

VIRGINIA:
BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF
CHARLES ELLIS COHEN

VSB DOCKET NO.: 15-000-102464

ORDER OF SUSPENSION

THIS MATTER came to be heard on Friday, June 26, 2015, before a panel of the Virginia State Bar Disciplinary Board consisting of Whitney G. Saunders, First Vice Chair, Sandra W. Montgomery (Lay Member), Michael A. Beverly, Melissa W. Robinson and Jeffrey L. Marks, (collectively, the “Board”). The Virginia State Bar (“VSB”) was represented by Scott Prince, Assistant Bar Counsel. The Respondent, Charles Ellis Cohen, did not appear in person or by counsel. Angela N. Sidener, a Registered Professional Court Reporter with Chandler & Halasz, Post Office Box 9349, Richmond, Virginia 23227, (804) 730-1222, after being duly sworn, reported the hearing and transcribed the proceedings. The Chair opened the hearing by calling the case in the hearing room. The Chair then polled the members of the Board Panel as to whether any of them was conscious of any personal or financial interest or bias which would preclude any of them from fairly hearing this matter and serving on the Panel, to which inquiry each member responded in the negative.

The matter came before the Board on the Rule to Show Cause and Order of Summary Suspension and Hearing entered on May 28, 2015, with an attached copy of the Order entered on October 20, 2014 by the Supreme Court of Indiana approving a negotiated discipline of suspension imposed in that jurisdiction on the Respondent, and the Clerk of the Disciplinary System’s May 28, 2015 certified Notice Letter to the Respondent served in accordance with the Rules of the Supreme Court of Virginia. In accordance with Part 6, §

IV, ¶ 13-24 of the Rules of the Virginia Supreme Court, the purpose of the hearing was to provide the Respondent with an opportunity to show cause, by clear and convincing evidence, why the same discipline that was imposed upon him in the Indiana Supreme Court should not be imposed by this Board. The Rule to Show Cause and Notice were received into evidence collectively as State Bar Exhibit 1. Respondent's letter received on June 9, 2015 by the Clerk of the Disciplinary System indicating Respondent's acceptance of the same discipline in Virginia was received into evidence as State Bar Exhibit 2. All legal notices of the date and place were timely sent by the Clerk of the Disciplinary System (Clerk) in the manner prescribed by the Rules of the Supreme Court of Virginia, Part Six, Section IV, Paragraph 13-18 of the Rules of Court.

As noted above, the Respondent was not present and did not present argument. After the Board accepted into evidence the Bar's Exhibits, considered the arguments of Bar Counsel and duly deliberated on this matter it found that the Respondent had failed to show cause by clear and convincing evidence why the Board should not impose the same discipline imposed by the Supreme Court of Indiana.

Accordingly, by this Memorandum Order, and in accordance with the Summary Order entered on May 28, 2015, it is ORDERED that the Respondent, Charles Ellis Cohen, is suspended from the practice of law in the Commonwealth of Virginia, effective June 26, 2015, for a period of ninety (90) days.

The Board notes for the record that the Respondent has complied with notice provisions of Rules of Court, Paragraph 13-29.

It is further ORDERED that pursuant to Part 6, § IV, ¶ 13-9E. of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess all costs against the Respondent.

It is further ORDERED that the Clerk of the Disciplinary System shall mail an attested copy of this Order to the Respondent, Charles Ellis Cohen, at his address of record with the Virginia State Bar, being 9515 Cadbury Circle, Indianapolis, IN 46260, by certified mail, return receipt requested, and by hand delivery to Scott Prince, Assistant Bar Counsel, Virginia State Bar, 1111 E. Main Street, Suite 700, Richmond, Virginia, 23219.

ENTERED this 13th day of July, 2015.

VIRGINIA STATE BAR DISCIPLINARY BOARD

By: 
Whitney G. Saunders, 1st Vice Chair