

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTER OF
ANN BELLAMY STONEBURNER**

VSB DOCKET NO. 25-010-134290

**AGREED DISPOSITION MEMORANDUM ORDER
ONE-YEAR AND ONE-DAY SUSPENSION**

On February 24, 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, 2nd Vice Chair (the “Chair”); Colleen M. Haddow; David R. Tiller; Melanie A. Friend; and Samuel Massenberg, Jr, Lay Member. The Virginia State Bar was represented by Seth T. Shelley, Assistant Bar Counsel. Ann Bellamy Stoneburner (the “Respondent”) was present and was represented by counsel, John E. Lichtenstein (“Respondent Counsel”). The Chair polled the members of the Board as to whether any of them were aware of any personal or financial interest or bias which would preclude any of them from fairly hearing this matter to which each member responded in the negative. Lisa Wright, 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 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 One-Year and One-Day 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 24, 2026.

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 her license to practice law in the Commonwealth of Virginia, to all clients for whom she 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 her 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, she 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 her Virginia State Bar address of record, at Stoneburner Law Firm, PLLC 10509 Patterson Ave, Unit 29276 Henrico, VA 23242, and a copy by electronic mail to John E. Lichtenstein, Respondent's Counsel and a copy by electronic mail to Seth T. Shelley, Assistant Bar Counsel.

ENTERED THIS 24th DAY OF FEBRUARY, 2026
VIRGINIA STATE BAR DISCIPLINARY BOARD



Adam M. Carroll
2nd Vice Chair

VIRGINIA:

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

**IN THE MATTER OF
ANN BELLAMY STONEBURNER**

VS Docket No. 25-010-134290

**AGREED DISPOSITION
ONE-YEAR AND ONE-DAY SUSPENSION**

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 Ann Bellamy Stoneburner, Respondent, hereby enter into the following Agreed Disposition arising out of the referenced matter.

I. ALLEGATIONS OF FACT

1. Respondent was admitted to the Virginia State Bar (“VSB”) in 2008. Respondent is a member of the VSB. Respondent’s license to practice law is currently suspended on administrative grounds and for failing to comply with a subpoena *duces tecum* in this matter.
2. Charles Brothers, Jr. (“Brothers”) retained the law firm of Phelan Petty and Respondent on a contingency fee basis in early 2020.¹ Brothers sought to pursue a medical malpractice claim arising from his mother’s death in 2019 against several medical providers.
3. On October 30, 2020, Respondent filed a complaint on behalf of Brothers in Suffolk Circuit Court (“Circuit Court”) against Sentara Medical Group (“Sentara”) and other defendants seeking \$2.5 million in damages for the wrongful death of Brothers’ mother. Brothers reported that at that time Respondent was working on his case and had obtained expert witnesses.
4. On January 5, 2021, Douglas Penner (“Penner”), counsel for Sentara, filed an Answer.
5. Brothers said that, sometime in 2021, Respondent informed him that she was leaving Phelan Petty but that she would continue representing him.

¹ At that time, Respondent was an attorney at Phelan Petty.

6. On September 30, 2021, the Circuit Court set a trial date of July 8, 2024. A Pre-Trial Conference was set for June 4, 2024.
7. By order entered September 21, 2022, Phelan Petty was permitted to withdraw as counsel of record. Respondent remained counsel of record for Brothers. The order included the address, phone number, and email for the “Stoneburner Law Firm.”
8. In late 2022 or early 2023, Respondent informed Brothers that she may not be able to handle his case and he may need new counsel. Respondent told Brothers that she was experiencing medical problems and planned to move to Colorado.
9. On September 22, 2023, Penner filed a Motion to Continue Trial due to a scheduling conflict with an expert witness. Penner noted that there had been “no activity regarding this matter” since Phelan Petty withdrew. Penner wrote that he attempted to contact Respondent in August 2023 but received no response. Penner said he spoke to Respondent on September 8, 2023, and she agreed to the continuance request and authorized him to sign the draft order on her behalf. Penner sent the motion and draft order to Respondent on September 12, 2023 and attempted to reach Respondent on September 18 and 21 but received no response. Penner signed the draft order on behalf of Respondent and noted that he did so “with permission from” Respondent.
10. On March 25, 2024, Respondent’s license to practice law was administratively suspended for failing to comply with MCLE requirements.
11. On April 19, 2024, the Circuit Court granted Penner’s Motion to Continue Trial.
12. On July 12, 2024, Respondent left a voicemail on Brothers’ phone. Respondent said she was “not gaining any ground on negotiations.” Respondent did not inform Brothers that her license to practice law had been suspended.
13. In late 2024, Respondent informed Brothers that opposing counsel would consider a reasonable settlement. Respondent also told Brothers that he may need to find new counsel. Respondent said she did not have funds for medical experts.
14. On October 16, 2024, Respondent’s license to practice law was administratively suspended for failing to pay bar dues.

15. On December 30, 2024, Penner mailed a letter to the court and requested that the matter be struck from the docket and “discontinued by the Court due to inactivity pursuant to Va. Code 8.01-335(B).”²
16. On January 1, 2025, Brothers requested by text message that Respondent provide a copy of his client file. Respondent stated she would do so.
17. In early January 2025, Brothers learned that Respondent’s license had been suspended by conducting an online search. Brothers texted Respondent that he needed to speak to her immediately. Brothers said Respondent said she would call Brothers the following day but did not.
18. On January 10, 2025, Brothers filed a bar complaint against Respondent.
19. On January 29, 2025, Respondent sent a text message to Brothers and said she was “getting together your file.” On February 4, 2025, Brothers asked if Respondent had gotten the file together. On February 10, 2025, Respondent wrote that she had another mini stroke but would work on his file the following day.
20. On February 13, 2025, as part of the Bar’s investigation of the bar complaint, bar counsel issued a subpoena *duces tecum* to Respondent for documents related to her representation of Brothers. Respondent did not provide the documents by the requested deadline.
21. On February 28, 2025, Brothers texted Respondent about his file but did not receive a response.
22. When Penner learned that Respondent’s license was suspended, he contacted VSB Ethics to determine if he could contact Brothers. VSB Ethics said he could communicate with Brothers, so Penner contacted Brothers to negotiate a settlement. Brothers and Penner entered into a settlement of \$75,000.00 in resolution of the lawsuit. Penner said he did not negotiate with Respondent at any point during the case.
23. On March 12, 2025, Penner filed a Motion for Approval of Settlement of Wrongful Death Lawsuit. Penner sent a copy to Brothers, who was proceeding *pro se*. Penner requested a hearing date of April 25, 2025, in Circuit Court.

² Va. Code § 8.01-335(B) states that “any court in which is pending a case wherein for more than three years there has been no order or proceeding, except to continue it, may, in its discretion, order it to be struck from its docket and the action shall thereby be discontinued.”

24. On April 11, 2025, the VSB Disciplinary Board entered an Interim Suspension Order, suspending Respondent's license to practice law for failing to comply with the subpoena *duces tecum* in this matter. The VSB Disciplinary Board ordered Respondent, pursuant to the Rules of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 13-29 ("Paragraph 13-29"), to notify all current clients of the suspension of her license or to provide an affidavit to the VSB indicating that she did not currently represent any clients. Respondent did not comply with the requirements of Paragraph 13-29.
25. On April 25, 2025, the Circuit Court accepted the proposed settlement of \$75,000.00 and dismissed the lawsuit. Respondent was not present at the hearing.
26. Respondent never filed a motion to withdraw as counsel in Brothers' case.
27. As of the date of this agreed disposition, Respondent's license remains suspended for failing to comply with MCLE requirements, failing to pay bar dues, and failing to comply with the subpoena *duces tecum*.
28. Penner said he had difficulty reaching Respondent throughout the case. Penner said he attempted to contact Respondent by email, phone, and mail. Penner said the last contact his firm had with Respondent was in late September 2023.
29. When interviewed, Respondent said she began having health problems in 2023. Respondent said she had three surgeries in 2023 and 2024. Respondent said she has had mini strokes after the surgeries, with the most recent episode in March 2025. Respondent said she informed Brothers of her medical issues but also recognized that she "dropped the ball" on Brothers' case. Respondent admitted that she failed to tell Brothers that her license was suspended in March 2024. Respondent said she was aware of the suspension. Respondent said she intends to address the suspension and meet the requirements for reinstatement.
30. Brothers said he did not receive a copy of his file, after requesting it and after receiving assurances from Respondent that she would provide it. Brothers said he had difficulty reaching Respondent during the representation. Brothers said he negotiated the case himself in early 2025 because he "no longer had an attorney."

II. NATURE OF MISCONDUCT

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

By failing to provide substantive legal services to Brothers during the approximately four years she represented him, and by abandoning the representation, which led to Brothers representing himself even though Respondent remained counsel of record, Respondent violated RPC 1.1 and 1.3(a).

RPC 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 communicate with Brothers for extended periods of time during the representation, by failing to respond to requests for information, by implying to Brothers in July 2024 that she was negotiating with opposing counsel when she was not, and by failing to inform Brothers that her license was suspended and she could no longer represent him, Respondent violated RPC 1.4(a) and (b).

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 withdraw from Brothers' case and abandoning the matter, which resulted in Brothers negotiating with opposing counsel himself, Respondent violated RPC 1.16(d).

RULE 1.16 Declining Or Terminating Representation

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

By failing to provide Brothers a copy of his client file within a reasonable time when requested, Respondent violated RPC 1.16(e).

RULE 1.16 Declining Or Terminating Representation

(e) All original, client-furnished documents and any originals of legal instruments or official documents which are in the lawyer's possession (wills, corporate minutes, etc.) are the property of the client and, therefore, upon termination of the representation, those items shall be returned within a reasonable time to the client or the client's new counsel upon request, whether or not the client has paid the fees and costs owed the lawyer. If the lawyer wants to keep a copy of such original documents, the lawyer must incur the cost of duplication. Also upon termination, the client, upon request, must also be provided within a reasonable time copies of the following documents from the lawyer's file, whether or not the client has paid the fees and costs owed the lawyer: lawyer/client and lawyer/third-party communications; the lawyer's copies of client-furnished documents (unless the originals have been returned to the client pursuant to this paragraph); transcripts, pleadings and discovery responses; working and final drafts of legal instruments, official documents, investigative reports, legal memoranda, and other attorney work product documents prepared or collected for the client in the course of the representation; research materials; and bills previously submitted to the client. Although the lawyer may bill and seek to collect from the client the costs associated with making a copy of these materials, the lawyer may not use the client's refusal to pay for such materials as a basis to refuse the client's request. The lawyer, however, is not required under this Rule to provide the client copies of billing records and documents intended only for internal use, such as memoranda prepared by the lawyer discussing conflicts of interest, staffing considerations, or difficulties arising from the lawyer-client relationship. The lawyer has met his or her obligation under this paragraph by furnishing these items one time at client request upon termination; provision of multiple copies is not required. The lawyer has not met his or her obligation under this paragraph by the mere provision of copies of documents on an item-by-item basis during the course of the representation.

III. PROPOSED DISPOSITION

Accordingly, Bar Counsel and Respondent tender to the Disciplinary Board for its approval the Agreed Disposition of a One-Year and One-Day Suspension as representing an appropriate sanction if this matter were to be heard through an evidentiary hearing by the Disciplinary Board. Bar counsel and Respondent agree that the effective date for the sanction shall be the date of entry of the Disciplinary Board Order approving this Agreed Disposition.

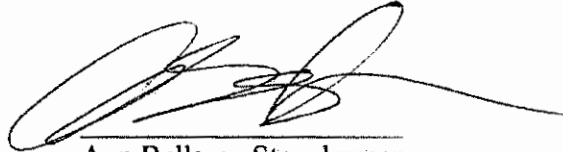
If the Agreed Disposition is approved, the Clerk of the Disciplinary System shall assess costs pursuant to Paragraph 13-9.E of the Rules of the Supreme Court of Virginia.

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



Seth T. Shelley
Assistant Bar Counsel



Ann Bellamy Stoneburner
Respondent



John Eric Lichtenstein
Respondent's counsel