

In re Brian Thomas Dailey
Respondent-Appellant

Synopsis of Review Board Report and Recommendation
(September 2025)

The Administrator filed a two-count disciplinary Complaint against Respondent, charging him with dishonestly misappropriating funds, and failing to provide information to the Attorney Registration and Disciplinary Commission (“ARDC”), in violation of Rules 1.15(a), 1.15(d), 8.1(b), and 8.4(c) of the Illinois Rules of Professional Conduct (2010). Count I of the Complaint alleged that as of June 2021, Respondent had dishonestly misappropriated approximately \$737,963 in 29 client matters. Count II alleged that Respondent failed to respond to the ARDC’s lawful demands for information in connection with its investigations regarding his conduct.

The Hearing Board found that Respondent committed the charged misconduct based on the allegations in the Complaint, which were deemed admitted after Respondent failed to file an Answer to the Complaint. The Hearing Board recommended that Respondent be disbarred.

Respondent filed an appeal, *pro se*, arguing that the Chairman of the Hearing Board Panel (“the Chair”) erred by denying Respondent’s fourth motion for an extension of time to file his Answer to the Complaint, and by granting the Administrator’s motion to deem the allegations of the Complaint admitted after Respondent failed to file his Answer on the due date.

The Review Board rejected Respondent’s arguments, and affirmed the Chair’s rulings on those issues, finding that the Chair did not abuse his discretion.

**BEFORE THE REVIEW BOARD
OF THE
ILLINOIS ATTORNEY REGISTRATION
AND
DISCIPLINARY COMMISSION**

In the Matter of:

BRIAN THOMAS DAILEY,

Respondent-Appellant,

No. 6199883.

Commission No. 2023PR00057

REPORT AND RECOMMENDATION OF THE REVIEW BOARD

SUMMARY

The Administrator filed a two-count disciplinary Complaint against Respondent charging him with dishonestly misappropriating funds, and failing to provide information to the Attorney Registration and Disciplinary Commission (“ARDC”), in violation of Rules 1.15(a), 1.15(d), 8.1(b), and 8.4(c) of the Illinois Rules of Professional Conduct (2010). Count I of the Complaint alleged that as of June 2021, Respondent had dishonestly misappropriated approximately \$737,963 in twenty-nine client matters. Count II alleged that Respondent failed to respond to the ARDC’s lawful demands for information in connection with its investigations regarding his conduct.

The disciplinary hearing was held on August 26 and September 3, 2024. Respondent appeared *pro se*. The Administrator called four witnesses, and presented four exhibits that were admitted. Respondent testified on his own behalf.

The Hearing Board found that Respondent committed the charged misconduct based on the allegations in the Complaint, which were deemed admitted after Respondent failed to file an Answer to the Complaint. The Hearing Board recommended that Respondent be disbarred.

FILED

September 24, 2025

ARDC CLERK

Respondent filed an appeal, *pro se*, arguing that the Chairman of the Hearing Board Panel (“the Chair”) erred by denying Respondent’s fourth motion for an extension of time to file his Answer to the Complaint, and by granting the Administrator’s motion to deem the allegations of the Complaint admitted after Respondent failed to file his Answer on the due date.

For the reasons that follow, we reject Respondent’s arguments, and affirm the Chair’s rulings on those issues.

BACKGROUND

Respondent

Respondent was admitted to practice law in Illinois in 1989. Respondent was also licensed to practice law in Michigan and Indiana. Respondent had a law firm known as the Dailey Law Firm, P.C., which had offices in Detroit, Chicago, and Indianapolis. The law firm handled personal injury, medical malpractice, and Social Security cases, as well as class actions, and criminal defense matters. In April 2024, Respondent was suspended on an interim basis from practicing law in Illinois.

The Hearing Board’s Findings and Sanction Recommendation

Misconduct Findings

Respondent failed to file an Answer to the Complaint, and the Chair issued an Order on January 19, 2024 deeming the factual allegations and the disciplinary charges of the Complaint admitted. The Hearing Board found that Respondent committed the misconduct charged in the Complaint.

Count I - Misappropriation of Funds: The Hearing Board found that Respondent dishonestly misappropriated approximately \$737,963 of funds that belonged to clients,

lienholders, and other third parties, in 29 client matters, for his own purposes without authorization, in violation of Rule 1.15(a), 1.15(d), and Rule 8.4(c), as charged in Count I.

Rule 1.15(a) states, “A lawyer must not, even temporarily, use funds or property of clients or third persons for the lawyer’s own purposes without authorization.” Rule 1.15(d) states, “A lawyer must deposit in a client trust account funds received to secure payment of legal fees and expenses, to be withdrawn by the lawyer only as fees are earned and expenses are incurred.” Rule 8.4(c) states, “It is professional misconduct for a lawyer to: ... engage in conduct involving dishonesty, fraud, deceit, or misrepresentation.”

The Complaint alleged that Respondent misappropriated funds by drawing checks on his trust account, which he used to pay his business and personal obligations, and by transferring funds out of the trust account to other accounts. The Complaint alleged that Respondent misappropriated client funds in amounts ranging from \$208 to \$322,596, and the Complaint provided specific factual details concerning Respondent’s misappropriation of funds, including identifying the victim clients, and the amount of money that Respondent misappropriated from each client.

Count II - Failure to Provide Information: The Hearing Board found that Respondent failed to respond to the ARDC’s lawful demands for information in connection with its investigations regarding his conduct, in violation of Rule 8.1(b), as charged in Count II.

Rule 8.1(b) states, “[A] lawyer ... in connection with a disciplinary matter, shall not: ... knowingly fail to respond to a lawful demand for information from ... [a] disciplinary authority.”

The Complaint alleged that Respondent failed to respond to: (1) the Administrator’s requests for written responses concerning six clients, relating to Respondent’s mishandling of client funds; (2) requests for Respondent’s client trust account records; and (3) the Administrator’s

requests to reschedule Respondent's sworn statement, after Respondent was served with a subpoena.

Findings Regarding Mitigation and Aggravation:

In terms of mitigation, the Hearing Board stated that Respondent presented no evidence of mitigation.

In terms of aggravation, the Hearing Board found there were serious aggravating factors, which included the following: Respondent engaged in an extensive pattern of misconduct, over a period of several years, involving 29 separate client matters, in which he dishonestly misappropriated more than \$700,000. He harmed his clients by depriving them of funds, and he caused clients to lose trust in lawyers. He failed to accept responsibility or express remorse, and he blamed others, including his clients and former colleagues. He failed to fully cooperate with the disciplinary process, in that he failed to file an Answer to the Complaint and he failed to file a report identifying potential witnesses.

RECOMMENDATION

The Hearing Board recommended that Respondent be disbarred. On appeal, Respondent does not challenge the Hearing Board's findings of misconduct and aggravating factors, or the sanction recommendation.¹

Procedural Background Relating to Respondent's Failure to File an Answer

The only issues on appeal concern the Order issued by the Chair on January 19, 2024, in which the Chair denied Respondent's fourth motion for an extension of time to file his Answer ("Fourth Motion"), and granted the Administrator's motion to deem ("Motion to Deem") the allegations of the Complaint admitted pursuant to Commission Rule 236 because Respondent had failed to file an Answer to the Complaint.

Rule 236 states in relevant part, “When the respondent fails to answer to the complaint, ... upon motion of the Administrator ... all factual allegations and disciplinary charges shall be deemed admitted, and no further proof shall be required.” We conclude that the Chair did not abuse his discretion by denying Respondent’s Fourth Motion and granting the Administrator’s Motion to Deem.

Set forth below is the procedural background that places the relevant motions in context:

- On September 5, 2023, the Administrator filed the disciplinary Complaint. (Common Law Record (“C.”) at 11.) On September 13, 2023, Respondent was served with the Complaint. (C. 27.) Respondent’s Answer to the Complaint was due on October 4, 2023. However, Respondent did not file his Answer, as required.
- Instead, on October 4, 2023, Respondent filed a motion for an extension of time to file his Answer, stating that he was attempting to hire counsel. Respondent asked for an extension of time from October 4, 2023 until October 31, 2023. (C. 30-31.)
- On October 6, 2023, the Chair granted Respondent’s motion, stating, “Respondent shall file his Answer ... on or before October 31, 2023.” (C. 36.) However, Respondent did not file an Answer on the due date, as ordered, and he did not obtain counsel.
- Instead, on October 31, 2023, Respondent filed a motion for a second extension of time, stating that he did not have access to the documents that he needed to respond to the Complaint because Respondent’s law firm had filed for bankruptcy, and the bankruptcy trustee had seized the law firm’s digital file servers, client files, and financial records. (C. 52-54.)² The Chair granted Respondent’s motion, stating “Respondent shall file his answer ... on or before December 4, 2023.” (C. 68.) However, Respondent did not file an Answer on the due date, as ordered.
- Instead, on December 4, 2023, Respondent filed his third motion for an extension of time, arguing that he still did not have access to his documents, and that he was still attempting to hire counsel. (C. 71-73.)
- On December 7, 2023, the Chair granted Respondent’s motion, stating, “Respondent shall file his answer ... on or before January 15, 2024[.] ... In the event that Respondent requests any additional extension of time, ... Respondent shall provide a detailed explanation of the reasons for his request, and shall attach to the motion (1) an affidavit ... setting forth all relevant information that supports his request, and (2) documents, if any, that corroborate the information provided in the affidavit.” (C. 83.)
- On January 12, 2024, following a pre-hearing conference, the Chair issued an Order, stating, “As set forth in the Order entered on December 7, 2023, Respondent shall file

his answer ... on or before January 15, 2024. Should Respondent seek an extension of time, the requirements stated in the December 7, 2023 Order remain in place.” (C. 96.)

- On January 12, 2024, the Chair issued an amended Order, stating, “On the Chair’s own motion, due to the closure of the Commission offices on January 15, 2024, ... [t]he previous Orders directing Respondent to file his answer ... on or before January 15, 2024 are amended to allow Respondent to file his answer ... on or before January 16, 2024.” (C. 99.)
- On January 16, 2024, around 1 p.m., the Administrator filed the Motion to Deem, requesting that the Hearing Board deem the allegations of the Complaint admitted pursuant to Rule 236. (C. 171-75.) The Administrator stated, “To date, Respondent has not filed an answer.” (C. 174.)
- On January 16, 2024, Respondent failed to file his Answer, as ordered. Instead, Respondent filed his Fourth Motion for an extension of time, arguing that he was still attempting to hire counsel, and he still did not have access to his documents. (C. 101-04.) Respondent did not file an affidavit with his Fourth Motion, as ordered.
- On January 16, 2024, Respondent also filed a motion objecting to the Administrator’s Motion to Deem. (C. 149-51.)
- On January 18, 2024, the Administrator filed a response to Respondent’s Fourth Motion for an extension of time, arguing that Respondent had failed to provide specific details concerning the need for an extension, as ordered, and had failed to include an affidavit, as ordered. (C. 178-831.) Counsel for the Administrator also apologized for filing her motion on January 16, one day early, and explained that she had not seen the Order extending the filing date to January 16. (C. 182.) As of January 18, Respondent still had not filed his Answer to the Complaint.
- On January 19, 2024, the Chair issued an Order denying Respondent’s Fourth Motion for an extension of time, and granting the Administrator’s Motion to Deem. (C. 249.) Respondent challenges this Order on appeal. The Order stated:

The Chair having considered the Respondent’s Motion for Fourth Extension of Time to File Answer to Complaint (“Motion for Extension of Time”) and the Administrator’s Response to Respondent’s Motion for Extension of Time; and the Administrator’s Motion to Deem the Allegations of the Complaint Admitted Pursuant to Commission Rule 236 (“Motion to Deem”), and Respondent’s Response to the Administrator’s Motion to Deem;

IT IS ORDERED:

(1) Respondent’s Motion for Extension of Time is denied; and

(2) The Administrator’s Motion to Deem is granted. No further proof of the allegations of the Complaint is required. The evidence presented at the

hearing in this matter shall be limited to evidence of matters in aggravation and mitigation.

(C. 249.)

- On February 20, 2024, Respondent filed a motion (C. 809-15) to reconsider and vacate the January 19, 2024 Order.
- On February 27, 2024, the Administrator filed a response to Respondent's Motion to Reconsider, asking the Chair to deny that motion. (C. 874-79.)
- On February 28, 2024, the Chair denied Respondent's motion to reconsider. (C. 880.) That Order stated:

The Chair having considered the Respondent's Motion for Reconsideration and/or to Vacate Order Denying Respondent's Fourth Motion for Extension of Time to Respond and Granting Petitioner's [sic] Motion to Deem Allegations Admitted ("Motion for Reconsideration") and the Administrator's Response to the Motion for Reconsideration;

IT IS ORDERED:

Respondent's Motion for Reconsideration is denied. The Administrator's Complaint was filed on September 5, 2023. Respondent was granted three extensions of time to file an answer but he did not comply with the Orders directing him to file an answer by a date certain. Respondent is not entitled to indefinitely delay this proceeding by repeatedly filing motions for extension, nor is the Chair required to grant repeated motions for extension.

Pursuant to Commission Rule 236, "[a] respondent who has failed to answer timely may seek leave of the hearing panel to vacate an order of default and file an answer upon a showing that his failure to answer was a result of mistake, inadvertence, surprise or excusable neglect." Respondent's failure to answer is not attributable to any of these reasons. He has not made the necessary showing for vacating the Order of January 19, 2024.

(C. 880.)

- On April 3, 2024, the Chair issued an order (C. 1044) barring Respondent from presenting exhibits and the testimony of witnesses, other than Respondent's own testimony, at the hearing, based on Respondent's failure to file a report identifying potential witnesses, and his failure to respond to the Administrator's Notice to Produce. Respondent does not challenge that Order on appeal.

ANALYSIS

Procedural rulings by the Hearing Board are reviewed for an abuse of discretion. *See In re Chiang*, 2007PR00067 (Review Bd., at 10), M.R. 23022 (June 8, 2009). An abuse of discretion occurs only when no reasonable person would agree with the position taken by the Hearing Board. *See In re Franklin*, 2019PR00068 (Review Bd., at 10), M.R. 031177 (May 19, 2022). The respondent must show that the Hearing Board's decision was an abuse of discretion. *Id.*

On appeal, Respondent argues that the Chair erred by issuing the Order on January 19, 2024, denying Respondent's Fourth Motion, and granting the Administrator's Motion to Deem. Respondent asserts that the case should be remanded to allow him to answer the Complaint and engage in discovery.

For the reasons set forth below, we reject Respondent's arguments, and find that the Chair did not abuse his discretion. We have given careful consideration to all of Respondent's arguments and the cases he has cited. We conclude that the Chair's rulings in the January 19, 2024 Order were reasonable and we affirm those rulings.

Respondent's Fourth Motion for an Extension of Time

Respondent argues that the Chair abused his discretion in denying Respondent's Fourth Motion for an extension of time to file his Answer. We disagree.

In Respondent's Fourth Motion, he asked for an extension of time to file his Answer so that he could retain an attorney, and so that he could gain access to his law firm's records, which were in the possession of a bankruptcy trustee as a result of the firm's bankruptcy proceedings. (C. 101-04.) In the Order denying Respondent's motion for reconsideration, the Chair stated, "Respondent was granted three extensions of time to file an answer but he did not comply with the Orders directing him to file an answer by a date certain. Respondent is not entitled to

indefinitely delay this proceeding by repeatedly filing motions for extension, nor is the Chair required to grant repeated motions for extension.” (2/28/24 Order denying Respondent’s Motion for Reconsideration, C. 880.) We agree.

We also note that Respondent failed to comply with the Chair’s December 7, 2023 Order, which stated, “In the event that Respondent requests any additional extension of time to file his answer ..., in his motion seeking such extension, Respondent shall provide a detailed explanation of the reasons for his request, and shall attach to the motion ... an affidavit ... setting forth all relevant information that supports his request.” (C. 83.) Respondent failed to provide a detailed explanation of the reasons for his request and he failed to attach an affidavit.

Respondent failed to explain why he had not yet hired an attorney or obtained access to his records, even though the Complaint had been pending for four months and he had been granted three prior extensions of time. He also failed to provide a detailed explanation concerning what steps he had taken to gain access to his records and hire an attorney, and he failed to specify a date on which he would file his Answer.

Respondent also failed to address the issue of whether any relevant materials were available to him that he could use to prepare his Answer, including discovery materials that the Administrator produced to him. In a pleading filed in February 2024, the Administrator stated, “[M]onths ago the Administrator provided Respondent with tens of thousands of pages of investigative materials that relate directly to the allegations in the disciplinary complaint. Respondent, therefore, has had access to the same materials that counsel for the Administrator used to draft the pending complaint.” (C. 878.) In his Motion, Respondent did not disclose that the Administrator had provided discovery to him, and he failed to explain why he could not file an Answer based on the discovery materials that had been produced.

Additionally, at the disciplinary hearing, counsel for the Bankruptcy Trustee, Tracy Clark, testified that, on December 11, 2023, she sent an email to Respondent's bankruptcy attorney, stating that all of Respondent's legal files were available for review, and offering Respondent and his attorneys the opportunity to review everything that had been seized, including any files located on the computers. (Tr. 143-44, 147-48, 153, 155-56, 183.) Ms. Clark testified that Respondent never appeared at her office to review the records, nor did his attorneys. (Tr. 143-44.)

In his Fourth Motion, filed on January 16, 2024, Respondent stated, "Respondent has been diligent in his efforts ... to gain access to the client file server and the computer containing the financial data of the Dailey Law Firm, PC [that was seized by] the Chapter 7 trustee." (C. 103.) Ms. Clark's testimony casts doubt on that statement.

Illinois Supreme Court Rule 183 states, "The court, for good cause shown on motion, ... may extend the time for filing any pleading." In our view, Respondent failed to show good cause to extend the time, because he did not provide the detailed information needed to support his request.

The Administrator filed a Response to Respondent's Motion for a Fourth Extension, (C. 178), in which the Administrator made the following arguments:

8. Respondent's fourth motion lacks the required affidavit ... setting forth the relevant information that supports the request for a fourth extension. Instead, Respondent makes a series of conclusory allegations, none of which withstand close scrutiny.

9. *** Respondent claims he has spoken with potential counsel by telephone on more than one occasion and is optimistic that he will be able to secure counsel. But Respondent fails to include ... the name of counsel, when he spoke with this individual, or when he expects that counsel will be retained. Nor does Respondent include the names or contact information of the five or more attorneys he claimed at the November 6, 2023, pre-conference hearing to have contacted since the complaint was filed.

10. Additionally, Respondent claims that even when he secures counsel, counsel likely will be hampered in his or her ability to defend Respondent without

access to the firm's digital file server ... Yet Respondent does not explain ... what steps he has taken or will take to access the server and answer the complaint in this matter.

11. Since at least September 27, 2023[,] ... the Trustee has requested that Respondent turn over, *inter alia*, the log-in information for the firm's server, computers, and financial accounts ... Thereafter the court ... ordered Respondent to turn over the requested information within three days When that did not happen, ... the court ... declared Respondent in civil contempt of court. ****

12. It is unclear when the log-in information will be turned over such that Respondent will have access to his files for the purpose of responding to the complaint in this matter. Respondent's fourth motion does nothing to answer that question.

(C. 180-81.) (Citations omitted.) We agree with the points made by the Administrator, and we note that the Chair considered the Administrator's Response, when the Chair denied Respondent's Fourth Motion. (C. 249).

On appeal, Respondent also argues that by filing his Fourth Motion for an extension of time, he satisfied the Chair's Order directing him to file his Answer on or before January 16, 2024. Respondent states, "The order entered by [the] Chair ... required Appellant to file **either** a response to the complaint **or a timely motion to extend** ... on or before ... January 16, 2024." (Emphasis added.) (Resp. Brief at 4.) That argument has no merit.

The Chair issued two Orders, (dated December 7, 2023, and January 12, 2024), directing Respondent to file his Answer on January 15, 2024. Each of those orders stated: "Respondent shall file his answer ... on or before January 15, 2024." (C. 83, 96.) The Chair also issued an amended Order (dated January 12, 2024), directing Respondent to file his Answer on or before January 16, 2024. That Order stated, "On the Chair's own motion, due to the closure of the Commission offices on January 15, 2024, ... [t]he previous Orders directing Respondent to file his answer ... on or before January 15, 2024 are amended to allow Respondent to file his answer ... on or before January 16, 2024." (C. 99.) None of the Orders stated that Respondent could file a motion for an

extension of time instead of filing his Answer. The Orders did not authorize Respondent to choose between filing an Answer and filing a Motion for additional time. The Orders directed Respondent to file his Answer, and he failed to do so.

In sum, we find that Respondent's Fourth Motion did not provide sufficient information to justify an extension of time. The Chair had no obligation to grant another extension of time; Respondent failed to specify a date on which he would file his Answer; Respondent failed to comply with the Order requiring a detailed explanation and an affidavit; and he failed to show good cause for extending the time to file his Answer. We find that the Chair's denial of Respondent's Fourth Motion was reasonable, and the Chair did not abuse his discretion by denying that Motion.

The Administrator's Motion to Deem the Allegations of the Complaint Admitted

Respondent also argues that the Chair should have denied the Administrator's Motion to Deem, because the Administrator filed the Motion one day early (on January 16, instead of January 17), and mistakenly stated that the Answer was due on January 15, when in fact, the Answer was due on January 16. That argument has no merit because the Chair did not rule on the Motion to Deem until January 19, and Respondent had not filed his Answer by January 19, 2024.

The timing of the Administrator's Motion to Deem was irrelevant. If Respondent had filed his Answer on January 16, as ordered, the Administrator's Motion would have been moot. Respondent, however, did not file his Answer on January 16, 2024.

As previously discussed, Rule 236 states, "When the respondent fails to answer to the complaint, ... upon motion of the Administrator ..., all factual allegations and disciplinary charges shall be deemed admitted." On January 19, the Chair properly granted the Administrator's Motion to Deem because Respondent had failed to answer the Complaint by January 19.

Respondent argues, “No reasonable Judge/Chair would allow a filing deadline on January 16, 2024 and then penalize that filer for failing to file the day before.” (Resp. Brief at 6.) That argument has no merit. There is no evidence that the Chair penalized Respondent for failing to file the Answer on January 15, 2024. To the contrary, the Chair did not rule on the Administrator’s Motion until January 19, at which point it was clear that Respondent had failed to file his Answer on January 16, as ordered.

In granting the Administrator’s Motion to Deem, the Chair took into consideration the motions and responses filed by the parties, which included:

- (1) Respondent’s Motion for Fourth Extension of Time to File Answer to Complaint;
- (2) The Administrator’s Response to that Motion;
- (3) The Administrator’s Motion to Deem the Allegations of the Complaint Admitted Pursuant to Commission Rule 236; and
- (4) Respondent’s Response to the Administrator’s Motion to Deem.

(*See C. 249.*)

It was clear from those filings that the date for filing the Answer was January 16, 2024, and Respondent failed to file his Answer on that date. The Chair was not misled concerning the date for filing the Answer, which was January 16, (as ordered by the Chair). Respondent identified the Administrator’s mistake in his Fourth Motion, which he filed on January 16. (C. 104.) Moreover, in the Administrator’s response to Respondent’s Fourth Motion, which was filed on January 18, the Administrator’s Counsel stated, “Initially, counsel for the Administrator notes that she did not see the Chair’s second order entered January 12, 2024, extending Respondent’s filing deadline to January 16, 2024, before filing the motion [to deem], and she apologizes for her oversight Counsel for the Administrator requests that the Chair enter and continue the motion

to deem pending the filing of Respondent's answer." (C. 182.) Thus, the Chair's Order granting the Administrator's Motion to Deem was not based on erroneous information.

We find that the Chair's decision to grant the Administrator's Motion to Deem was a sound decision, based on the facts and circumstances in the proceeding, including that Respondent had repeatedly failed to file an Answer on the dates ordered, and he failed to file his Answer on January 16, 2024, as ordered. We conclude that the Chair did not abuse his discretion.

CONCLUSION

For the foregoing reasons, we reject Respondent's arguments, and find that the Chair did not abuse his discretion by denying Respondent's Fourth Motion for an extension of time to file his Answer, or by granting the Administrator's Motion to Deem the factual allegations and disciplinary charges of the Complaint to be admitted, pursuant to Rule 236. In order to show that the Chair abused his discretion, Respondent needed to show that no reasonable person would have made those rulings. Respondent failed to make such a showing.

Respectfully submitted,

J. Timothy Eaton
George E. Marron III
Ashley N. Greer Shambley

4901-4098-3403, v. 1

¹ We note that in 2025, Respondent was disbarred in Michigan. (See <https://records.adbmich.org/adbmich/op/en/7383/1/document.do>). The victims identified in the Michigan case are not the same victims identified in the instant Illinois case. The Michigan Hearing Panel found that Respondent had engaged in misconduct that included, inter alia, converting client funds, making false statements, and dishonesty. (See Michigan Reports, Adm. Exs. 1 and 2.) The Michigan Panel stated: "Throughout the disciplinary process, respondent has employed excuses and tactics to try to delay, postpone, adjourn, and otherwise stretch out this process for as long as possible. Numerous requests and motions were made by respondent for extensions and delays Over time, it became apparent that respondent's delays were part of a pattern of tactics to avoid the misconduct and sanction hearings for as long as possible." (Adm. Ex. 2, Mich. Report at 9.) The Michigan Panel also stated: "The evidence shows that respondent

has engaged in an intentional, sustained pattern and practice of conduct designed to ignore requests for payment and related information due from him, and to delay and avoid making payments that he as an attorney owed to clients, attorneys, adverse parties, and others. Numerous unrelated individuals filed separate complaints against respondent involving this same type of conduct In general, they expressed their views that they have been treated unfairly by respondent in their various interactions with him When faced with challenges due to non-payment, respondent would go on the offensive often filing frivolous court pleadings and pursuing frivolous spiteful positions and tactics. With little or no legitimate basis, respondent weaponized the court system to wear down his adversaries and former clients into settlements or into just giving up their rights against respondent, or as a means to delay any payments that he ultimately made in a few instances for as long as possible.” (Adm. Ex. 1, Mich. Report at 4-5.)

² It is worth noting that the Trustee did not seize Respondent’s records until on or about October 9, 2023, approximately five days after Respondent’s Answer was originally due. (C. 53, 810.)

**BEFORE THE REVIEW BOARD
OF THE
ILLINOIS ATTORNEY REGISTRATION
AND
DISCIPLINARY COMMISSION**

In the Matter of:

BRIAN THOMAS DAILEY,

Respondent-Appellant,

No. 6199883.

Commission No. 2023PR00057

**PROOF OF SERVICE
OF THE REPORT AND RECOMMENDATION
OF THE REVIEW BOARD**

I, Andrea L. Watson, hereby certify that I served a copy of the Report and Recommendation of the Review Board on Respondent-Appellant listed at the address shown below by e-mail service on September 24, 2025, at or before 5:00 p.m. At the same time, a copy was sent to Counsel for the Administrator-Appellee by e-mail service.

Brian Thomas Dailey
Respondent-Appellant
briandailey@daileylawyers.com

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

Michelle M. Thome,
Clerk

By: /s/ Andrea L. Watson
Andrea L. Watson
Deputy Clerk

FILED

September 24, 2025

ARDC CLERK