

**VIRGINIA:**

**BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD**

**IN THE MATTER OF  
GEORGE WILLIAM BRUCH**

**VSB DOCKET NO. 24-022-131856**

**AGREED DISPOSITION MEMORANDUM ORDER  
NINE-MONTH SUSPENSION WITH TERMS**

On November 18, 2025, this matter was heard, telephonically, by the Virginia State Bar Disciplinary Board (the “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 Six, § IV, ¶ 13-6.H of the Rules of the Supreme Court of Virginia. The panel consisted of Jennifer D. Royer, Chair (the “Chair”); Yvonne S. Gibney; Reiss F. Wilks; Alan S. Anderson; and Tambera D. Stephenson, Lay Member. The Virginia State Bar was represented by Seth T. Shelley, Assistant Bar Counsel. George William Bruch (the “Respondent”) was not present but was represented by his counsel, Kevin E. Martingayle. 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 this matter to which each member responded in the negative. The court reporter Jacquelin Gregory-Longmire, of 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 Subcommittee Determination (Certification), Respondent’s Answer, the Agreed Disposition and Respondent’s Disciplinary Record, the arguments of the parties, and after due deliberation;

It is **ORDERED** that the Board accepts the Agreed Disposition and the Respondent shall

receive Month Suspension with Terms, 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 November 24, 2025.

It is further **ORDERED** that the Respondent must comply with the requirements of Part Six, Section IV, Paragraph 13-29 of the Rules of the Supreme Court of Virginia. The Respondent must 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 must also make appropriate arrangements for the disposition of matters then in his care in conformity with the wishes of her clients. The Respondent must give such notice immediately and in no event later than fourteen (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 forty-five (45) days of the effective date of the Suspension. The Respondent must also furnish proof to the Clerk of the Disciplinary System of the Virginia State Bar within sixty (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 sixty (60) days of the effective date of the Suspension to the Clerk of the Disciplinary System at the Virginia State Bar. The Board must 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.

It is further **ORDERED** that pursuant to Part Six, § IV, ¶ 13-9 E. of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess all costs against the Respondent.

It is further **ORDERED** that an attested copy of this Order be mailed by the Clerk of the Disciplinary System to the Respondent by electronic, first-class and certified mail, return receipt requested, to his Virginia State Bar address of record, at 3061 Beaden Dr., Virginia Beach, VA 23456, and a copy by electronic mail to Kevin E. Martingayle, Respondent's Counsel and a copy by electronic mail to Seth T. Shelley, Assistant Bar Counsel.

ENTERED THIS 24th DAY OF NOVEMBER, 2025

VIRGINIA STATE BAR DISCIPLINARY BOARD

Signed by:



Jennifer D. Royer  
Chair

**VIRGINIA:**

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

**IN THE MATTER OF  
GEORGE WILLIAM BRUCH**

**VS B Docket No. 24-022-131856**

**AGREED DISPOSITION**  
**NINE-MONTH SUSPENSION WITH TERMS**

Pursuant to the Rules of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 13-6.H, the Virginia State Bar, by Seth T. Shelley, Assistant Bar Counsel, and George William Bruch, Respondent, and Kevin E. Martingayle, Respondent's counsel, hereby enter into the following Agreed Disposition arising out of the referenced matter.

**I. STIPULATIONS OF FACT**

1. Respondent was admitted to the Virginia State Bar ("VSB") in 2008. At all relevant times, Respondent was a member of the VSB.
2. On July 23, 2023, a motorcyclist fired multiple gunshots at a vehicle in Virginia Beach while traveling on Interstate 264. The driver of the vehicle was struck. Video of the incident captured details of the motorcyclist's appearance, including clothing and the operator's helmet, and the motorcycle, including the license plate. The motorcyclist had a passenger.
3. On July 26, 2023, Virginia State Police Special Agent Andrew Rohnke ("Agent Rohnke") contacted T.B. T.B. did not make a statement to police but later provided Respondent's name to Agent Rohnke and indicated he had retained Respondent.
4. On July 26, 2023, T.B. texted Respondent.
  - a. At 11:04 a.m.,<sup>1</sup> Respondent stated he was in court but that T.B. should contact his office.<sup>2</sup> T.B. identified himself as a member of "the VB Boozefighters"<sup>3</sup> and said he would call the office. Respondent instructed T.B. to "set up an appointment as soon as possible" and "speak with Tara."

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<sup>1</sup> The phone's timestamp indicates the message was sent at 3:04 p.m. Universal Coordinated Time (UTC). The prosecutors argued during the hearing that UTC is 4 hours ahead of Eastern Daylight Time (EDT), and, therefore, text messages were sent 4 hours earlier than the timestamp.

<sup>2</sup> At the time, Respondent was a partner at Randall & Bruch, P.C.

<sup>3</sup> The Boozefighters are a motorcycle organization with a chapter in Virginia Beach.

- b. At 11:10 a.m., T.B. texted Respondent that Tara “took some information and what the allegations are and is sending an email to you.”
  - c. At 11:52 a.m., Respondent wrote “[t]hey cannot subpoena, lawyers, phone (sic).”
  - d. At 1:24 p.m., Respondent asked “one more question did the state troopers indicate that they knew you were a Boozefighter.” T.B. responded, “No, it didn’t even seem like they knew what my bike looked like.” T.B. asked Respondent to “call me back and I will let you know why.”
5. On July 27, 2023 at 9:20 a.m., T.B. texted Respondent and said he needed to speak to him “ASAP.” Respondent indicated that he was in court but would call T.B. soon.
- a. At 11:58 a.m., T.B. asked about possible outcomes. Respondent wrote that the best outcome was “that they decide they don’t have the evidence to ID you and they don’t charge.” Respondent said the “second best case” was “a hell of a self-defense case.”
  - b. At 12:10 p.m., T.B. asked, “With them trying to attain search warrants is there anything I should do?” Respondent said, “No sir it’s a waiting game now.”
  - c. At 5:39 p.m., T.B. asked what would prompt law enforcement to “believe they have what they need for charges.” Respondent wrote that the main issue for law enforcement was that “they don’t have your face.” Respondent said, “they have your tag but that’s not a for sure thing.” Respondent told T.B. to “make sure your wife doesn’t talk to anybody as well.”
  - d. At 5:45 p.m., Respondent texted T.B., “Just to be safe, you might want to get the helmet you were wearing out of your house.”
  - e. At 5:49 p.m., T.B. responded, “I am guessing my cut too?”<sup>4</sup> Respondent said, “Couldn’t hurt.”
  - f. At 7:03 p.m., T.B. asked, “Don’t you think they will be looking for stuff concerning my wife too?” Respondent instructed T.B., “whatever she was wearing stash it somewhere in case they do a search warrant.”
  - g. At 7:09 p.m., T.B. informed Respondent that “there are pictures of me in that helmet on social media.” Respondent stated that the prosecutor would have to prove it was T.B. wearing the helmet during the shooting. T.B. said his wife took pictures earlier that day of the bike and helmets. T.B. said he would “do something with them.”

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<sup>4</sup> “Cut” is a biker term for a vest. Law enforcement officers located a vest in T.B.’s home with the Boozefighters Motorcycle Club patch.

6. On July 29, 2023 at 8:14 a.m., T.B. asked about his cell phone and cell data. Respondent texted “They would need a search warrant but if they don’t have it don’t give it to them.”
7. On July 31, 2023 at 12:32 p.m., T.B. informed Respondent that he gave law enforcement Respondent’s name and number and that Respondent should expect a call from them. T.B. said that he told the officer he still did not wish to make a statement.
  - a. At 1:34 p.m., Respondent texted that he would talk to the officer but that “we will not make a statement.” T.B. stated he thought law enforcement would “execute a search warrant sometime this week.”
  - b. At 1:38 p.m., Respondent instructed T.B., “Make sure your house is scrubbed clean of everything we talked about, you may have to move your bike to a brothers (sic) house.”
8. On August 14, 2023, law enforcement officers obtained a search warrant for T.B.’s home and executed it two days later. Multiple helmets were found in the home, but the helmet observed in the video of the incident was not recovered. Law enforcement located and collected T.B.’s cell phone.
9. On August 22, 2023, Agent Rohnke obtained multiple felony warrants, charging T.B. with malicious wounding, use of a firearm in the commission of a felony, and shooting into an occupied vehicle. T.B. was arrested on August 23, 2023. On August 24, 2023, T.B. informed the judge at arraignment that he had retained Respondent.
10. On August 25, 2023, a bond hearing was held in Virginia Beach General District Court. There is no transcript of this hearing. The judge denied bond, and T.B. appealed this decision to the Circuit Court.
11. On September 13, 2023, a bond hearing was held and transcribed in Virginia Beach Circuit Court. At the bond hearing, Assistant Commonwealth’s Attorney Megan Lang (“M. Lang”) showed a portion of the video of the incident. Prior to the video being played, Respondent asserted that the video showed “an unidentified individual brandishing a firearm, which is a misdemeanor.”
12. Law enforcement conducted a Cellebrite<sup>5</sup> download of T.B.’s cell phone. A copy of the results of the phone download was left at the front desk of the Commonwealth’s Attorney’s office for Respondent on November 30, 2023.

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<sup>5</sup> Cellebrite is a digital intelligence company that offers products related to collecting, reviewing, analyzing, and managing digital data. Law enforcement agencies commonly use Cellebrite products to examine, review, and extract the contents of cell phones collected during criminal investigations.

13. On January 12, 2024 at a hearing in Virginia Beach General District Court, the felony charges against T.B. were certified to Virginia Beach Circuit Court.
14. On January 24, 2024, Respondent emailed M. Lang and stated that his client, “for trial purposes,” would “stipulate that he was the driver of the motorcycle and the individual who fired the firearm.”
15. On February 5, 2024, a grand jury indicted T.B. on four felonies, including aggravated malicious wounding, and three misdemeanors related to the shooting on July 23, 2023.
16. On February 9, 2024, the Commonwealth filed a Motion for In-Camera Review and Ruling that Texts on Defendant’s Phone are Not Privileged in Virginia Beach Circuit Court. The Commonwealth asserted that the text messages between T.B. and Respondent were not protected by attorney-client privilege and should be admissible in the criminal trial against T.B.
17. On March 8, 2024, John Randall (“Randall”), Respondent’s law partner at the time, filed defendant’s Motion Objecting to Commonwealth’s Intentional Disclosure of Materials Protected by Attorney-Client Privilege and Motion to Dismiss, arguing the privileged text messages should not be deemed admissible at T.B.’s trial and that, due to the prosecutorial misconduct, the charges against T.B. should be dismissed.
18. On March 11, 2024, a hearing was held in Virginia Beach Circuit Court before Judge Afshin Farashahi (“Judge Farashahi”) to address whether the text messages were covered by attorney-client privilege. Respondent appeared that day with Randall and the firm’s counsel, Kevin Martingayle (“Martingayle”). On multiple occasions during the hearing, the issue of whether Respondent intended to continue representing T.B. was addressed. Respondent indicated that he remained counsel of record.
19. Randall conducted cross-examination of the Commonwealth’s witnesses. At the conclusion of evidence, Randall argued on behalf of T.B. and Martingayle argued on behalf of the firm and Respondent. Respondent’s participation was minimal during the hearing. Randall conceded that, if the court found the text messages were privileged, that Respondent would be disqualified based on a conflict.
20. During the hearing, Scott Lang (“S. Lang”), Chief Deputy Commonwealth’s Attorney, noted “[t]here’s a big difference between [T.B.] on his own coming up with the decision to remove stuff from his house and go hide it, conceal it, put it in the woods, I don’t know, as opposed to an attorney, an officer of the court, directing him to do so.” S. Lang argued that Respondent committed a fraud upon the court by arguing at bond hearings that identity would be an issue in the case, knowing that he assisted in concealing evidence thus creating an identity issue for the Commonwealth, and committed accessory after the fact<sup>6</sup> by advising T.B. to dispose of evidence. S.

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<sup>6</sup> Va. Code § 18.2-19 provides that one shall not aid or assist a principal felon after the commission of a felony. Accessory after the fact is a Class 1 Misdemeanor.

Lang noted that Respondent notified the Commonwealth that T.B. stipulated he was the shooter after the Commonwealth provided Respondent copies of the text messages but prior to indictments against T.B.

21. At a hearing on April 17, 2024, Judge Farashahi removed Respondent and his firm as counsel of record for T.B. In his Ruling Outline, Judge Farashahi noted the “clear conflict” in which Respondent and his firm argued “an issue that is intertwined with the conflict: whether the attorney client privilege applies.” Judge Farashahi noted case law from the Supreme Court of Virginia that permitted judges to “remove an attorney of record in a case.” Judge Farashahi stated that he had consulted the Judicial Inquiry and Review Commission, the Bar Ethics Counsel, and the Office of Legal Research for the Supreme Court of Virginia and concluded that Respondent must be removed as T.B.’s counsel due to the conflict. Judge Farashahi found that he could not rule on the issue of attorney-client privilege regarding the text messages due to the conflict. Judge Farashahi continued the matter so that T.B. could retain new counsel.
22. On April 18, 2024, Judge Farashahi notified the Bar “in accordance with Judicial Canon 2.T.2” regarding his concerns about Respondent’s conduct. Judge Farashahi attached his Ruling Outline and copies of text messages between Respondent and T.B.
23. T.B. retained James Broccoletti (“Broccoletti”) to represent him. A hearing was held on July 1, 2024, in which Broccoletti argued the issue of attorney-client privilege.
24. On July 24, 2024, Judge Farashahi issued a letter opinion regarding the text messages and their admissibility. Judge Farashahi found that Respondent gave “advice that is arguably a crime or a fraud.” Judge Farashahi noted that T.B. did not “seek[] advice on how to commit a crime or fraud.” In finding that the text messages were protected and inadmissible at trial, Judge Farashahi held that there was no evidence that T.B. “instigated a plan to commit a crime and sought out [Respondent’s] advice to further its commission.” In this case, T.B. sought legal advice, did not “ask[] [Respondent] to help him do something illegal,” and was then provided illegal advice by Respondent. Therefore, the crime-fraud exception<sup>7</sup> did not apply and the text messages could not be used by the Commonwealth against T.B. at trial.
25. The criminal trial against T.B. was held on July 1-3, 2025. T.B. was found guilty of malicious wounding, use of a firearm in the commission of a felony, two counts of brandishing a firearm, reckless handling of a firearm, and maliciously shooting into an occupied vehicle. A sentencing hearing is scheduled for October 8, 2025. T.B. and his wife testified about the text messages between T.B. and Respondent. T.B. was asked about the gun and helmet and testified that Respondent instructed him to get rid of them. T.B. testified that he believed he received legitimate legal advice.

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<sup>7</sup> Under the crime-fraud exception, the attorney-client privilege does not extend to communications between an attorney and client “where the client’s purpose is the furtherance of a future intended crime or fraud.” *Sevachko v. Commonwealth*, 35 Va. App. 346 at 356 (2001).

26. Respondent began drinking alcohol heavily in April 2023 due to stress at work and other personal issues. In February 2024, Respondent contacted Virginia Judges and Lawyers Assistance Program and entered into a one-year contract later that month. In April 2025, Respondent left the firm of Randall & Bruch and no longer practices law.

## II. NATURE OF MISCONDUCT

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

*By advising T.B. to remove from his home his motorcycle helmet and the vest he was wearing during the commission of a crime, to hide clothing worn by his wife while accompanying T.B. during the commission of a crime, to "[m]ake sure your house is scrubbed clean of everything we talked about," and to relocate his motorcycle to another location, in order to conceal evidence and avoid arrest, prosecution, and conviction, Respondent violated RPC 1.2(c).*

### **RULE 1.2 Scope of Representation**

(c) A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent, but a lawyer may

- (1) discuss the legal consequences of any proposed course of conduct with a client;
- (2) counsel or assist a client to make a good faith effort to determine the validity, scope, meaning, or application of the law; and
- (3) counsel or assist a client regarding conduct expressly permitted by state or other applicable law that conflicts with federal law, provided that the lawyer counsels the client about the potential legal consequence of the client's proposed course of conduct under applicable federal law.

*By advising his client to conceal and hide evidence, which was then revealed to law enforcement and prosecutors by a search of T.B.'s phone and resulted in Respondent's notice to the Commonwealth's Attorney that T.B. was the shooter, and by failing to withdraw once Respondent created a conflict of interest in T.B.'s case, Respondent violated RPC 1.7(a)(2).*

### **RULE 1.7 Conflict of Interest: General Rule**

(a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:

(2) there is significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

*By advising T.B. to remove from his home his motorcycle helmet and the vest he was wearing during the commission of a crime, to hide clothing worn by his wife while accompanying T.B. during the commission of a crime, to "[m]ake sure your house is scrubbed clean of everything we talked about," and to relocate his motorcycle to another location, for the purpose of obstructing the Commonwealth's access to evidence, Respondent violated RPC 3.4(a).*

**RULE 3.4 Fairness To Opposing Party And Counsel**

A lawyer shall not:

(a) Obstruct another party's access to evidence or alter, destroy or conceal a document or other material having potential evidentiary value for the purpose of obstructing a party's access to evidence. A lawyer shall not counsel or assist another person to do any such act.

*By advising T.B. to remove from his home his motorcycle helmet and the vest he was wearing during the commission of a crime, to hide clothing worn by his wife while accompanying T.B. during the commission of a crime, to "[m]ake sure your house is scrubbed clean of everything we talked about," and to relocate his motorcycle to another location, in order to conceal evidence and avoid arrest, prosecution, and conviction, Respondent violated RPC 8.4(b).*

**RULE 8.4 Misconduct**

It is professional misconduct for a lawyer to:

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law;

**III. PROPOSED DISPOSITION**

Accordingly, Bar Counsel, Respondent, and Respondent's counsel tender to the Disciplinary Board for its approval the Agreed Disposition of a Nine-Month Suspension with Terms as representing an appropriate sanction if this matter were to be heard through an evidentiary hearing by the Disciplinary Board. The terms with which Respondent must comply are as follows:

1. On or before the end of the nine-month suspension period, Respondent will complete twelve (12) hours of continuing legal education credits by attending courses approved by the Virginia State Bar in the subject matter of ethics. Respondent's Continuing Legal Education attendance obligation set forth in this paragraph will not be applied toward his Mandatory Continuing Legal Education requirement in Virginia or any other jurisdictions in which Respondent may be licensed to practice law.
2. Respondent will certify his compliance with the terms set forth in this paragraph by delivering a fully and properly executed Virginia MCLE Board Certification of Attendance form (Form 2) to Bar Counsel, promptly following his attendance of each such CLE program(s).

Upon satisfactory proof that all terms and conditions have been met, this matter shall be closed.

If the terms are not met by the time specified, Respondent agrees that the Disciplinary Board shall impose an alternative sanction of a suspension of one (1) year and one (1) day pursuant to Part 6, § IV, ¶ 13-18.O of the Rules of the Supreme Court of Virginia. Any proceeding initiated due to failure to comply with terms will be considered a new matter, and an administrative fee and costs will be assessed pursuant to ¶ 13-9.E of the Rules of the Supreme Court of Virginia.

Bar counsel, Respondent, and Respondent's counsel 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 Paragraph 13-9.E of the Rules of the Supreme Court of Virginia.

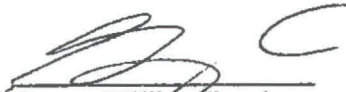
Pursuant to Part 6, Section IV, Paragraph 13-30.B of the Rules of the Supreme Court of Virginia, Respondent's prior disciplinary record shall be furnished to the panel of the Disciplinary Board considering this Agreed Disposition.

THE VIRGINIA STATE BAR



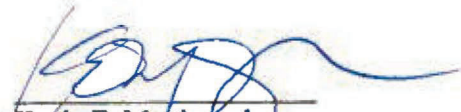
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Seth T. Shelley  
Assistant Bar Counsel



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George William Bruch  
Respondent



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Kevin E. Martingayle  
Respondent's Counsel