



# OFFICE OF DISCIPLINARY COUNSEL

June 29, 2016

Wallace E. Shipp, Jr.  
*Disciplinary Counsel*

Elizabeth A. Herman  
*Deputy Disciplinary Counsel*

*Senior Assistant Disciplinary Counsel*  
Jennifer Lynan  
Julia L. Porter

*Assistant Disciplinary Counsel*  
Joseph N. Bowman  
Gayle Marie Brown Driver  
Hamilton P. Fox, III  
Becky Neal  
Dolores Dorsainvil Nicolas  
Sean P. O'Brien  
Joseph C. Perry  
William Ross  
H. Clay Smith, III  
Traci M. Tait

*Senior Staff Attorney*  
Lawrence K. Bloom  
Caroll G. Donayre  
Jelani Lowery

*Manager, Forensic Investigations*  
Charles M. Anderson

*Senior Forensic Investigator*  
Kevin E. O'Connell

**BY FIRST-CLASS AND CERTIFIED  
MAIL NO. 9414 7266 9904 2060 2435 21**

Daniel Hornal, Esquire  
Talos Law  
705 Fourth Street, N.W.  
Suite 403  
Washington, D.C. 20001

***In re Daniel Hornal, Esquire***  
**D.C. Bar Registration No. 1005381**  
**Bar Docket No. 2015-D292**

Dear Mr. Hornal:

This office has completed its investigation of the above-referenced matter. We find that your conduct reflected a disregard of certain ethical standards under the District of Columbia Rules of Professional Conduct. We are, therefore, issuing you this Informal Admonition pursuant to D.C. Bar Rule XI, §§ 3, 6, and 8.

We docketed this matter on October 15, 2015, based upon a complaint that you assisted a person in the performance of activity that constitutes the unauthorized practice of law, in violation of Rule 5.5(b); and that you made a false or misleading communication about your services, in violation of Rule 7.1 (a).

We find as follows:

You are the senior partner of Talos Law, a general practice law firm located in the District of Columbia. On December 12, 2014, a non-lawyer employee of Talos Law, Mr. Seung-Ho Jung, sent a letter to Complainant, a landlord, demanding that Complainant account for charges that he levied against your client's security deposit. The letter stated that,

Should you be unable to substantiate the cost of the repairs . . .  
we have advised our client to exercise his legal rights in small  
claims court.

Mr. Jung's letter further stated that the client "is willing to settle this matter without litigation if you are willing to repay \$1000.00 of the full amount he is legally entitled to receive from his security deposit." Mr. Jung signed the letter with his own signature and identified himself on the signature line as a "Junior Associate, Talos Law." At the time, Mr. Jung was not a member of the District of Columbia Bar, nor any other bar. The stationary upon which the letter is written provides a telephone number for the firm, an e-mail address, and a street address. The stationary does not provide any information indicating that Mr. Jung is not a lawyer.

In addition, as of August 30, 2015, the firm's Facebook page<sup>1</sup> provided the following biographical information for Mr. Jung:

Seung-Ho Jung is a Junior Associate at Talos Law. He received his J.D. from Georgetown University Law Center in 2013. Seung-Ho earned his B.A. from the Johns Hopkins University, majoring in International Relations and East Asian Studies and minored in Economics and History. Prior to attending Georgetown University Law Center, Seung-Ho worked in educational consulting and investment banking in the United States and South Korea. Seung-Ho has also worked as a clerk with the law firm of Kim & Chang and as a research assistant with the Bank of Korea. In his spare time, Seung-Ho enjoys scripting computer game MODs, board games, and acting.

The firm's Facebook page contains no information indicating that Mr. Jung is not a lawyer.

In your response to the complaint, you state that Mr. Seung-Ho Jung has not engaged in the practice of law; that he held the title of Junior Associate because you felt that it was an accurate description of his status as a law school graduate who had not yet passed the bar exam; that Mr. Jung's responsibilities included paralegal work for Talos Law which includes discovery, correspondence with clients, filing, and occasionally sending letters on behalf of the firm at either your direction or the direction of one of the other attorneys.

Rule 5.5 (b) provides that a lawyer shall not "assist a person who is not a member of the bar in the performance of activity that constitutes the unauthorized practice of law."

Rule 7.1 (a) provides that,

A lawyer shall not make a false or misleading communication about the lawyer or the lawyer's services. A communication is false or misleading if it: (1) Contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading; or (2) Contains an assertion about the lawyer or the lawyer's services that cannot be substantiated.

---

<sup>1</sup> <https://www.facebook.com/TalosLaw>

Daniel Hornal, Esquire  
*In re Daniel Hornal, Esquire*  
Bar Docket No. 2015-D292  
Page 3

Mr. Jung's December 12, 2014 correspondence on behalf of the firm's client threatens the Complainant with legal action unless he provides an explanation for certain charges levied against the client's security deposit. Thus, Mr. Jung's letter constitutes the "practice of law" within the meaning of Rule 5.5(b). The stationary upon which the letter is written contains no indication that Mr. Jung is not a lawyer. Mr. Jung signs the letter as "Junior Associate" of Talos Law, a title conferred upon him by you and that implies he is a lawyer. In addition, the firm's website contains a material misrepresentation by giving the impression that Mr. Jung is a lawyer and by omitting information that he is not a lawyer.

Based upon the foregoing, we find that you violated Rules 5.5(b) and 7.1 (a).

In issuing this informal admonition, Disciplinary Counsel has taken into consideration that you have cooperated with Disciplinary Counsel's investigation, and that you have no prior discipline. This letter constitutes an Informal Admonition pursuant to D.C. Bar Rule XI, §§ 3, 6, and 8, and is public when issued. Please refer to the attachment to this letter of Informal Admonition for a statement of its effect and your right to have it vacated and have a formal hearing before a hearing committee.

If you would like to have a formal hearing, you must submit a written request for a hearing to the Office of Disciplinary Counsel, with a copy to the Board on Professional Responsibility, within 14 days of the date of this letter, unless Disciplinary Counsel grants an extension of time. If a hearing is requested, this Informal Admonition will be vacated, and Disciplinary Counsel will institute formal charges pursuant to D.C. Bar Rule XI, § 8(c). The case will then be assigned to a Hearing Committee, and a hearing will be scheduled by the Executive Attorney for the Board on Professional Responsibility pursuant to D.C. Bar Rule XI, § 8(d). Such a hearing could result in a recommendation to dismiss the charges against you or a recommendation for a finding of culpability, in which case the sanction recommended by the Hearing Committee is not limited to an Informal Admonition.

Sincerely,

Wallace E. Shipp, Jr.  
Disciplinary Counsel

Enclosure: Attachment to Letter of Informal Admonition

WES:JNB:act