

VIRGINIA:

Before the Virginia State Bar Disciplinary Board

In the Matter of

JOHN CHRISTOPHER PASIERB

Attorney at Law

On February 6, 2007, came John Christopher Pasierb and presented to the Board an Affidavit Declaring Consent to Revocation with attached Exhibit A of his license to practice law in the courts of this Commonwealth. By tendering his resignation at a time when disciplinary charges are pending, he admits that the charges in the attached Affidavit Declaring Consent to Revocation with attached Exhibit A are true.

The Board having considered the said Affidavit Declaring Consent to Revocation with attached Exhibit A accepts his resignation. Accordingly, it is ordered that the license to practice law in the courts of this Commonwealth heretofore issued to the said John Christopher Pasierb be and the same hereby is revoked, and that the name of the said John Christopher Pasierb be stricken from the Roll of Attorneys of this Commonwealth.

Enter this Order this 6th day of February, 2007

For the Virginia State Bar Disciplinary Board

By *Barbara S. Lanier*
Barbara Sayers Lanier
Clerk of the Disciplinary System

VIRGINIA:

BEFORE THE DISCIPLINARY BOARD OF THE VIRGINIA STATE BAR

IN THE MATTER OF JOHN CHRISTOPHER PASIERB, ESQUIRE

**VSB Docket Nos. 05-041-1925
05-041-4368
07-041-1405
07-041-1862**

AFFIDAVIT DECLARING CONSENT TO REVOCATION

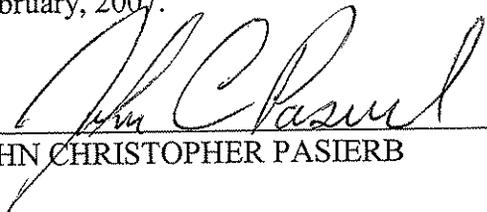
JOHN CHRISTOPHER PASIERB, after being duly sworn, states as follows:

1. That he was licensed to practice law in the Commonwealth of Virginia on October 9, 1987;
2. That, pursuant to Part 6, § IV, ¶ 13.L. of the *Rules of the Supreme Court of Virginia*:
 - a. his consent to Revocation is freely and voluntarily rendered, that he is not being subjected to coercion or duress, and that he is fully aware of the implications of consenting to a Revocation of his license to practice law in the Commonwealth of Virginia;
 - b. he is aware that there are currently pending complaints against him involving allegations of Misconduct, the nature of which are set forth in Exhibit A attached hereto, the contents of which are hereby incorporated by reference as if fully set forth in this Affidavit;
 - c. he acknowledges that the material facts upon which the allegations of Misconduct, set forth in the attached Exhibit A are predicated are true; and
 - d. he submits this Affidavit and consents to the Revocation of his license to practice law in the Commonwealth of Virginia because he knows that if disciplinary Proceedings based on the alleged Misconduct were brought or prosecuted to a conclusion, he could not successfully defend them.
3. That he understands that pursuant to Part 6, § IV, ¶ 13.L. of the *Rules of the*

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Supreme Court of Virginia the admissions offered in this Affidavit shall not be deemed an admission in any proceeding except one relating to his status as a member of the Bar.

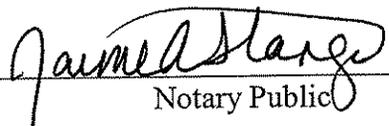
Executed and dated this 15th day of February, 2007.



JOHN CHRISTOPHER PASIERB

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

The foregoing instrument was subscribed and sworn before me by John Christopher Pasierb on 2/1/07.



Notary Public

My Commission expires: 6/30/2010.

SEEN, WITH NO OBJECTION TO ENTRY OF AN ORDER BY
THE VIRGINIA STATE BAR DISCIPLINARY BOARD REVOKING
RESPONDENT'S LICENSE TO PRACTICE LAW IN VIRGINIA:



SETH M. GUGGENHEIM, ESQUIRE
Senior Assistant Bar Counsel

SEEN:



J. JONATHAN SCHRAUB, ESQUIRE
Counsel for John Christopher Pasierb

EXHIBIT "A"

VSb DOCKET NO. 05-041-1925

Robin Lawler retained Mr. Pasierb in 2003 to represent her interests in connection with an employment dispute with her former employer. The United States District Court for the Eastern District of Virginia, Alexandria Division, dismissed Ms. Lawler's case, filed by Mr. Pasierb, upon a motion for summary judgment on August 26, 2004. Mr. Pasierb did not advise Mr. Lawler that her case had been dismissed. Mr. Pasierb falsely represented to Ms. Lawler that he had subpoenaed a witness for deposition in her case, and falsely advised Ms. Lawler that he was pursuing sanctions against the witness for failing to appear for such deposition.

Subsequent to the dismissal of the case, Mr. Pasierb continued to advise Ms. Lawler that her case was going to trial. On October 13, 2004, Mr. Pasierb falsely informed Ms. Lawler that the court would enter an order awarding her money damages. Shortly thereafter, Ms. Lawler was informed by the Clerk's Office of the court that her case had been dismissed.

VSb DOCKET NO. 05-041-4368

Susan M. Appelbaum retained John Christopher Pasierb in 1999 to represent her in a slip and fall personal injury claim arising from an incident which occurred in the parking lot of a supermarket in Montgomery County, Maryland.

Mr. Pasierb filed suit on Ms. Appelbaum's behalf in January of 2002. In late January 2003, the court dismissed Ms. Appelbaum's claim, with prejudice, as to all named defendants, on a motion for summary judgment.

Mr. Pasierb did not inform Ms. Appelbaum that her case had been dismissed. Instead, between April, 2003, and May, 2005, Mr. Pasierb repeatedly informed Ms. Appelbaum that he was in settlement negotiations with the supermarket defendant. Mr. Pasierb falsely informed Ms. Appelbaum that he had obtained a settlement of her claim in the sum of \$163,000.00, and that she could pick up her net settlement check from his offices in the sum of \$105,000.00 on May 31, 2005.

Mr. Pasierb also unsuccessfully appealed the adverse ruling on the motion for summary judgment without ever advising Ms. Appelbaum of these actions taken on her behalf without her knowledge.



EXHIBIT "A" (continued)

VSb DOCKET NO. 07-041-1405

Mrs. Bessie Albergo, a resident of Florida, retained Mr. Pasierb in September of 2005 to represent her in a dispute with her tenants occupying a residence in Arlington, Virginia. Mr. Pasierb falsely informed Mrs. Albergo that he had filed suit against her tenants, when, in fact, no such suit had been filed. Mr. Pasierb identified court dates at which Mrs. Albergo was to appear, and she sustained travel-related inconvenience and expense associated with the nonexistent lawsuit. Mr. Pasierb made other false statements concerning the status of the lawsuit to Mrs. Albergo and/or Mr. J. Reed Batten, Jr., her friend who filed a complaint with the Virginia State Bar. Mr. Pasierb also falsely represented that Mrs. Albergo's tenants had agreed to vacate her premises by a date certain, and he furnished his client with a copy of a letter that he, Mr. Pasierb, claimed memorialized an agreement reached with the tenants' attorney, when, in fact, the tenants had no such attorney and had entered into no such agreement.

VSb DOCKET NO. 07-041-1862

In November of 2003, Mr. Mark Christopher Faraone retained Mr. Pasierb to handle a personal injury claim against the operator of a flight simulator. Mr. Pasierb communicated with his client by telephone and e-mail, advising that the case was progressing and that the manufacturer was making progressively larger settlement offers. In response to Mr. Faraone's question as to whether suit was filed, Mr. Pasierb sent an e-mail to him on September 1, 2006, stating

Mark:

We are filed and I am waiting for the suit to be served on the Defendants. Things will pick up from there.

John C. Pasierb
Law Office of John C. Pasierb, PLC
2200 Wilson Boulevard, Suite 800
Arlington, VA 22201
(703) 875-2260

Mr. Faraone subsequently learned that no lawsuit had been filed on his behalf, and that the foregoing representations made by Mr. Pasierb to Mr. Faraone concerning the status of his claim and his lawsuit were false.