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Citation Amended: October 19, 2021  
Citation Further Amended: December 7, 2022

THE LAW SOCIETY OF BRITISH COLUMBIA  
IN THE MATTER OF THE *LEGAL PROFESSION ACT*, SBC 1998, c. 9

BETWEEN:

**THE LAW SOCIETY OF BRITISH COLUMBIA**

AND:

**MARC ANDRE SCHEIRER  
(AKA "MARC ANDRE ECKARDT")**

RESPONDENT

**AMENDED CITATION**

**TO:** **Marc A. Eckardt**  
Eckardt Law  
Chilliwack Business Centre  
Room 5, Suite 309 – 46167 Yale Road  
Chilliwack, BC V2P 2P2

**TAKE NOTICE THAT** by direction of the Discipline Committee of the Law Society of British Columbia, a Hearing Panel of the Law Society will, at a date and time to be set, conduct a hearing to inquire into your conduct or competence as a member of the Law Society of British Columbia, in accordance with section 38 of the *Legal Profession Act*. Parts 4 and 5 of the Law Society Rules outline the procedures to be followed at the hearing. Your appearance before the Hearing Panel may be your only opportunity to present evidence, call witnesses or make submissions.

**The allegations against you are:**

1. On November 27, 2020, you were convicted of the February 28, 2018 sexual assault of [REDACTED] ("X") contrary to section 271 of the *Criminal*

*Code of Canada*, for which you were subsequently sentenced to a suspended sentence with a period of two years' probation.

This conduct constitutes conduct unbecoming the profession, pursuant to s. 38(4) of the *Legal Profession Act*.

2. On February 28, 2018, in relation to your prospective client ██████████ ("X"), ██████████, you failed to act honourably and with integrity, contrary to one or more of rules 2.2-1, 6.3-3, and 7.2-4 of the *Code of Professional Conduct for British Columbia* and your fiduciary duties, when you met alone with ██████████ ("X") at your office and did one or more the following:

- ~~(a) consumed alcohol in advance of the meeting;~~
- (a) acted in a flirtatious or sexualized manner;
- (b) attended the meeting in inappropriate attire;
- (c) put your head on ██████████ ("X")'s chest area;
- (d) put one hand behind ██████████ ("X")'s back;
- (e) put your other hand on ██████████ ("X")'s leg;
- (f) moved your hand from ██████████ ("X")'s leg towards her crotch;
- (g) positioned yourself in a manner that you knew or ought to have known would make ██████████ ("X") feel she was physically blocked;
- (h) told ██████████ ("X") words to the effect of "nicer you are to me now, sooner you get your husband home";
- (i) were in very close proximity to ██████████ ("X"), such that you knew or ought to have known this would make her feel uncomfortable; and
- (j) did not move away from ██████████ ("X") until she pushed you away.

This conduct constitutes professional misconduct or conduct unbecoming the profession, pursuant to s. 38(4) of the *Legal Profession Act*.

- ~~3. On May 19, 2021, at your Law Society of British Columbia interview related to the investigation into your conduct concerning ██████████ you made representations to the Law Society that you knew or ought to have known were false or misleading, contrary to one or both of rules 2.2-1 and 7.1-1 of the *Code of Professional Conduct for British Columbia*, by doing one or more of the following:~~
- ~~(a) claimed that you recalled the events of February 28, 2018, despite having previously told the police that you had no recollection of them;~~
  - ~~(b) suggested that ██████ flirted with you on the telephone, in your office, or both;~~
  - ~~(c) suggested that ██████ was looking for an excuse to stay in your office and you were trying to get her to leave;~~
  - ~~(d) denied that you engaged in the inappropriate or sexual touching of ██████;~~
  - ~~(e) denied that you put your head on ██████'s chest;~~
  - ~~(f) denied that you put one hand behind ██████'s back;~~
  - ~~(g) denied that you put your other hand on ██████'s leg;~~
  - ~~(h) denied that you moved your hand from ██████'s leg towards her crotch;~~
  - ~~(i) suggested that ██████ left your office because you were not interested in "being flirty" with her;~~
  - ~~(j) alleged that ██████ fabricated the sexual assault claim against you; and~~
  - ~~(k) asserted that ██████ gave false evidence at the trial concerning allegations that you had sexually assaulted her.~~

Respondent: Marc Andre Scheirer (AKA Marc Andre Eckardt)

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~~This conduct constitutes conduct professional misconduct, pursuant to s. 38(4) of the *Legal Profession Act*.~~

**If you fail to appear at the hearing, the Hearing Panel may proceed with the hearing in your absence** and make any order that it could have made had you been present.

THIS CITATION AMENDED pursuant to Rule 5-4.2(1)(a) of the Law Society Rules.