

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTER OF
OLADIPO AKINWUNMI AKINDEKO**

VS B DOCKET NO. 21-051-119428

**AGREED DISPOSITION MEMORANDUM ORDER
NINE MONTH SUSPENSION**

On Wednesday, October 27, 2021 this matter was heard, telephonically, by the Virginia State Bar Disciplinary Board upon the joint request of the parties for the Board to accept the Agreed Disposition signed by the parties and offered to the Board as provided by Part 6, Section IV, Paragraph 13-6.H of the Rules of the Supreme Court of Virginia. The panel consisted of Carolyn V. Grady, Chair, Yvonne S. Gibney, David J. Gogal, Donita M. King and Nancy L. Bloom, Lay Member. The Virginia State Bar was represented by Renu M. Brennan, Bar Counsel. OlaDipo Akinwunmi AkinDeko was present and was not represented by counsel. The Chair polled the members of the Board as to whether any of them were aware of any personal or financial interest or bias which would preclude any of them from fairly hearing the matter to which each member responded in the negative. Court Reporter Jennifer L. Hairfield, Chandler and Halasz, P.O. Box 9349, Richmond, Virginia 23227, telephone (804) 730-1222, after being duly sworn, reported the hearing and transcribed the proceedings.

WHEREFORE, upon consideration of the Agreed Disposition, the Certification, Respondent's Response, Respondent's Disciplinary Record, the arguments of the parties, and after due deliberation,

It is **ORDERED** that the Disciplinary Board accepts the Agreed Disposition and the Respondent shall receive a Nine Month Suspension, as set forth in the Agreed Disposition, which is attached and incorporated in this Memorandum Order.

It is further **ORDERED** that the sanction is effective October 27, 2021.

It is further **ORDERED** that:

The Respondent must comply with the requirements of Part 6, Section IV, Paragraph 13-29 of the Rules of the Supreme Court of Virginia. The Respondent shall forthwith give notice by certified mail 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 clients. The Respondent shall give such notice immediately and in no event later than 14 days of the effective date of the Suspension, and make such arrangements as are required herein as soon as is practicable and in no event later than 45 days of the effective date of the Suspension. The Respondent shall also furnish proof to the Clerk of the Disciplinary System of the Virginia State Bar within 60 days of the effective date of the Suspension that such notices have been timely given and such arrangements have been 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 the Suspension, he shall submit an affidavit to that effect within 60 days of the effective date of the Suspension to the Clerk of the Disciplinary System at the Virginia State Bar. The Board shall decide all issues concerning the adequacy of the notice and arrangements required herein. The burden of proof shall be on the Respondent to show compliance. If the Respondent fails to show compliance, the Board may impose a sanction of Revocation or additional Suspension for failure to comply with the requirements of subparagraph 13-29.

The Clerk of the Disciplinary System shall assess costs pursuant to Part 6, Section IV, Paragraph 13-9.E of the Rules.

It is further ORDERED that an attested copy of this Order be mailed to the Respondent by electronic, regular first-class and certified mail, return receipt requested, at his last address of record with the Virginia State Bar at 6410 Lureta Ann Lane, Springfield, VA 22150, and a copy

by electronic mail to Renu M. Brennan, Bar Counsel.

Enter this Order this 27th day of October, 2021

VIRGINIA STATE BAR DISCIPLINARY BOARD

Carolyn V. Grady

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Grady
Date: 2021.10.27 15:32:24 -04'00'

Carolyn V. Grady
Chair



VIRGINIA:

**BEFORE THE DISCIPLINARY BOARD
OF THE VIRGINIA STATE BAR**

**IN THE MATTER OF
OLADIPO AKINWUNMI AKINDEKO**

VS B Docket No. 21-051-119428

**AGREED DISPOSITION
NINE MONTH SUSPENSION**

Pursuant to the Rules of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 13-6.H, the Virginia State Bar, by Renu M. Brennan, Bar Counsel and OlaDipo Akinwunmi AkinDeko, Respondent, hereby enter into the following Agreed Disposition for a Nine-Month Suspension arising out of the referenced matter.

I. STIPULATIONS OF FACT

1. Respondent was admitted to the Virginia State Bar (“VSB”) in 2015. At all relevant times, Respondent was a member of the VSB. Respondent has not been in good standing since October 2019, as set forth in more detail herein.
2. In April 2018, Elcin Mehyar retained Respondent to represent her in a civil lawsuit involving employment issues.
3. In April 2018, Ms. Mehyar paid Respondent an advance legal fee of \$3,000: \$1,000 in cash and \$2,000 by check.
4. In August 2018, Respondent filed suit in Fairfax Circuit Court on Ms. Mehyar’s behalf, Mehyar v. Ringer, Complaint No. 2018-12529. Respondent did not provide Ms. Mehyar with a copy of the lawsuit nor did he notify her that it had been filed.
5. After Respondent filed suit, he did not communicate with Ms. Mehyar.
6. Respondent’s last communication with Ms. Mehyar was in the fall of 2018. Ms. Mehyar has tried at numerous points to reach Respondent, without avail. Respondent asserts that in November 2018 he stopped practicing law and went on indefinite

medical leave. Respondent believed that his secretary notified his existing clients that he had stopped practicing law at the time he took leave.

7. In August 2019, Ms. Mehyar learned through a former intern of Respondent that Respondent was on a leave of absence. Respondent never advised Ms. Mehyar of this leave of absence, nor did he take any action on her case after filing the lawsuit. He also did not withdraw as counsel of record.
8. In October 2019, Respondent's license to practice law was administratively suspended for failure to pay his mandatory VSB membership dues.
9. Respondent did not advise Ms. Mehyar of the suspension of his Virginia law license.
10. Per Ms. Mehyar, Respondent never provided her with any accountings of her fee, nor did he return any unearned fees.
11. On July 30, 2020, Ms. Mehyar filed a bar complaint with the VSB.
12. By letter dated August 4, 2020, the VSB requested that Respondent respond to the bar complaint within 21 days. The VSB issued this and all correspondence detailed herein to Respondent's address of record with the VSB.
13. Respondent did not submit a written response to the bar complaint.
14. On September 28, 2020, the VSB subpoenaed Respondent's file and trust account records related to his representation of Ms. Mehyar.
15. Respondent did not respond to the subpoena.
16. By letter dated October 29, 2020, the VSB issued a Notice of Noncompliance and Request for Interim Suspension of Respondent's license to practice law. Respondent had 10 days to request a hearing. Respondent did not request a hearing.
17. By Order entered November 13, 2020, the VSB Disciplinary Board suspended Respondent's license due to failure to comply with the subpoena.

18. In his December 2020 interview with the VSB investigator, Respondent advised that he had stopped practicing law in November 2018 and had asked his secretary to notify his clients.
19. As of August 2021, Respondent was still listed as counsel of record for Ms. Mehyar in the Fairfax Circuit Court case. In September 2021, following issuance of this Certification, Respondent withdrew as counsel of record.

II. NATURE OF MISCONDUCT

Such conduct by Respondent constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

RULE 1.3 Diligence

- (a) A lawyer shall act with reasonable diligence and promptness in representing a client.

RULE 1.4 Communication

(a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

RULE 1.15 Safekeeping Property

- (b) Specific Duties. A lawyer shall:

(3) maintain complete records of all funds, securities, and other properties of a client coming into the possession of the lawyer and render appropriate accountings to the client regarding them;

RULE 1.16 Declining Or Terminating Representation

(a) Except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if:

(1) the representation will result in violation of the Rules of Professional Conduct or other law;

(2) the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client; or

(c) In any court proceeding, counsel of record shall not withdraw except by leave of court after compliance with notice requirements pursuant to applicable Rules of Court. In any other matter, a lawyer shall continue representation notwithstanding good cause for terminating the representation, when ordered to do so by a tribunal.

(d) Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, refunding any advance payment of fee that has not been earned and handling records as indicated in paragraph (e).

RULE 8.1 Bar Admission And Disciplinary Matters

An applicant for admission to the bar, or a lawyer already admitted to the bar, in connection with a bar admission application, any certification required to be filed as a condition of maintaining or renewing a license to practice law, or in connection with a disciplinary matter, shall not:

(c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6.

III. PROPOSED DISPOSITION

Accordingly, Bar Counsel and Respondent tender to the Disciplinary Board for its approval the agreed disposition of a Nine-Month Suspension as representing an appropriate sanction if this matter were to be heard through an evidentiary hearing by a panel of the

Disciplinary Board. Bar Counsel and Respondent agree that the effective date for the sanction shall be the date of entry of the Disciplinary Board Order approving this Agreed Disposition.

If the Agreed Disposition is approved, the Clerk of the Disciplinary System shall assess costs pursuant to ¶ 13-9.E of the Rules.

THE VIRGINIA STATE BAR

By: *Renu M. Brennan*
Renu M. Brennan
Bar Counsel


OlaDipo Akinwunmi AkinDeko
Respondent