

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF ANDREW MARK STEINBERG

VSB DOCKET NO. 07-000-1909

ORDER OF REVOCATION

THIS MATTER came on to be heard on May 18, 2007, at 9:00 a.m., before a panel of the Virginia State Bar Disciplinary Board convening at the Virginia Workers' Compensation Commission, Courtroom A, 1000 DMV Drive, Richmond, Virginia. The Board was comprised of Robert E. Eicher, Chair, Stephen A. Wannall, lay member, Thomas R. Scott, Jr., William H. Monroe, Jr., and Russell W. Updike. The proceedings were transcribed by Teresa L. McLean, a registered professional reporter, P.O. Box 9349, Richmond, Virginia, 23227, (804) 730-1222. The court reporter was sworn by the Chair, who then inquired of each member of the panel as to whether any of them had any personal or financial interest or any bias which would preclude, or reasonably could be perceived to preclude, their hearing the matter fairly and impartially. Each member, including the Chair, answered in the negative; the matter proceeded. The Respondent, Andrew Mark Steinberg, was present in person and proceeded *pro se*. The Virginia State Bar was represented by Alfred L. Carr, Assistant Bar Counsel.

The matter came before the Board as a result of the Respondent being disbarred from practicing law in the state of Maryland, effective November 6, 2006, by order entered by the Court of Appeals of Maryland. A Rule to Show Cause and Order of Suspension and Hearing was entered on January 4, 2007, and properly served on the Respondent

The Board found that all legal notices of the date, time, and place of hearing were timely sent by the clerk of the disciplinary system in the manner prescribed by law.

Part Six, §IV, ¶13.I.7 of the Rules of the Supreme Court of Virginia specifies how the Board is to proceed upon receiving notice of disbarment of a Virginia attorney in another jurisdiction. The rule states that the Board shall impose the same discipline as was imposed in the other jurisdiction unless the Respondent proves by clear and convincing evidence one or more of the following three grounds for an alternative, or no sanction, being imposed:

- (1) That the record of the proceeding in the other jurisdiction clearly shows that such proceeding was so lacking in notice or opportunity to be heard as to constitute a denial of due process;
- (2) That the imposition of the Board by the same discipline upon the same proof would result in a grave injustice; or,
- (3) That the same conduct would not be grounds for disciplinary action or for the same discipline in Virginia.

The following items were admitted into evidence:

- (1) Virginia State Bar Exhibit #1, an affidavit pursuant to §8.01-391 of the Code of Virginia, as amended, executed by Barbara S. Lanier, Clerk of the Disciplinary System of the Virginia State Bar;
- (2) Virginia State Bar Exhibit #2, an affidavit pursuant to §8.01-390 of the Code of Virginia, as amended, executed by Diana L. Balch;
- (3) Virginia State Bar Exhibit #3, the November 6, 2006, opinion from the Court of Appeals of Maryland, styled Attorney

Grievance Commission v. Andrew Mark Steinberg; and,

- (4) Respondent's Exhibit #1, a docket information sheet relating to Attorney Grievance Commission of Maryland v. Andrew M. Steinberg;
- (5) Respondent's Exhibit #2, the Renewed Motion for [*sic*] to Vacate Default Judgment and for New Hearing filed in connection with the case of Attorney Grievance Commission of Maryland v. Andrew M. Steinberg;
- (6) Respondent's Exhibit #3, a letter from Molly Q. Ruhl, Clerk of the Circuit Court of Montgomery County, Maryland;
- (7) Respondent's Exhibit #4, an informational sheet relating to the case of Attorney Grievance Commission of Maryland v. Andrew M. Steinberg;
- (8) Respondent's Exhibit #5, a Notice of Default Order dated December 9, 2005, relating to the case of Attorney Grievance Commission of Maryland v. Andrew M. Steinberg; and,
- (9) Respondent's Exhibit #6, a Certificate of Service and Response to Request for Admission of Facts and Genuineness of Documents relating to the case of Attorney Grievance Commission of Maryland v. Andrew M. Steinberg.

The Respondent filed an answer to the Rule to Show Cause and Order of Suspension and Hearing and exhibits to such answer. The VSB filed a response to the Respondent's answer and

objections to the Respondent's exhibits. The VSB's objection to the Respondent's answer was withdrawn by Bar Counsel.

The Respondent testified on his own behalf. After hearing the evidence and argument of counsel, the Board retired to deliberate in closed session. The Board reconvened in open session and the Chair announced that the Board found, by clear and convincing evidence, that Andrew Mark Steinberg had been disbarred from the practice of law in Maryland effective November 6, 2006, by order entered by the Court of Appeals of Maryland, that such order had become final, and that the Respondent failed to prove, by clear and convincing evidence, any of the three grounds which would permit this Board to impose any sanction other than revocation of his license to practice law.

Accordingly, it is hereby **ORDERED** that Andrew Mark Steinberg's license to practice law in the Commonwealth of Virginia be, and hereby is, revoked, effective May 18, 2007.

It is further **ORDERED** that Respondent must comply with the requirements of Part Six §IV, Paragraph 13.M of the Rules of the Supreme Court of Virginia. The Respondent shall forthwith give notice 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 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 clients. Respondent shall give such notice within 14 days of the effective date of the revocation, and shall make such arrangements as are required herein within 45 days of the effective date of the revocation. The Respondent shall also furnish proof to the Virginia State Bar within 60 days of the effective date of the revocation that such notices

have been timely given and such arrangements made for the disposition of these matters.

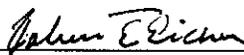
It is further **ORDERED** that if the Respondent is not handling any client matters on the effective date of the revocation, he shall submit an affidavit to that effect to the Clerk of the Disciplinary System at the Virginia State Bar. All issues concerning the adequacy of the notice and arrangements required by Paragraph 13.M shall be determined by the Virginia State Bar Disciplinary Board, unless the Respondent makes a timely request for hearing before a three-judge court.

It is further **ORDERED** that the Clerk of the Disciplinary System shall mail an attested copy of this Order to the Respondent, Andrew Mark Steinberg, at his address of record with the Virginia State Bar, 3581 Sherbrooke Circle, Woodbridge, Virginia, 22192, by certified mail, return receipt requested and by regular mail to Alfred L. Carr, 100 North Pitt Street, Suite 310, Alexandria, Virginia 22314.

Pursuant to Part 6, Section IV, Paragraph 13.B.8.c of the Rules, the Clerk of the Disciplinary System shall assess costs.

ENTERED this 8th day of June, 2007

VIRGINIA STATE BAR DISCIPLINARY BOARD



Robert E. Eicher, Chair

Virginia State Bar Disciplinary Board