
VIRGINIA LAWYER REGISTER

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The Virginia State Bar publishes the *Virginia Lawyer Register* five times annually. The *Register* is primarily a compilation of disciplinary actions against attorneys licensed to practice law in the commonwealth; administrative suspensions; legal ethics opinions; and proposed amendments to the Rules of the Virginia Supreme Court. All documents submitted to the state bar for inclusion in the *Register* are subject to alteration as to typography and formatting, in order to conform to the requirements of the *Register*, without changing the intent of any document.

DISCIPLINARY PROCEEDINGS

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|--------------------------|--------------------------|------------------------------|-----------------------|-------------|
| Circuit Court | | | | |
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| John Michael Coppola | Leesburg, VA | Suspension — 2 years & 6 months | December 5, 2011 | 4 |
| Brett Nathan Dorny | Arvade, CO | Revocation | October 28, 2011 | 4 |
| Francis Allen Minor | Springfield, VA | Suspension w/Terms – 1 year | December 9, 2011 | 4 |
| Mary Ellen Slugg | Centreville, VA | Suspension – 12 months | January 1, 2012 | 4 |

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| | | | | |
|---------------------------|---------------|--------------------------|-------------------|---|
| Katherine Martell | Fairfax, VA | Public Reprimand w/Terms | December 12, 2011 | 4 |
| Henry Allen Thompson | Waverly, VA | Public Admonition | January 23, 2012 | 5 |
| Joseph Louis Tantoh Tibui | San Diego, CA | Public Reprimand | December 13, 2011 | 5 |

| Suspension – Failure to Pay Disciplinary Costs | Effective Date | Lifted | |
|-------------------------------------------------------|-----------------------|-------------------|-----|
| Eugene Brian Harris | Houston, TX | December 16, 2011 | n/a |
| Salvage DeLacy Stith | Chesapeake, VA | January 12, 2012 | n/a |

Virginia Lawyer Register

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The following are summaries of disciplinary actions for violations of the Virginia Rules of Professional Conduct (RPC) (Rules of the Virginia Supreme Court Part 6, ¶ II, eff. Jan. 1, 2000) or another of the Supreme Court Rules.

Copies of disciplinary orders are available at the Web link provided with each summary or by contacting the Virginia State Bar Clerk's Office at (804) 775-0539 or clerk@vsb.org. VSB docket numbers are provided.

CIRCUIT COURTS

STEPHEN THOMAS PERKINS

Virginia Beach, Virginia

09-033-076160

On November 28, 2011, a three-judge panel of the Circuit Court for the city of Virginia Beach issued an admonition to Stephen Thomas Perkins for violating the professional rule that governs candor toward the tribunal. This was an agreed disposition of a misconduct charge. RPC 3.3(c)

<http://www.vsb.org/docs/perkins-121511.pdf>

TROY SAVENKO

Richmond, Virginia

09-033-076159

On November 28, 2011, a three-judge panel of the Circuit Court for the city of Virginia Beach issued an admonition to Troy Savenko for violating the professional rule that governs candor toward the tribunal. This was an agreed disposition of a misconduct charge. RPC 3.3(c)

<http://www.vsb.org/docs/savenko-121511.pdf>

BAMBI F. WALTERS

Williamsburg, Virginia

10-060-082176

Effective January 18, 2012, a three-judge panel of the Circuit Court for the City of Williamsburg suspended Bambi F. Walters's privilege to practice law in Virginia for two years with terms. Ms. Walters is not licensed in Virginia but was registered as an attorney with the United States Patent and Trademark Office. The court found that she violated Virginia professional rules that govern safekeeping property, unauthorized practice of law, multijurisdictional practice of law, communication concerning a lawyer's services, and firm names and letterheads. This was an agreed disposition of misconduct charges. RPC 1.15(a)(1)(2) (c)(3) (e)(1)(i-v) (e)(2)(i-iii) (f)(2)(3)(4)(i)(ii) (5)(i-iii) (6); 5.5(c)(d)(2)(i-ii)(3)(i-iii); 7.1(a)(i); 7.5(a)(b)

<http://www.vsb.org/docs/walters-011812.pdf>

DISCIPLINARY BOARD

CHRISTOPHER JASON AGRESTO

Leesburg, Virginia

10-070-081587, 11-070-085415, 12-000-089928

On November 18, 2011, the Virginia State Bar Disciplinary Board suspended Christopher Jason Agresto's license to practice law for five years for violating professional rules that govern competence, diligence, communication, declining or terminating representation, and bar admission and disciplinary matters. In another matter, the board also suspended Mr. Agresto's license pending a show cause hearing based on his November 4, 2011, guilty plea for conspiracy to commit wire fraud. The board ordered him to appear on December 9, 2011, to show cause why his license should not be further suspended or revoked. RPC 1.1, 1.3(a); 1.4(a)(c); 1.16(c)(d); 8.1(c)

CHRISTOPHER JASON AGRESTO

Leesburg, Virginia

12-000-089928

On December 5, 2011, the Virginia State Bar Disciplinary Board revoked Christopher Jason Agresto's license to practice law. In consenting to the revocation, Mr. Agresto admitted that he was convicted of a federal crime involving conspiracy to commit wire fraud. His license had been summarily suspended on November 18, 2011. He pled guilty in the United States District Court for the Eastern District of Virginia which accepted his plea. Part 6, § IV, ¶ 13–28.

<http://www.vsb.org/docs/Agresto-121311.pdf>

HAVE YOU MOVED?

KEEPING IN TOUCH WITH THE VSB

To check or change your address of record with the Virginia State Bar, take the following steps:

Go to the VSB Member Login at <https://member.vsb.org/vsbportal/>. Go to "Membership Information," where your current address of record is listed. To change, go to "Edit Official Address of Record," click the appropriate box, then click "next." You can type your new address, phone numbers, and e-mail address on the form.

Contact the VSB Membership Department at membership@vsb.org or (804) 775-0530 with questions.

DISCIPLINARY BOARD

MICHAEL J. BIDDINGER

Spotsylvania, Virginia

10-060-083612

On November 18, 2011, the Virginia State Bar Disciplinary Board revoked Michael J. Biddinger's license to practice law for violating professional rules that govern declining or terminating representation and bar admission and disciplinary matters. His license had been suspended since September 27, 2010. RPC 1.16(e); 8.1(d)

<http://www.vsb.org/docs/Biddinger-121311.pdf>

JOHN MICHAEL COPPOLA

Leesburg, Virginia

11-000-087965

On December 5, 2011, the Virginia State Bar Disciplinary Board suspended John Michael Coppola's license to practice law for two years and six months for violating rules that govern responsibilities regarding nonlawyer assistants, violating or attempting to violate the rules of professional conduct, committing a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law, and engaging in conduct involving dishonesty, fraud, deceit or misrepresentation which reflects adversely on the lawyer's fitness to practice law. His license had been summarily suspended on July 29, 2011, based on his April 29, 2011, disbarment by the Maryland Court of Appeals. This was an agreed disposition of misconduct charges. RPC 5.3(b)(c)(1)(2); 8.4 (a)(b)(c)

<http://www.vsb.org/docs/coppola-121211.pdf>

BRETT NATHAN DORNY

Arvada, Colorado

12-000-089368

On October 28, 2011, the Virginia State Bar Disciplinary Board revoked Brett Nathan Dorny's license to practice law, based on his August 4, 2011, disbarment in Massachusetts. His Virginia license was summarily suspended on September 29, 2011. Part 6, § IV, ¶ 13–24.

<http://www.vsb.org/docs/Dorny-110711.pdf>

DISCIPLINARY BOARD

FRANCIS ALLEN MINOR

Springfield, Virginia

09-053-078432, 10-053-081956

Effective December 9, 2011, the Virginia State Bar Disciplinary Board suspended Francis Allen Minor's license to practice law for one year with terms for violating professional rules that govern communication, safekeeping property, unauthorized practice of law, bar admission and disciplinary matters, and misconduct. This was an agreed disposition of misconduct charges. RPC 1.4(a); 1.15(a)(1)(2); 5.5(a)(1); 8.1(a)(c); 8.4(a)

<http://www.vsb.org/docs/Minor-120511.pdf>

MARY ELLEN SLUGG

Centreville, Virginia

10-052-082218, 10-052-082297, 10-052-082298, 10-052-083016

On December 28, 2011, the Virginia State Bar Disciplinary Board imposed four concurrent twelve-month suspensions of Mary Ellen Slugg's license to practice law for violating professional rules that govern competence, diligence, and safekeeping property. The suspensions were effective January 1, 2012. This was an agreed disposition of misconduct charges. RPC 1.1; 1.3(a); 1.15(d)

<http://www.vsb.org/docs/slugg-010312.pdf>

DISTRICT COMMITTEES

KATHERINE MARTELL

Fairfax, Virginia

11-041-086630, 11-041-086807

On December 12, 2011, a Virginia State Bar Fourth District – Section I Subcommittee issued a public reprimand with terms to Katherine Martell for violating professional rules that govern diligence, communication, safekeeping property, declining or terminating representation, and responsibilities regarding nonlawyer assistants. This was an agreed disposition of misconduct charges. RPC 1.3(a)(b); 1.4(a); 1.15(c)(4); 1.16(d); 5.3(a)(b)(c)(1)(2)

<http://www.vsb.org/docs/Martell-121211.pdf>

Virginia Lawyer Register Online

For easier access to the documents cited in this magazine, the *Virginia Lawyer Register* is posted with live Internet links at http://www.vsb.org/docs/valawyerregister/Register_2012-03.pdf.

DISTRICT COMMITTEES

HENRY ALLEN THOMPSON

Waverly, Virginia

10-031-084194, 11-031-086623

On January 23, 2012, a Virginia State Bar Third District-Section I Subcommittee issued a public admonition to Henry Allen Thompson for violating professional rules that govern competence and diligence. This was an agreed disposition of misconduct charges. RPC 1.1; 1.3(a)

<http://www.vsb.org/docs/thompson-012312.pdf>

JOSEPH LOUIS TANTOH TIBUI

San Diego, California

09-041-076480, 10-041-083463, 11-041-086191

On December 13, 2011, a Virginia State Bar Fourth District-Section I Subcommittee issued a public reprimand to Joseph Louis Tantoh Tibui for violating professional rules that govern communication and declining or terminating representation. This was an agreed disposition of misconduct charges. RPC 1.4(a); 1.16(c)(d)

<http://www.vsb.org/docs/tibui-121311.pdf>

LICENSE FORFEITURES

The names of Virginia State Bar members who have forfeited their licenses to practice law for failure to pay annual membership fees are posted at:

<http://www.vsb.org/site/members/license-forfeitures/>. Forfeiture is governed by §54.1-3914, Code of Virginia. The list is current as of January 26, 2012.

FINAL ETHICS OPINION

LEGAL ETHICS OPINION 1861

The VSB's Standing Committee on Legal Ethics issued the following LEO as final on February 21, 2012:

LEGAL ETHICS OPINION 1861

May a Lawyer Serving As a Bankruptcy Trustee Communicate With the Debtor Without Consent By the Debtor's Lawyer?

Details can be found at <http://www.vacle.org/opinions/1861.htm>

PROPOSAL FOR PUBLIC COMMENT

The following proposal is published for public comment, which should be submitted in writing to Karen A. Gould, Executive Director, Virginia State Bar, 707 E. Main Street, Suite 1500, Richmond, VA 23219, no later than the end of the business day on the day of the deadline.

Deadline for comment: April 10, 2012

PROPOSED POLICY REVISION TO THE
JUDICIAL CANDIDATE EVALUATION COMMITTEE
(JUDICIAL NOMINATIONS COMMITTEE)

Proposed revisions to the Judicial Candidate Evaluation Committee policy include the name, which was the Judicial Nominations Committee, the committee membership, and the investigation and evaluation process.

Details:

<http://www.vsb.org/site/news/item/comments-sought-JCEC-policy>

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VA Lawyer Referral Service

The following proposal is published for public comment, which should be submitted in writing to Karen A. Gould, Executive Director, Virginia State Bar, 707 E. Main Street, Suite 1500, Richmond, VA 23219, no later than the end of the business day on the day of the deadline.

Deadline for comment: April 20, 2012

PROPOSED AMENDMENT TO RULE 1.15
SAFEKEEPING PROPERTY

On January 19, 2012, the Virginia State Bar's Standing Committee on Legal Ethics approved a proposed amendment to Rule 1.15 of the Rules of Professional Conduct to clarify that all funds held by a lawyer on behalf of others must be held in a trust account, while other property should be held in a safe deposit box or other place of safekeeping. As written, the rule currently could be read to permit a lawyer to keep client funds in a safe deposit box rather than in a trust account. The amendment also replaces the word "monies" in comment [1] with the word "funds," in order to make comment [1] consistent with the rule and other comments.

Details:

http://www.vsb.org/pro-guidelines/index.php/rule_changes/

RULE 1.15

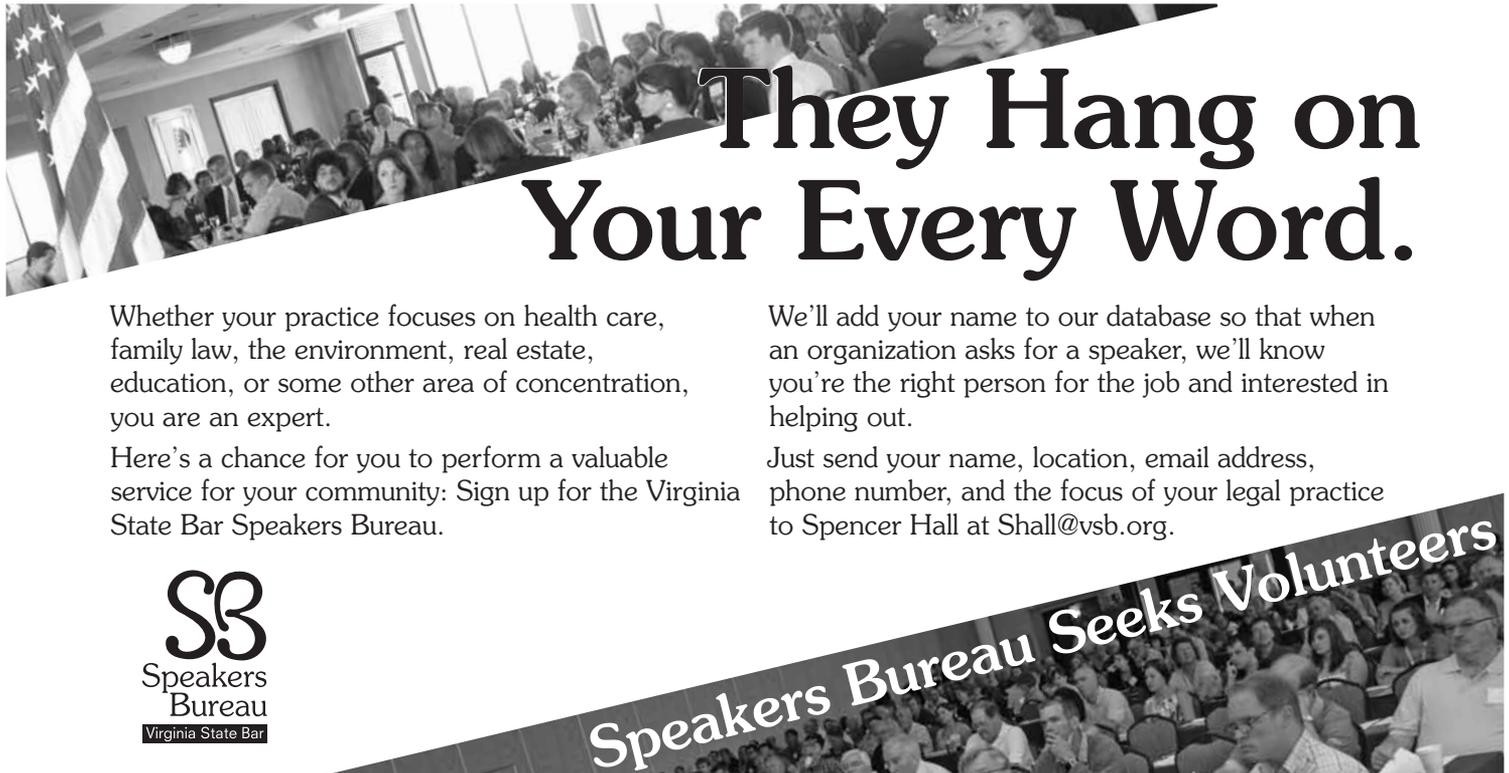
SAFEKEEPING PROPERTY

(a) Depositing Funds.

- (1) All funds received or held by a lawyer or law firm on behalf of a client or a third party, or held by a lawyer as a fiduciary, other than reimbursement of advances for costs and expenses shall be deposited in one or more identifiable trust accounts; all other property held on behalf of a client should be placed in a safe deposit box or other place of safekeeping as soon as practicable.

COMMENT

- [1] A lawyer should hold property of others with the care required of a professional fiduciary. Securities should be kept in a safe deposit box, except when some other form of safekeeping is warranted by special circumstances. For purposes of this Rule, the term "fiduciary" includes personal representative, trustee, receiver, guardian, committee, custodian, and attorney-in-fact. All property that is the property of clients or third persons should be kept separate from the lawyer's business and personal property and, if funds, in one or more trust accounts. Separate trust accounts may be warranted when administering estate funds or acting in similar fiduciary capacities.



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Whether your practice focuses on health care, family law, the environment, real estate, education, or some other area of concentration, you are an expert.

Here's a chance for you to perform a valuable service for your community: Sign up for the Virginia State Bar Speakers Bureau.

We'll add your name to our database so that when an organization asks for a speaker, we'll know you're the right person for the job and interested in helping out.

Just send your name, location, email address, phone number, and the focus of your legal practice to Spencer Hall at Shall@vsb.org.

Speakers Bureau Seeks Volunteers



**President-elect Harless Seeks Members
for Virginia State Bar Committees
With Terms Commencing July 1, 2012**

To: Members of the Bar
From: W. David Harless, President-elect

As you know, much of the work of the Virginia State Bar is done through its committees, and we need members willing to serve. Appointments will generally be for a three-year term, running from July 1, 2012, to June 30, 2015, with the possibility of another three-year term to follow. The work of the committees is time consuming and in most cases requires committee members to set aside substantial time to fulfill the requirements of the job.

To encourage participation - and recognizing the time constraints - members are generally limited to serving on only one committee. The number of available positions is quite limited, but I will attempt to accommodate as many people as possible.

The committees are as follows:

Standing Committees:*

- ◆ Budget & Finance
- ◆ Lawyer Discipline
- ◆ Legal Ethics
- ◆ Professionalism
- ◆ Unauthorized Practice of Law

Special Committees:

- ◆ Access to Legal Services
- ◆ Bench-Bar Relations
- ◆ Communications
- ◆ Information Technology
- ◆ Lawyer Malpractice Insurance
- ◆ Lawyer Referral
- ◆ Midyear Legal Seminar
- ◆ Personal Insurance for Members
- ◆ Resolution of Fee Disputes
- ◆ Technology and the Practice of Law

*Lawyer member vacancies on Standing Committees are limited due to requirements for a specific number of Executive Committee and Council members to serve on each committee.

If you would like to be considered for appointment to any of the VSB committees listed, please complete the form below or [download](http://www.vsb.org/site/about) the form at <http://www.vsb.org/site/about> and return it to the Virginia State Bar office by March 1, 2012 by mail, fax or e-mail to Asha B. Holloman:

Virginia State Bar
707 East Main Street, Suite 1500
Richmond, VA 23219-2800
fax: (804) 775-0501; holloman@vsb.org

VSB Committee Preference Form (term commencing July 1, 2012) (Please type or print)

Name: VSB Attorney No.:

Address:

City/State/Zip: Phone No.: Email:

| Choice | Committee Name | Have you ever served on this committee? | Length of Service |
|------------|----------------------|----------------------------------------------------------|----------------------|
| 1st Choice | <input type="text"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="text"/> |
| 2nd Choice | <input type="text"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="text"/> |
| 3rd Choice | <input type="text"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="text"/> |

Check here if you have never served on a VSB committee.

To assist us in the committee selection process, please provide the following information:

Private Practice Corporate Counsel

Primary area of practice: Other

Government attorney

Commonwealth City/County Federal

Attach a separate sheet with additional comments (i.e., qualifications and reason for wanting to serve).

**NOMINATIONS SOUGHT
FOR
SPECIAL BOARD AND COMMITTEE VACANCIES**

Volunteers are needed to serve the Virginia State Bar's special boards and committees. The Nominating Committee will refer nominees to the VSB Council for consideration at its June meeting.

Vacancies in 2012 are listed below. All appointments or elections will be for the terms specified, beginning on July 1, 2012.

EXECUTIVE COMMITTEE: 6 vacancies (of which 4 current members are eligible for reelection and 2 current members are not eligible for reelection). Filled from ranks of the council for 1-year terms, by council election.

CLIENTS' PROTECTION FUND BOARD: 4 lawyer vacancies (3 current lawyer members from the Seventh and Tenth disciplinary districts and 1 member-at-large are not eligible for reelection, and 1 current lawyer member-at-large is eligible for reelection). May serve 2 consecutive 3-year terms. Elected by council.

JUDICIAL NOMINATIONS COMMITTEE: 3 vacancies (of which 1 vacancy is to be filled by a member from the 2nd or 4th judicial circuits; the 2nd vacancy is to be filled by a member from the 1st, 3rd, 5th, 7th, or 8th judicial circuits, and the 3rd vacancy is to be filled by a member from the 23rd or 25th judicial circuits). May serve 1 full 3-year term. Elected by council.

VIRGINIA LAW FOUNDATION BOARD: 3 lawyer vacancies (of which 2 current lawyer members are not eligible for reelection; and 1 current lawyer member is eligible for reelection) and 1 lay member vacancy (of which 1 current lay member is eligible for reelection). May serve 2 consecutive 3-year terms. Elected by VLF Board on recommendation of council.

VIRGINIA CLE COMMITTEE: 6 lawyer vacancies (of which 6 lawyer members are eligible for reelection to 1-year terms). Elected by VLF Board on recommendation of council.

AMERICAN BAR ASSOCIATION DELEGATES: 1 vacancy (of which 1 present delegate is not eligible for reelection). May serve 3 consecutive 2-year terms. Elected by council.

Nominations, along with a brief résumé, should be sent by **April 27, 2012**, to
VSB Nominating Committee, c/o Asha Holloman, Virginia State Bar,
707 East Main Street, Suite 1500, Richmond, VA 23219-2800.