



VIRGINIA:

BEFORE THE FIFTH DISTRICT, SECTION II SUBCOMMITTEE  
OF THE VIRGINIA STATE BAR

IN THE MATTER OF  
Jahangir Ghobadi

VSB Docket No. 18-052-110740

SUBCOMMITTEE DETERMINATION  
(PUBLIC REPRIMAND WITHOUT TERMS)

On May 16, 2018, a meeting was held in this matter before a duly convened Fifth District, Section II Subcommittee consisting of Richard Brent Orsino, Chair Presiding; Anita Van McFadden, Member; and Stephen J. McArdle, Jr., Lay Member. During the meeting, the Subcommittee voted to approve an agreed disposition for a Public Reprimand without Terms pursuant to Part 6, § IV, ¶ 13-15.B.4 of the Rules of the Supreme Court of Virginia. The agreed disposition was entered into by the Virginia State Bar, by Elizabeth K. Shoenfeld, Assistant Bar Counsel, and Jahangir Ghobadi, Respondent, *pro se*.

WHEREFORE, the Fifth District, Section II Subcommittee of the Virginia State Bar hereby serves upon Respondent the following Public Reprimand without Terms:

FINDINGS OF FACT

1. At all relevant times, Respondent was a member in good standing of the Virginia State Bar.
2. Respondent represented Mr. Mahdi Ahmad Norozi in his divorce from his wife, Harwaa Akhond. Mr. Norozi alleged that his wife and her family engaged in a religious practice involving self-mutilation. He alleged that this practice takes place during the Shia Muslim holiday of Ashura, which was on October 1, 2017.
3. On September 15, 2017, Respondent filed a motion for pendente lite relief, in which he requested an order protecting his client and his minor children against acts of family abuse and violence by Ms. Akhond. Plaintiff's counsel and Complainant Travis Van Hook requested that the parties appear at calendar control, and during the September 20, 2017 calendar control hearing, Respondent presented photos of Ashura practices. Respondent stated that the photos, which depicted bloodied children, were actual photos

of the couple's children. Based on viewing the photos, the court said it would hear an emergency motion for a protective order.

4. Respondent said that his client dropped off the photos with his assistant, who left them on his desk. The photos were large color prints in an envelope, and they were not accompanied by a note. Respondent acknowledged that prior to presenting the photos at the calendar control hearing, he made no effort to verify what the photos actually depicted.
5. Following the September 20, 2017 calendar control hearing, Mr. Van Hook emailed the photos to his client Ms. Akhond, who verified that the photos Respondent had presented did not depict her or her children.
6. After the calendar control hearing, Respondent spoke with Mr. Van Hook and his client. He learned no later than September 21, 2017, when he spoke with Mr. Van Hook, that the photos were not of Mr. Norozi's family.
7. Despite this information, on September 25, 2017, Respondent filed a motion for an emergency protective order. The motion attached five photos, which he stated represented the Ashura tradition. In the motion, Respondent made no attempt to correct his previous misrepresentation to the court.
8. At the September 28, 2017 hearing, Respondent acknowledged that he had since learned that the photos he had previously presented were mere examples, and were not of the couple's children. He said that a mother who is seen in the photos looked much like his client's wife, and that at the time he presented the photos, he did not know they were from a website.
9. The court denied the motion and sanctioned Respondent in the amount of \$2,137.50 pursuant to Va. Code § 8.01-271.1. The court specified that the sanction was for the filing of the emergency motion without a sufficient basis and not for the presentation of the photos before the calendar call judge. While making the ruling, the court said that the defendant had failed to present any evidence that the children were in danger from Ashura practices, although the court acknowledged that defense counsel had attempted to introduce some evidence and was not successful. Respondent has paid the sanction.
10. Respondent told the bar's investigator that just before the September 28, 2017 hearing, he went to calendar control and told the court that the motion was not urgent because the pictures were not of the actual family. Respondent had no documentation of this claimed visit to calendar control, despite the fact that attorneys are not permitted to see a calendar control judge in this court unless they first fill out the attorney portion of a calendar control order. This is known as a "blue sheet" because it must be printed on blue paper.

## **I. NATURE OF MISCONDUCT**

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

### **RULE 3.3 Candor Toward The Tribunal**

(a) A lawyer shall not knowingly:

...

(4) . . . . If a lawyer has offered material evidence and comes to know of its falsity, the lawyer shall take reasonable remedial measures.

### **RULE 8.1 Bar Admission And Disciplinary Matters**

An applicant for admission to the bar, or a lawyer already admitted to the bar, in connection with a bar admission application, any certification required to be filed as a condition of maintaining or renewing a license to practice law, or in connection with a disciplinary matter, shall not:

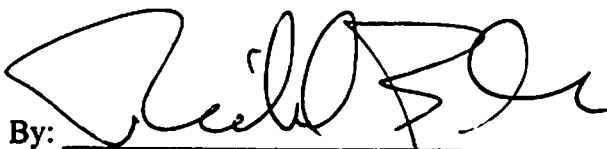
(a) knowingly make a false statement of material fact[.]

...

## **II. PUBLIC REPRIMAND WITHOUT TERMS**

Accordingly, having approved the agreed disposition, it is the decision of the Subcommittee to impose a Public Reprimand without Terms and Jahangir Ghobadi is hereby so reprimanded. Pursuant to Part 6, § IV, ¶ 13-9.E of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess costs.

**FIFTH DISTRICT, SECTION II SUBCOMMITTEE  
OF THE VIRGINIA STATE BAR**

By: 

**Richard Brent Orsino  
Subcommittee Chair**

CERTIFICATE OF MAILING

I certify that on 5/25/2018, a true and complete copy of the Subcommittee Determination (Public Reprimand without Terms) was sent by certified mail to Jahangir Ghobadi, Respondent, at 46799 Sweet Birch Ter., Sterling, Virginia 20164, Respondent's last address of record with the Virginia State Bar.

A handwritten signature in black ink, appearing to read 'Elizabeth K. Shoenfeld', written over a horizontal line.

Elizabeth K. Shoenfeld  
Assistant Bar Counsel