

DISCIPLINARY SUMMARIES

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.

DISCIPLINARY BOARD

Wayne Richard Hartke

Reston, Virginia
17-051-107328

On August 25, 2017, the Virginia State Bar Disciplinary Board suspended Wayne Richard Hartke's license to practice law for five years effective October 27, 2019, for violating professional rules that govern candor toward the tribunal. The suspension will be consecutive to a three-year suspension issued on October 27, 2016. RPC 3.3 (a) (1)
www.vsb.org/docs/Hartke-091917.pdf

Christopher DeCoy Parrott

Manassas, Virginia
17-000-108869

Effective August 22, 2018, the Virginia State Bar Disciplinary Board suspended Christopher DeCoy Parrott's license to practice law for an additional six months for failing to comply with the terms on a twenty-one month suspension issued November 21, 2016. Rules Part Six, § IV, ¶ 13-29
www.vsb.org/docs/Parrott-061917.pdf

DISTRICT COMMITTEES

Karl Leonard Larson

Arlington, Texas
17-090-107631

On September 1, 2017, the Ninth District Subcommittee of the Virginia State Bar issued a public reprimand to Karl Leonard Larson for violating professional rules that govern safekeeping property. This was an agreed disposition of misconduct charges. RPC 8.5 USPTO RPC 37 C.F.R. Section 11.115
www.vsb.org/docs/Larsen-091917.pdf

DISCIPLINARY PROCEEDINGS

Suspension – Failure to Pay Disciplinary Costs

Sonya Borgaonkar Costanzo

Jean Jerome Dandy Ngando Ekwalla

William Peter Wittig

Stephen John Weisbrod

Fredericksburg, VA

Woodbridge, VA

Arlington, VA

Yorktown, VA

Effective Date

September 1, 2017

August 30, 2017

August 8, 2017

September 1, 2017

Lifted

September 7, 2017

NOTICES TO MEMBERS

VSB'S STANDING COMMITTEE ON LEGAL ETHICS SEEKING PUBLIC COMMENT ON LEOS

The Virginia State Bar's Standing Committee on Legal Ethics is seeking public comment on proposed advisory Legal Ethics Opinion 1888: *Prosecutor's duty to disclose evidence that tends to negate the guilt of the accused*; and on revisions to LEO 1750: *Advertising Issues*. Comment deadline: November 3, 2017.
www.vsb.org/site/news/item/public_comment_leos_1888_1750

CLIENTS' PROTECTION FUND

The Virginia State Bar Clients' Protection Fund Board is seeking comments on proposed changes to the sunset provision of Va. Code Section 54.1-3913.1, Clients' Protection Fund. Specifically, the proposal is to extend the sunset provision from July 1, 2020, to July 1, 2023. The CPF Board intends to seek approval from Council and the Supreme Court of Virginia to ask the General Assembly of Virginia to adopt this proposed change at its 2018 session. Comment deadline is October 15.
www.vsb.org/site/news/item/comments_sought_on_proposed_changes_to_the_CPF_sunset_provision

PRO BONO CONFERENCE

Save the date: the Special Committee on Access to Legal Services will hold its annual Pro Bono Conference and Celebration on Wednesday, October 18, at the Double Tree by Hilton Hotel in Charlottesville. www.vsb.org/site/pro_bono/pro_bono-calendar/pro_bono_conference_2017

PROFESSIONAL DEVELOPMENT CONFERENCE

Registration is open for the YLC Professional Development Conference CLE "Foundations for Your Future" on October 20 in Roanoke. www.vsb.org/site/conferences/ylc

MCLE DISCONTINUES MAILING INTERIM REPORT

In the interest of cost savings, the MCLE Department will discontinue mailing the MCLE Interim Report. Now is the time to check your online record and plan your MCLE compliance. Apply now for any non-approved course that you have attended. The MCLE compliance deadline is October 31, 2017.

CRIMINAL LAW SEMINAR

Save the date for the 48th Annual Criminal Law Seminar, sponsored by the VSB Criminal Law Section and Virginia CLE, February 2 in Charlottesville and February 9 in Williamsburg. www.vsb.org/site/sections/criminal/annual-seminar

VSb DISCIPLINARY BOARD TO HEAR ANNE MARSTON LYNCH WILBER'S REINSTATEMENT PETITION ON DECEMBER 8, 2017

Deadline for comment: November 27, 2017

On February 9, 2017, **Anne Marston Lynch Wilber** petitioned the Supreme Court of Virginia for reinstatement of her license to practice law pursuant to Part 6, § IV, ¶ 13-25.E of the Rules of the Supreme Court of Virginia. On February 17, 2017, the Clerk of the Virginia State Bar Disciplinary Board certified that the requirements of Part 6, § IV, ¶ 13-25.F were met. Accordingly, the Virginia State Bar Disciplinary Board will hear the Petition for Reinstatement on December 8, 2017, at 9:00 a.m. at the Workers Compensation Commission, 1000 DMV Drive, Richmond, Virginia 23220. After hearing evidence and oral argument, the Disciplinary Board will make factual findings and recommend to the Supreme Court whether the petition should be granted or denied.

The Disciplinary Board seeks information about Ms. Lynch Wilber's fitness to practice law. Written comments or requests to testify at the hearing should be submitted to DaVida M. Davis, Clerk of the Disciplinary System, 1111 East Main Street, 7th Floor, Richmond, Virginia, 23219 or by e-mail to clerk@vsb.org, no later than November 27, 2017. Comments will become a matter of public record. Copies of the May 2009 Order of Suspension, the December 2009 Order of Revocation, and the Petition for Reinstatement are available to the public by contacting Ms. Davis at clerk@vsb.org or by calling the clerk's office at (804) 775-0539.

Ms. Lynch Wilber was licensed to practice law in Virginia on October 6, 2000. On May 15, 2009, the Virginia State Bar Disciplinary Board entered an order suspending Ms. Lynch Wilber's license to practice law for one year based on misconduct in five cases involving lack of diligence, failure to communicate, and failure to respond to a lawful demand for information by a disciplinary authority.

On August 26, 2009, Ms. Lynch Wilber was indicted in the Circuit Court for the City of Suffolk for felony embezzlement in violation of Virginia Code Sections 18.2-111 and 18.2-95. On or about October 13, 2006, Ms. Lynch Wilber embezzled \$40,000 from a church where she served as treasurer. Ms. Lynch Wilber gave the embezzled funds to a client and falsely represented that the funds were the client's settlement proceeds from a personal injury suit. In fact, Ms. Lynch Wilber had nonsuited the client's case and had failed to refile the case within the statutory time period,

thus barring the client from recovery. Ms. Lynch Wilber repaid the church after her theft was discovered by a subsequent treasurer.

Ms. Lynch Wilber entered into a plea agreement on the embezzlement charges, which required her to consent to a revocation of her law license. On December 3, 2009, the Virginia State Bar Disciplinary Board accepted her Affidavit Consenting to Revocation and entered an order revoking her law license effective December 4, 2009. On December 2, 2009, pursuant to the plea agreement, Ms. Lynch Wilber was found guilty of embezzlement of an amount less than \$200, a lesser included misdemeanor. The court took the matter under advisement for three years and ordered that Ms. Lynch Wilber maintain good behavior and be placed on supervised probation. Ms. Lynch Wilber completed supervised probation without incident. On December 4, 2012, the court sentenced Ms. Lynch Wilber to twelve months in jail, all suspended on the condition of continued good behavior.

In her Petition for Reinstatement, Ms. Lynch Wilber acknowledges that it is her burden to establish to the Virginia State Bar Disciplinary Board that she is a person of honest demeanor and good moral character. Ms. Lynch Wilber states that her misconduct resulted from an element of impairment that affected her coping skills and judgment and that she has been under the care of a forensic psychologist since February 2009. Ms. Lynch Wilber submits that she has kept current with the law, has completed at least seventy credit hours of continuing legal education, including eighteen hours in ethics, all of which have been approved by the Virginia State Bar. She further provided proof that she took the Multistate Professional Responsibility Examination on November 7, 2015, and received a scaled score of ninety-six. The Virginia State Bar's Client Protection Fund has not paid out any money due to Ms. Lynch Wilber's misconduct.

Ms. Lynch Wilber's law license was placed under a Cost Suspension on September 16, 2009, for failure to pay costs associated with the five misconduct cases that resulted in a year suspension. On March 18, 2016, Ms. Lynch Wilber paid all outstanding costs and the Cost Suspension was lifted. Presently, Ms. Lynch Wilber does not owe the Virginia State Bar any costs or fees associated from any complaints against her.

From 2009 to the present, Ms. Lynch Wilber has worked as a paralegal for her father, Virginia lawyer Benjamin P. Lynch. Ms. Lynch Wilber has also been active in community service projects through the Portsmouth Service League and has been a volunteer at Bishop Sullivan Catholic High School. In 2015, Ms. Lynch Wilber completed the Vann H. Lefcoe Leadership Development Course. In 2016, Ms. Lynch Wilber was a member of the Campaign Steering Committee for the John Rowe for Mayor Campaign.

DISCIPLINARY PROCEEDINGS

Suspension – Failure to Comply with Subpoena		Effective Date	Lifted
Robert Lyman Isaac Shearer, Jr.	Fairfax, VA	September 14, 2017	
Impairment			
Shelly Renee Collette	Winchester, VA	September 14, 2017	
Reinstatement Petition of License to Practice Law			
Anne Marston Lynch Wilbur (formerly Anne Marston Lynch)	Portsmouth, VA	February 9, 2017	