

MEMORANDUM ORDER OF SUSPENSION

This matter came on to be heard on Friday, September 23, 2016, before a duly convened panel of the Virginia State Bar Disciplinary Board consisting of Sandra L. Havrilak (Acting Chair), James L. Banks, Melissa W. Robinson, David R. Schultz and Anderson Wade Douthat, IV (Lay Member). The Virginia State Bar (the "Bar") was represented by Alfred L. Carr, Assistant Bar Counsel. The Respondent, Michael Thomas Reynolds, failed to appear in person or by counsel. Roy G. Wood, court reporter, Capitol Reporting, Inc., Post Office Box 959, Mechanicsville, Virginia 23111, (804) 788-4917, after being duly sworn, reported the hearing and transcribed the proceedings.

The Chair opened the hearing by calling the case in the hearing room and causing the Assistant Clerk to call Respondent's name three times in the adjacent hall. The Respondent did not answer or appear. The Chair then polled the members of the Board panel to ascertain whether any member 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 Disciplinary Board upon the Rule to Show Cause and Order of Summary Suspension and Hearing entered on August 26, 2016 (the "Rule to Show Cause") to which was appended the Order of the Supreme Court of Arizona entered on April 13, 2016 suspending for a period of two (2) years the Respondent's license to practice law in the State of Arizona retroactive to October 30, 2013 and further ordering two (2) years of probation upon reinstatement. Also before the Board was the certified Notice Letter from the Clerk of the Disciplinary System to the Respondent dated September 14, 2016 which was served in accordance with the Rules of the Supreme

Court of Virginia. In accordance with Part 6, Section IV, Paragraph 13-24 of the Rules of the Virginia Supreme Court (the "Rules"), the purpose of the hearing was to provide the Respondent with an opportunity to show cause, by clear and convincing evidence, as to why the same discipline that was imposed upon him by the Supreme Court of Arizona should not be imposed by this Board.

At the outset of the hearing, Board Exhibit 1 (consisting of the certified Notice, Rule to Show Cause and Order of Summary Suspension and Hearing, with attachments), Board Exhibit 2 (consisting of an Affidavit of Gale M. Cartwright, Director of Member Compliance with the Virginia State Bar), Board Exhibit 3 (consisting of the Assistant Clerk's Certification concerning Respondent's disciplinary record) and Board Exhibit 4 (consisting of an Order dated September 21, 2016 of the Arizona Presiding Disciplinary Judge regarding Respondent's Application for Reinstatement) were admitted into evidence without objection. The Respondent did not file an Answer to the Rule to Show Cause or, as noted above, appear at the hearing. Accordingly, after admission of the exhibits, the Board heard argument from Bar Counsel regarding the documentary evidence before it.

After adjourning to deliberate and consider the evidence and the argument of Bar Counsel, the Board reconvened and announced its finding that the Respondent had failed to show cause by clear and convincing evidence as to why the Board should not impose the same discipline imposed by the Supreme Court of Arizona.

Accordingly, it is ADJUDGED and ORDERED that the license of Respondent, Michael Thomas Reynolds, to practice law in the Commonwealth of Virginia shall be and hereby is suspended for a period of two (2) years, effective retroactively as of October 30, 2013. It is further ORDERED that, upon reinstatement of Respondent's license in Virginia, the probationary period of two (2) years imposed by the Supreme Court of Arizona shall also be applicable to Respondent's license to practice law in Virginia, including all terms imposed by the Arizona Court Order. Any failure to comply with the

terms of probation in Arizona will result in further suspension of Respondent's license in Virginia. Accordingly, it is ORDERED that Respondent notify the Clerk of the Disciplinary System upon successful completion of probation in Arizona or self-report any failure to comply with the terms of the probation.

It is further ORDERED that, pursuant to Part Six, § IV, ¶ 13-29 of the Rules of the Supreme Court of Virginia, Respondent, Michael Thomas Reynolds, shall forthwith give notice by certified mail, return receipt requested, of the 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 fourteen (14) days of the effective date of this Order, and make such arrangements as are required herein within forty-five (45) days of the effective date of the Suspension. The Respondent shall also furnish proof to the Bar within sixty (60) days of the effective day of the 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 this Suspension, he shall submit an Affidavit to that effect to the Clerk of the Disciplinary System at the Virginia State Bar within sixty (60) days of the effective day of the Suspension. 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.

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

Finally, it is further ORDERED that the Clerk of the Disciplinary System shall send a certified copy of this Order by Certified Mail, Return Receipt Requested, to Respondent at his last address of record with the Virginia State Bar, that is, to Michael Thomas Reynolds, Nelson, Mullins, Riley, et al., First Union Plaza, Suite 1400, 999 Peachtree Street, NE, Atlanta, GA 30309 and to Michael Thomas Reynolds, 3170 Bellestone Court, Marietta, GA 30066, and hand deliver a copy to Alfred L. Carr, Assistant Bar Counsel, Virginia State Bar; 1111 East Main Street, Suite 700; Richmond, Virginia 23219-0026.

ENTERED this 5 day of October, 2016.

VIRGINIA STATE BAR DISCIPLINARY BOARD

By:


Sandra L. Havrilak, Acting Chair