



OFFICE OF DISCIPLINARY COUNSEL

July 25, 2025

CONFIDENTIAL

Hamilton P. Fox, III
Disciplinary Counsel

Victoria Lloyd Scallan

Julia L. Porter
Deputy Disciplinary Counsel

Via email only: vlloyd@gmail.com

Senior Assistant Disciplinary Counsel
Jack Metzler
Becky Neal

**Re: Gelmann/Scallan
Undocketed No. 2025-U1180**

Assistant Disciplinary Counsel

Caroll G. Donayre
Jerrri U. Dunston
Lisa M. Fishelman
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Jelani C. Lowery
Sean P. O'Brien
Melissa J. Rolffot
William R. Ross
Mariah K. Shaver
Traci M. Tait
Cynthia G. Wright

Dear Ms. Scallan:

Investigative Attorney
Arquimides R. Leon
Azadeh Matinpour

Senior Staff Attorney
Lawrence K. Bloom

Staff Attorney
Angela M. Walker

Manager, Forensic Investigations
Charles M. Anderson

We reviewed the disciplinary complaint that you filed against Emily B. Gelmann, Esquire. Ms. Gelmann represents the opposing party in a family law case before the D.C. Superior Court (case no. 2023 DRB 1276). You allege that over the course of the family law case, she has “engaged in a persistent pattern of dishonesty, misrepresentation, and unethical litigation tactics.” Among other things, you note that she created a fictional narrative to persuade the court that you were “useless, lazy, and manipulative,” that she “pushed for a 50/50 custody arrangement,” that she “mapped a future of continued suffering, despair, and even potential death for the children,” and that she alleged you suffered from Munchausen Syndrome by Proxy. You also allege that you had a consultation with McKinney Figini, LLC in 2022, and that at that time, an attorney named Emily Cunniff was employed by the firm. Ms. Cunniff has switched firms and is now co-counsel with Ms. Gelmann in your family law case, which you assert is a violation of the Rules regarding confidentiality and conflicts of interest.

We are unable to docket this matter for further investigation. The Office of Disciplinary Counsel has jurisdiction to enforce the D.C. Rules of Professional Conduct, a set of written rules adopted by the District of Columbia Court of Appeals. We do not disagree that the allegations lodged against you in the family law case are serious. Attorneys, however, may set forth their client’s position on matters of fact which the parties may dispute or view differently. Importantly, our office does not intervene in matters properly considered by the court, which is in the best position to assess the evidence at hand. The court is the proper entity to make determinations as to what a court order meant (such as therapeutic supervised visitation versus reunification therapy), whether a parent violated any court orders, and whether the facts presented by either side are adequately supported. If, for example, Ms. Gelmann told the court that you had spoke with Dr. Dodge when you had not, you have the opportunity to correct the record by informing the court that you did not speak with the doctor. The other issues which you raise are also properly addressed by the court.

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Finally, we do not believe that Ms. McKinney's involvement in your case, despite your consultation with the firm where she was previously employed, necessarily constitutes a violation of the Rules that would merit discipline. We have no knowledge that you met with her specifically or that she had any awareness of your matter whatsoever. This is, however, also a matter which the court can consider. If the court disqualifies Ms. McKinney, you may submit the court's order to our office for review.

We docket cases for further investigation when the complaint: (1) is not unfounded on its face; (2) contains allegations which, if true, would constitute a violation of the Attorney's Oath of Office or the Rules of Professional Conduct that would merit discipline; and (3) concerns an attorney admitted to practice law in the District of Columbia. The information you provided does not satisfy at least one of these three criteria.

Accordingly, we have closed this file. Thank you for bringing your concerns to our attention.

Sincerely,

s/Lisa Fishelman

Lisa Fishelman
Assistant Disciplinary Counsel

LF:lnm