

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF  
MARSHALL L. COHEN

VSB DOCKET NO. 08-000-073300

**ORDER OF SUSPENSION**

**THIS MATTER** came before the Virginia State Bar Disciplinary Board ("Board") for hearing on January 25, 2008, upon Respondent Marshall L. Cohen having been suspended by the Supreme Court of Florida from the practice of law in Florida for 90 days effective December 15, 2007, and upon a Rule to Show Cause And Order of Suspension And Hearing issued by the Board on December 20, 2007, which was sent, by certified mail, to the Respondent, with a notice of hearing, on December 28, 2007, by the Clerk of the Disciplinary System, pursuant to Part 6, Section IV, Paragraph 13.1.7.b and f of the Rules of the Supreme Court of Virginia.

A hearing was held before the duly convened panel of the Board consisting of Acting Chair William E. Glover, Lay Member Dr. Theodore Smith and lawyer members Martha JP McQuade, John W. Richardson and Rhysa Griffith South. The Virginia State Bar ("VSB") was represented by Assistant Bar Counsel Alfred L. Carr ("Mr. Carr"). The name of the Respondent Marshall L. Cohen ("Mr. Cohen") was called outside the hearing room three times at or shortly after the time of the noticed hearing. However, the Respondent did not appear. The hearing was recorded and reported by Donna T. Chandler, Chandler & Halasz, P.O. Box 9349, Richmond, Virginia, 23227, telephone number (804) 730-1222, after she was duly sworn by the Chair.

The Chair opened the hearing by polling the Board members to ascertain whether any of them had any personal or financial interest or bias which would interfere with or influence his or her determination, and each member responded that there were no such conflicts.

Mr. Carr informed the Board that, prior to the hearing, he had spoken by phone with Mr. Cohen and that Mr. Cohen did not intend to appear at the hearing and did not appear to disagree that the same discipline as was imposed against him by the Supreme Court of Florida be imposed by the Board in Virginia. The Board then retired to deliberate.

After due deliberation, the Board reconvened to announce the sanction imposed. The Chair announced the sanction that Mr. Cohen's Virginia license to practice law be suspended for 90 days, beginning January 25, 2008. Accordingly, and in conformance with the Board's January 25, 2008 Summary Order in this matter, it is ORDERED that:

Mr. Cohen's Virginia license to practice law be, and it hereby is, suspended for 90 days, beginning January 25, 2008;

Mr. Cohen will comply with the requirements of Part 6, Section IV, Paragraph 13.M of the Rules of the Supreme Court of Virginia. He shall forthwith give notice of the suspension of his license to practice law in the Commonwealth of Virginia, by certified mail, return receipt requested, to all clients for whom he is handling matters and to all opposing attorneys and presiding judges in pending litigation. He shall also make appropriate arrangements for the disposition of matters then in his care in conformity with the wishes of each client. The Respondent shall also forthwith furnish proof to the

Bar that such notices have been timely given and such arrangements made for the disposition of matters;

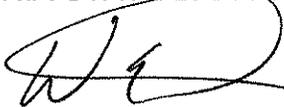
Further, if Mr. Cohen is not handling any client matters on the effective date of his suspension, he must submit an affidavit to that effect to the Clerk of the Disciplinary System. All issues concerning the adequacy of the notice and arrangements required by Paragraph 13.M shall be determined by the Board, unless Mr. Cohen makes a timely request for hearing before a three-judge court;

Pursuant to Part 6, Section IV, Paragraph 13.B.8(c) of the Rules, the Clerk of the Disciplinary System shall assess costs in this matter against Mr. Cohen; and

The Clerk of the Disciplinary System shall mail an attested copy of this Order to Mr. Cohen, by certified mail, at his address of record with the Virginia State Bar, that being: Marshall L. Cohen, Suite 103, 1412 Royal Palm Square Boulevard, Fort Myers, FL 33919 and shall send a copy by regular mail to Alfred L. Carr, 100 North Pitt Street, Suite 310, Alexandria, VA 22314.

ENTER THIS ORDER THIS 22<sup>nd</sup> DAY OF  
February, 2008

VIRGINIA STATE BAR DISCIPLINARY BOARD

  
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William E. Glover, Acting Chair

**GLOVER & DAHNK**  
ATTORNEYS AT LAW  
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February 22, 2008

**RECEIVED**

FEB 25 2008

**VSB CLERK'S OFFICE**

Bonnie Waldeck, Assistant Clerk  
Virginia State Bar  
707 East Main Street, Suite 1500  
Richmond, VA 23219

**RE: Cohen Order**

Dear Ms. Waldeck:

Enclosed please find the original signed order in the Cohen matter.

Sincerely,



William E. Glover

WEG/bm

Enclosure:  
Cohen original order