

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTER OF
BRIAN MICHAEL O'LAUGHLIN**

VSb DOCKET NO. 26-032-137006

**AGREED DISPOSITION MEMORANDUM ORDER
FOUR-MONTH SUSPENSION**

On July 31, 2026, 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, Section IV, Paragraph 13-6.H of the Rules of the Supreme Court of Virginia. The panel consisted of Adam M. Carroll, 1st Vice Chair (the "Chair"); David R. Tiller; Carolyn V. Grady; Reiss F. Wilks; and Tammy D. Stephenson, Lay Member. The Virginia State Bar was represented by Seth T. Shelley, Assistant Bar Counsel. Brian Michael O'Laughlin (the "Respondent") was present and was represented by counsel, James T. Maloney. 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. Jennifer Thomas, court reporter, Chandler and Halasz, P.O. Box 9349, Richmond, Virginia 23227, telephone (804) 730-1222, after being duly sworn, reported the hearing and transcribed the proceedings.

WHEREFORE, upon consideration of the Agreed Disposition, the Certification, Respondent's Answer, 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 a Four-Month Suspension, as set forth in the Agreed Disposition, which is attached and incorporated in this Memorandum Order.

It is further **ORDERED** that the sanction is effective February 13, 2027.

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.

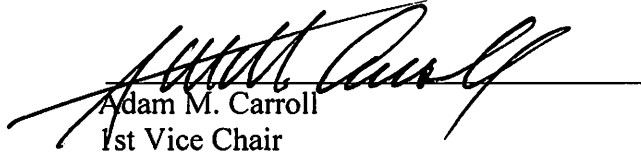
It is further **ORDERED** that if the Respondent is not handling any client matters on the effective date of the Suspension, he shall submit an affidavit to that effect within sixty (60) days of the effective date of the Suspension to the Clerk of the Disciplinary System at the Virginia State Bar. The 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, Section IV, Paragraph 13-9.E, of the Rules of the Supreme Court of Virginia, the Clerk shall assess all costs against the Respondent.

It is further **ORDERED** that an attested copy of this Order be mailed by the Clerk to the Respondent by electronic, first-class and certified mail, return receipt requested, to his Virginia State Bar address of record, at 1333 Winfree Creek Ln, Midlothian, VA 23113-2409, and a copy by electronic mail to James T. Maloney, Respondent's Counsel and a copy by electronic mail to Seth T. Shelley, Assistant Bar Counsel.

ENTERED THIS **3rd** DAY OF AUGUST, 2026

VIRGINIA STATE BAR DISCIPLINARY BOARD


Adam M. Carroll
1st Vice Chair

VIRGINIA:

BEFORE THE DISCIPLINARY BOARD
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
BRIAN MICHAEL O'LAUGHLIN

VS B Docket No. 26-032-137006

AGREED DISPOSITION
FOUR-MONTH SUSPENSION

Pursuant to the Rules of the Supreme Court of Virginia, Part 6, § IV, ¶ 13-6.H, the Virginia State Bar by Joseph M. Caturano, Jr., and Brian Michael O'Laughlin ("Respondent"), and James Thomas Maloney, counsel for Respondent, 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 2011. At all times referenced herein, Respondent was a member of the VSB.
2. In January 2024, Respondent was associated with Turnbull Law Group, LLC ("Turnbull"). Turnbull was based in Illinois but employed attorneys in various states offering legal services in consumer litigation defense, debt negotiation and debt consolidation. Respondent was a salaried employee of Turnbull, and practiced law in Virginia on behalf of clients through Turnbull.
3. In January 2024, Marianna Viscardi ("Ms. Viscardi") hired Turnbull for legal representation upon overdue debts and debt consolidation.
4. On October 11, 2024, One Main Financial ("One Main") filed a lawsuit against Ms. Viscardi in the General District Court of Virginia Beach on an overdue debt (the "Lawsuit"); the first return court date was set on December 19, 2024.
5. On December 10, 2024, Turnbull sent Ms. Viscardi's information, including information on the Lawsuit and the first return court date, to Respondent for legal representation in Virginia.
6. On December 11, 2024, Respondent contacted Ms. Viscardi by email, and specifically referenced the Lawsuit by One Main, stating to Ms. Viscardi, in part,

I will be your new counsel with Turnbull ... Please let me know if you have any immediate questions or concerns.

I have reached out to One Main regarding your debt. I will keep you apprised of all developments. It is my job to get you the best, most affordable options to settle your debt. In some instances, you may have to add money to your account for us to fulfill accepted agreements, but we will let you know if that is the case.

To help with that, do you have any financial hardship documents, such as unpaid medical bills, a late mortgage notice, paying on other settlements, or other documents showing hardship? It's not required but sometimes can help.

Also, keep the Court date on your calendar. If we can come to an agreement, you will not have to attend. If we cannot by the date, I will ask the Court to continue the date to give us more time to negotiate.

7. Despite the email correspondence from Respondent to Ms. Viscardi on December 11, 2024, Respondent did not make an appearance in the Lawsuit on behalf of Ms. Viscardi, did not settle the matter with One Main by December 19, 2024, did not file a motion for a continuance of the hearing date on December 19, 2024, and did not appear at the hearing on December 19, 2024. Because Respondent stated to Ms. Viscardi that he would continue the hearing date if the matter was not settled by December 19, 2024, Ms. Viscardi also did not appear at the hearing on December 19, 2024. A default judgement was entered against Ms. Viscardi on December 19, 2024, including amounts for attorney fees and interest ("Default Judgement"). Respondent was not aware of the Default Judgment at this time.
8. In an effort to settle the debt to One Main, on December 19, 2024, Respondent sent proposed settlement terms by email to Ms. Viscardi to begin negotiations with One Main. Ms. Viscardi communicated with Respondent by email on December 19 and December 20, 2024, on various terms to settle the debt. Ms. Viscardi chose to offer "\$2200 paid over 12 months starting 1/1/25 and recurring every month thereafter on the 1st until paid."
9. On January 8, 2025, Respondent emailed Ms. Viscardi and stated, in part, "They revoked the offer to settle for less than your debt and the only options are to pay off \$2350 in 3 months or pay the balance in full for 18 months ..." Ms. Viscardi responded on January 13, 2025, stating, in part, "Why are they allowed to do that?" Respondent and Ms. Viscardi last communicated in January 2025.
10. On February 13, 2025, Turnbull terminated Respondent's employment for reasons unrelated to his representation of Ms. Viscardi.
11. On August 25, 2025, Ms. Viscardi became aware of the Default Judgement when the human resources department at her employer notified her of a garnishment action on the Default Judgment.

12. In his interview with the VSB's investigator, Respondent stated he could not remember when he became aware of the Default Judgment in Ms. Viscardi's case.
13. In November 2025, the garnishment action against Ms. Viscardi concluded as the amounts withdrawn from Ms. Viscardi's paychecks and paid to One Main satisfied the Default Judgment.
14. During his interview, Respondent conceded to the VSB's investigator that he should have "taken care of the continuance and communicated with [Ms. Viscardi] more about what her potential options were, and to confirm that she understood the language [in his email correspondence of December 11, 2024] because it could have been interpreted differently."

II. NATURE OF MISCONDUCT

Such conduct by Respondent as set forth above pertaining to the representation of Ms.

Viscardi constitutes misconduct in violation of the following provisions of the Rules of

Professional Conduct:

Rule 1.1 Competence

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

Rule 1.3 Diligence

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

By failing to represent Ms. Viscardi in the Lawsuit, specifically, by failing to make an appearance with the court on behalf of Ms. Viscardi; by failing to continue the hearing date of December 19, 2024; by failing to appear at the hearing on December 19, 2024; by failing to diligently monitor the Lawsuit; by failing to contact the court and Ms. Viscardi when the court entered the Default Judgment; by failing to promptly seek any post-judgment relief while the court retained jurisdiction to vacate the Default Judgment; and by failing to appeal the matter to the circuit court, if so directed by Ms. Viscardi, within the time to do so; Respondent violated RPC 1.1 and 1.3(a).

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.

By failing to keep Ms. Viscardi reasonably informed about the status of the Lawsuit, specifically, by failing to inform Ms. Viscardi of his failure to file a motion for a continuance of the hearing on December 19, 2024; by failing to inform Ms. Viscardi of his absence at the hearing of December 19, 2024; by failing to inform Ms. Viscardi of the Default Judgment of December 19, 2024; by failing to inform and advise Ms. Viscardi of the consequences of the Default Judgment in the Lawsuit and her options for post-judgment relief and appeal which prevented Ms. Viscardi from making informed decisions; by failing to explain and advise Ms. Viscardi of the potential consequences of the Default Judgment, such as a garnishment action; and by failing to inform and advise Ms. Viscardi of the potential mechanisms to vacate or appeal the Default Judgment; Respondent violated RPC 1.4(a) and (b).

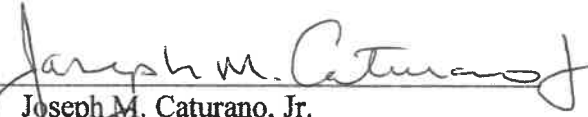
III. PROPOSED DISPOSITION

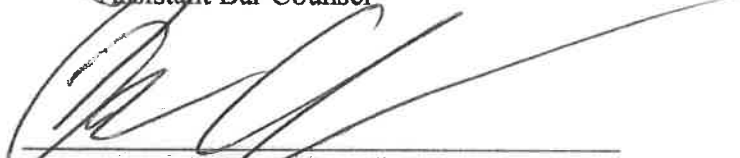
Accordingly, Joseph M. Caturano, Jr., Assistant Bar Counsel, Brian Michael O’Laughlin, and James Thomas Maloney, counsel for Respondent, tender to the Disciplinary Board for its approval the Agreed Disposition of a Four-Month Suspension as representing an appropriate sanction if this matter were to be heard through an evidentiary hearing by a panel of the Disciplinary Board.

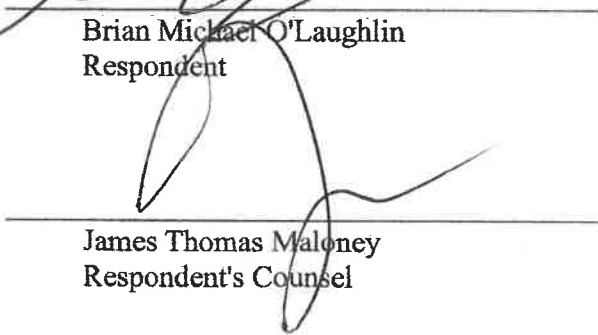
Assistant Bar Counsel, Respondent, and Counsel for Respondent agree that the effective date for the sanction shall be February 13, 2027.

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

THE VIRGINIA STATE BAR

By: 
Joseph M. Caturano, Jr.
Assistant Bar Counsel


Brian Michael O'Laughlin
Respondent


James Thomas Maloney
Respondent's Counsel