

In the United States Court of Federal Claims

In re:

James Stephen DelSordo

No. 19-11232

FINAL ORDER

On May 7, 2019, the Virginia State Bar Disciplinary Board (“Board”) issued an order suspending James Stephen DelSordo from the practice of law for one year and one day, effective April 26, 2019. *In re James Stephen Del Sordo*, VSB Docket No. 18-053-110776 (May 7, 2019). The Board notified this Court of the suspension on June 20, 2019. ECF No. 2.

Mr. DelSordo has been a member of this Court’s bar since May 17, 1996, and has one case pending before this Court: *Enhanced Systems & Products Inc. v. United States*, No. 16-161C, before Judge Hodges. Under Rule 83.2(c)(2) of the Rules of the United States Court of Federal Claims (“RCFC”), an attorney admitted to practice before this Court may be disciplined on the grounds of an act or omission that results in the disbarment or suspension of the attorney by another court. Reciprocal suspension is the presumed discipline for an act or omission that results in an attorney’s suspension by another court. RCFC 83.2(g)(7)(B). Mr. DelSordo failed to notify this Court of his suspension, which is a violation of RCFC 83.2(e)(1)(B) and additional grounds for discipline under RCFC 83.2(c)(4).

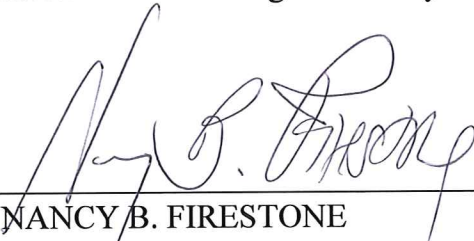
On November 15, 2019, the Court issued an order summarily suspending Mr. DelSordo and directing him to give notice of his suspension to his clients in *Enhanced Systems and Products Inc. v. United States*, No. 16-161C. The order further directed Mr. DelSordo to show cause within 10 days as to why he should not be reciprocally suspended from practice before this Court, and as to why the reciprocal suspension should not commence on the date this Court received notice of his suspension by the Board. ECF No. 3.

Mr. DelSordo filed a written response to the order on December 2, 2019, in which he expressed his belief that Case No. 16-161C had been “remanded to the U.S. Patent and Trademark Office” and that it was no longer pending before the Court. ECF No. 4. Mr. DelSordo requested that he be given 30 days to provide notice of his suspension to his client. *Id.* Additionally, although he had no objection to the imposition of a reciprocal one-year and one-day period of suspension, Mr. DelSordo requested that “any discipline

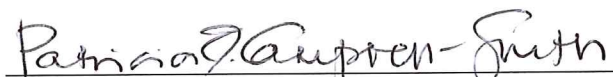
imposed by the Court terminate on April 27, 2019¹ when [his] suspension to practice in the Commonwealth of Virginia terminates.” *Id.*

The Court finds that Mr. DelSordo has given no explanation for his failure to provide the Court with the notice required under RCFC 83.2(e)(1)(B), and that Mr. DelSordo has also failed to provide notice to his client as required by the Court’s summary suspension order. It is therefore appropriate to impose a reciprocal period of suspension that begins on the date notice was received, not the date Mr. DelSordo’s suspension commenced in Virginia. Accordingly,

IT IS ORDERED that James Stephen DelSordo shall be immediately suspended from the practice of law before the United States Court of Federal Claims for a period of one year and one day, effective, *nunc pro tunc*, June 20, 2019, the date notice of the Virginia suspension was received by this Court. A notice will issue in Mr. DelSordo’s pending case terminating him as attorney of record. Mr. DelSordo is advised that reinstatement is not automatic; any petition for reinstatement will be governed by RCFC 83.2(k)(1).



NANCY B. FIRESTONE
Senior Judge



PATRICIA E. CAMPBELL-SMITH
Judge



RICHARD A. HERTLING
Judge

¹ Mr. DelSordo’s suspension in Virginia terminates on April 27, 2020, not April 27, 2019. The Court will assume that Mr. DelSordo intended to consent to reciprocal suspension through April 27, 2020.