

VIRGINIA:

**BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD
IN THE MATTER OF LESLIE WAYNE LICKSTEIN**

VSB DOCKET NO. 08-000-03284

ORDER OF REVOCATION

THIS MATTER came on to be heard Friday, February 22, 2008, at 9:00 a.m., before a panel of the Virginia State Bar Disciplinary Board convening at the Virginia Workers' Compensation Commission, 1000 DMV Drive, Courtroom A, Richmond, Virginia 23220. The Board was comprised of William H. Monroe (Chair), Stephen A. Wannall (Lay Member), Timothy A. Coyle, Robert L. Freed, and Paul M. Black. Proceedings in this matter were transcribed by Tracy J. Johnson, a registered professional reporter, Post Office Box 9349, Richmond, Virginia 23227, telephone number (804) 730-1222. The court reporter was sworn by the Chair, who then inquired of each member of the Board as to whether any member had any personal or financial interest or bias which would interfere with or influence that member's determination of the matter. Each member, including the Chair, answered in the negative.

The Respondent, Leslie Wayne Lickstein, was not present but was represented by his guardian *ad litem*, Frank George Uvanni, Esquire. The Virginia State Bar appeared by its counsel, Paul D. Georgiadis, Esquire.

MISCONDUCT

The Board finds that the Bar has furnished uncontroverted, clear, and convincing evidence that:

1. Respondent pled guilty to and was convicted of the felony of Conspiracy to Commit Bank Fraud, in violation of 18 U.S.C. §317 on August 30, 2007, in the United States District Court Eastern District of Virginia (Alexandra Division), Case No. 1:07CR00164-001;
2. On January 24, 2008, the Virginia State Bar issued an Order suspending the Respondent's license to practice law in the Commonwealth of Virginia. The suspension

was a result of the Respondent's plea of guilty and subsequent conviction of a crime as provided in the Rules of Court, Part 6, Section IV, Paragraph 13.I.5.b. The Respondent was ordered to appear before this Board at the Virginia Workers' Compensation Commission, Courtroom A, 1000 DMV Drive, Richmond, Virginia, at 9:00 a.m. on Friday, February 22, 2008, to show cause why his license to practice law within the Commonwealth of Virginia should not be revoked. Frank George Uvanni, Esquire, was appointed to serve as guardian *ad litem* for Respondent. A copy of the Judgment In A Criminal Case Order was attached to the Rule to Show Cause and Order of Suspension and hearing and made a part thereof.

3. By Affidavit Declaring Consent to Revocation dated February 14, 2008, a copy of which is attached hereto and incorporated herein by reference, Respondent freely and voluntarily consented to the revocation of his license to practice law in the Commonwealth of Virginia. Respondent's guardian *ad litem*, Frank George Uvanni, stated that he took the Affidavit to the Respondent and discussed the Affidavit with Respondent.

SANCTION

Based on the finding of Misconduct, the Board believes that the appropriate sanction to protect the public and the integrity of the Bar is the revocation of the Respondent's license, and it is ORDERED that the license of Leslie Wayne Lickstein, to practice law in the Commonwealth of Virginia is hereby REVOKED, effective February 22, 2008.

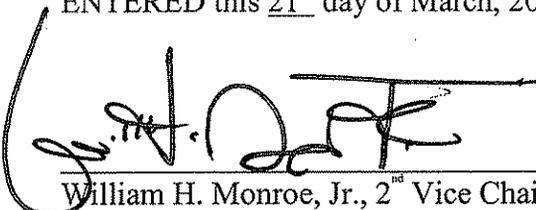
It is further ORDERED that the Clerk of the Disciplinary System shall mail an attested copy of this Order to Respondent at his address of record with the Virginia State Bar, being 4126 Leonard Drive, Fairfax, Virginia 22030-5118, by certified mail, return receipt requested and by regular mail. An additional attested copy shall be mailed to the Respondent, Leslie Wayne Lickstein, #72066083, FPC Cumberland Satellite Camp, Post Office Box 1000, Cumberland, Maryland 21501. It is further ORDERED that the Clerk of the Disciplinary System shall mail an attested copy of this Order to Frank George Uvanni, Esquire, guardian *ad litem* for Respondent at Uvanni & Associates, P.C., Atlee Commerce Center, 9410 Atlee Commerce Boulevard, Suite 2, Ashland, Virginia 23005 by regular mail

and the Clerk of the Disciplinary System shall hand-deliver an attested copy of this Order to Paul D. Georgiadis, Esquire, Virginia State Bar, 707 East Main Street, Suite 1500, Richmond, Virginia, 23219.

It is further ORDERED that pursuant to Part Six, Section IV, Paragraph 13(B)(8)(c) 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, pursuant to Part Six, Section IV, Paragraph 13(M) of the Rules of the Supreme Court of Virginia, Respondent shall forthwith give notices and comply, by certified mail, return receipt requested, of the revocation of his license to practice law in the Commonwealth of Virginia to all clients for whom he is currently handling any matters, to all Judges and the Clerks of the Court before which Respondent may have any pending cases and to opposing counsel in all such cases. Respondent shall also make appropriate arrangements for the disposition of matters not in his care, in conformity with the wishes of his clients. It is further ORDERED that if the Respondent is not handling any client matters on the effective date of suspension, he shall submit an affidavit to that effect to the Clerk of the Disciplinary System of the Virginia State Bar. All issues concerning the adequacy of the notice and arrangements required by Paragraph 13(M) shall be determined by the Virginia State Bar Disciplinary Board which may impose a sanction of revocation or further suspension for failure to comply with the requirements of this subparagraph.

ENTERED this 21st day of March, 2008



William H. Monroe, Jr., 2nd Vice Chair,
Virginia State Bar Disciplinary Board

residential closing on property located in Great Falls, Va., Lickstein "conspired with others to devise and execute a bank fraud scheme involving mortgage financing." This included Mr. Lickstein drafting a Deed of Trust reflecting that secondary financing was to come from a commercial entity known as "Crescent Mortgage", while Lickstein knew that secondary financing was to come from the seller, in violation of an express loan condition of the first mortgage holder, LBB. Mr. Lickstein recorded the Deed of Trust to Cresecent Mortgage and approximately one month later caused a release of the Crescent deed of Trust, which release was not disclosed to the primary lender, LBB. Mr. Lickstein also later filed and recorded a Deed of Trust to the Sellers reflecting the actual source of the secondary financing, which was not disclosed to the first Deed of Trust holder, LBB.

Mr. Lickstein also prepared and provided to LBB a false Settlement Statement, HUD-1, as it reflected the false secondary financing of "Crescent Mortgage" as well as a down payment of \$550,000, when no such down payment was made.

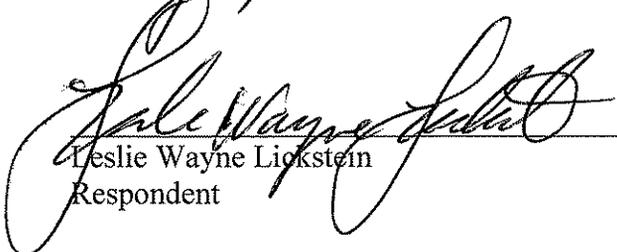
Following foreclosure of the property, LBB suffered a loss of approximately \$1,110,000.

5. Leslie Wayne Lickstein acknowledges that the material facts upon which the allegations of misconduct are predicated are true; and

5a. This is the same facts as outlined in the Suspension previously consented to.

6. Leslie Wayne Lickstein submits this Affidavit and consents to the revocation of his license to practice law in the Commonwealth of Virginia because he knows that if the disciplinary proceedings based on the said alleged misconduct were brought or prosecuted to a conclusion, he could not successfully defend them. Leslie Wayne Lickstein avers that he has consulted with his *Guardian ad litem* and has reviewed with him the issues of revocation.

Executed and dated on February 14, 2008.



Leslie Wayne Lickstein
Respondent

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, to wit:

The foregoing Affidavit Declaring Consent to Revocation was subscribed and sworn to before
me by Leslie Wayne Lickstein on _____.

Notary Public

My Commission expires: _____.

Counsel for the Respondent