

Top Nev. court extends Whittemore law suspension

By Scott Sonner, AP

RENO – The Nevada Supreme Court ordered a four-year suspension of Harvey Whittemore's law license Friday, more than doubling the punishment a state bar panel recommended after the ex-lobbyist and developer was convicted two years ago of making illegal campaign contributions to Sen. Harry Reid.

The high court decided the 18-month suspension the state bar association's Northern Nevada Disciplinary Board recommended after temporarily suspended Whittemore's license in November 2013 wasn't harsh enough given the crimes the former political power broker committed.

Whittemore, 61, currently is serving a two-year sentence at a minimum-security prison in California on three felony convictions. He's scheduled to be released in August 2016.

The newly ordered suspension is retroactive so he'll be eligible to apply for reinstatement to the bar on Nov. 13, 2017.

The disciplinary panel had recommended its proposed 18-month suspension be extended until Whittemore is released from prison in the event his term expired before the suspension did.

But Chief Justice James Hardesty said in the order signed by five other justices a longer suspension was warranted.

"We do not agree that the panel's recommended discipline is commensurate with the criminal conduct that Whittemore was convicted of engaging in," he wrote. He noted that one dissenting member of the bar panel would have recommended that

Whittemore be permanently disbarred in Nevada.

Dominic Gentile, Whittemore's Las Vegas-based attorney, did not immediately respond to telephone or email messages seeking comment late Friday from The Associated Press.

A federal jury in Reno convicted Whittemore in 2013 of making excessive campaign contributions, making contributions in the name of another and lying to FBI agents.

Federal prosecutors say he used family and employees of his billion-dollar real estate company to funnel more than \$130,000 to Reid's re-election committee in 2007 when the Nevada Democrat was the Senate majority leader. They say he tried to skirt contribution limits by writing the checks to the "straw donors," who would simply hand over the money to Reid's campaign.

Reid was not accused of any wrongdoing, although he had to amend his 2007 report to the Federal Election Commission.

Whittemore argued the checks he wrote to his employees and family members were gifts with no strings attached, and the recipients were allowed to spend it as they saw fit.

The 9th Circuit Court of Appeals denied his appeal in January and earlier this month refused his bid for a re-hearing, rejecting his arguments that the trial court's jury instructions were inadequate and that the campaign limits violated his First Amendment rights.