

4. Respondent rented an office from Kallas and, as a result, they officed in the same suite. Respondent returned L.T.'s phone message on April 30, 2017 and told L.T. that Kallas was not available. Respondent told L.T. that Kallas had asked him to meet with L.T. on May 1, 2017 regarding her case and to collect a down payment of \$500 towards Kallas' \$2,500 retainer.

5. On May 1, 2017, Respondent met with L.T. at his office. L.T. gave Respondent \$500, and he asked L.T. to sign a fee agreement. L.T. signed the agreement, and Respondent dated the agreement May 1, 2017 and signed the agreement with his initials "KPW." L.T. told Respondent that she had recently lost her job, that her home was in foreclosure and that she was living with friends. Respondent also discussed with L.T. some other pending legal matters in which L.T. was involved. L.T. asked Respondent to assist her in obtaining a copy of a responsive pleading in a pending civil case, and Respondent agreed to get information for her about that matter.

6. Between May 1, 2017, and May 20, 2017, Respondent sent L.T. several texts asking her how she was feeling, inquiring about her mental state, and asking her to call him. Respondent also advised L.T. in a text that one of her medications, Ambien, is a medication that causes people to sleepwalk. During this period, Respondent and L.T. also spoke on the telephone and he asked her to meet him for breakfast or lunch, which she declined.

7. Respondent asked L.T. to meet him at his office on Saturday, May 20, 2017, at 4:45 p.m. to discuss her matter. Respondent and L.T. met at Respondent's office on May 20, 2017.

8. When L.T. arrived at Respondent's office building on May 20, 2017, Respondent was waiting for her in his car. Respondent used his keys to unlock and enter the building and his office suite. Respondent and L.T. were the only people present in Respondent's office. Respondent started the meeting by accessing L.T.'s records on the DuPage County Courts website.

He pulled a second chair close to him so that he and L.T. could review the records together. As they finished their review, Respondent put his arm around her and touched her arm and legs. Respondent complimented her earrings and touched her hair, telling her how attractive she was to him. L.T. stood up with the intention of leaving and Respondent pulled her onto his lap and began massaging her shoulders.

9. On May 21, 2017, L.T. went to the Glen Ellyn Police Department to make a complaint regarding incidents that occurred during her meeting with Respondent on May 20, 2017. L.T. recounted the events of May 20, 2017 and told Officer Sculto that Respondent had led her to a couch in another room and took off his suit coat and her jacket. L.T. told Officer Sculto that Respondent exposed his penis to her and that he had pulled her hand towards him and forced her hand to touch his penis. L.T. claimed that after Respondent ejaculated, he pulled up his pants, and they exited the building at the same time. L.T. told Officer Sculto that Respondent said he would call her and got into his car and left.

10. On July 26, 2018, a misdemeanor criminal complaint was filed in the Circuit Court of the Eighteenth Judicial Circuit against Respondent, entitled *People of the State of Illinois v. Kevin Wendorf*, case number 18 CM 1626, charging Respondent with battery based on the events described in paragraphs 8 and 9 above, in violation of 720 ILCS 5/12-3(a)(2). On April 7, 2021, Respondent pled not guilty to the charge.

11. On May 24, 2021, the State's Attorney for DuPage County filed a superseding information on count 1 and informations on counts 2 through 5. Each count alleged that on May 20, 2017, Respondent committed the offense of battery against L.T. Count 1 alleged that Respondent had ejaculated on the clothing of L.T. Count 2 alleged that Respondent had grabbed L.T. about the body. Count 3 alleged that Respondent had caused L.T. pain by grabbing her about

the body. Count 4 alleged that Respondent had bit L.T. about the body. Count 5 alleged that Respondent had caused L.T. pain by biting her about the body. On June 15, 2021, Respondent pled not guilty as to the informations and superseding information.

12. On September 28, 2022, after the State presented its case-in-chief, Judge Robert A. Miller granted the Respondent's motion for a directed finding as to counts 3 and 5. Following a bench trial, Judge Miller found Respondent not guilty as to counts 1 and 4. The Court found Respondent guilty of count 2, which alleged battery and making physical contact of an insulting or provoking nature, in violation of 720 ILCS 5/12-3(a)(2), for grabbing L.T. about her body. The Court continued the matter until November 4, 2022 for sentencing.

13. On November 4, 2022, the Court sentenced Respondent to court supervision for a term of one year.

14. As a result of the conduct set forth above, Respondent has engaged in the following misconduct:

- a. committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, by committing the offense of battery in violation of 720 ILCS 5/12-3(a)(2), in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010).

WHEREFORE, the Administrator respectfully requests that this matter be assigned to a panel of the Hearing Board, that a hearing be held, and that the panel make findings of fact, conclusions of fact and law, and a recommendation for such discipline as is warranted.

Respectfully submitted,

Jerome Larkin, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/ Jonathan M. Wier
Jonathan M. Wier

Jonathan M. Wier
Rory P. Quinn
Counsel for the Administrator
One Prudential Plaza
130 East Randolph Drive, Suite 1500
Chicago, IL 60601
Telephone: (312) 565-2600
Email: jwier@iadc.org
Email: rquinn@iadc.org
Email: ARDCeService@iadc.org
MAINLIB_#1566133_v1