

**District of Columbia  
Court of Appeals**

No. 11-BG-775

IN RE: KENNETH A. MARTIN,  
Respondent.

Bar Registration No. 420600

BDN: 370-04

BEFORE: Washington, Chief Judge; Glickman, \*Fisher, \*Blackburne- Rigsby, Thompson, Beckwith, Easterly, and McLeese, Associate Judges, and \*King, Senior Judge.

**ORDER**

(FILED - February 13, 2014)

On consideration of respondent's, Bar Counsel's, and the Board on Professional Responsibility's (the "Board") petitions for division rehearing, and the Board's petition for rehearing *en banc*; respondent's response to Bar Counsel's and the Board's petition for division rehearing, Bar Counsel's response to respondent's petition for division rehearing, and Bar Counsel's response to the Board's petition for rehearing or rehearing *en banc*; the Board's response to respondent's and Bar Counsel's petition for division rehearing; and the Board's motion for leave to file the lodged reply to Bar Counsel's response to the Board's petition for rehearing or rehearing *en banc*, it is

ORDERED that the Board's motion for leave to file the lodged reply to Bar Counsel's response to the Board's petition for rehearing or rehearing *en banc* is granted and the Clerk is directed to file the Board's reply. It is

FURTHER ORDERED by the merits division\* that the petitions for rehearing filed by respondent, Bar Counsel, and the Board are denied. The court's opinion filed on March 28, 2013, is hereby reissued on this 13<sup>th</sup> day of February 2014, in amended form; the citation to *In re Tun*, 26 A.3d 313, 314 & n.1 (D.C. 2011) (Per Curiam) has been deleted from the second paragraph on page 53. It appearing that no judge of this court has called for a vote on the petition for rehearing *en banc*, it is

FURTHER ORDERED that the petition for rehearing *en banc* is denied.

PER CURIAM.

Copies to:

Daniel S. Schumack, Esquire  
3900 Jermantown Road  
Suite 300  
Fairfax, VA 22030-4900

No. 11-BG-775

Theodore D. Frank, Esquire  
Chair, Board on Professional Responsibility  
430 E Street, N.W., Suite 138  
Washington, D.C. 20001

Wallace E. Shipp, Jr., Esquire  
Bar Counsel, Office of Bar Counsel  
515 5<sup>th</sup> Street, N.W., Suite 117  
Washington, D.C. 20001

emb