

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTERS OF
ELLEN MARY LYNCH**

**VSb DOCKET NOS. 18-051-112300 and
21-000-122407**

CONSENT TO REVOCATION ORDER

On September 7, 2021, came Ellen Mary Lynch and presented to the Board an Affidavit Declaring Consent to Revocation (hereinafter "Affidavit") of her license to practice law in the courts of this Commonwealth. By tendering her Consent to Revocation at a time when a disciplinary complaint, Investigation or Proceeding is pending, the nature of which is specifically set forth in the attached Affidavit with Exhibits A and B, Respondent acknowledges that the material facts contained in the pending disciplinary complaint, Investigation or Proceeding are true.

The Board having considered the Affidavit, and Bar Counsel having no objection, the Board accepts her Consent to Revocation.

Upon consideration whereof, it is therefore ordered that Ellen Mary Lynch's license to practice law in the courts of this Commonwealth be and the same hereby is revoked, and that the name of Ellen Mary Lynch 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, return receipt requested, to the Respondent, Ellen Mary Lynch at her address of record with the Virginia State Bar, being, 3709 N. Nelson St., Arlington, VA 22207 and a copy sent by electronic mail to M. Brent Saunders, Senior Assistant Bar Counsel.

Entered this 7th day of September, 2021

Virginia State Bar Disciplinary Board

By **Carolyn V. Grady**

Digitally signed by Carolyn V.
Grady
Date: 2021.09.07 16:49:53 -04'00'

Carolyn V. Grady
Chair

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF
ELLEN MARY LYNCH

VS B Docket Nos. 18-051-112300
21-000-122407

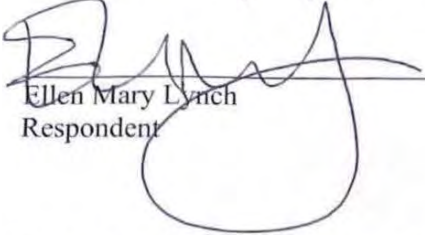
AFFIDAVIT DECLARING CONSENT TO REVOCATION

Ellen Mary Lynch, after being duly sworn, states as follows:

1. She was licensed to practice law in the Commonwealth of Virginia on October 11, 2002;
2. She submits this Affidavit Declaring Consent to Revocation pursuant to Part 6, Section IV, Paragraph 13-28 of the Rules of Court;
3. Her consent to revocation is freely and voluntarily rendered, she is not being subjected to coercion or duress, and she is fully aware of the implications of consenting to the revocation of her license to practice law in the Commonwealth of Virginia;
4. She is aware she is the subject of two pending Disciplinary Proceedings, the docket numbers for which are referenced above and the specific nature of each is as follows:
 - Docket No. 18-051-112300: allegations of Misconduct set out in the Subcommittee Determination (Certification) issued on April 9, 2019, a copy of which is attached hereto as Exhibit A and incorporated herein.
 - Docket No. 21-000-122407: failing to comply with Part 6, Section IV, Paragraph 13-29 of the Rules of Court following entry of a Consent Order of Impairment Suspension on May 12, 2020. A copy of the Petition for Show Cause Hearing for Failure to Comply with Part 6, Section IV, Paragraph 13-29 of the Rules of Court is attached hereto as Exhibit B and incorporated herein;
5. She acknowledges the material facts upon which the Disciplinary Proceedings are predicated are true; and

6. She submits this Affidavit and consents to the revocation of her license to practice law in the Commonwealth of Virginia because she knows that if Proceedings based on the said alleged Misconduct were prosecuted to a conclusion, she could not successfully defend them.


Executed on 9/7/21



Ellen Mary Lynch
Respondent

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

The foregoing Affidavit Declaring Consent to Revocation was subscribed and sworn to before me by Ellen Mary Lynch on September 7th, 2021.



Notary Public

My Commission expires: 12/31/2023.



VIRGINIA:

BEFORE THE FIFTH DISTRICT, SECTION I SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
ELLEN MARY LYNCH

VSB Docket No. 18-051-112300

SUBCOMMITTEE DETERMINATION
(CERTIFICATION)

On January 09, 2019, a meeting in this matter was held before a duly convened Fifth District, Section I Subcommittee consisting of David I. Gold, Esquire, Kathleen E. Harold, Lay Member, and Colleen M. Haddow, Esquire, presiding. Pursuant to Part 6, §IV, ¶13-15.B.3 of the Rules of the Supreme Court of Virginia, the Fifth District, Section I Subcommittee of the Virginia State Bar hereby serves upon Ellen Mary Lynch, (“Respondent”) the following Certification:

I. ALLEGATIONS OF FACT

1. At all times relevant hereto, Respondent has been an attorney licensed to practice law in the Commonwealth of Virginia.
2. On April 13, 2018, the Virginia State Bar (the “VSB”) received notification from the United States Department of Justice (“DOJ”) that the DOJ Office of Professional Responsibility (“OPR”) had completed a confidential investigation into allegations that, during the course of her employment with DOJ as a Senior Trial Attorney, Respondent demonstrated a lack of candor in representations made to her DOJ supervisors and to the federal district court regarding the status of discovery in the case of *John Anderson*

Exhibit A

Farms, Inc. v. United States. At all times relevant hereto, Respondent was the lead trial attorney for DOJ in the *John Anderson Farms* case.¹

3. The *John Anderson Farms* case and another related matter, the *Klamath Irrigation District* matter which was being handled by the Environmental and Natural Resources Division (“ENRD”) of DOJ, both involved farmers in Oregon and California who had filed claims against the United States challenging a Bureau of Reclamation action restricting the farmers’ allocations of water during a particular growing season. Respondent represented the United States in the *John Anderson Farms* matter and, in that capacity, made the decision that title searches of the farmers’ land were necessary to the defense of the case. Specifically, these title searches were intended to determine the precise acreage at issue, and the ownership of that land, so that an accurate assessment of damages could be made. Respondent was not involved in the handling of the *Klamath* case, on which lead counsel for ENRD was Kristine Tardiff, Esquire.
4. As the *John Anderson Farms* case proceeded in 2015 and into 2016, the federal district court before which the case was pending ordered that Respondent and the other attorneys in the case submit certain filings pertaining to the status of discovery, the setting of briefing schedules and a trial date. Respondent was primarily responsible for the preparation and filing of these status reports in the *John Anderson Farms* case.²

¹ Respondent was assigned to the *John Anderson Farms* case in December, 2014, and at that time was co-counsel with David Harrington, Esquire. Mr. Harrington was removed from the case in mid-2015 and from that point forward, Respondent was sole government counsel on the case.

² The *John Anderson Farms* and *Klamath Irrigation District* cases were consolidated in January, 2016, and so the status reports at issue herein also contain updates concerning the *Klamath Irrigation District* matter. The *Klamath* updates were prepared by Ms. Tardiff.

5. In certain of these filings, Respondent represented to the court and to opposing counsel that she had ordered the title searches discussed above, that those searches were ongoing and would be completed by dates certain.
6. Specifically, on October 8, 2015, Respondent joined in the submission of a “Joint Status Report Regarding Discovery” wherein she represented to the court and opposing counsel that, “Defendant (the United States) has begun and will continue the steps necessary to conduct the title search.” In fact, Respondent had not yet contacted any title company to begin title searches on the parcels of land at issue in the case.
7. Also on October 8, 2015, Respondent joined in the submission of a “Joint Statement of Categories and Identification of the Properties at Issue in this Case.” In this submission, Respondent represented to the court and opposing counsel that, “The title search defendant is **conducting** may enable the parties to reach a stipulation regarding the parcels at issue in this case.” (emphasis added.) Again, at the time of this submission, Respondent had not yet contacted any title company to begin title searches on the parcels of land at issue in the case.
8. On December 8, 2015, Respondent joined in the submission of a “Joint Status Report Regarding Discovery” wherein she represented to the court and opposing counsel that, “Defendant is continuing the process of the title search on the parcels identified by the plaintiffs and anticipates that we will be able to provide the documentation resulting from the title search to the plaintiffs on or before February 25, 2016.”
9. Respondent stated that she had a telephone conversation with Mr. Bill Breedlove of AmeriTitle concerning these title searches in December, 2015, and at that time emailed him a spreadsheet listing the parcels at issue and tasked him with completion of the title

search project.³ Mr. Breedlove disputes this assertion, recalling only that he received a phone call from “a woman” asking general questions about the issue. Mr. Breedlove denied that Respondent emailed him at all in December, 2015, and stated that she did not email him any spreadsheets at that time. A search of Mr. Breedlove’s email inbox confirmed that there were no emails from Respondent during this time frame contained therein.

10. It is undisputed that there was no contact between Respondent and Mr. Breedlove from December, 2015 until March, 2016, as discussed more fully below.
11. On January 22, 2016, Respondent joined in the submission of a “Joint Status Report on Proposed Trial Dates” wherein she opposed the plaintiffs’ effort to have the trial of the case begin on June 27, 2016. Respondent requested instead that the trial be delayed into 2017, basing her opposition, in part, on the need for the title search results. Specifically, Respondent stated that the United States intended to file a summary judgment motion on the issue of whether certain property interests at issue had been “clarified, redefined, or altered” by certain contracts, and that this motion could not be filed until the title search results were obtained.⁴ In this “Joint Status Report on Proposed Trial Dates,” Respondent represented to the court and opposing counsel that, “The title work in the *John Anderson Farms* case is expected to be completed by the end of January, 2016. Assuming no delays in the receipt of that title work from the title companies and allowing time to produce the title records to Plaintiffs . . . the United States proposes to file its motion for summary judgment by March 30.” In further support of her request that trial

³Mr. Breedlove had been referred to Respondent by Ms. Tardiff, ENRD counsel in the *Klamath* matter, for whom Mr. Breedlove had completed similar title search work in that case.

⁴ The Plaintiffs averred that Respondent took the position that, [T]he Government states it is waiting on title documents before filing this motion . . .”

be delayed, Respondent represented, "Once the title work is completed in *John Anderson Farms*, Defendant is prepared to move forward with consolidated briefing in both cases on the property right question."

12. In a series of emails exchanged between Respondent and Ms. Tardiff on March 11, 2016, Ms. Tardiff alerted Respondent to the plaintiffs' assertion that the government had failed to file its motion for summary judgment in a timely fashion. Ms. Tardiff assisted in the drafting of the language quoted in Paragraph 11, above, for Respondent's review and approval, which approval Respondent gave.
13. On February 22, 2016, Respondent joined in the submission of a "Joint Status Report Regarding Discovery" wherein she represented to the court and opposing counsel that, "Defendant states that it is continuing the process of the title search on the parcels identified by the *John Anderson Farms* plaintiffs and, as previously reported, anticipates that it will be able to provide the documentation resulting from the title search to the plaintiffs on or before February 25, 2016."
14. Respondent's first documented contact of Mr. Breedlove to discuss the title searches on the *John Anderson Farms* properties was by email dated March 11, 2016. In this email sent at 9:54 a.m. EST on March 11, 2016, Respondent wrote, "Billy – Attached is the spreadsheet that has the parcel identification information. . . If you could let me know how quickly you would be able to get the title reports out to us, I would really appreciate it. Thanks for taking the time to review this spreadsheet." In several following emails, Respondent and Mr. Breedlove discussed the scope of the project seemingly for the very first time. There is no discussion about the cost of the project, who should be billed, or how Mr. Breedlove could expect to be paid for the work.

15. The final email in the March 11, 2016, chain (dated March 15, 2016) is from Mr. Breedlove to Respondent in which he inquired, "What is your time line/dead line?" This is the last email exchanged between Respondent and Mr. Breedlove that was recovered during OPR's investigation into this matter, and it thus does not appear that Respondent ever responded to Mr. Breedlove's question about her time line. During his interview with OPR, Mr. Breedlove informed OPR investigators that, since he never heard anything further from Respondent, he did not believe he had been engaged and therefore did not begin the title search project at that time.
16. It is undisputed that Respondent's next attempt to contact Mr. Breedlove after this March, 2016 email exchange was in April, 2016, after she had been removed as lead counsel in the *John Anderson Farms* case.
17. On March 11, 2016, Respondent joined in the submission of a "Joint Status Report Regarding Discovery" wherein she represented to the court and opposing counsel that, "Defendant states that it is continuing the process of the title search on the parcels identified by the *John Anderson* plaintiffs and, while we previously reported that [we] expected to be able to produce the documentation resulting from the title search to the plaintiffs on or before February 25, 2016 . . . we have encountered some difficulties in obtaining the necessary title documentation. We anticipate that we will be able to provide the documentation resulting from the title search to the plaintiffs on or before April 22, 2016."
18. In or around March, 2016, Respondent was informed by Deputy Director Bryan S. Snee that David Harrington, Esquire with ENRD would be taking over responsibility as lead counsel in the *John Anderson Farms* matter due to his prior experience with the case. At

that time, Respondent informed Mr. Snee that there was one outstanding discovery matter for which she was responsible and wished to complete. Mr. Snee permitted responsibility for this work, the title searches, to remain with Respondent.

19. On April 20, 2016, Mr. Harrington contacted Respondent's first line supervisor, Assistant Director Deborah Bynum, concerning the looming April 22nd deadline for the production of the title search reports. Mr. Harrington asked that Ms. Bynum look into the situation since Ms. Tardiff had attempted to reach Respondent but had been unable to do so.⁵ Later that day, Mr. Snee contacted Respondent at her home at which time she advised Mr. Snee that AmeriTitle needed approximately three (3) more weeks to complete the title search work. There is no evidence to suggest that Respondent contacted Mr. Breedlove to obtain this time estimate.
20. On April 21, 2016, relying upon this representation by Respondent, Mr. Harrington prepared a "Defendant's Motion to Extend Time to Provide Title Records to Plaintiffs for *John Anderson Farms Claims*." Mr. Harrington requested an additional three weeks to produce the title search reports, "[B]ecause the attorney handling this particular discovery task (Respondent) has unexpectedly been out of the office for an extended period due to a personal matter." The court granted this motion.
21. On April 25, 2016, Mr. Snee and Ms. Bynum spoke to Respondent by telephone concerning the status of the title searches. At that time, Respondent represented to her supervisors that the title searches were in progress and that the title company believed it could complete the task in about three weeks. At that time, Respondent's supervisors

⁵At this time, Respondent was experiencing health issues that necessitated that she take leave from her duties as Senior Trial Attorney for DOJ.

obtained the name of the title search company, and Mr. Breedlove's contact information, which they passed on to Mr. Harrington and Ms. Tardiff.

22. On April 27, May 2, and May 3, 2016, Ms. Tardiff exchanged emails with Mr. Breedlove, obtaining from him the original spreadsheet Respondent had sent to him in March, 2016, providing him with an updated spreadsheet, and inquiring about AmeriTitle's ability to perform searches on California parcels. Mr. Breedlove informed Ms. Tardiff that his company had not begun the title search project for the *John Anderson Farms* matter since Respondent had never instructed him to do so. Mr. Breedlove stated further that he had previously advised Respondent that AmeriTitle did not have an office in California.
23. On May 3, 2016, Ms. Tardiff and Mr. Snee encountered one another at a judicial conference. At this time, Ms. Tardiff advised Mr. Snee what she had learned from Mr. Breedlove, specifically that Respondent had never given him the "green light" to proceed with the title searches and therefore AmeriTitle was not, and never had been, working on the project. Ms. Tardiff also informed Mr. Snee that some of the properties were located in California, that AmeriTitle did not conduct business in that state, and there was no evidence that Respondent had undertaken any effort to reach out to a company that could conduct business in California.
24. On June 21, 2016, Mr. Snee contacted Mr. Breedlove who confirmed the above. Mr. Breedlove further advised Mr. Snee that Respondent contacted him in March and April, 2016, concerning the scope of, and deadline for, the title search project and that in his last communication with Respondent, he sought authority from her to commence the work.

Mr. Breedlove stated that he never heard anything further from Respondent or the DOJ until he was contacted by Ms. Tardiff.

25. An internal DOJ investigation into this matter was conducted which resulted in a Memorandum dated July 7, 2016, recommending that Respondent be suspended for seven (7) days and be stripped of her status as Senior Trial Counsel. On July 13, 2016, that proposal was withdrawn due to the opening of a further investigation into the matter by OPR. Respondent tendered her resignation from DOJ on August 19, 2016, and her last day at DOJ was August 24, 2016.
26. By misrepresenting the status of the title searches to her employer, DOJ, and to her supervisors, Mr. Snee and Ms. Bynum, Respondent also made misrepresentations to her client, the U.S., and failed to keep her client advised of the status of the case.
27. On April 17, 2018, the VSB sent Respondent a letter enclosing the complaint filed against her by DOJ and demanded that she file a response thereto within twenty-one (21) days as is her obligation under Rule of Professional Conduct 8.1(c). Respondent failed to file any written or other response.
28. During the course of the investigation of this case, Virginia State Bar Investigator Ronald H. McCall contacted Respondent in order to schedule an interview of her. Respondent failed to respond to Investigator McCall and thus further failed to cooperate with the VSB in its investigation of this case.

II. NATURE OF MISCONDUCT

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

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.

(c) A lawyer shall inform the client of facts pertinent to the matter and of communications from another party that may significantly affect settlement or resolution of the matter.

RULE 1.3 Diligence

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

RULE 3.3 Candor Toward The Tribunal

(a) A lawyer shall not knowingly:

(1) make a false statement of fact or law to a tribunal[.]

RULE 4.1 Truthfulness In Statements To Others

In the course of representing a client a lawyer shall not knowingly:

(a) make a false statement of fact or law[.]

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[.]

RULE 8.4 Misconduct

(c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation which reflects adversely on the lawyer's fitness to practice law[.]

III. CERTIFICATION

Accordingly, it is the decision of the Subcommittee to certify the above matters to the Virginia State Bar Disciplinary Board.

FIFTH DISTRICT, SECTION I SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

By Colleen M. Haddow

Colleen M. Haddow
Subcommittee Chair

CERTIFICATE OF SERVICE

I certify that on the 9th day of April, 2019, I caused to be mailed by certified mail a true and correct copy of the foregoing Subcommittee Determination (Certification) to Ellen Mary Lynch, Esquire, Respondent, at Baker Botts LLP, 1299 Pennsylvania Ave NW, Washington, DC 20004-2400, Respondent's last address of record with the Virginia State Bar.



Kathleen Maureen Uston
Assistant Bar Counsel

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF
ELLEN MARY LYNCH

VS B Docket No. 21-000-122407

PETITION FOR SHOW CAUSE HEARING FOR FAILURE TO COMPLY
WITH PART 6, SECTION IV, PARAGRAPH 13-29 OF THE RULES OF COURT

The Virginia State Bar (“VSB”) petitions the Disciplinary Board (“the Board”) to issue a Rule to Show Cause requiring Ellen Mary Lynch (“Respondent”) to appear before the Board on October 22, 2021, at 9:00 a.m., to show cause why her license to practice law in the Commonwealth of Virginia should not be suspended or revoked for failing to comply with Part 6, Section IV, Paragraph 13-29 of the Rules of Court, on the following grounds:

1. Respondent was licensed to practice law in the Commonwealth of Virginia on October 11, 2002.
2. On May 12, 2020, the Board entered a Consent Order of Impairment Suspension (“Order”) indefinitely suspending Respondent’s license to practice law in the Commonwealth of Virginia, effective May 12, 2020. VSB Exhibit A.
3. The Clerk of the Disciplinary System (“Clerk”) served Respondent with a copy of the Order by sending it to Respondent, along with a transmittal letter dated May 12, 2020, by certified mail to her address of record with the VSB. The Clerk also sent a copy of the Order and transmittal letter dated May 12, 2020 to Respondent at her email address of record with the VSB and to a different mailing address Respondent provided to the VSB and to which she changed her address of record with the VSB on May 13, 2020. VSB Exhibit B.
4. The Order ordered Respondent to comply with Part Six, Section IV, Paragraph 13-29 of the Rules of Court (“Paragraph 13-29”), which required Respondent to: a) give notice

of her suspension to all clients for whom she was currently handling matters and to all opposing attorneys and presiding judges in pending litigation, by certified mail within 14 days of his suspension; b) make appropriate arrangements for the disposition of matters then in her care in conformity with the wishes of her clients; and c) furnish proof to the VSB that such notices were timely given and such arrangements made for the disposition of matters, within 60 days of her suspension. The Order further ordered that if Respondent was not handling any client matters as of the effective date of her suspension, she must file an affidavit to that effect with the Clerk within 30 days of the entry of the Order.

5. Respondent failed to furnish to the VSB proof that she had provided such notices and made such arrangements for the disposition of matters within 60 days of her suspension, or the required affidavit within 30 days of the Order.

6. On July 15, 2020, the Clerk sent Respondent a letter by mail and email to Respondent's address and email address of record with the VSB, respectively: a) notifying her that proof of her compliance with Paragraph 13-29 had not been received and that her license could be further suspended or revoked if she failed to comply with Paragraph 13-29; and b) urging her to fulfill her duties under Paragraph 13-29 "as soon as possible ..." VSB Exhibit C.

7. Respondent still failed to provide proof of her compliance with Paragraph 13-29.

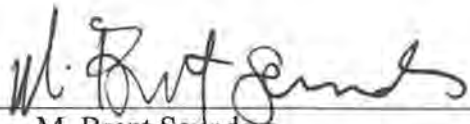
8. By emails dated July 20, 2020, August 28, 2020, and November 18, 2020, sent to Respondent's email address of record with the VSB, Virginia State Bar Investigator Ronald H. McCall provided Respondent with a copy of the Clerk's July 15, 2020 letter, along with a form Paragraph 13-29 affidavit acceptable to the Board, and urged her to comply with her Paragraph 13-29 obligations and warned her that her failure to do so could result in a show cause proceeding being initiated. VSB Exhibits D-F.

9. Respondent still failed to provide proof of her compliance with Paragraph 13-29.

10. As of the date of this filing, Respondent has never provided proof of her compliance with Paragraph 13-29.

WHEREFORE, the VSB respectfully requests the Board to issue a Rule to Show Cause requiring Respondent to show cause why her license to practice law in the Commonwealth of Virginia should not be suspended or revoked for failing to comply with Part 6, Section IV, Paragraph 13-29 of the Rules of Court.

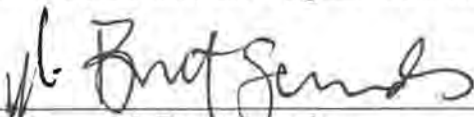
VIRGINIA STATE BAR

By: 
M. Brent Saunders
Senior Assistant Bar Counsel

M. Brent Saunders
Senior Assistant Bar Counsel
Bar No. 43168
Virginia State Bar
1111 East Main St., Ste. 700
Richmond, VA 23219-0026
P: 804-775-0552
F: 804-775-0501
saunders@vsb.org

CERTIFICATE OF SERVICE

I certify that on the 13th day of APRIL, 2021, I sent a true and correct copy of the foregoing to Ellen Mary Lynch, Respondent, by regular mail and Certified Mail, Return Receipt Requested, to 3709 N Nelson St, Arlington, VA 22207, the Respondent's last address of record with the Virginia State Bar, and by email to emlynch9802@gmail.com, Respondent's last email address of record with the Virginia State Bar.


M. Brent Saunders
Senior Assistant Bar Counsel

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF
ELLEN MARY LYNCH

VSB Docket No. 20-000-118465

CONSENT ORDER OF IMPAIRMENT SUSPENSION

This matter came for consideration upon the Joint Petition for Entry of Consent Order of Impairment Suspension filed by the Virginia State Bar, by Senior Assistant Bar Counsel M. Brent Saunders, and Ellen Mary Lynch, Respondent, *pro se* ("Ms. Lynch"), requesting entry of an order suspending the license of Ms. Lynch to practice law in the Commonwealth of Virginia on the grounds that Ms. Lynch suffers from an Impairment as that term is defined in Part Six, § IV, Paragraph 13-1 of the Rules of the Supreme Court of Virginia.

Upon consideration of the information contained in the Joint Petition for Entry of Consent Order of Impairment Suspension and accompanying exhibits, the agreement of Ms. Lynch as evidenced by her endorsement of this order, and it otherwise appearing proper so to do, the Disciplinary Board hereby FINDS that Ms. Lynch suffers from an Impairment as that term is defined in Part Six, § IV, Paragraph 13-1 of the Rules of the Supreme Court of Virginia, and, pursuant to Part Six, § IV, Paragraph 13-23 of the Rules of the Supreme Court of Virginia, hereby ORDERS that Ms. Lynch's license to practice law in the Commonwealth of Virginia be and hereby is SUSPENDED indefinitely, effective upon entry of this Order, and shall remain suspended until it is established that she no longer suffers from an Impairment.

It is FURTHER ORDERED that Ms. Lynch must comply with the requirements of Part Six, § IV, Paragraph 13-29 of the Rules of the Supreme Court of Virginia.

It is FURTHER ORDERED that if Ms. Lynch is not handling any client matters on the

effective date of this order, she shall submit an affidavit to that effect to the Clerk of the Disciplinary System of the Virginia State Bar within 30 days of the entry of this order.

The Clerk of the Virginia State Bar Disciplinary System shall send a certified copy of this order to the Respondent, Ellen Mary Lynch, *pro se*, by certified mail, return receipt requested, to her address of record with the Virginia State Bar and, if different, to 1020 N. Quincy Street, Apt. 811, Arlington, VA 22201, and by email to mlynch9802@gmail.com; and to Senior Assistant Bar Counsel M. Brent Saunders at 1111 E. Main Street, Suite 700, Richmond, Virginia 23219.

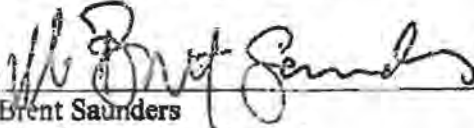
Entered this 12th day of May, 2020.

THE VIRGINIA STATE BAR DISCIPLINARY BOARD

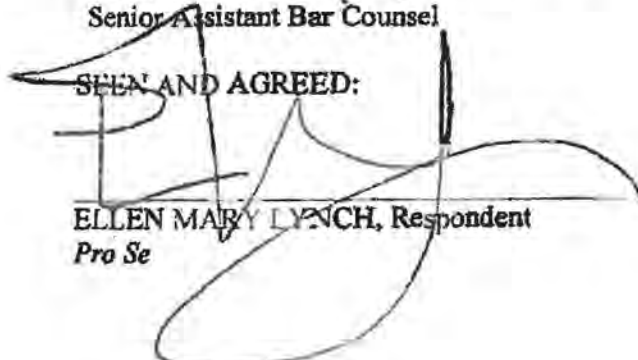
By Yvonne S. Gibney Digitally signed by Yvonne S. Gibney
Date: 2020.05.12 13:31:54 -04'00'
Yvonne S. Gibney
Second Vice Chair

WE ASK FOR THIS:

THE VIRGINIA STATE BAR

By: 
M. Brent Saunders
Senior Assistant Bar Counsel

SEEN AND AGREED:


ELLEN MARY LYNCH, Respondent
Pro Se



Virginia State Bar

1111 East Main Street Suite 700
Richmond, Virginia 23219-0026
Telephone: (804) 775-0500

Fax: (804) 775-0501 TDD: (804) 775-0502

May 12, 2020

CERTIFIED MAIL/RETURN RECEIPT REQUESTED, and by Regular mail to:
9214 7969 0099 9790 1633 615 19
Ellen Mary Lynch
Baker Botts LLP
1299 Pennsylvania Ave NW
Washington, DC 20004-2400

Re: In the Matter of Ellen Mary Lynch (VSB Docket No. 20-000-118465)

Dear Ms. Lynch:

Enclosed is an attested copy of a Consent Order of Impairment Suspension from the Virginia State Bar Disciplinary Board entered May 12, 2020, in the above referenced matter.

Enclosed are forms which are acceptable to the Disciplinary Board in order to be in compliance with Paragraph 13-29. Please use the appropriate form for your situation. Full compliance with Paragraph 13-29 is required and failure to comply could result in further discipline. You must notify clients and all opposing Attorneys and the presiding Judges in pending litigation of your suspension, and furnish proof thereof, even if you are reinstated within 14 days of the Suspension. You must provide me with proof that you have complied with the foregoing notice requirement on or before **July 11, 2020**.

Sincerely,

DaVida M. Davis
Clerk of the Disciplinary System

DMD/lw
Enclosures

cc: M. Brent Saunders, Senior Assistant Bar Counsel, w/encls.

Ellen Mary Lynch, Respondent, w/encls., also to: 3709 North Nelson Street, Arlington,
VA 22207, and to both email addresses

Amanda Hoyt, Court Improvement Program, via electronic mail

VSB
EXHIBIT
B

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF
ELLEN MARY LYNCH

VS B Docket No. 20-000-118465

CONSENT ORDER OF IMPAIRMENT SUSPENSION

This matter came for consideration upon the Joint Petition for Entry of Consent Order of Impairment Suspension filed by the Virginia State Bar, by Senior Assistant Bar Counsel M. Brent Saunders, and Ellen Mary Lynch, Respondent, *pro se* ("Ms. Lynch"), requesting entry of an order suspending the license of Ms. Lynch to practice law in the Commonwealth of Virginia on the grounds that Ms. Lynch suffers from an Impairment as that term is defined in Part Six, § IV, Paragraph 13-1 of the Rules of the Supreme Court of Virginia.

Upon consideration of the information contained in the Joint Petition for Entry of Consent Order of Impairment Suspension and accompanying exhibits, the agreement of Ms. Lynch as evidenced by her endorsement of this order, and it otherwise appearing proper so to do, the Disciplinary Board hereby FINDS that Ms. Lynch suffers from an Impairment as that term is defined in Part Six, § IV, Paragraph 13-1 of the Rules of the Supreme Court of Virginia, and, pursuant to Part Six, § IV, Paragraph 13-23 of the Rules of the Supreme Court of Virginia, hereby ORDERS that Ms. Lynch's license to practice law in the Commonwealth of Virginia be and hereby is SUSPENDED indefinitely, effective upon entry of this Order, and shall remain suspended until it is established that she no longer suffers from an Impairment.

It is FURTHER ORDERED that Ms. Lynch must comply with the requirements of Part Six, § IV, Paragraph 13-29 of the Rules of the Supreme Court of Virginia.

It is FURTHER ORDERED that if Ms. Lynch is not handling any client matters on the

effective date of this order, she shall submit an affidavit to that effect to the Clerk of the Disciplinary System of the Virginia State Bar within 30 days of the entry of this order.

The Clerk of the Virginia State Bar Disciplinary System shall send a certified copy of this order to the Respondent, Ellen Mary Lynch, *pro se*, by certified mail, return receipt requested, to her address of record with the Virginia State Bar and, if different, to 1020 N. Quincy Street, Apt. 811, Arlington, VA 22201, and by email to mlynch9802@gmail.com; and to Senior Assistant Bar Counsel M. Brent Saunders at 1111 E. Main Street, Suite 700, Richmond, Virginia 23219.

Entered this 12th day of May, 2020.

THE VIRGINIA STATE BAR DISCIPLINARY BOARD

By Yvonne S. Gibney Digitally signed by Yvonne S. Gibney
Date: 2020.05.12 13:31:54 -04'00'
Yvonne S. Gibney
Second Vice Chair

WE ASK FOR THIS:

THE VIRGINIA STATE BAR

By: 
M. Brent Saunders
Senior Assistant Bar Counsel

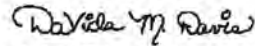
SEEN AND AGREED:


ELLEN MARY LYNCH, Respondent
Pro Se



A COPY TESTE

David M. Davis



Clerk of the Disciplinary System
Virginia State Bar

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
#

RE: _____
(Case Name)

Dear _____ :

Pursuant to the Rules of Court, Part Six, Section IV, Paragraph 13-29, I am hereby notifying you that my license to practice law in the Commonwealth of Virginia was suspended, on _____ for a period of _____. Please contact me as soon as possible to make arrangements for the handling of your case.

By copy of this letter, I am also notifying the opposing counsel and the presiding judge, if any, of this matter.

Sincerely,

cc: Judge _____, Certified Mail,
Return Receipt Requested # _____

_____, Esquire, Certified Mail,
Return Receipt Requested # _____

DaVida M. Davis, Clerk of the Disciplinary System, Virginia State Bar

AFFIDAVIT

I, _____, hereby certify that as of _____,
Pursuant to the Rules of Court, Part Six, Section IV, Paragraph 13-29 of the Rules of Court, I
do not have any clients for whom I am currently handling matters.

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____

The foregoing affidavit was acknowledged before me this _____ day of
_____, 20____, by _____.

Notary Public

My commission expires on _____, 20____.

AFFIDAVIT

I, _____, hereby certify that within the 14 day time period prescribed by Part Six, Section IV, Paragraph 13-29 of the Rules of Court, I have notified all clients for whom I was handling matters, all opposing counsel and presiding judges in pending litigation that my license to practice law has been suspended/revoked.

I also certify that I have made appropriate arrangements within the 45 day time period prescribed by Paragraph 13-29 for the disposition of client matters in my care in conformity with my former clients' wishes.

As proof that notice has been timely given and arrangements made for the disposition of client matters, I submit a copy of each notice letter that I sent pursuant to the requirements of Paragraph 13-29 and the original certified mail receipts and return receipts for each letter.

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____

The foregoing affidavit was acknowledged before me this _____ day of _____, 20____, by _____.

Notary Public

My commission expires on _____, 20____.

FAQS
FOR LAWYERS
UNDER A
SUSPENSION OR
REVOCATION
IMPOSED BY THE
DISCIPLINARY
BOARD*



Mailing Address:
Virginia State Bar
1111 E. Main St., 7th Floor
Richmond, VA 23219

DaVida M. Davis
Clerk of the Disciplinary System
Clerk's Office Direct Line: 804-775-0539
E-mail: clerk@vsb.org

*The answers are the opinion of the Virginia State Bar Ethics Department and Office of Bar Counsel.

1. May I endorse and file a motion to withdraw or for substitution of counsel? **Yes.** A suspended attorney who endorses and/or files a motion to withdraw or a motion for substitution of counsel does not engage in the unauthorized practice of law. Such conduct is consistent with the suspended lawyer's obligation to make appropriate arrangements for the disposition of matters in the lawyer's care in conformity with the clients' wishes. See, [Part Six, Section IV, Paragraph 13-29](#) of the Rules of the Supreme Court of Virginia.

2. May I make a court appearance in conjunction with a motion to withdraw or for substitution of counsel? **Yes.** A suspended attorney who makes a court appearance on a motion to withdraw or a motion for substitution of counsel does not engage in the unauthorized practice of law. Such conduct is consistent with the suspended lawyer's obligation to make appropriate arrangements for the disposition of matters in the lawyer's care in conformity with the clients' wishes. See, [Part Six, Section IV, Paragraph 13-29](#) of the Rules of the Supreme Court of Virginia.

3. May I continue to work at my firm as a paralegal? **No.** Doing so would violate [Rule 5.5\(a\)](#) of the Rules of Professional Conduct. If not, may I work at the firm in any capacity (office manager, receptionist, file clerk, IT consultant)? **No.** [Rule 5.5\(a\)](#) forbids the firm from employing the suspended lawyer "in any capacity."

4. May I work at a new firm as a paralegal? **Yes.** As long as the new firm does not represent any client previously represented by the suspended lawyer or by any other lawyer with whom the suspended lawyer practiced Court of Virginia, on or after the date of the acts which resulted in the suspension. See [Rule 5.5\(b\)](#) of the Rules of Professional Conduct.

5. May I continue to receive a paycheck from my firm? **Yes,** if the paycheck is for legal work performed prior to the suspension or if the paycheck is for work performed during the suspension in a non-legal capacity.

6. If I am a shareholder in the firm, may I continue to receive revenues from my firm? **A suspended lawyer may receive revenues only for work performed by him or other members of his firm during a period which predated the effective date of the lawyer's suspension. See [Rule 5.4](#).**

7. If my name is in the firm's name, must the firm change the name while I am suspended? If so, must the firm print new letterhead, get a new sign, new website, etc.? **It is considered the unauthorized practice of law for a suspended lawyer to hold himself out as authorized to practice law. It is also "false and misleading" for a suspended lawyer to continue advertising and using letterhead, notices, and signage which state or that**

letterhead, notices, and signage which state or imply that he is available to perform legal services. A lawyer should therefore take all practical steps to alter the content, or to discontinue use, of any medium of communication which advertises the suspended lawyer's availability. Firm names which are "trade names" containing the last name of a suspended lawyer, along with one or more other lawyers' last names, need not be changed during the period of the lawyer's suspension. However, a firm must amend its letterhead and all website and other advertising to either delete the name of the suspended lawyer or otherwise indicate his ineligibility to practice.

8. May I continue to manage my firm's trust account? **No. It would be unethical for a suspended lawyer to manage a law firm's trust account. See [Rule 1.15](#) of the Rules of Professional Conduct.** Business account? **Yes. The Rules of Professional Conduct do not prohibit a suspended lawyer from managing a firm's business account.**

9. May I negotiate liens on cases I settled prior to the suspension? **No.** The negotiation of a lien can involve the application of law to fact, and requires that the lawyer consult with and advise the client of the legal consequences which attend the client's decision to authorize, or refuse to authorize, a proposed settlement of a third party's claim against the client.

10. May I represent myself *pro se* in a court proceeding, i.e., to collect fees owed by a former client? **Yes.**

11. May I perform *pro bono* work? **No.** Such conduct by a suspended lawyer would constitute the unauthorized practice of law.

12. May I, with client consent, and having informed the client of my suspension, file a motion to continue the client's matter to a later date after which my suspension has been lifted? **No.** A lawyer who is counsel of record in a case has continuing duties to the client of competence, diligence, and communication. A lawyer identified in a case file as counsel of record holds himself out as authorized to practice law and to receive notices and pleadings from the court and others. A suspended lawyer is not the proper recipient of pleadings filed in a case, or of other communications by or on behalf of the court and/or other litigants in pending litigation. A suspended lawyer may not respond as a client's lawyer to other parties' actions and filings in a pending case, and may not give legal advice to the client during the period of suspension. Accordingly, a suspended attorney must withdraw from every case in which he is counsel of record since counsel of record must at all times during the pendency of a case be authorized to practice law. Following reinstatement, the formerly suspended lawyer may resume representation by substituting himself as counsel of record for the *pro se*

client or for a licensed attorney who served as counsel of record for the client on an interim basis.

13. May I refer a client to another lawyer and collect a referral fee? **No.** [Rule 7.3\(b\)](#) prohibits a lawyer from giving anything of value to a person for referring a case. A referral fee is permitted if the requirements of [Rule 1.5\(e\)](#) are satisfied, but the sharing of fees as permitted by that Rule is not possible when one of the lawyers is suspended.

14. May I prepare an affidavit for my client's successor lawyer for work performed and fees earned before my suspension on that client's matter? **Yes.** Such conduct does not constitute the unauthorized practice of law.

15. May I bill and collect fees for work performed before my suspension? **Yes.** Such conduct does not constitute the unauthorized practice of law.

16. What do I need to do to have my license reinstated? **It depends upon whether the suspension is with or without terms and whether the duration of the suspension exceeds one year.** All suspended lawyers must comply with [MCLE requirements.](#) Lawyers who are suspended for more than one year must pass the Multistate Professional Responsibility Examination before reinstatement. A lawyer may not return to good standing unless he or she has paid full dues for all years in which the lawyer was active or eligible to return to active practice. For more information about reinstatement following a misconduct suspension, see [Part Six, Section IV, Paragraph 13-25](#) of the Rules of the Supreme Court of Virginia. The Virginia State Bar Membership Department may answer questions about [MCLE compliance and dues payment.](#) The number is (804) 775-0530.

17. May my office set up appointments with clients for dates after my suspension has expired? **Yes.** A suspended lawyer must notify all clients in writing of the suspension, pursuant to [Part Six, Section IV, Paragraph 13-29](#) of the Rules of the Supreme Court of Virginia. No misrepresentations may be made regarding the lawyer's suspension.

18. During my suspension, may I respond to or meet with clients having questions about my bills for past services rendered before my suspension? **Yes, as long as the discussion does not involve the suspended lawyer providing legal advice.**



Virginia State Bar

1111 East Main Street, Suite 700
Richmond, Virginia 23219-0026
Telephone: (804) 775-0539

TDD (804) 775-0502

July 15, 2020

Ellen Mary Lynch
3709 N. Nelson St.
Arlington, VA 22207

Re: In the Matter of Ellen Mary Lynch
VSB Docket No. 20-000-118465

Dear Ms. Lynch:

On May 12, 2020 you were sent a letter by Certified Mail, advising that you had until July 11, 2020 to comply with Rules of Court, Part Six, §IV, ¶13-29. As of this date, we have not received proof of your compliance with this rule.

Please be advised that should you fail to comply with this rule, a show cause proceeding may be initiated before the Disciplinary Board which may impose a sanction of revocation or suspension.

I urge you to fulfill your duties under this rule as soon as possible, if you have not already done so. If you have fulfilled your duties under this rule, you need to advise this office immediately.

Sincerely,

DaVida M. Davis
Clerk of the Disciplinary System

DMD/lw

cc: M. Brent Saunders, Senior Assistant Bar Counsel

Ellen Mary Lynch, Respondent, also by email

VSB
EXHIBIT
C

Saunders, Brent

From: McCall, Ron
Sent: Monday, July 20, 2020 9:43 AM
To: Ellen Lynch
Cc: Saunders, Brent; Davis, Davida
Subject: RE: Lynch - current address
Attachments: Lynch Letter 7.15.20.pdf; 13-29 Affidavit.pdf

Good morning Ms. Lynch,

I hope things are well with you.

I am following up on a letter sent to you dated July 15, 2020 (see attached), concerning your compliance with the rules relating to the requirement that you notify current clients, opposing attorneys, and presiding judges of your suspension.

It may be that you did not have any clients on May 12, 2020, in which case you would only need to submit the attached affidavit to DaVida Davis, Clerk of the Disciplinary System.

It is important that you comply with this requirement as soon as possible to avoid having a show cause proceeding initiated. If you have any questions, please let me know.

Thank you,
Ron McCall



Ronald H. McCall
Investigator
Virginia State Bar
P.O. Box 353
Leesburg, Virginia 20178
(703) 350-6821
mccall@vsb.org

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From: Ellen Lynch <emlynch9802@gmail.com>
Sent: Wednesday, May 13, 2020 11:09 AM
To: Saunders, Brent <saunders@vsb.org>
Cc: McCall, Ron <mccall@vsb.org>; Membership <membership@vsb.org>
Subject: Re: Lynch - current address

Thank you. I would like my address of record changed to:

3709 North Nelson Street
Arlington, VA 22207

Phone number: 703.304.3615

Email: emlynch9802@gmail.com

Sent from my iPhone

On May 13, 2020, at 10:41 AM, Saunders, Brent <saunders@vsb.org> wrote:

Ms. Lynch,

Will you please reply to all and confirm that you would like your address of record with the bar updated to:

3709 North Nelson Street
Arlington, VA 22207

And will you also confirm the telephone number and email address you would like listed with the bar?

Thank you.

M. Brent Saunders
Senior Assistant Bar Counsel
Virginia State Bar
<image001.jpg> 1111 East Main Street, Suite 700 | Richmond, Virginia 23219-0026
(804) 775-0552 | Fax (804) 775-0597
www.vsb.org | saunders@vsb.org

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From: Weakland, Louann <Weakland@vsb.org>
Sent: Wednesday, May 13, 2020 10:38 AM
To: Membership <membership@vsb.org>
Cc: Melis, Demetrios <DMelis@vsb.org>; Parker, Alicia <parker@vsb.org>; Saunders, Brent <saunders@vsb.org>; Johnson, Joyce <jjohnson@vsb.org>; Davis, Davida <ddavis@vsb.org>; Byrd, Vivian <Byrd@vsb.org>; Waldeck, Bonnie <Waldeck@vsb.org>; Weakland, Louann

<Weakland@vsb.org>

Subject: FW: Lynch - current address

Please see message below from Ellen Mary Lynch (VSB #48516) – Brent Saunders has requested that I send this onto Membership, so that her address of record can be updated – Thank you, Louann

From: Ellen Lynch <emlynch9802@gmail.com>

Sent: Tuesday, May 12, 2020 2:30 PM

To: Weakland, Louann <Weakland@vsb.org>

Cc: Davis, Davida <ddavis@vsb.org>; Waldeck, Bonnie <Waldeck@vsb.org>

Subject: Re: Request for your address

[EXTERNAL SENDER]

Thank you for your help - I can't recall my login information so I wasn't able to change the information online.

My address is:
3709 North Nelson Street
Arlington, VA 22207

Thanks again.
Ellen

Sent from my iPhone

On May 12, 2020, at 2:27 PM, Weakland, Louann <Weakland@vsb.org> wrote:

Dear Ms. Lynch,
The Consent Order has been signed – Would you please send me your correct address?
Thank you,
Louann

<image001.jpg> **Louann Weakland, Assistant Clerk**
Virginia State Bar
1111 East Main Street, Suite 700 | Richmond, Virginia 23219-0026
(804) 775-0528 |
www.vsb.org | weakland@vsb.org

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TDD (804) 775-0502

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3709 N. Nelson St.
Arlington, VA 22207

Re: In the Matter of Ellen Mary Lynch
VSB Docket No. 20-000-118465

Dear Ms. Lynch:

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Please be advised that should you fail to comply with this rule, a show cause proceeding may be initiated before the Disciplinary Board which may impose a sanction of revocation or suspension.

I urge you to fulfill your duties under this rule as soon as possible, if you have not already done so. If you have fulfilled your duties under this rule, you need to advise this office immediately.

Sincerely,

DaVida M. Davis
Clerk of the Disciplinary System

DMD/lw

cc: M. Brent Saunders, Senior Assistant Bar Counsel

Ellen Mary Lynch, Respondent, also by email

AFFIDAVIT

I, _____, hereby certify that as of _____,
Pursuant to the Rules of Court, Part Six, Section IV, Paragraph 13-29 of the Rules of Court, I
do not have any clients for whom I am currently handling matters.

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____

The foregoing affidavit was acknowledged before me this _____ day of
_____, 20____, by _____.

Notary Public

My commission expires on _____, 20____.

Saunders, Brent

From: McCall, Ron
Sent: Friday, August 28, 2020 12:07 PM
To: Ellen Lynch
Cc: Davis, Davida; Saunders, Brent
Subject: FW: Lynch - current address
Attachments: Lynch Letter 7.15.20.pdf; 13-29 Affidavit.pdf

Ms. Lynch,

I am following up on my email dated July 20, 2020. I also left you a voice message today.

It is important that you comply with the notification requirement, and I urge you complete the attached affidavit as soon as possible.

If you have any questions, please let me know.

Ron McCall



Ronald H. McCall
Investigator
Virginia State Bar
P.O. Box 353
Leesburg, Virginia 20178
(703) 350-6821
mccall@vsb.org

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Subject: RE: Lynch - current address



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I hope things are well with you.

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It may be that you did not have any clients on May 12, 2020, in which case you would only need to submit the attached affidavit to DaVida Davis, Clerk of the Disciplinary System.

It is important that you comply with this requirement as soon as possible to avoid having a show cause proceeding initiated. If you have any questions, please let me know.

Thank you,
Ron McCall



Ronald H. McCall
Investigator
Virginia State Bar
P.O. Box 353
Leesburg, Virginia 20178
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M. Brent Saunders
Senior Assistant Bar Counsel
Virginia State Bar
<image001.jpg> 1111 East Main Street, Suite 700 | Richmond, Virginia 23219-0026
(804) 775-0552 | Fax (804) 775-0597
www.vsb.org | saunders@vsb.org

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Cc: Melis, Demetrios <DMelis@vsb.org>; Parker, Alicia <parker@vsb.org>; Saunders, Brent <saunders@vsb.org>; Johnson, Joyce <jjohnson@vsb.org>; Davis, Davida <ddavis@vsb.org>; Byrd, Vivian <Byrd@vsb.org>; Waldeck, Bonnie <Waldeck@vsb.org>; Weakland, Louann <Weakland@vsb.org>
Subject: FW: Lynch - current address

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Subject: Re: Request for your address

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Thank you,
Louann

<image001.jpg> **Louann Weakland, Assistant Clerk**
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July 15, 2020

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3709 N. Nelson St.
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Sincerely,

DaVida M. Davis
Clerk of the Disciplinary System

DMD/lw

cc: M. Brent Saunders, Senior Assistant Bar Counsel

Ellen Mary Lynch, Respondent, also by email

AFFIDAVIT

I, _____, hereby certify that as of _____,
Pursuant to the Rules of Court, Part Six, Section IV, Paragraph 13-29 of the Rules of Court, I
do not have any clients for whom I am currently handling matters.

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____

The foregoing affidavit was acknowledged before me this _____ day of
_____, 20____, by _____.

Notary Public

My commission expires on _____, 20____.

Saunders, Brent

From: McCall, Ron
Sent: Wednesday, November 18, 2020 11:04 AM
To: Ellen Lynch
Cc: Davis, Davida; Saunders, Brent
Subject: FW: Lynch - current address
Attachments: Lynch Letter 7.15.20.pdf; 13-29 Affidavit.pdf

Good morning Ms. Lynch.

I hope things are well.

I am writing to remind you that we need to have this affidavit completed without further delay. Please let me know you have received this email and whether you intend to comply with this request. If we do not hear from you by November 30, 2020, additional sanctions may be imposed.

I appreciate your cooperation in this matter.

Ron McCall



Ronald H. McCall
Investigator
Virginia State Bar
P.O. Box 353
Leesburg, Virginia 20178
(703) 350-6821
mccall@vsb.org

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Sent: Friday, August 28, 2020 12:07 PM
To: Ellen Lynch <emlynch9802@gmail.com>

Cc: Davis, Davida <ddavis@vsb.org>; Saunders, Brent <saunders@vsb.org>

Subject: FW: Lynch - current address

Ms. Lynch,

I am following up on my email dated July 20, 2020. I also left you a voice message today.

It is important that you comply with the notification requirement, and I urge you complete the attached affidavit as soon as possible.

If you have any questions, please let me know.

Ron McCall



Ronald H. McCall
Investigator
Virginia State Bar
P.O. Box 353
Leesburg, Virginia 20178
(703) 350-6821
mccall@vsb.org

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From: McCall, Ron
Sent: Monday, July 20, 2020 9:43 AM
To: Ellen Lynch <emlynch9802@gmail.com>
Cc: Saunders, Brent <saunders@vsb.org>; Davis, Davida <ddavis@vsb.org>
Subject: RE: Lynch - current address

Good morning Ms. Lynch,

I hope things are well with you.

I am following up on a letter sent to you dated July 15, 2020 (see attached), concerning your compliance with the rules relating to the requirement that you notify current clients, opposing attorneys, and presiding judges of your suspension.

It may be that you did not have any clients on May 12, 2020, in which case you would only need to submit the attached affidavit to DaVida Davis, Clerk of the Disciplinary System.

It is important that you comply with this requirement as soon as possible to avoid having a show cause proceeding initiated. If you have any questions, please let me know.

Thank you,
Ron McCall



Ronald H. McCall
Investigator
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P.O. Box 353
Leesburg, Virginia 20178
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From: Ellen Lynch <emlynch9802@gmail.com>
Sent: Wednesday, May 13, 2020 11:09 AM
To: Saunders, Brent <saunders@vsb.org>
Cc: McCall, Ron <mccall@vsb.org>; Membership <membership@vsb.org>
Subject: Re: Lynch - current address

Thank you. I would like my address of record changed to:

3709 North Nelson Street
Arlington, VA 22207

Phone number: 703.304.3615

Email: emlynch9802@gmail.com

Sent from my iPhone

On May 13, 2020, at 10:41 AM, Saunders, Brent <saunders@vsb.org> wrote:

Ms. Lynch,

Will you please reply to all and confirm that you would like your address of record with the bar updated to:

3709 North Nelson Street
Arlington, VA 22207

And will you also confirm the telephone number and email address you would like listed with the bar?

Thank you.

 **M. Brent Saunders**
Senior Assistant Bar Counsel
Virginia State Bar
1111 East Main Street, Suite 700 | Richmond, Virginia 23219-0026
(804) 775-0552 | Fax (804) 775-0597
www.vsb.org | saunders@vsb.org

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From: Weakland, Louann <Weakland@vsb.org>
Sent: Wednesday, May 13, 2020 10:38 AM
To: Membership <membership@vsb.org>
Cc: Melis, Demetrios <DMelis@vsb.org>; Parker, Alicia <parker@vsb.org>; Saunders, Brent <saunders@vsb.org>; Johnson, Joyce <jjohnson@vsb.org>; Davis, Davida <ddavis@vsb.org>; Byrd, Vivian <Byrd@vsb.org>; Waldeck, Bonnie <Waldeck@vsb.org>; Weakland, Louann <Weakland@vsb.org>
Subject: FW: Lynch - current address

Please see message below from Ellen Mary Lynch (VSB #48516) – Brent Saunders has requested that I send this onto Membership, so that her address of record can be updated – Thank you, Louann

From: Ellen Lynch <emlynch9802@gmail.com>
Sent: Tuesday, May 12, 2020 2:30 PM
To: Weakland, Louann <Weakland@vsb.org>
Cc: Davis, Davida <ddavis@vsb.org>; Waldeck, Bonnie <Waldeck@vsb.org>
Subject: Re: Request for your address

[EXTERNAL SENDER]

Thank you for your help - I can't recall my login information so I wasn't able to change the information online.

My address is:
3709 North Nelson Street
Arlington, VA 22207

Thanks again.
Ellen

Sent from my iPhone

On May 12, 2020, at 2:27 PM, Weakland, Louann <Weakland@vsb.org> wrote:

Dear Ms. Lynch,
The Consent Order has been signed – Would you please send me your correct address?
Thank you,
Louann

<image001.jpg> Louann Weakland, Assistant Clerk
Virginia State Bar
1111 East Main Street, Suite 700 | Richmond, Virginia 23219-0026
(804) 775-0528 |
www.vsb.org | weakland@vsb.org

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Virginia State Bar

1111 East Main Street, Suite 700
Richmond, Virginia 23219-0026
Telephone: (804) 775-0539

TDD (804) 775-0502

July 15, 2020

Ellen Mary Lynch
3709 N. Nelson St.
Arlington, VA 22207

Re: In the Matter of Ellen Mary Lynch
VSB Docket No. 20-000-118465

Dear Ms. Lynch:

On May 12, 2020 you were sent a letter by Certified Mail, advising that you had until July 11, 2020 to comply with Rules of Court, Part Six, §IV, ¶13-29. As of this date, we have not received proof of your compliance with this rule.

Please be advised that should you fail to comply with this rule, a show cause proceeding may be initiated before the Disciplinary Board which may impose a sanction of revocation or suspension.

I urge you to fulfill your duties under this rule as soon as possible, if you have not already done so. If you have fulfilled your duties under this rule, you need to advise this office immediately.

Sincerely,

DaVida M. Davis
Clerk of the Disciplinary System

DMD/lw

cc: M. Brent Saunders, Senior Assistant Bar Counsel

Ellen Mary Lynch, Respondent, also by email

AFFIDAVIT

I, _____, hereby certify that as of _____,
Pursuant to the Rules of Court, Part Six, Section IV, Paragraph 13-29 of the Rules of Court, I
do not have any clients for whom I am currently handling matters.

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____

The foregoing affidavit was acknowledged before me this _____ day of
_____, 20____, by _____.

Notary Public

My commission expires on _____, 20____.