

ATTORNEY GRIEVANCE COMMISSION
OF MARYLAND

Petitioner,

v.

MICHAEL WENYUE LU

Respondent.

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IN THE
COURT OF APPEALS
OF MARYLAND

Misc. Docket AG No. 11

September Term, 2013

ORDER

Upon consideration of the Petition for Disciplinary or Remedial Action and the Joint Petition for Reprimand by Consent filed herein pursuant to Maryland Rule 16-772, it is this 18th day of July, 2013,

ORDERED, by the Court of Appeals of Maryland, that Respondent Michael Wenyue Lu, be, and he is hereby reprimanded.

/s/ Glenn T. Harrell, Jr.
Senior Judge

ATTORNEY GRIEVANCE COMMISSION
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JOINT PETITION FOR REPRIMAND
BY CONSENT

The Attorney Grievance Commission of Maryland, Petitioner, by Glenn M. Grossman, Bar Counsel, and Lydia E. Lawless, Assistant Bar Counsel, its attorneys, and Michael W. Lu, Esquire, Respondent, by Andrew Jay Graham, Esquire, Amy E. Askew, Esquire and Kramon & Graham, PA, his attorneys, jointly petition this Honorable Court to reprimand the Respondent and represent to the Court as follows:

1. Respondent Lu was admitted to the Bar of the Court of Appeals of Maryland on December 13, 1995.

2. On April 15, 2013, Petitioner filed a Petition for Disciplinary or Remedial Action alleging violations of Rules 1.1, 1.3, and 8.4(a) and (d) of the Maryland Lawyers' Rules of Professional Conduct ("MLRPC"). Respondent Lu filed an answer thereto and trial is currently scheduled to begin August 22, 2013 in the Circuit Court for Montgomery County.

3. Bar Counsel and Respondent Lu, through counsel, have conferred on the appropriate disposition and have agreed that an appropriate disposition herein would be a reprimand for a violation of MLRPC 1.3.

4. Pursuant to Maryland Rule 16-722(b), Respondent Lu avers and affirms the following:

A. Respondent Lu is aware that a proceeding is currently pending involving allegations of professional misconduct relating to his involvement in negotiations pertaining to an annulment in Virginia;

B. Respondent Lu knows that if a hearing were to be held, sufficient evidence could be produced to sustain allegations of misconduct related to MLRPC 1.3. If a trial were held, Petitioner could prove the following: On February 17, 2011, at the request of his client, Mr. Lu reached out to opposing counsel to attempt to settle the case pending in the Circuit Court for Prince William County, Virginia. Of concern to the parties were the grounds by which the opposing party would request the court to annul the marriage. Opposing counsel proposed to the Respondent that the parties consider impotency as the basis for an annulment. The Respondent had never handled any case involving claims of impotency and, not being a Virginia attorney, was unfamiliar with Virginia law regarding impotency and annulment. The Respondent did no independent research on the issue. The Respondent, his client, his client's mother, and Virginia counsel for the client, held a conference call in which the Respondent and Virginia counsel sought to explain the legal definition of impotency in English. Although the client was able to read, write, speak and understand the English language, the Respondent, translated the English explanation to Mandarin Chinese for his client and his client's mother. In light of the fact that the Respondent did not have a full understanding of the law himself, he did not provide complete information to his client about the legal

definition of impotency and what proof would be required at trial if the client admitted he was impotent. Following the conference call, and with the client's consent, the Respondent stated to opposing counsel that his client would "admit" he had impotency problems. Because Respondent did not diligently assure that he and his client had a complete understanding of the legal definition of impotency and the necessary requisite proof under Virginia law, the client's decision was ill-advised.

C. Respondent Lu consents to a reprimand for a violation of MLRPC 1.3 based upon his not diligently assuring that he and his client had a complete understanding of one of the grounds for annulment and necessary requisite proof under Virginia law;

D. Respondent Lu gives his consent freely and voluntarily without coercion or duress.

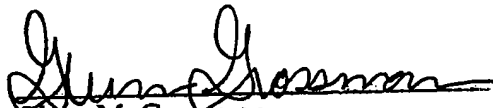
WHEREFORE, the parties request that this Court:

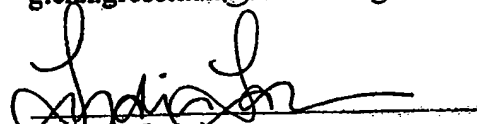
A. Grant the parties' Joint Petition for Reprimand by Consent;


B. ORDER, that Michael W. Lu, Respondent, be, and is hereby is, reprimanded for a professional misconduct violation of Rule 1.3 of the Maryland Lawyers' Rules of Professional Conduct for not diligently assuring that he and his client had a complete understanding of one of the grounds for annulment of a marriage in Virginia when translating discussions from English to Chinese;

C. Grant such other and further relief as the Court deems warranted.

Respectfully submitted,

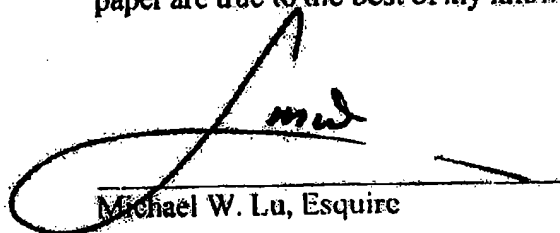

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*Attorneys for Respondent,
Michael W. Lu, Esquire*

I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information and belief.


Michael W. Lu, Esquire

7/12/2013
Date