supreme Court Rule 708(e) provided:

At all times prior to his or her admission to the bar of this state, each applicant is under a continuing duty to supplement and continue to report fully and completely to the Board of Admissions to the Bar and the Committee on Character and Fitness all information required to be disclosed pursuant to any and all application documents and such further inquiries prescribed by the Board and Committee.

ANSWER: Respondent admits that Illinois Supreme Court Rule 708 contains the text contained within paragraph 12. Respondent denies any remaining allegations of paragraph 12.

13. As part of the Application, Respondent submitted a completed Character & Fitness Questionnaire (“Questionnaire”).

ANSWER: Respondent admits the allegations contained in paragraph 13.



14. Question 44 on the Questionnaire asked: "Have you read and do you understand the Illinois Rules of Professional Conduct?" Respondent responded "Yes" to Question 44.

ANSWER: Respondent admits the allegations contained in paragraph 14.

15. Question 46 on the Questionnaire asked: "Have you ever been convicted of a felony or is there now pending against you any indictment, criminal information, or criminal complaint charging a felony offense?" Respondent responded "No" to Question 46.

ANSWER: Respondent admits the allegations contained in paragraph 15.

16. Question 47 on the Questionnaire asked: "During the last 25 years, have you been formally or informally detained, restrained, cited, summoned into court, taken into custody, arrested, accused, charged, convicted, placed on probation, placed on supervision, or forfeited collateral in connection with any offense against the law or an ordinance, or accused of committing a delinquent act, other than traffic offenses set forth in response to question 48 as set forth in your Driving Record provided under question 49. Respondent responded "No" to Question 47.

ANSWER: Respondent admits the allegations contained in paragraph 16.

17. Question 52 on the Questionnaire asked: "Do you understand that after your Character & Fitness Questionnaire is filed, you will have a continuous reporting obligation and must notify IBAB of any changes or additions to the information provided in your application? This includes, but is not limited to, address changes, employment changes, criminal charges, disciplinary actions (educational, employment or other), and traffic

violations, including any parking tickets that are not paid upon receipt. Respondent responded "Yes" to Question 52.

ANSWER: Respondent admits the allegations contained in paragraph 17.

18. The Administrator repeats and incorporates paragraphs 1-9 of Count I, above, as and for paragraph 18.

ANSWER: Respondent repeats his answers to paragraphs 1 through 9 of Count I, above, as if fully set forth therein, as and for his answer to the allegations contained in paragraph 18.

19. On June 15, 2021, based upon the above-described Application, including the Questionnaire, Respondent was admitted to practice law in the State of Illinois pursuant to the requirements of Supreme Court Rule 704(a).

ANSWER: Respondent admits the allegations contained in paragraph 19.

20. At no time between his March 2021 arrest and his June 15, 2021 admission to practice law in Illinois did Respondent advise the IBAB or the Illinois Character and Fitness Committee of either his arrest, or criminal charge, arising from the February 10, 2021 incident, as required by Illinois Supreme Court Rule 708(e) and Rules 8.1(a) and 8.1(b) of the Illinois Rules of Professional Conduct.

ANSWER: Respondent admits that at no time between his March 2021 arrest and his June 15, 2021 admission to practice law in Illinois did he advise the IBAB or the Illinois Character and Fitness Committee of his arrest arising from the February 10, 2021 incident, as required by Illinois Supreme Court Rule 708(e) and Rules 8.1(a) and 8.1(b) of the Illinois Rules of Professional Conduct. Respondent denies all remaining allegations

contained in paragraph 20. Further answering, Respondent states that although he was arrested in March 2021, he was not charged with any crime related to the February 10, 2021 incident until an indictment was filed on August 30, 2021, following his admission to the practice of law in Illinois.

21. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. knowingly making a false statement of material fact on his admission to the Illinois Bar by allowing his answer to Question 46 on the Questionnaire, where he answered “no” to the question “Have you ever been convicted of a felony or is there now pending against you any indictment, criminal information, or criminal complaint charging a felony offense?” to stand as his answer after Respondent had been charged with felony cruelty to animals in Dallas County, Texas, in violation of Illinois Supreme Court Rule 708(e) and Rule 8.1(a) of the Illinois Rules of Professional Conduct (2010); and
- b. failing to disclose a fact necessary to correct a misapprehension known by the person to have arisen in the matter by failing to supplement his response as an applicant for admission to the bar to the Character & Fitness Questionnaire with information relating to his arrest for, and charge of, felony cruelty to animals in Dallas County, Texas, in violation of Illinois Supreme Court Rule 708(e) and Rule 8.1(b) of the Illinois Rules of Professional Conduct (2010).

ANSWER: The allegations contained in paragraph 21 constitute legal conclusions, and therefore, no answer is required.

RESPONDENT'S DISCLOSURE PURSUANT TO COMMISSION RULE 231

1. Respondent was admitted to practice law in the State of Illinois on June 15, 2021.
2. Respondent was admitted to practice law in the State of Texas on January 7, 2021.
3. Respondent was admitted to practice law in the State of New York on May 20, 2020.
4. Respondent holds no other professional licenses other than his license to practice law.

Respectfully submitted,

/s/ James A. Doppke, Jr.

BY: James A. Doppke, Jr.

Counsel for Respondent

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ILAN BOROCHOV,  
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NOTICE OF FILING

TO: David B. Collins  
[dcollins@iar dc.org](mailto:dcollins@iar dc.org)

ARDC eService  
[ARDCeService@iar dc.org](mailto:ARDCeService@iar dc.org)

PLEASE TAKE NOTICE that on January 16, 2023, I filed the attached Answer with the Clerk of the Attorney Registration and Disciplinary Commission, copies of which are hereby served upon you.

/s/ James A. Doppke, Jr.

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BY: James A. Doppke, Jr.  
Counsel for Respondent

PROOF OF SERVICE

The undersigned attorney hereby certifies that he served the above Notice of Filing, and the attached Answer, by emailing them to the email addresses listed above on January 16, 2023, before 11:59 p.m.

/s/ James A. Doppke, Jr.

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James A. Doppke, Jr.

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