

**VIRGINIA:**

**BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD**

**IN THE MATTER OF  
ELLIOTT PURCELL PARK**

**VSb DOCKET NO. 25-032-133708  
VSb DOCKET NO. 25-032-134323  
VSb DOCKET NO. 25-032-134358  
VSb DOCKET NO. 25-032-134569  
VSb DOCKET NO. 25-032-134672  
VSb DOCKET NO. 25-032-134931  
VSb DOCKET NO. 25-032-135539**

**MEMORANDUM ORDER OF REVOCATION**

**THIS MATTER** came on to be heard on September 26, 2025, before a panel of the Disciplinary Board (the “Board”) consisting of Adam M. Carroll, Second Vice Chair (“Chair”), Robin J. Kegley, Esquire, Reiss F. Wilks, Esquire, Colleen M. Haddow, Esquire, and Reba H. Davis, Lay member. The Virginia State Bar (“VSB”) was represented by Jessica C. Beatty (“Assistant Bar Counsel”). Elliott Purcell Park (“Respondent”), *pro se*, failed to appear in person or by counsel. Lisa A. Wright, court reporter, Chandler and Halasz, P.O. Box 1975, Mechanicsville, Virginia, 23116, 804-730-1222, after being duly sworn, reported the hearing and transcribed the proceedings.

The Chair convened the hearing by calling the case in the hearing room designated on the Notice of Hearing. The Assistant Clerk called the name of Respondent three times in the hallway adjacent to the hearing room, with no response. Respondent did not answer or appear for the hearing, or provide any explanation for his absence. All legal notices of the date and place were timely sent by the Clerk of the Disciplinary System (“Clerk”) in the manner prescribed by the

Rules of the Supreme Court of Virginia, Part Six, Section IV, Paragraph 13-18 of the Rules of Court.

The Chair polled the members of the Board as to whether any of them was conscious of any personal or financial interest or bias which would preclude any of them from fairly hearing this matter and serving on the panel, to which inquiry each member responded in the negative.

The matter came before the Board on two District Committee Determinations for Certification by the Third District Committee Section II, pursuant to Part 6, Section IV, Paragraph 13-18 of the Rules of the Supreme Court of Virginia involving misconduct charges against Respondent. The Third District Committee Section II certified violations of the following:

Complaint Jennifer Shaw, VSB Docket No.: 25-032-133708: Rules 1.3(a), 1.4(a), 1.5(a)(1)(2)(3)(4)(5)(6)(7)(8), 1.15(a)(1), 1.15(b)(3), 1.15(b)(4), 1.15(b)(5), 1.16(d), 8.1(c), and 8.4(b);

Complainant Jessica Gray, VSB Docket No.: 25-032-134323: Rules 1.3(a), 1.4(a), 1.5(a)(1)(2)(3)(4)(5)(6)(7)(8), 1.15(a)(1), 1.15(b)(3), 1.15(b)(4), 1.15(b)(5), 1.16(d), 8.1(c), and 8.4(b);

Complainant Tracie Armistead, VSB Docket No.: 25-032-134358: Rules 1.3(a), 1.4(a)<sup>1</sup>, 1.5(a)(1)(2)(3)(4)(5)(6)(7)(8), 1.16(d), 8.1(c), 8.1(d) and 8.4(b);

Complainant Chau Cao, VSB Docket No.: 25-032-134569: Rules 1.3(a), 1.4(a), 1.16(d), and 8.1(c);

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<sup>1</sup> The *Subcommittee Determination (Certification)* of the Third District Subcommittee, Section II, reflected a violation of “Rule 1.4(b) Communication: A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.” This finding was based on Respondent’s “failing to respond to Ms. Armistead’s (VSB Docket No. 25-032-134358) numerous reasonable requests for information from October 28, 2024, to January 16, 2025 (p18 of Certification). In light of the language of the rule violation, the Board determines inclusion of Rule 1.4(b) to be a scrivener’s error and that the District Committee certified a violation of Rule 1.4(a).

Complainant Gary Richard Kaiser, VSB Docket No.: 25-032-134672: Rules 1.3(a), 1.4(a), 1.5(a)(1)(2)(3)(4)(5)(6)(7)(8), 1.16(d), 8.1(c), and 8.4(b);

Complainant C. Nana F. Derby, VSB Docket No.: 25-032-134931: Rules 1.3(a), 1.4(a), 1.5(a)(1)(2)(3)(4)(5)(6)(7)(8), 1.15(a)(1), 1.15(b)(3), 1.15(b)(4), 1.15(b)(5), 1.16(d), 8.1(c), and 8.4(b); and

Complainant Tomislav Milic, VSB Docket No.: 25-032-135539: Rules 1.3(a), 1.4(a), 1.5(a)(1)(2)(3)(4)(5)(6)(7)(8), 1.15(a)(1), 1.15(b)(3), 1.15(b)(4), 1.15(b)(5), 1.16(d), 8.1(c), and 8.4(b).

Prior to the proceedings and at the final Pretrial Conference, the Chair admitted into evidence VSB Exhibits 1 through 85. Respondent did not participate in the Pretrial Conference and thus no objection was noted. VSB Exhibit 86 contained a certification of the Clerk regarding Respondent's prior disciplinary record. VSB Exhibit 86 was introduced during the sanction phase of the hearing.

The Board heard testimony from the following witnesses, who were sworn under oath: C. Nana F. Derby, Tomislav Milic, Dr. Jennifer Shaw, VSB Investigator Lisa Marshall, Tracie Armistead, and Jessica Gray. Respondent was not present to cross examine any of these witnesses. The Board considered the exhibits introduced by VSB, the testimony of the witnesses, argument of the VSB, and met in private to deliberate the misconduct phase of the proceedings.

The seven Complaints, which will be addressed separately, arose out of similar fact patterns. The affected clients engaged Respondent to undertake specific actions and pleadings; Respondent failed to do so; Respondent deposited the client retainers into his personal account; Respondent failed to return unearned legal fees; and Respondent failed to provide any reason for his failure to do so.

## **I. FINDINGS OF FACT**

The Board makes the following findings of fact on the basis of clear and convincing evidence:

1. Respondent was, at all times relevant to these proceedings, an attorney licensed to practice law in the Commonwealth of Virginia with an address of record with the Virginia State Bar at: Park Chambers, 1011 East Main St., Ste 300, Richmond, VA 23219-3537. Pursuant to Part 6, Section IV, Paragraph 13-12 and 13-18.A of the Rules of Virginia Supreme Court, Respondent received proper notice of this and all proceedings in this matter.

### **The accounts**

2. Respondent holds a Truist account ending in -7693. The holder of his account is “Elliott P. Park.” This account is not Interest on Lawyer Trust Account (“IOLTA”) and the address for the holder is Respondent’s home address. Respondent has a credit card associated with this account which is designated as Respondent’s “Personal Account Signature Card” and titled under Elliott P. Park.

3. Respondent holds a separate designated IOLTA with Truist (account ending in -9365), titled under “Legal Services Corp of VA IOLTA Park and Company PC Allied Beacon Partners – BOSCO Account.” For the time period of January 31, 2024, to January 31, 2025, this account had a balance of \$1.00 and showed no activity.

4. Respondent also holds a separate designated IOLTA with Truist (account ending in -9357) titled under “Park and Company PC IOLTA Legal Services of Virginia Allied Beacon Partners – General Account.” For the time period of January 31, 2024, to January 31, 2025, this account had a balance of \$0.98 and showed no activity.

### **Receivership**

5. On September 20, 2023, the Circuit Court for the City of Charlottesville appointed

Respondent as the receiver for the law practice of Steven Scott Biss (“Biss”). As receiver, Respondent was given the powers and duties enumerated under Va. Code § 54.1-3900.01 in order to protect the Biss’s clients after Biss was determined to be unable to properly discharge his responsibilities to clients. Respondent remained the appointed receiver for Biss until January 3, 2025, when he was removed by the Court upon the petition of the VSB.

6. On February 5, 2025, the Circuit Court for the City of Richmond, upon the petition of the VSB, entered an Order appointing a receiver for Respondent’s law practice. The Court ordered that Respondent’s law practice be put under a receivership based on Respondent’s apparent abandonment of his law practice and inability to properly discharge responsibilities to clients. The Court considered various factors, including, but not limited to the complaints made by various clients of Respondent.

**VSB Docket No. 25-032-133708 (Complainant Jennifer Shaw)**

7. In January 2024, Dr. Jennifer Shaw—previously a client of attorney Biss—met the Respondent in his capacity as receiver for Biss’s law practice. At that time, Respondent told Dr. Shaw he could not represent her due to a conflict of interest and referred her to other attorneys. However, by March or April 2024, after advising her that he was no longer serving as receiver, Respondent agreed to take her case. On June 12, 2024, Dr. Shaw retained Respondent to represent her in a professional licensing matter before the Virginia Board of Psychology and the Department of Health Professionals, wiring \$10,000 at his direction to his personal Truist account rather than a trust account. Although Respondent confirmed receipt of the funds, he failed to preserve them in trust or provide meaningful communication. Dr. Shaw repeatedly requested billing statements and case updates in August and September 2024, receiving only a single voicemail in return. By October 2024, having received no progress or communication, she retained new counsel and notified Respondent, requesting an invoice and refund of her advance fee through multiple

messages sent between October 2 and October 31, all of which went unanswered. Dr. Shaw testified that the experience mirrored her prior dealings with Biss and left her believing “it was normal for attorneys to just take your money and give you no response.”

8. On November 4, 2024, Dr. Shaw filed a bar complaint against the Respondent. Despite multiple follow-ups from Virginia State Bar Intake and Assistant Bar Counsel throughout November and December 2024, the Respondent failed to timely respond, refund Dr. Shaw’s advanced fee, or provide an accounting. After repeated attempts to contact him by phone, email, text, and mail, VSB Investigator Lisa Marshall arranged an interview for January 21, 2025, which the Respondent postponed and then missed without notice. The Respondent also ignored a subpoena duces tecum and a summons to appear on February 13, 2025, both returned undeliverable. Following his continued noncompliance, the VSB filed a Notice of Noncompliance on February 25, 2025, and the Disciplinary Board entered an interim suspension order on March 11, 2025. Despite being on notice, and superficially communicating with the bar (i.e. acknowledging the complaint, offering to refund Dr. Shaw’s advanced fee, and setting the interview), the Respondent has not further communicated with Dr. Shaw, refunded her advanced fee, or provided any explanation for his failure to cooperate or comply with the investigation.

**VSB Docket No. 25-032-134323 (Complainant Jessica Gray)**

9. In July 2024, Jessica Gray retained the Respondent to represent her in ongoing real estate litigation after her prior attorney’s license was revoked. On July 31, 2024, she paid a \$5,000 advance fee through Doobie the Dog LLC, which the Respondent improperly deposited into his personal Truist account rather than a trust account. Over the following months, he repeatedly assured Ms. Gray that he was preparing a scheduling order, obtaining a court date, and filing a substitution order, but he took none of these actions. Despite multiple follow-up messages from Ms. Gray and her husband in December 2024, the Respondent provided no meaningful updates and responded dismissively and unprofessionally, including calling Ms. Gray’s husband a “clown.” After December 31, 2024, Ms. Gray and her husband received no further communication

from him.

10. On January 14, 2025, Ms. Gray filed a bar complaint against the Respondent. Despite numerous attempts by Assistant Bar Counsel and Investigator Lisa Marshall to contact him by phone, email, text, and in person beginning January 15, 2025, the Respondent failed to meaningfully cooperate. Although he initially agreed to an interview set for January 21, 2025, he demanded an agenda, later cited a dentist appointment, and ultimately failed to appear or reschedule. The VSB issued both a subpoena duces tecum for his client and trust records and a summons to appear on February 13, 2025; both were returned undeliverable, and he produced no records or response. After continued noncompliance, the Bar filed a Notice of Noncompliance on February 25, 2025, resulting in an interim suspension order entered on March 11, 2025. Respondent has not refunded Ms. Gray's advance fee, provided an accounting, or offered any explanation for his conduct.

**VSB Docket No. 25-032-134358 (Complainant Tracie Armistead)**

11. On December 21, 2023, Tracie Armistead retained the Respondent to represent her in an employment matter, paying a \$3,500 advance fee via Zelle. Nearly a year later, on October 25, 2024, the Respondent told Ms. Armistead he would file documents within a week but never did so and failed to produce any meaningful work product. He falsely claimed to have contacted witnesses she had identified and ceased communication after a phone call on October 28, 2024. Despite numerous follow-up calls and emails from Ms. Armistead between October 2024 and January 2025, the Respondent did not respond or provide any updates on her case.

12. On January 16, 2025, Ms. Armistead filed a bar complaint against the Respondent. The following day, Assistant Bar Counsel notified him that the matter had been referred for preliminary investigation and requested a written response within 21 days. Investigator Lisa Marshall also emailed Respondent regarding a meeting scheduled for January 21, 2025, to discuss multiple complaints. Respondent claimed a dental appointment prevented his attendance, the

meeting was rescheduled for January 22, but he again failed to appear or contact the VSB. The VSB's subpoena duces tecum for his client file and trust records was returned undeliverable, and Respondent produced no documents. Due to his continued noncompliance, the Disciplinary Board entered an interim suspension order on March 11, 2025. Respondent has not provided an accounting or refund of Ms. Armistead's advanced fee and offered no explanation for his conduct.

**VSB Docket No. 25-032-134569 (Complainant Chau Cao)**

13. Beginning in 2021, Chau Cao retained the Respondent for repeated representation in unlawful detainer actions, though no written fee or representation agreement was ever executed. In July 2024, Respondent agreed by email to handle future cases at a rate of \$250 per case and thereafter appeared for Mr. Cao in two such matters. On November 8, 2024, Mr. Cao notified Respondent of a December 13, 2024, hearing date, which Respondent confirmed by text was on his calendar. However, Respondent failed to appear at that hearing and then ignored Mr. Cao's repeated attempts to contact him by phone, text, and email over the next two weeks. Mr. Cao ultimately retained new counsel, who completed the unlawful detainer action on his behalf

14. On February 3, 2025, Mr. Chau Cao filed a bar complaint against the Respondent. Two days later, the VSB notified Respondent that the matter had been referred to the Third District, Section II Committee, and required a written response within 21 days. The VSB issued a subpoena duces tecum on March 11, 2025, seeking Respondent's file and trust records related to Mr. Cao's representation, but the mailing was returned "undeliverable" and no records were produced. Investigator Lisa Marshall attempted to contact Respondent at his record addressess by letter, email, and multiple phone calls in late April and early May 2025, leaving several voicemails, but received no response. Respondent has not answered the complaint or provided any records or communication to the VSB.

**VSB Docket No. 25-032-134672 (Complainant Gary Richard Kaiser)**

15. In 2015, Gary Richard Kaiser and his wife, Dr. Ilianna Bouneva, retained the



Respondent to represent them in a civil dispute against a neighbor, paying a \$10,000 advance fee without a written representation agreement. The Respondent provided no documentation or substantive work for years, despite repeated inquiries. Court records show he filed a lawsuit in August 2019 but took minimal action. In April 2023, after Mr. Kaiser requested a refund, the Respondent proposed an amended fee agreement promising to refund the \$10,000 if no recovery was obtained, but he neither performed the work nor issued the refund. The case was nonsuited in August 2023 without the clients' knowledge, and a new complaint filed in February 2024 remains inactive and unserved. Mr. Kaiser and Dr. Bouneva learned of both filings only through a VSB investigator. Since October 2024, Respondent has ceased all communication despite repeated attempts via email and phone.

16. On February 17, 2025, Gary Richard Kaiser filed a bar complaint against the Respondent. The VSB notified Respondent on February 24, 2025, that the matter had been referred to the Third District, Section II Committee, and required a written response within 21 days. On March 11, 2025, the VSB issued a subpoena duces tecum for Respondent's client and trust records concerning his representation of Mr. Kaiser and Dr. Bouneva, but it was returned undeliverable, and no records were produced. Investigator Lisa Marshall made multiple attempts between April 30 and May 6, 2025, to reach Respondent by letter, email, and telephone, leaving several voicemails, but he did not respond. Court records show Respondent filed, nonsuited, and refiled the couple's lawsuit without their knowledge or explanation, and the refiled case remains inactive and unserved. Respondent has not answered the bar complaint, refunded any portion of the \$10,000 advance fee, or offered any explanation for his conduct.

**VSB Docket No. 25-032-134931 (Complainant C. Nana F. Derby)**

17. In October 2024, Dr. C. Nana F. Derby retained the Respondent to handle an employment matter, paying a total of \$10,000 in advanced legal fees—\$7,500 on October 24, 2024, and \$2,500 on November 24, 2024. Both payments were deposited into Respondent's personal Truist account rather than his trust account, and none of the funds were preserved in trust.

After receiving case documentation from Dr. Derby, Respondent ceased communication entirely following the second payment, failing to respond to multiple follow-up emails. When Dr. Derby attempted to contact him by phone, she discovered his office number was inactive.

18. On March 10, 2025, Dr. C. Nana F. Derby filed a bar complaint against the Respondent. The VSB notified Respondent the next day that the matter had been referred to the Third District, Section II Committee, and required a written response within 21 days. That same day, the VSB issued a subpoena duces tecum for Respondent's client and trust records related to Dr. Derby's representation, but it was returned undeliverable, and no records were produced. Investigator Lisa Marshall made several attempts between April 30 and May 6, 2025, to contact Respondent by letter, email, and phone—leaving multiple voicemails—but received no response., Respondent has not replied to the complaint, provided any records, refunded any portion of the \$10,000 advanced legal fee, or offered any explanation for his conduct

**VSB Docket No. 25-032-135539 (Complainant Tomislav Milic)**

19. In September 2023, Tomislav Milic met the Respondent, who was then acting as receiver for attorney Biss's law practice. Although Respondent initially declined representation due to a conflict, on May 22, 2024, he agreed to represent Milic in the *Vashisht* case, instructing him to wire a \$25,000 advance fee directly into Respondent's personal Trust account rather than a trust account. Respondent confirmed receipt, but failed to safeguard or account for the funds. Despite repeated follow-up texts from Milic between August 6 and August 27, 2024, Respondent performed no substantive work on the case, replying only with brief assurances that he was "working on serving" the defendant.

20. On October 6, 2024, Respondent also took over Milic's second lawsuit, the *Esser* case, again collecting a \$15,000 advance fee wired to his personal account. He refiled the complaint—essentially identical to the version filed by Biss—and sent a letter to the Fairfax Circuit Court noting that he was not requesting service. Respondent never discussed the case with Milic, requested no additional information, and took no further action after filing. Over the next

several months, Milic sent numerous emails and texts pleading for updates, but Respondent's responses were minimal, generic, and eventually ceased altogether after December 9, 2024, when he promised "I will get it done for you." By February 2025, Respondent had stopped communicating entirely. When Milic attempted to visit his office on February 26, 2025, he discovered Respondent had been evicted and his law practice placed under receivership. Comparing this experience to his prior dealings with Biss, Milic described it as almost like déjà vu and lamented "here we go again."

21. On May 12, 2025, Tomislav Milic filed a bar complaint against the Respondent. The VSB notified Respondent on May 19, 2025, that the matter had been referred to the Third District, Section II Committee, and required a written response within 21 days. Respondent did not respond or submit an answer. On May 20, 2025, the VSB issued a subpoena duces tecum seeking Respondent's client file and trust accounting records related to Milic's representation, but it was returned "undeliverable" and no records were produced. Investigator Lisa Marshall attempted contact by letter, email, and multiple phone calls on May 15 and May 19, 2025, leaving several voicemails at both Respondent's office and personal numbers, but received no reply. Respondent has failed to respond to the bar complaint or the subpoena, provided no records, and refunded no portion of the \$40,000 in advanced legal fees paid by Milic. Respondent offered no explanation for his conduct or lack of cooperation with the investigation.

## **II. NATURE OF MISCONDUCT**

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

### **VSB Docket No. 25-032-133708 (Complainant Jennifer Shaw)**

#### **RULE 1.3 Diligence**

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

*By failing to do any measurable work on Dr. Shaw's case between August 19, 2024, and*

*November 4, 2024, after accepting a \$10,000.00 advanced legal fee, by failing to respond to Dr. Shaw's communications, and by abandoning Dr. Shaw's case, Respondent violated Rule 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.

*By failing to respond to Dr. Shaw's numerous reasonable requests for information regarding the status of her case between August 19, 2024, and January 2, 2025, Respondent violated Rule 1.4(a).*

\* \* \*

#### **RULE 1.15 Safekeeping Property**

(a) Depositing Funds.

- (1) All funds received or held by a lawyer or law firm on behalf of a client or a third party, or held by a lawyer as a fiduciary, other than reimbursement of advances for costs and expenses shall be deposited in one or more identifiable trust accounts...

*By instructing Dr. Shaw to wire her \$10,000.00 advanced legal fee to his personal account, which was not designated as an identifiable trust account, and by depositing Dr. Shaw's \$10,000.00 advanced legal fee into his personal account, which was not designated as an identifiable trust account, Respondent violated Rule 1.15(a)(1).*

(b) Specific Duties. A lawyer shall:

- (3) maintain complete records of all funds, securities, and other properties of a client coming into the possession of the lawyer and render appropriate accountings to the client regarding them;
- (4) promptly pay or deliver to the client or another as requested by such person the funds, securities, or other properties in the possession of the lawyer that such person is entitled to receive[.]
- (5) not disburse funds or use property of a client or of a third party with a valid lien or assignment without their consent or convert funds or property of a client or third party, except as directed by a tribunal.

*By failing to provide an accounting of the \$10,000.00 in advanced legal fees paid by Dr. Shaw, despite promising to prepare one, Respondent violated Rule 1.15(b)(3).*

*By failing to provide any refund of Dr. Shaw's \$10,000.00 advanced fee payment, even though Respondent did not proceed with the legal work contemplated in exchange for that payment, Respondent violated Rule 1.15(b)(4).*

*By failing to deposit Dr. Shaw's \$10,000.00 advanced fee into a designated IOLTA trust account and instead depositing the fee into his own personal account, thereby disbursing her funds to himself without her consent, Respondent violated Rule 1.15(b)(5).*

\* \* \*

#### **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 give Dr. Shaw notice that he would not be proceeding with the representation and by failing to provide Dr. Shaw with a refund of her advanced fee payments, Respondent violated Rule 1.16(d).*

\* \* \*

#### **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:

(c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6.

*By failing to respond to the bar complaint, failing to respond to the Bar's subpoena duces tecum, failing to appear for an interview with Investigator Marshall, and failing to appear for an interview for which he was summonsed, Respondent violated Rule 8.1(c).*

\* \* \*

#### **RULE 8.4 Misconduct**

It is professional misconduct for a lawyer to:

...

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law[.]

*By directing Dr. Shaw to wire her advanced fee to his personal account instead of an identifiable trust account; by failing to deposit Dr. Shaw's advanced legal fee into an identifiable trust account; by doing no measurable work on Dr. Shaw's case; by failing to refund Dr. Shaw's advanced fee, which he could not have earned, or provide an accounting; by converting Dr. Shaw's advanced legal fee for his own use; and by abandoning Dr. Shaw's case, Respondent violated Rule 8.4(b).*

\* \* \*

The Board did not find by clear and convincing evidence that Respondent violated Rule 1.5(a)(1)(2)(3)(4)(5)(6)(7)(8).

#### **VSB Docket No. 25-032-134323 (Complainant Jessica Gray)**

#### **RULE 1.3 Diligence**

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

*By failing to do any measurable work on Ms. Gray's case after accepting a \$5,000.00 advanced legal fee, by failing to respond to Ms. Gray's communications, and by abandoning Ms.*

*Gray's case, Respondent violated Rule 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.

*By failing to respond to Ms. Gray's reasonable requests for information between September 10, 2024, to January 2, 2025, Respondent violated Rule 1.4(a).*

\* \* \*

#### **RULE 1.15 Safekeeping Property**

(a) Depositing Funds.

- (1) All funds received or held by a lawyer or law firm on behalf of a client or a third party, or held by a lawyer as a fiduciary, other than reimbursement of advances for costs and expenses shall be deposited in one or more identifiable trust accounts...

*By depositing Ms. Gray's \$5,000.00 advanced legal fee into his personal account, which was not designated as an identifiable trust account, Respondent violated Rule 1.15(a)(1).*

\* \* \*

(b) Specific Duties. A lawyer shall:

- (3) maintain complete records of all funds, securities, and other properties of a client coming into the possession of the lawyer and render appropriate accountings to the client regarding them;
- (4) promptly pay or deliver to the client or another as requested by such person the funds, securities, or other properties in the possession of the lawyer that such person is entitled to receive[.]
- (5) not disburse funds or use property of a client or of a third party with a valid lien or assignment without their consent or convert funds or property of a client or third party, except as directed by a tribunal.

*By failing to provide an accounting for the \$5,000.00 in advanced legal fees paid by Ms. Gray, despite promising to prepare one, Respondent violated Rule 1.15(b)(3).*

*By failing to provide any refund of the \$5,000.00 advanced fee payment, even though Respondent did not proceed with the legal work contemplated in exchange for that payment, Respondent violated Rule 1.15(b)(4).*

*By failing to deposit Ms. Gray's \$5,000.00 advanced fee into a designated IOLTA and instead depositing it into his own personal account, thereby disbursing her funds to himself without her consent, Respondent violated Rule 1.15(b)(5).*

\* \* \*

#### **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 give Ms. Gray notice that he would not be proceeding with the representation and by failing to provide Ms. Gray with a refund of her advanced fee payments, Respondent violated Rule 1.16(d).*

\* \* \*

#### **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:

(c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6.

*By failing to respond to the bar complaint, failing to respond to the Bar's subpoena duces tecum, and by failing to appear for an interview with Investigator Marshall, and failing to appear for an*



*interview for which he was summonsed, Respondent violated Rule 8.1(c).*

\* \* \*

#### **RULE 8.4 Misconduct**

It is professional misconduct for a lawyer to:

...

- (b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law[.]

*By failing to deposit Ms. Gray's advanced legal fee into an identifiable trust account; by doing no measurable work on Ms. Gray's case; by failing to refund Ms. Gray's advanced fee, which he could not have earned, or provide an accounting; by converting Ms. Gray's advanced legal fee for his own use; and by abandoning Ms. Gray's case, Respondent violated Rule 8.4(b).*

\* \* \*

The Board did not find by clear and convincing evidence that Respondent violated Rule 1.5(a)(1)(2)(3)(4)(5)(6)(7)(8).

#### **VSB Docket No. 25-032-134358 (Complainant Tracie Armistead)**

#### **RULE 1.3 Diligence**

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

*By failing to do any measurable work on Ms. Armistead's case despite assuring her that he would do so, by failing to respond to Ms. Armistead's communications, and by abandoning Ms. Armistead's case, Respondent violated Rule 1.3(a).*

\* \* \*

#### **RULE 1.4 Communication**

*In the matter of Elliott Purcell Park*

VSB Docket Nos. 25-032-133708, 25-032-134323, 25-032-134358, 25-032-134569, 25-032-134672, 25-032-134931, and 25-032-135539

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- (a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

*By failing to respond to Ms. Armistead's numerous reasonable requests for information from October 28, 2024, to January 16, 2025, Respondent violated Rule 1.4(a).<sup>2</sup>*

\* \* \*

#### **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 give Ms. Armistead notice that he would not be proceeding with the representation and by failing to provide Ms. Armistead with a refund of her advanced fee payments, Respondent violated Rule 1.16(d).*

\* \* \*

#### **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:

- (c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6.

*By failing to respond to the bar complaint and by failing to appear for an interview with Investigator Marshall, Respondent violated Rule 8.1(c).*

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<sup>2</sup> The Board notes that the Summary Order entered September 26, 2025, incorrectly reflects a finding that Respondent violated Rule 1.4 (b), which occurred because the Certification on VSB 25-032-134358 contained a “list auto-formatting” error which auto-advanced the subsection.

\* \* \*

#### **RULE 8.4 Misconduct**

It is professional misconduct for a lawyer to:

...

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law[.]

*By failing to refund Ms. Armistead's advanced fee, which he could not have earned, or provide an accounting; and by abandoning Ms. Armistead's case, Respondent violated Rule 8.4(b).*

\* \* \*

The Board did not find by clear and convincing evidence that Respondent violated Rule 1.5(a)(1)(2)(3)(4)(5)(6)(7)(8).

The Board did not find by clear and convincing evidence that Respondent's failure to respond to the VSB or his failure to participate in these proceedings evidence obstruction or constitute a violation of Rule 8.1(d).

#### **VSB Docket No. 25-032-134569 (Complainant Chau Cao)**

#### **RULE 1.3 Diligence**

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

*By failing to represent Mr. Cao with reasonable diligence and promptness, including by failing to proceed with his case despite acknowledging that he would do so, and by abandoning his matter, Respondent violated Rule 1.3(a).*

\* \* \*

#### **RULE 1.4 Communication**

*In the matter of Elliott Purcell Park*

VSB Docket Nos. 25-032-133708, 25-032-134323, 25-032-134358, 25-032-134569, 25-032-134672, 25-032-134931, and 25-032-135539

Order of Revocation

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- (a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

*By failing to respond to Mr. Cao's reasonable requests for information, Respondent violated Rule 1.4(a).*

\* \* \*

### **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 give Mr. Cao notice that he would not be proceeding with the representation, Respondent violated Rule 1.16(d).*

\* \* \*

### **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:

- (c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6.

*By failing to respond to the bar complaint, failing to respond to the VSB's subpoena duces tecum and by failing to appear for an interview with Investigator Marshall, Respondent violated Rule 8.1(c).*

**VSB Docket No. 25-032-134672 (Complainant Gary Richard Kaiser)**

### **RULE 1.3 Diligence**

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

*By failing to do any measurable work on Mr. Kaiser's case after accepting a \$10,000.00 advanced legal fee, and by abandoning Mr. Kaiser's case, Respondent violated Rule 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.

*By failing to respond to Mr. Kaiser's reasonable requests for information between October 2015 and October 2024, Respondent violated Rule 1.4(a).*

\* \* \*

#### **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 give Mr. Kaiser notice that he would not be proceeding with the representation and by failing to provide Mr. Kaiser with a refund of his advanced fee payments, Respondent violated Rule 1.16(d).*

\* \* \*

#### **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:

(c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6.

*By failing to respond to the bar complaint, failing to respond to the Bar's subpoena duces tecum,*

*and by failing to appear for an interview with Investigator Marshall, Respondent violated Rule 8.1(c).*

\* \* \*

#### **RULE 8.4 Misconduct**

It is professional misconduct for a lawyer to:

...

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law[.]

*By filing Mr. Kaiser's case, non-suiting the case, and then re-filing the case all without telling Mr. Kaiser; by failing to refund Mr. Kaiser's advanced fee, which he could not have earned, or provide an accounting; by converting Mr. Kaiser's advanced legal fee for his own use; by abandoning Mr. Kaiser's case; and by failing to respond to the Bar's request for information, Respondent violated Rule 8.4(b).*

\* \* \*

The Board did not find by clear and convincing evidence that violated Rule 1.5(a)(1)(2)(3)(4)(5)(6)(7)(8).

#### **VSB Docket No. 25-032-134931 (Complainant C. Nana F. Derby)**

#### **RULE 1.3 Diligence**

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

*By failing to do any measurable work on Dr. Derby's case despite assuring her that he would do so, and by abandoning Dr. Derby's case, Respondent violated Rule 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.

*By failing to respond to Dr. Derby's numerous reasonable requests for information, Respondent violated Rule 1.4(a).*

\* \* \*

## **RULE 1.15 Safekeeping Property**

### **1.15 Safekeeping Property**

(a) Depositing Funds.

(1) All funds received or held by a lawyer or law firm on behalf of a client or a third party, or held by a lawyer as a fiduciary, other than reimbursement of advances for costs and expenses shall be deposited in one or more identifiable trust accounts...

*By depositing Dr. Derby's \$10,000.00 advanced legal fee into his personal account, which was not designated as an identifiable trust account, Respondent violated Rule 1.15(a)(1).*

\* \* \*

(b) Specific Duties. A lawyer shall:

(3) maintain complete records of all funds, securities, and other properties of a client coming into the possession of the lawyer and render appropriate accountings to the client regarding them;

(4) promptly pay or deliver to the client or another as requested by such person the funds, securities, or other properties in the possession of the lawyer that such person is entitled to receive[.]

(5) not disburse funds or use property of a client or of a third party with a valid lien or assignment without their consent or convert funds or property of a client or third party, except as directed by a tribunal.

*By failing to provide an accounting of the \$10,000.00 in advanced legal fees paid by Dr. Derby, Respondent violated Rule 1.15(b)(3).*

*By failing to provide any refund of the \$10,000.00 advanced fee payment, even though*

*Respondent did not proceed with the legal work contemplated in exchange for that payment, Respondent violated Rule 1.15(b)(4).*

*By failing to deposit Dr. Derby's \$10,000.00 advanced fee into a designated IOLTA and instead depositing it into his own personal account, thereby disbursing her funds to himself without her consent, Respondent violated Rule 1.15(b)(5).*

\* \* \*

#### **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 give Dr. Derby notice that he would not be proceeding with the representation and by failing to provide Dr. Derby with a refund of her advanced fee payments, Respondent violated Rule 1.16(d).*

\* \* \*

#### **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:

....

(c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6

*By failing to respond to the bar complaint, by failing to respond to the subpoena duces tecum, and by failing to appear for an interview with Investigator Marshall, Respondent violated Rule 8.1(c).*

\* \* \*



## **RULE 8.4 Misconduct**

It is professional misconduct for a lawyer to:

...

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law[.]

*By failing to refund Dr. Derby's advanced fee, which he could not have earned, or provide an accounting; by abandoning Dr. Derby's case; and by failing to respond to the Bar's request for information, Respondent violated Rule 8.4(b).*

\* \* \*

The Board did not find by clear and convincing evidence that Respondent violated Rule 1.5(a)(1)(2)(3)(4)(5)(6)(7)(8).

### **VSJ Docket No. 25-032-135539 (Complainant Tomislav Milic)**

## **RULE 1.3 Diligence**

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

*By failing to do any measurable work on Mr. Milic's case despite assuring him that he would do so, by failing to respond to Mr. Milic's communications, and by abandoning Mr. Milic's case, Respondent violated Rule 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.

*By failing to respond to Mr. Milic's numerous reasonable requests for information, Respondent violated Rule 1.4(a).*

\* \* \*

## **RULE 1.15 Safekeeping Property**

### **(a) Depositing Funds.**

- (1) All funds received or held by a lawyer or law firm on behalf of a client or a third party, or held by a lawyer as a fiduciary, other than reimbursement of advances for costs and expenses shall be deposited in one or more identifiable trust accounts...

*By instructing Mr. Milic to wire the \$40,000.00 in advanced legal fees to his personal account, which was not designated as an identifiable trust account, and by depositing Mr. Milic's \$40,000.00 advanced legal fee into his personal account, which was not designated as an identifiable trust account, Respondent violated Rule 1.15(a)(1).*

\* \* \*

### **(b) Specific Duties. A lawyer shall:**

- (3) maintain complete records of all funds, securities, and other properties of a client coming into the possession of the lawyer and render appropriate accountings to the client regarding them;
- (4) promptly pay or deliver to the client or another as requested by such person the funds, securities, or other properties in the possession of the lawyer that such person is entitled to receive[.]
- (5) not disburse funds or use property of a client or of a third party with a valid lien or assignment without their consent or convert funds or property of a client or third party, except as directed by a tribunal.

*By failing to provide an accounting of the \$40,000.00 in advanced legal fees paid by Mr. Milic, Respondent violated Rule 1.15(b)(3).*

*By failing to provide any refund of the \$40,000.00 advanced fee payment, even though Respondent did not proceed with the legal work contemplated in exchange for that payment, Respondent violated Rule 1.15(b)(4).*

*By failing to deposit Mr. Milic's \$40,000.00 advanced fee into a designated IOLTA and*

*instead depositing it into his own personal account, thereby disbursing the funds to himself without Mr. Milic's consent, Respondent violated Rule 1.15(b)(5).*

\* \* \*

#### **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 €.

*By failing to give Mr. Milic notice that he would not be proceeding with the representation and by failing to provide Mr. Milic with a refund of his advanced fee payments, Respondent violated Rule 1.16(d).*

\* \* \*

#### **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:

....

(c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6

*By failing to respond to the bar complaint, by failing to respond to the subpoena duces tecum, and by failing to appear for an interview with Investigator Marshall, Respondent violated Rule 8.1(c).*

\* \* \*

#### **RULE 8.4 Misconduct**

It is professional misconduct for a lawyer to:

...

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law[.]

*By directing Mr. Milic to wire his advanced fee payments to Respondent's personal account instead of an identifiable trust account; by failing to deposit Mr. Milic's advanced legal fee into an identifiable trust account; by doing no measurable work on Mr. Milic's case; by failing to refund Mr. Milic's advanced fee, which he could not have earned, or provide an accounting; by converting Mr. Milic's advanced legal fee for his own use; and by abandoning Mr. Milic's case; and by failing to respond to the Bar's request for information, Respondent violated Rule 8.4(b).*

\* \* \*

The Board did not find by clear and convincing evidence that Respondent violated Rule 1.5(a)(1)(2)(3)(4)(5)(6)(7)(8).

### **III. IMPOSITION OF SANCTION**

Thereafter, the Board received further evidence and argument in aggravation and mitigation from the VSB including Respondent's prior disciplinary record (VSB Exhibit 86). The VSB argued for revocation of Respondent's license to practice law and in support thereof, VSB directed the Board to the American Bar Association Standards for Imposing Lawyer Discipline and cited multiple aggravating factors in support of this sanction. The Board recessed to deliberate what sanction to impose upon its findings of misconduct by Respondent. After due deliberation, the Board reconvened to announce the sanction imposed.

The Chair announced the sanction as Revocation.

The Board found that multiple aggravating factors apply to Respondent's cases, including the following:

1. Respondent's dishonest and selfish motive;

2. The pattern of misconduct;
3. Multiple offenses;
4. Respondent's bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary process;
5. The vulnerability of the victims;
6. Respondent's substantial experience in the practice of law, and specifically his reputation as a well-respected member of the Bar, his prior appointment as receiver by the Circuit Court, and his participation in prior disciplinary proceedings as both counsel of record and guardian ad litem for Respondents;
7. Respondent's indifference in making restitution to the Complainants; and
8. Respondent's illegal conduct.

The Board found the absence of a prior disciplinary record to be on the only mitigating factor in Respondent's cases.

Taking into account all of these aggravating factors, the nature of Respondent's misconduct, and the significant harm to his clients, the Board is compelled to impose the sanction of Revocation to protect the public and the integrity of the Bar.

Accordingly, it is ORDERED that the license of Elliott Purcell Park to practice law in the Commonwealth of Virginia is REVOKED, effective September 26, 2025.

It is further ORDERED that, as directed in the Board's September 26, 2025, Summary Order in this matter, Respondent must comply with the requirements of Part 6, Section IV, Paragraph 13-29 of the Rules of the Supreme Court of Virginia. As of the time of the Revocation, Respondent's license was administratively suspended. The Respondent must forthwith give notice by certified mail, of the Revocation of license to practice law in the Commonwealth of Virginia, to all clients for whom Respondent 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 his clients.

Respondent must give such notice immediately and in no event later than 14 days of the effective date of the Summary Order, and make such arrangements as are required herein as soon as is practicable and in no event later than 45 days of the effective date of the Revocation. The Respondent must also furnish proof to the Clerk of the Disciplinary System of the Virginia State Bar within 60 days of the effective date of the Revocation 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 Revocation, he shall submit an affidavit to that effect to the Clerk of the Disciplinary System at the Virginia State Bar within 60 days of the effective day of the Revocation. 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 requirements of subparagraph 13-29, the Board may consider such failure to comply if and when Respondent applies for reinstatement to the Bar.

It is further ORDERED that pursuant to Part 6, Section IV, Paragraph 13-9.E of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess all costs against the respondent.

It is further ORDERED that an attested copy of this Order be mailed by the Clerk of the Disciplinary System to the Respondent by electronic, first-class and certified mail, return receipt requested, to his address of record with the Virginia State Bar, being Park Chambers, 1011 East Main St., Ste 300, Richmond, VA 23219-3537, and a copy by electronic mail to Jessica C. Beatty, Assistant Bar Counsel.

ENTERED this 27<sup>th</sup> day of October, 2025.

VIRGINIA STATE BAR DISCIPLINARY BOARD

*Adam M. Carroll*

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Adam M. Carroll, 2<sup>nd</sup> Vice Chair