

**VIRGINIA:**

**BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD**

**IN THE MATTER OF  
DANIEL ROBERT GOODWIN**

**VSb DOCKET NO. 19-052-113374**

**CONSENT TO REVOCATION ORDER**

On June 22, 2021, came Respondent Daniel Robert Goodwin (“Respondent”) and presented to the Virginia State Bar Disciplinary Board (“Board”) an Affidavit Declaring Consent to Revocation (“Affidavit”) of his license to practice law in the courts of this Commonwealth. By tendering his Consent to Revocation at a time when allegations of Misconduct are pending, the nature of which are specifically set forth in the attached Affidavit, Respondent acknowledges that the material facts upon which the allegations of Misconduct are pending are true.

The Board, having considered Respondent’s Affidavit, and Bar Counsel having no objection thereto, accepts his Consent to Revocation.

Upon consideration whereof, it is therefore ORDERED that Respondent Daniel Robert Goodwin’s license to practice law in the courts of this Commonwealth be and the same hereby is revoked, and that the name of **Daniel Robert Goodwin** be stricken from the Roll of Attorneys of this Commonwealth.

It is further ORDERED that the Clerk of the Disciplinary System shall mail an attested copy of this Order by electronic, regular and certified mail to the Respondent, Daniel Robert Goodwin, at his address of record with the Virginia State Bar, and a copy by electronic mail to Elizabeth K. Shoenfeld, Senior Assistant Bar Counsel.

Entered this 22nd day of June 2021.

Virginia State Bar Disciplinary Board

By: Yvonne S. Gibney Digitally signed by Yvonne S. Gibney  
Date: 2021.06.22 13:43:19 -04'00'  
Yvonne S. Gibney  
Chair

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF  
DANIEL ROBERT GOODWIN

VSB Docket No. 19-052-113374

AFFIDAVIT DECLARING CONSENT TO REVOCATION

I, Daniel Robert Goodwin, after being duly sworn, state as follows:

1. I was licensed to practice law in the Commonwealth of Virginia on March 4, 1980.

2. I submit this Affidavit Declaring Consent to Revocation pursuant to Rule of Court, Part 6, Section IV, Paragraph 13-28.

3. My consent to revocation is freely and voluntarily rendered. I am not being subjected to coercion or duress, and I am fully aware of the implications of consenting to the revocation of my license to practice law in the Commonwealth of Virginia.

4. I am aware that there is currently pending a proceeding involving allegations of misconduct, the docket number for which is set forth above, and the specific nature of which is here set forth:

- I was licensed to practice law in Virginia in 1980. Until March 15, 2017, I was a member in good standing of the Virginia State Bar.
- In August 2016, I prepared an updated will for Mary Shenk. Over the past 30 years, I had prepared several wills and revisions thereof for both Mary Shenk and her previously deceased husband.
- A few days after I prepared the August 2016 will, I visited Shenk at her home since Shenk and her deceased husband and I had a long-standing friendship since the early

1980's. After a long discussion about her current health situation, when asked how I was doing I told Shenk that I was being criminally prosecuted in Kentucky and during that discussion when asked by Shenk how I was doing financially, I stated I anticipated my ability to maintain my office would be more difficult as a result of the expenses associated with my defense costs. Shenk asked me if \$20,000 would help, and I told her that it would.

- I agreed to repay Shenk her \$20,000 plus a “kicker” of \$5,000. This transaction was not in writing. I did not advise her to seek counsel since she offered financial assistance and we had such a long-standing friendship.
- Shenk wrote a check to The Goodwin Law Firm<sup>1</sup> for \$20,000. The check was written from an account to which Shenk's sister, Catherine Sterling, had been added as a joint owner. Shenk's check was deposited in error into my law firm's trust account on August 29, 2016 instead of into the firm's operating account.
- Just before Shenk's check was so deposited, my law firm's trust account had a balance of \$25,397.18.
- On August 31, 2016, a \$35,000 check made out to NOVA Title was presented against my trust account. The check to NOVA Title was dated July 27, 2016.
- In response to questioning from a bar investigator in October 2019, I acknowledged a shortage in my trust account but did not have the records necessary to explain what caused it.
- Shenk died on November 4, 2016.
- As of November 4, 2016, I had not repaid Shenk the \$20,000, or any portion thereof, that was provided by her.
- On January 22, 2017, Sterling emailed me to inquire about Shenk's loan to me. I responded the next day:

The 20K was a project loan/investment. I have a project I am working on in Cabo San Lucas, Mexico and when it closes (expected by the end of this Feb) I told her she would get the 20K back and interest on the money from the project funding. That agreement with her is still in place.

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<sup>1</sup> I was the only attorney at the Goodwin Law Firm.

- On March 15, 2017, my license to practice law in Virginia was suspended as a result of my criminal conviction in the United States District Court for the Eastern District of Kentucky.
- On November 9, 2017 Sterling emailed me to inquire “about the status of Mary’s \$20,000 investment from last year.”
- I replied that same day:

My client is finally in the last stages to close on its acquisition of the property. We fully expect and anticipate to close before the end of this year (probable the 1<sup>st</sup> week of Dec as it looks now). Closing documents are now being circulated for comment, etc. I’ll keep you posted on that front, too.

- On December 15, 2017, I again told Sterling, “We are anticipating closing the transaction I’m working on that Mary got into before the end of the year so I’ll keep you posted on that front, too.”
- On December 28, 2017, I wrote to Sterling, “We are set to close the transaction Mary was involved with later today or tomorrow. I’ll keep you posted. They are pushing to finish it before the end of the year.”
- On January 9, 2018, I began serving my prison sentence at the Petersburg Federal Correctional Institution.
- On August 16, 2018, Sterling filed an Inquiry Form with the Virginia State Bar (“VSB”). On August 22, 2018, the Virginia State Bar sent a letter to me enclosing Ms. Sterling’s Inquiry Form.
- On August 26, 2018, my former assistant Rhonda Thompson wrote to Sterling:

The latest is the sellers in Mexico are finally close to getting the title issue resolved. Conroy was in Dallas last week meeting with the funding source explaining the title status and discussing the financing schedule. Those issues are still being negotiated. Conroy hopes/expects to have initial funding for the project in the next 2-3 weeks. That’s when it is anticipated the court in Mexico will be finished with the estate issues that impact the title issues. Long and short of it, everything still appears to be on track to finish. We are all just waiting for the steps that need to be completed to be finished so we can close. Certainly have not

forgotten about her and will get her satisfied as soon as we get closed.

- On October 8, 2018, I replied to Sterling's letter to the VSB from prison. I said that "Ms. Sterling is in line to receive all of the money promised [sic] to her sister as her sister and I discussed and agreed upon my meeting with her in August, 2016." I wrote that the delay in paying Ms. Sterling what she was owed was a result of title problems with the Cabo San Lucas transaction. However, I also said that I had worked on several other transactions that were in the process of closing and, once completed, I would pay Ms. Sterling the money she had been promised.
- In a letter to the Virginia State Bar dated October 22, 2018, Ms. Sterling wrote..."I received the response from Mr. Goodwin and am glad to say that my original opinion of Mr. Goodwin is reinstated. Apparently my sister was guarding Mr. Goodwin from embarrassment and was not forthcoming to me or others regarding the \$20,000 she gave to him." Further Ms. Sterling wrote "I am more than satisfied with his explanation of his dealings prior and after my sister's death. I did not intend for this to be necessarily a complaint as much as an inquiry."
- On May 17, 2019, before a panel of the Virginia State Bar Disciplinary Board, a hearing was held concerning my ability to practice law as a result of my criminal conviction in Kentucky (VSB Docket No. 17-000-108658). A Memorandum Order of Suspension was entered on May 29, 2019. The disposition of the Board, by unanimous consent, was the suspension of my license to practice law in the Commonwealth of Virginia for a period of three years, effective March 15, 2017. It was further ordered that I comply with the requirements of the Rules of the Supreme Court of Virginia, Part Six, §IV, ¶ 13-29. In the aforementioned Memorandum Order of Suspension, the following statement was included: "Respondent has no prior disciplinary record over a legal career of nearly four decades."
- On October 29, 2019, I told a bar investigator that the deal in Mexico fell through while I was incarcerated.
- As of June 7, 2021, I have not paid Sterling any of the \$25,000 that I promised to pay to her sister and ultimately to her as a result of her sister's death. I restate my commitment to satisfy this financial obligation.

5. I acknowledge that the material facts upon which the allegations of misconduct are predicated are true.

6. On November 19, 2020, I suffered a heart attack and on November 20, 2020 I underwent triple by-pass heart surgery - the effects from which I am still recovering. It is generally advised by the medical community to minimize stress levels in an effort to avoid further heart failure and damage. As a result thereof, I do not wish to further defend this matter before the disciplinary board.

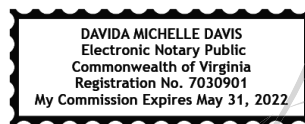
7. I submit this Affidavit and consent to the revocation of my license to practice law in the Commonwealth of Virginia because I know that if the disciplinary proceedings based on the said alleged misconduct were brought or prosecuted to a conclusion, I could not successfully defend them.

Executed and dated on 6/22/2021 **Daniel Robert Goodwin** Digitally signed by Daniel Robert Goodwin  
Date: 2021.06.22 10:39:49 -04'00'

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Daniel Robert Goodwin

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF Richmond, to wit:

The foregoing Affidavit Declaring Consent to Revocation was subscribed and sworn to before me by Daniel Robert Goodwin on June 22, 2021



Digitally signed by DaVida M Davis  
Date: 2021.06.22 10:52:19 -04'00'

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Notary Public

My Commission expires: 5/31/2022.