

VIRGINIA: BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD
IN THE MATTER OF
CATHERINE ANN LEE

VSB Docket No. 16-000-105895

OPINION AND ORDER

This private matter came to be heard on May 20, 2016, before a duly convened panel of the Virginia State Bar Disciplinary Board (the "Board") on a Petition to Lift Impairment Suspension, filed with the Board on March 1, 2016. The Board panel consisted of Whitney G. Saunders (Chair), Pleasant S. Brodnax III, J. Casey Forrester, Melissa W. Robinson and Stephen A. Wannall, lay member. The Virginia State Bar (the "Bar") was represented by Paulo E. Franco, Jr., Assistant Bar Counsel. The Petitioner, Catherine Ann Lee, was represented by Lawrence A. Drombetta, III.

Angela N. Sidener, court reporter, Chandler & Halasz; P.O. Box 9349; Richmond, Virginia 23227, (804) 730-1222, after being duly sworn, reported the hearing and transcribed the proceedings.

The Chair polled the members of the Board to determine whether any member had any personal or financial interest or bias which would preclude any of them from fairly hearing this matter and serving on the panel. Each member, including the Chair, responded in the negative.

The hearing room was cleared of all persons other than the members of the Board, the court reporter, the Petitioner, Petitioner's counsel, Assistant Bar Counsel, Assistant Clerks of the Disciplinary System, and all witnesses until such time as he or she was called to testify.

FINDINGS OF FACT

The parties delivered opening statements. The Petitioner then presented evidence in her case-in-chief, by calling witnesses, including the Executive Director of Lawyers Helping Lawyers, and persons well acquainted with the

Petitioner. The Bar cross-examined the witnesses called by the Petitioner, but presented no witnesses. Each of the witnesses testified to facts and opinions that supported the Petitioner's claim that she no longer suffers from the impairment that resulted in her suspension and that she is currently fit to practice law.

APPLICABLE RULE OF PROCEDURE

Petitioner's license to practice law was suspended indefinitely on August 26, 2005 due to her impairment.

Paragraph 13-23 of Part Six, Section 4 of the Rules of the Supreme Court of Virginia governs this Board's proceedings upon impairments of attorneys admitted to practice in Virginia, and likewise governs termination or lifting of suspensions based on impairments.

In pertinent part, Paragraph 13-23 provides that a suspension for impairment is of indefinite length, and, subject to exceptions not applicable here, shall be terminated or lifted only upon a determination by the Board that a petitioner no longer suffers from the impairment for which the suspension was imposed. In proceedings to terminate or lift such a suspension, the burden of proof rests with the petitioner.

DISPOSITION

Upon consideration of the evidence presented, the Board found by clear and convincing evidence that Petitioner has satisfied her burden of proof, and therefore it is hereby

ORDERED that Petitioner's impairment suspension shall be and is hereby lifted and terminated effective May 20, 2016; and

It is further **ORDERED** that an attested copy of this Order be mailed by certified mail, return receipt requested to Petitioner, Catherine Ann Lee, at her Virginia State Bar address of record, 9113 Fox Hill Race Court, Mechanicsville,

Virginia 23116; and by regular mail to Lawrence A. Drombetta, III, Counsel for
Petitioner, 9387 Horse Castle Court, #810, Glen Allen, Virginia 23060; and hand
delivered to Paulo E. Franco, Jr., Assistant Bar Counsel, Virginia State Bar; 1111
East Main Street, Suite 700; Richmond, Virginia 23219-0026.

ENTERED this 31 day of May, 2016.

VIRGINIA STATE BAR DISCIPLINARY BOARD

by Whitney G. Saunders
Whitney G. Saunders, Chair