

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTER OF
KAREN GREIN LOULAKIS**

VS. B DOCKET NO. 13-052-094956

AGREED DISPOSITION MEMORANDUM ORDER

On April 10, 2015, this matter was heard by the Virginia State Bar Disciplinary Board upon the joint request of the parties for the Board to accept the Agreed Disposition signed by the parties and offered to the Board as provided by the Rules of the Supreme Court of Virginia. The panel consisted of Tyler E. Williams, III, Chair, Michael A. Beverly, Robert W. Carter, Lay Member, Peter A. Dingman, and Samuel R. Walker.

The Virginia State Bar was represented by Anastasia K. Billy, Assistant Bar Counsel. Karen Grein Loulakis was present and was represented by counsel Richard Wayne Driscoll. The Chair polled the members of the Board as to whether any of them were aware of any personal or financial interest or bias which would preclude any of them from fairly hearing the matter to which each member responded in the negative. Court Reporter Angela N. Sidener, Chandler and Halasz, P.O. Box 9349, Richmond, Virginia 23227, telephone (804) 730-1222, after being duly sworn, reported the hearing and transcribed the proceedings.

WHEREFORE, upon consideration of the Agreed Disposition, as amended as set forth in the next paragraph, the Certification, Respondent's Disciplinary Record and any responsive pleadings of counsel, and

WHEREFORE, based upon the parties' agreement amending the Agreed Disposition on the record to provide that no Reciprocal proceeding shall be initiated by the Virginia State Bar against Respondent under Paragraph 13-24 based upon Respondent's prior Consent to Revocation in Washington, D.C. and the circumstances giving rise to this proceeding;

It is **ORDERED** that the Board accepts the Agreed Disposition, as amended, and the Respondent shall receive an Eighteen (18) Month Suspension as set forth in the Agreed Disposition which is attached to this Memorandum Order, and no Reciprocal proceeding shall be initiated by the Virginia State Bar against Respondent under Paragraph 13-24 based upon Respondent's prior Consent to Revocation in Washington, D.C. and the circumstances giving rise to this proceeding.

It is further **ORDERED** that the sanction is effective April 17, 2015.

It is further **ORDERED** that the Respondent must comply with the requirements of Part Six, § IV, ¶ 13-29 of the Rules of the Supreme Court of Virginia. The Respondent shall forthwith give notice by certified mail of the Revocation or Suspension of his license to practice law in the Commonwealth of Virginia, to all clients for whom he is currently handling matters and to all opposing attorneys and presiding judges in pending litigation. The Respondent shall also make appropriate arrangements for the disposition of matters then in his care in conformity with the

wishes of his client. Respondent shall give such notice within 14 days of the effective date of the Revocation or Suspension, and make such arrangements as are required herein within 45 days of the effective date of the Revocation or Suspension. The Respondent shall also furnish proof to the Bar within 60 days of the effective day of the Revocation or Suspension that such notices have been timely given and such arrangements made for the disposition of matters.

It is further **ORDERED** that if the Respondent is not handling any client matters on the effective date of the Revocation or Suspension, he shall submit an affidavit to that effect within 60 days of the effective date of the Revocation or Suspension to the Clerk of the Disciplinary System at the Virginia State Bar. All issues concerning the adequacy of the notice and arrangements required by Paragraph 13-29 shall be determined by the Virginia State Bar Disciplinary Board, which may impose a sanction of Revocation or additional Suspension for failure to comply with the requirements of this subparagraph.

The Clerk of the Disciplinary System shall assess costs pursuant to ¶ 13-9 E. of the Rules.

A copy teste of this Order shall be mailed by Certified Mail, return receipt requested to Karen Grecin Loulakis at her last address of record, 873 Old Holly Drive, Great Falls, Virginia 22066-1339 with the Virginia State Bar, with a copy to Respondent's Counsel, Richard Wayne Driscoll, at Driscoll & Seltzer, PLLC, 300 N. Washington St., Suite 304, Alexandria, Virginia 22314, and hand-delivered to Anastasia K. Billy, Assistant Bar Counsel, 1111 East Main Street, Suite 700, Richmond, Virginia 23219-3565.

ENTERED THIS 10th DAY OF APRIL, 2015

VIRGINIA STATE BAR DISCIPLINARY BOARD



Tyler E. Williams, III, Chair

VIRGINIA:

BEFORE THE DISCIPLINARY BOARD
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
KAREN GREIN LOULAKIS

VSB Docket No. 13-052-094956

AGREED DISPOSITION
(18 Month Suspension)

Pursuant to the Rules of the Virginia Supreme Court Rules of Court Part 6, Section IV, Paragraph 13-6.H., the Virginia State Bar, by Anastasia K. Billy, Assistant Bar Counsel, and Karen Grein Loulakis, Respondent, and Richard Wayne Driscoll, Respondent's counsel, hereby enter into the following Agreed Disposition arising out of the referenced matter.

I. STIPULATIONS OF FACT

1. Respondent, Karen Grein Loulakis ("Respondent"), was first licensed to practice law in the Commonwealth of Virginia in 1981. At all times relevant hereto, Respondent was and is licensed to practice law in the Commonwealth of Virginia.
2. In approximately 2004, Respondent's client, Elaine Gleason, requested assistance with an estate plan, which included assistance with the preparation of deeds to effectuate a transfer of her right, title and interest in three Maryland real properties to a trust entitled "The Elaine Briggs Gleason Living Trust" ("Gleason Trust").
3. Elaine Gleason's signature on the deeds is dated September 7, 2004, and notarized by Respondent, acting in her capacity as a notary public in the Commonwealth of Virginia. At that time, the deeds were not recorded.
4. In May 2012, Elaine Gleason died. Sherri Gleason, Elaine Gleason's daughter, served as the successor trustee of the Gleason Trust. In August 2012, Sherri Gleason entered into a contract to sell one of the Gleason Trust's Maryland properties. A Maryland settlement attorney, Aaron Stein, Esquire, assisted Sherri Gleason in connection with the sale. In connection with the transaction, Mr. Stein's office discovered that the property was titled in the name of Elaine Gleason, and not the Gleason Trust. Upon learning that record title to the property had not been transferred to the Gleason Trust, Sherri Gleason contacted Respondent to inquire about the deeds.
5. In approximately September 2012, Respondent forwarded the three deeds that were executed by Elaine Gleason in September of 2004 to the Sherri Gleason, along with Affidavits (detailed below) for each. Mr. Stein's office thereafter caused the deeds, with the

admitted
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Affidavits, to be recorded in the Circuit Court for Montgomery County, Maryland on October 23, 2012.

6. Each of the three deeds includes the following Affidavit form:

AFFIDAVIT

The undersigned, being duly sworn, hereby certifies that (i) the law office of KAREN G. LOULAKIS & ASSOCIATES was responsible for the preparation of that certain Deed conveying Montgomery County Real Property, known and referred to as [property address], Silver Spring, Maryland [property zip code], related thereto, and (ii) the Deed conveys the subject property from Elaine B. Gleason, by gift and for estate planning purposes, to THE ELAINE BRIGGS GLEASON LIVING TRUST. At the time of the conveyance, the subject property was not encumbered by a mortgage. No grantor or grantee is assuming liability for a debt or being relieved of liability for debt in this transaction.

The Affidavits purport to be executed by Emily A. Rapoport, Esquire, and reflect a handwritten date of "9/7/04". Respondent signed each of the Affidavits as a notary stating: "Given under my hand and seal this 7 day of September, 2004."

7. In approximately November 2012, Sherri Gleason sought representation by Respondent for assistance with her estate plan, including the preparation of necessary legal documents. At that time, Respondent was a principal with the firm Offit Kurman in the Tysons Corner office.

8. Respondent assigned an associate, Emily Oveissi, Esquire (formerly known as Emily Rapoport), to assist with the preparation of documents on behalf of Sherri Gleason. In connection with this assignment, Ms. Oveissi reviewed the deeds transferring the properties to the Gleason Trust and asserted that her signatures on the Affidavits were forged.

9. Ms. Oveissi reported the issue regarding the signatures to the managing partners of Offit Kurman. On February 28, 2013, Ms. Oveissi and Offit Kurman both reported the circumstances associated with the signatures on the three deeds to the Virginia State Bar.

10. By letter dated March 1, 2013, Respondent also provided a self-report letter to the Virginia State Bar in which she admitted notarizing and back-dating the Affidavits to September 7, 2004.

11. In 2004, Ms. Oveissi (f/k/a Rapoport) was a law student who, at that time, did not know Respondent. In 2005, Ms. Oveissi was admitted to practice law in the Commonwealth of Virginia, and in 2009, she became a member of the Maryland Bar.

12. Ms. Oveissi did not sign the Affidavits that were notarized by Respondent.

13. Ms. Oveissi was not involved in the 2004 preparation of the three deeds, as she did not meet the Respondent until 2005.

14. The notarizations on the Affidavits submitted with the three deeds were back-dated.

15. During 2012, Respondent was being treated for acute depression that was precipitated by the death of her mother.

16. Respondent has no prior record of discipline.

II. NATURE OF MISCONDUCT

Such conduct by the Respondent constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

RULE 1.1 Competence

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

RULE 1.3 Diligence

(a) A lawyer shall act with reasonable diligence and promptness in representing a client.

RULE 8.4 Misconduct

It is professional misconduct for a lawyer to:

...

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law;

(c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation which reflects adversely on the lawyer's fitness to practice law....

III. PROPOSED DISPOSITION

Accordingly, Assistant Bar Counsel and the Respondent tender to the Disciplinary Board for its approval the agreed disposition of an eighteen (18) month suspension as representing an

appropriate sanction if this matter were to be heard through an evidentiary hearing by a panel of the Disciplinary Board.

If the Agreed Disposition is approved, the Clerk of the Disciplinary System shall assess an administrative fee.

THE VIRGINIA STATE BAR

By: Anastasia K. Billy
Anastasia K. Billy
Assistant Bar Counsel

Karen Grein Loulakis
Karen Grein Loulakis
Respondent

Richard Wayne Driscoll
Richard Wayne Driscoll, Esquire
Counsel for Respondent