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(Licensed in MD)

November 17, 2010

NINETEENTH JUDICIAL CIRCUIT OF VIRGINIA
Hon. Lorraine Norlund
Fairfax County Courthouse
4110 Chain Bridge Road
Fairfax, Virginia 22030-4009

RE: *Dr. Richard P. Tu, et. al. v. Vietnamese Medical Society of Northeast America, et. al.;*
Case No. 2009-18307

Dear Hon. Norlund:

We are in receipt of your letter dated November 8, 2010, and are concerned with the allegations as made. DHT Law, PLLC, respects this Court's opinion and humbly requests that it reconsiders the sanctions. Our law firm would first address the inference of credibility concerning the September 9th hearing, and secondly, any filings of undersigned Counsel after the August 13th hearing, which this Court had concern regarding the disqualification of counsel for alleged acts of being a neutral third party.

The September 9, 2010 hearing. For the week of September 9, 2010, Counsel had believed that this Court scheduled a hearing in the above matter on September 10, 2010, at 9 am. Counsel had another matter set at the U.S. District Court in Alexandria September 10, 2010, at 10 am. This was stated originally on August 13, 2010, when the original date for this hearing was set for September 7, 2010. Counsel had informed this Court's clerk of the potential conflict (thinking the 10th), but worked out the issue by arranging for a *pro hac vice* attorney, Mr. Vinh Vo, to stand in for the U.S. District Court hearing at 10 am. As noted from the extensive federal court docket, Mr. Vo appeared only once in that entire federal matter and only to resolve the potential date conflict. This, however, proved unnecessary because Mr. Tran learned of the missed hearing date in the late evening of the 9th of September. DHT LAW, PLLC, proceeded with the *pro hac vice* motion in the event of future date conflicts. Mr. Tran appraised the clerk of the issue later in the afternoon of the 10th after returning from the matter in Alexandria.



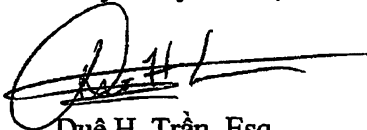
Entry of Appearance/Other filings. Counsel deemed the entry of appearance and other filings necessary to preserve the Court's record and zealous advocacy of his client. Counsel balanced this with the unusual position of being challenged as the attorney in a particular case. The Plaintiff did not retain Counsel until the eleventh hour of a deadline for the filing of an opposition to a demurrer, and Counsel had stated to the Plaintiffs on multiple occasions not to change attorney pending the demurrer. On the August 13, 2010, Counsel presented a substitution of Counsel to the Defendants' attorney and for the first time advised that he would object to it, presenting to Counsel his opposition motion. The substitution of Counsel was never filed and on that date Counsel did not make entry of appearance. The Court referred this matter to conciliation.

An issue of entry of appearance could not be addressed until Counsel makes an entry of appearance. The oral arguments on August 13, 2010, did not result in Counsel making his appearance, and as noted by this Court, Mr. Nguyen was the only counsel of record in the court that day. Mr. Tran did not refuse to sign the order, but prohibited from signing the order, as he did not make entry of appearance. To remedy this, Counsel entered his appearance rendering the issue ripe for this Court and the conciliator to properly address. Counsel did not do this for improper purposes. Counsel did not strike the opposition to the demurrer with the hope that the Court would relate-back the date concerning the entry of appearance. Likewise, a Motion for Protection against discovery admissions is necessary had Counsel been found to qualify as the attorney of record and required to zealously advocate the Clients' position.

Counsel did not purposely forego scheduling conferences and other filings because Counsel was not the attorney of record at the time. Counsel actions were limited to 1) zealously advocate the position of the Clients to mitigate any negative effects of this situation, and 2) minimize any affirmative action in creating a record should this Court find Counsel disqualified from representing the Clients.

For the foregoing reason, Counsel asks that this Court reconsider its decision in its entirety or to reduce the amount of attorney fees. The documents filed were warranted in facts and law.

Very Truly Yours,



Duê H. Trần, Esq.
Principal

Copies to:

Jason F. Zellman, Esq.
Richard Nguyen, Esq.



VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

Dr. Richard P. Tu, et al,
Plaintiffs,

v.

Vietnamese Medical Society
of Northeastern America, et al,
Defendants,

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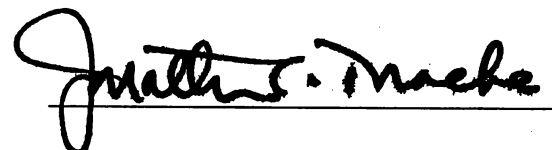
CL - 2009-18307

ORDER

This matter came to be heard upon Attorney Due H. Tran Motion to Reconsider the Court's November 8, 2010 Letter Opinion. This matter came before the Court on the Defendant's Motion for Sanctions. The Court allowed the parties to submit briefs and decided the case without hearing oral argument. On November 8, 2010, the Court gave its decision to counsel in the form of an opinion letter and asked Counsel for the Defendants to prepare the Order.

IT APPEARING TO THE COURT that its original decision was correct, it is hereby **ORDERED** that Mr. Tran's Motion to Reconsider is DENIED

ENTERED: November 19th, 2010


On Behalf of Judge Lorraine Nordlund

Signature of counsel/parties waived pursuant to Va. Sup. Ct. R. 1:13.

Copies to all Counsel 11/23 LCB