



# OFFICE OF DISCIPLINARY COUNSEL

May 21, 2025

## **CONFIDENTIAL**

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Elliott Lynch

Sent via email only to: [elynch90@gmail.com](mailto:elynch90@gmail.com)

**Re: McMillan/ Lynch**  
**Undocketed No. 2025-U572**

Dear Mr. Lynch:

We reviewed the disciplinary complaint that you filed against Niall D. McMillan, Esquire. You state that Mr. McMillan represents the opposing party in a case alleging that you engaged in “stalking” filed in the Domestic Violence Division of D.C. Superior Court. You provided a copy of an “Anti-Stalking Order entered against you in the matter *Hackenburg v. Lynch*, Case No. 2025-ASO-000319, which was signed by a judge using an electronic signature on April 11, 2025. You claim that Mr. McMillan has made misrepresentations and engaged in “abuse of legal process.” You state that Mr. McMillan filed a document that contained “unverified, factually inaccurate allegations – including statements about ‘numerous threatening messages’ that simply do not exist.”

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. Court records show that on March 28, 2025, Francis Hackenburg filed a request for an anti-stalking order. On March 28, 2025, the court entered a temporary anti-stalking order against you, which expired on April 11, 2025. A Return of Service shows that on April 3, 2025, you were served with notice of the court hearing scheduled for April 11, 2025. On April 11, 2025, Mr. McMillan filed his notice of appearance and represented Ms. Hackenburg at the hearing. You did not appear, and the court issued an Anti-Stalking Order. There is no indication that Mr. McMillan filed a document with factual allegations – his client filed the initial request in her own words. An attorney is obligated to present his client’s version of events and legal arguments to support his client’s position. We have no basis to find that Mr. McMillan acted improperly. The final order that you submitted, which was signed electronically by the judge, is a valid order that was entered as part of the court file.

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,



Becky Neal  
Senior Assistant Disciplinary Counsel

BN:lnm