

**FILED**

Apr 11, 2024

Disciplinary  
Board

Docket # 002

DISCIPLINARY BOARD  
WASHINGTON STATE BAR ASSOCIATION

In re

**OLGA V. EFIMOVA,**  
Lawyer (Bar No. 52498)

Proceeding No.

ODC File No. 23-00029

STIPULATION TO DISBARMENT

Under Rule 9.1 of the Washington Supreme Court's Rules for Enforcement of Lawyer Conduct (ELC), the following Stipulation to disbarment is entered into by the Office of Disciplinary Counsel (ODC) of the Washington State Bar Association (Association) through disciplinary counsel Francisco Rodriguez, Respondent's Counsel Anne I. Seidel, and Respondent lawyer Olga V. Efimova.

Respondent understands that Respondent is entitled under the ELC to a hearing, to present exhibits and witnesses on Respondent's behalf, and to have a hearing officer determine the facts, misconduct and sanction in this case. Respondent further understands that Respondent is entitled under the ELC to appeal the outcome of a hearing to the Disciplinary Board, and, in certain cases, the Supreme Court. Respondent further understands that a hearing and appeal could result in an outcome more favorable or less favorable to Respondent. Respondent chooses to resolve this

1 proceeding now by entering into the following stipulation to facts, misconduct and sanction to  
2 avoid the risk, time, and expense attendant to further proceedings.

3 Respondent wishes to stipulate to disbarment without affirmatively admitting the facts and  
4 misconduct in ¶¶ 2 through 123 rather than proceed to a public hearing. Respondent agrees that  
5 if this matter were to proceed to a public hearing, there is a substantial likelihood that ODC would  
6 be able to prove, by a clear preponderance of the evidence, the facts and misconduct in  
7 ¶¶ 2 through 123, and that the facts and misconduct will be deemed proved in any subsequent  
8 disciplinary proceeding in any jurisdiction.

### 9 I. ADMISSION TO PRACTICE

10 1. Respondent was admitted to practice law in the State of Washington on  
11 September 22, 2017.

### 12 II. STIPULATED FACTS

#### 13 THE FOMICHEV MATTER

14 2. On November 8, 2021, Ivan Fomichev, a Russian citizen, along with Fomichev's  
15 spouse and three children, arrived at the southern border of the United States seeking admission.  
16 They were issued notices to appear in immigration court and paroled into the United States so  
17 that they could seek asylum.

18 3. On November 16, 2021, Fomichev signed a fee agreement with Respondent providing  
19 for representation in immigration court and in filing an Application for Asylum and for  
20 Withholding of Removal (I-589) and an initial Employment Authorization Application (I-765).  
21 Respondent agreed to file the I-589 application right away.

1 *I-589 Respondent claimed to have filed with USCIS in December 2021*

2 4. On July 3, 2023, Respondent provided ODC with a copy of a completed I-589  
3 application for Fomichev dated November 26, 2021, along with a cover letter addressed to the  
4 United States Citizenship and Immigration Services (USCIS) also dated November 26, 2021.

5 5. In a letter to ODC dated July 3, 2023, Respondent stated that the above-described  
6 I-589 application and cover letter were sent to USCIS via FedEx on December 7, 2021. During  
7 the representation, Respondent had also informed Fomichev that Fomichev's I-589 application  
8 was submitted to USCIS in December 2021.

9 6. Respondent's statements to ODC and Fomichev about sending Fomichev's I-589  
10 application materials to USCIS in December 2021 were false.

11 *I-589 Respondent claimed to have filed with the immigration court in January 2022*

12 7. Immigration authorities initiated removal proceedings against the Fomichev family in  
13 January 2022, and the immigration court then had exclusive jurisdiction over Fomichev's I-589  
14 application.

15 8. In written responses to submitted to ODC, Respondent stated that Respondent had  
16 electronically filed both a notice of appearance and an I-589 application for Fomichev with the  
17 immigration court on January 20, 2022. During the representation, Respondent had told Fomichev  
18 that Respondent had filed Fomichev's I-589 application with the immigration court on January  
19 20, 2022. These statements were false. Respondent did not file Fomichev's I-589 application with  
20 the immigration court on January 20, 2022. Respondent did not enter a notice of appearance with  
21 the immigration court in Fomichev's matter until February 15, 2022.

22 9. On July 3, 2023, Respondent provided ODC with an I-589 application for Fomichev  
23 dated January 20, 2022, with a file stamp at the top of each page purporting to confirm that the

1 document was uploaded to the court's electronic filing portal on January 20, 2022. Respondent  
2 had previously provided the same I-589 application to Fomichev during the representation. The  
3 file stamp on this I-589 application was falsified.

4 10. Respondent also provided ODC with falsified email notifications and a falsified  
5 screenshot of the immigration court's online portal purportedly confirming the January 20, 2022  
6 filing of both a notice of appearance and an I-589 application in Fomichev's case. During the  
7 representation, Respondent provided Fomichev with the same falsified screenshot and a falsified  
8 email notification purporting to show that Fomichev's I-589 application had been filed with the  
9 court on January 20, 2022.

10 *Falsified I-797C receipts for the December 2021 I-589 application*

11 11. Upon receipt of an I-589 application, USCIS sends the applicant Form I-797C, a  
12 receipt acknowledging that the I-589 has been submitted. USCIS assigns a unique receipt number  
13 to each I-797C form issued.

14 12. On January 18, 2022, Respondent sent Fomichev a text message containing a  
15 falsified I-797C form with receipt number ZSF2146046660 purportedly acknowledging that  
16 USCIS had received Fomichev's I-589 application on December 10, 2021. The notice date on the  
17 form is December 17, 2021, and the name listed is "Ivan Farmichou" rather than "Ivan  
18 Fomichev."

19 13. On March 1, 2022, Respondent sent Fomichev an email with a different falsified  
20 I-797C form attached purporting to confirm the filing of Fomichev's I-589 application with  
21 USCIS on December 10, 2021. This I-797C form listed the correct name, "Ivan Fomichev" rather  
22 than "Ivan Farmichou." The form had the same receipt number, ZSF2146046660, as the form  
23 Respondent had sent to Fomichev on January 18, 2022, but listed a notice date of



1 February 25, 2022. Respondent submitted a copy of the falsified I-797C form with notice date  
2 February 25, 2022, to ODC in response to Fomichev's grievance.

3 14. USCIS did not issue an I-797C form to Fomichev with receipt number  
4 ZSF2146046660. The I-797C form with receipt number ZSF2146046660 was issued to T.S.,<sup>1</sup>  
5 another of Respondent's clients. Respondent used the receipt number from the I-797C form that  
6 had been issued to T.S. in October 2020 to create fake I-797C forms for Fomichev's I-589  
7 application.

8 *I-765 application allegedly submitted to USCIS in May 2022*

9 15. During the representation, Respondent told Fomichev that Fomichev's I-765  
10 Application for Employment Authorization had been sent to USCIS on May 14, 2022. In a written  
11 response submitted to ODC on July 3, 2023, Respondent stated that Fomichev's I-765 application  
12 was filed with USCIS on May 23, 2022, and provided ODC with a copy of an I-765 application  
13 for Fomichev dated May 15, 2022. Respondent's statements regarding submitting an I-765  
14 application to USCIS on behalf of Fomichev in May 2022 were false.

15 16. As part of Respondent's July 3, 2023 response, Respondent provided ODC with a  
16 falsified USCIS email dated June 14, 2022, indicating that Fomichev's case was "in line for  
17 processing and adjudication." Respondent's July 3, 2023 letter to ODC falsely claimed that this  
18 USCIS email confirmed the May 23, 2022 filing of Fomichev's I-765 application.

19 *I-765 application submitted to USCIS in June 2022*

20 17. On or about June 16, 2022, Respondent sent Fomichev's I-765 application to  
21 USCIS. The application was received by USCIS on June 21, 2022. However, this I-765  
22

---

23 <sup>1</sup> Respondent's clients, other than Fomichev, are identified by initials in this Stipulation. In some instances,  
first names are used to differentiate between clients with the same initials.

1 application was premature because the required waiting period had not elapsed since the filing of  
2 Fomichev's I-589 application. Respondent had yet to file Fomichev's I-589 application at that  
3 time.

4 18. As part of the I-765 application Respondent sent to USCIS in June 2022,  
5 Respondent included a copy of the falsified I-797C form with receipt number ZSF2146046660  
6 and notice date February 25, 2022. Respondent's cover letter falsely attested that this was a "true  
7 and correct copy of Form I-797C."

8 *I-589 filing rejected by the immigration court in June 2022*

9 19. On June 16, 2022, Respondent attempted to file Fomichev's I-589 application with  
10 the immigration court. The immigration court rejected the filing because Respondent had not yet  
11 entered a notice of appearance for Fomichev's family members.

12 20. In a written response submitted to ODC on July 3, 2023, Respondent denied  
13 attempting to file Fomichev's I-589 application with the immigration court on June 16, 2022.  
14 Respondent's statement in this regard was false.

15 *Email correspondence allegedly from Andreas Kischel*

16 21. On August 30, 2022, Respondent sent Fomichev an email with attachments  
17 purporting to confirm that Fomichev's I-589 application was filed with the court on January 20,  
18 2022. The attachments included a copy of the I-589 application with the court's file stamp  
19 indicating it was uploaded on January 20, 2022, and a screenshot of the immigration court's online  
20 portal showing the I-589 filing had been accepted. These attachments were not authentic.

21 22. Respondent sent the August 30, 2022 email to Fomichev from the email address  
22 [andreask@cosmopolitan.com](mailto:andreask@cosmopolitan.com). Respondent signed this email as "Andreas Kischel Esq."

1 *False statement to immigration court regarding I-589 filing for Fomichev*

2 23. On September 8, 2022, Respondent sent an email to the Sacramento immigration  
3 court seeking recalculation of the waiting period for Fomichev's employment authorization.  
4 Respondent's email stated that Fomichev's I-589 application had been filed on January 20, 2022.  
5 This statement was false.

6 *Respondent's deposition testimony*

7 24. During ODC's deposition of Respondent on July 18, 2023, Respondent gave false  
8 testimony regarding Respondent sending Fomichev's I-589 application to USCIS in December  
9 2021, the authenticity of the I-797C form with receipt number ZSF2146046660 and notice date  
10 February 25, 2022, the source of this I-797C form, and whether lawyer Andreas Kischel had  
11 provided assistance to Respondent with Respondent's cases.

12 FALSIFIED I-797C FORMS IN OTHER MATTERS

13 *I-797C receipt number ZSF2045756740*

14 *I-797C form for K.T.*

15 25. In May 2022, Respondent submitted I-765 applications for employment  
16 authorization to USCIS on behalf of K.T., K.T.'s spouse E.T., and their two children. K.T., E.T.,  
17 and their children were all clients of Respondent.

18 26. In support of each of these I-765 applications, Respondent submitted a falsified  
19 I-797C form with receipt number ZSF2045756740 purporting to confirm that K.T.'s I-589  
20 application had been filed with USCIS on December 15, 2021. The cover letter Respondent sent  
21 to USCIS with the I-589 applications described the I-797C forms as "true and correct."  
22  
23

1           27.     In August 2020, USCIS had issued an I-797C form with the same receipt number,  
2 ZSF2045756740, to another of Respondent's clients, M.S. Respondent used the receipt number  
3 from M.S.'s authentic I-797C form to create a fake I-797C form for K.T.

4           28.     On June 14, 2022, Respondent sent client E.T., via email, a copy of the I-765  
5 application materials including the cover letter and the falsified I-797C form for K.T.  
6 Respondent's June 14, 2022 email to E.T. was signed "Andreas Kischel, Esq." Kischel did not  
7 send the June 14, 2022 email to E.T.

8           *I-797C form for K.F.S.*

9           29.     On March 1, 2022, Respondent sent Respondent's client K.F.S. a falsified I-797C  
10 form with receipt number ZSF2045756740 purporting to confirm that K.F.S.'s I-589 application  
11 had been filed with USCIS on December 19, 2021. Respondent used the receipt number from  
12 M.S.'s authentic I-797C form to create a fake I-797C form for K.F.S.

13           *I-797C receipt number MGL2231863073*

14           30.     Respondent received an authentic I-797C form for I.S. with receipt number  
15 MGL2231863073 listing both a notice date and received date of June 27, 2022.

16           31.     On July 13, 2022, Respondent sent I.S. an email with a falsified version of the  
17 I-797C form with receipt number MGL2231863073 attached. The falsified I-797C form attached  
18 to Respondent's July 13, 2022 email listed a notice date of June 27, 2022, but the form indicated,  
19 falsely, that I.S.'s I 589 application had been received by USCIS on May 29, 2022.

20           32.     On August 2, 2022, Respondent sent I.S. an email with a different falsified version  
21 of the I-797C form with receipt number MGL2231863073 attached, listing a notice date of August  
22 2, 2022, and a received date of April 27, 2022.



1 *I-797C receipt number MGL2256920922*

2 33. Respondent received an authentic I-797C form for client V.B. with receipt number  
3 MGL2256920922 listing a received date of September 12, 2022, and a notice date of September  
4 13, 2022.

5 34. On September 13, 2022, Respondent sent client V.B. an email with a falsified  
6 version of the I-797C form with receipt number MGL2256920922 attached. The falsified I-797C  
7 form attached to the email listed a notice date of September 5, 2022, and a received date of May  
8 2, 2022.

9 *I-797C receipt number MGL2290902057*

10 35. Respondent received an authentic I-797C form for client O.K. with receipt number  
11 MGL2290902057 listing a received date and a notice date of September 15, 2022.

12 36. On September 14, 2022, Respondent sent client O.K. an email with a falsified  
13 version of the I-797C form with receipt number MGL2290902057 attached. The falsified I-797C  
14 form attached to the email to list a notice date of September 15, 2022, and a received date of July  
15 11, 2022.

16 37. Also attached to Respondent's September 14, 2022 email to client O.K. was a copy  
17 of an I-589 application for O.K. listing a submission date of July 11, 2022. This I-589 application  
18 is not authentic. Respondent did not submit an I-589 application to USCIS for client O.K. until  
19 approximately September 15, 2022.

20 *I-797C receipt number MGL2240787600*

21 38. Respondent received an authentic I-797C form for client R.S. with receipt number  
22 MGL2240787600 listing a received date and a notice date of September 30, 2022.

1           39.     On September 29, 2022, Respondent sent client R.S. an email with a falsified  
2 version of the I-797C form with receipt number MGL2240787600 attached. The falsified I-797C  
3 form attached to the email listed a notice date of May 23, 2022, and a received date of June 16,  
4 2022.

5 *I-797C receipt number MGL2269923228*

6           40.     Respondent received an authentic I-797C form for client K.R.S. with receipt  
7 number MGL2269923228 listing a received date and a notice date of August 25, 2022.

8           41.     On August 24, 2022, Respondent sent client K.R.S. an email with a falsified  
9 version of the I-797C form with receipt number MGL2269923228 attached listing a notice date  
10 of July 6, 2022, and a received date of June 24, 2022.

11 *I-797C receipt number MGL2206379336*

12           42.     On September 17, 2022, Respondent sent client I.C., via email, a falsified I-797C  
13 form with receipt number MGL2206379336 purporting to acknowledge receipt of a I.C.'s I-589  
14 application. The falsified I-797C form listed a notice date of May 24, 2022, and a received date  
15 of February 18, 2022.

16           43.     On June 14, 2023, Respondent sent an email to USCIS employee Johanna Gaymer  
17 (Gaymer) regarding I.C. Respondent attached a falsified I-797C form with receipt number  
18 MGL2206379336 purporting to acknowledge receipt of an I-589 application submitted to USCIS  
19 on I.C.'s behalf. The falsified I-797C form listed a notice date of May 24, 2022, and a received  
20 date of February 18, 2022.

21           44.     Respondent did not submit an I-589 application to USCIS for client I.C. until  
22 approximately September 17, 2022.

1 *I-797C receipt number MGL2277591561*

2 45. On September 29, 2022, Respondent sent client D.V.I., via email, a falsified  
3 I-797C form with receipt number MGL2277591561 purporting to acknowledge receipt of  
4 D.V.I.'s I-589 application. The falsified I-797C form listed a notice date of July 20, 2022, and a  
5 received date of May 16, 2022. Also attached to Respondent's email was a falsified I-589  
6 application for D.V.I. listing a submission date of May 16, 2022.

7 46. Respondent did not submit an I-589 application to USCIS for client D.V.I. until  
8 approximately September 21, 2022.

9 *I-797C receipt number MGL2239734367*

10 47. On September 16, 2022, Respondent sent client V.V., via email, a falsified I-797C  
11 form with receipt number MGL2239734367 purporting to acknowledge receipt of an I-589  
12 application submitted to USCIS on V.V.'s behalf. The falsified I-797C form listed a notice date  
13 of June 16, 2022, and a received date of March 2, 2022. Also included with Respondent's email  
14 was a falsified I-589 application listing a submission date of March 2, 2022.

15 48. Respondent did not submit an I-589 application to USCIS for client V.V. until  
16 approximately September 16, 2022.

17 **FALSIFIED USCIS EMAILS IN OTHER MATTERS**

18 *USCIS email forwarded to S.K.*

19 49. On March 10, 2022, Respondent forwarded to Respondent's client S.K. a falsified  
20 USCIS email dated March 10, 2022, purporting to address the status of S.K.'s immigration matter.  
21  
22  
23

1 *USCIS email forwarded to Y.R.*

2 50. On November 10, 2022, Respondent forwarded to Respondent's client Y.R. a  
3 falsified USCIS email dated October 6, 2022, purporting to indicate that Y.R.'s application for  
4 work authorization had been delayed but was in line for processing.

5 *USCIS emails forwarded to A.S.*

6 51. In approximately March 2022, Respondent began representing Margaryta G.,  
7 Maksym G., and their four children, A.S., A.G., I.G., and V.G.

8 52. On November 14, 2022, Respondent forwarded to A.S. two falsified USCIS emails  
9 dated October 12, 2022, purporting to indicate that Maksym G.'s and Margaryta G.'s applications  
10 for work authorization did not qualify for expedited processing.

11 *USCIS email forwarded to I.G.*

12 53. On February 24, 2023, Respondent forwarded to I.G. another falsified USCIS  
13 email dated February 2, 2023, purporting to address the status of Maksym G.'s case.

14 **FALSE STATEMENTS TO THE IMMIGRATION COURT IN OTHER MATTERS**

15 *Y.Z.'s case*

16 54. On March 20, 2023, Respondent sent an email to the Court Administrator for the  
17 immigration court in Seattle falsely claiming that Respondent had filed an I-589 application on  
18 behalf of Respondent's client Y.Z. with the immigration court in November 2022. Respondent  
19 did not file Y.Z.'s I-589 application with the immigration court until March 11, 2023.

20 55. Respondent's March 20, 2023 email to the Court Administrator stated that  
21 Respondent had received a notice from the immigration court confirming the I-589 filing in  
22 November 2022, and Respondent attached a falsified email notification from the court purporting  
23 to confirm the filing of an application in Y.Z.'s case on November 11, 2022.



1           56.     Respondent's March 20, 2023 email to the Court Administrator asked the Court  
2 Administrator to adjust the waiting period for employment authorization for Y.Z. to reflect the  
3 I-589 application Respondent claimed to have filed in November 2022. The Court Administrator  
4 responded that the court had no record of an I-589 filed in November 2022, but offered to  
5 investigate further if Respondent provided a copy of the I-589 with the court's file stamp.

6           57.     On March 29, 2023, Respondent sent an email to the Court Administrator with  
7 several pages of an I-589 application for Y.Z. attached. Each page of the I-589 application had a  
8 falsified court file stamp at the top of the page indicating that the application had been uploaded  
9 to the immigration court on November 11, 2022.

10          58.     As a result of the falsified documentation Respondent had provided, the Court  
11 Administrator was deceived into changing Y.Z.'s waiting period for work authorization to start  
12 the waiting period on November 11, 2022, instead of March 11, 2023.

13 *D.G.I.'s case*

14          59.     On May 24, 2023, Respondent sent an email to the immigration court in  
15 Sacramento falsely claiming that Respondent had filed an I-589 application for Respondent's  
16 client D.G.I. with the court on January 23, 2023. Respondent attached a falsified electronic notice  
17 from the court purporting to confirm the filing of D.G.I.'s I-589 application on January 23, 2023.

18          60.     Respondent did not file an I-589 application on behalf of D.G.I. with the  
19 immigration court until May 18, 2023.

20 *R.M.'s case*

21          61.     On September 29, 2023, Respondent sent an email to the Court Administrator for  
22 the immigration court in Orlando falsely claiming that Respondent had filed an I-589 application  
23 with the immigration court on behalf of Respondent's client R.M. on October 6, 2022. Respondent

1 also falsely claimed that the application had subsequently disappeared from the immigration  
2 court's electronic filing system.

3 62. Respondent did not file R.M.'s I-589 application with the immigration court until  
4 October 4, 2023.

5 *M.B.'s case*

6 63. On October 6, 2023, Respondent sent an email to the Court Administrator for the  
7 immigration court in Seattle falsely claiming that Respondent had filed an I-589 application with  
8 the court for Respondent's client M.B. on February 13, 2023, but that it had subsequently  
9 disappeared.

10 64. Respondent did not file M.B.'s I-589 application with the immigration court until  
11 June 18, 2023.

12 65. The Court Administrator responded to Respondent's October 6, 2023 email  
13 requesting that Respondent provide a copy of the I-589 that Respondent had filed on February 13,  
14 2023. On October 13, 2023, Respondent sent the Court Administrator, via email, a falsified I-589  
15 application that Respondent claimed to have filed on M.B.'s behalf on February 13, 2023. Each  
16 page of the application had a falsified court file stamp purporting to confirm that the document  
17 had been uploaded to the immigration court on February 13, 2023.

18 THE CASES OF V.K., N.K. AND THEIR CHILDREN

19 66. On or about September 20, 2021, immigration authorities initiated removal  
20 proceedings against V.K. and two of V.K.'s children. On or about October 25, 2021, immigration  
21 authorities initiated removal proceedings against N.K., V.K.'s spouse. V.K. and N.K. had entered  
22 the United States separately several weeks apart, so their immigration court cases were initially  
23 handled separately by the court.

1           67.     In October 2021, Respondent agreed to represent V.K., N.K., and their two  
2 children in immigration court and to assist them in filing I-589 and I-765 applications.

3 *V.K. and the children*

4           68.     On January 30, 2022, Respondent entered a notice of appearance with the  
5 immigration court on behalf of V.K. and the two children. The two children were treated as  
6 “riders” to V.K.’s immigration court case, and the three cases tracked each other.

7           69.     On April 28, 2022, the immigration court filed scheduling orders in the matters of  
8 V.K. and the children. By this time, both children were adults. The scheduling orders required  
9 Respondent to file written pleadings within 30 days and specified that the failure to do so may  
10 allow the government to proceed on the record and the court to issue a final order of removal. The  
11 scheduling orders were served on Respondent electronically on April 28, 2022.

12           70.     Respondent did not inform V.K. or the children of the need to file written  
13 pleadings, and Respondent did not file written pleadings with the immigration court on their  
14 behalf within 30 days.

15           71.     On May 16, 2022, the Department of Homeland Security (DHS) submitted  
16 evidence to the immigration court regarding the removability of V.K. and the children. This DHS  
17 evidence was served on Respondent electronically on May 13, 2022. Respondent did not file a  
18 response to the evidence submitted by DHS.

19           72.     On June 7, 2022, the immigration court entered a decision on removability and a  
20 scheduling order. The court found that V.K. and the children had not submitted written pleadings,  
21 and based on the evidence submitted by DHS, determined that V.K. and the children were subject  
22 to removal from the United States.

1           73.     The court's June 7, 2022 scheduling order required V.K. and the children to file  
2 any applications for relief, prima facie evidence of eligibility, legal briefs, and supporting  
3 documents within 60 days and indicated that failure to abide by the deadlines specified therein  
4 may result in a finding that the opportunity to file applications for relief has been waived.

5           74.     The court's decision on removability and scheduling order were served on  
6 Respondent by mail on June 7, 2022. Respondent did not inform V.K. or the children of the  
7 immigration court's decision on removability or the scheduling order.

8           75.     Respondent did not file any applications for relief, prima facie evidence of  
9 eligibility, legal briefs, or supporting documents within 60 days of the court's June 7, 2022 order.

10          76.     On August 10, 2022, the immigration court found that neither V.K. nor the  
11 children had filed any applications for relief within the time limit and ordered them removed from  
12 the United States to Russia. The immigration court's August 10, 2022 orders of removal were  
13 served on Respondent electronically on August 10, 2022. Respondent did not inform V.K., N.K.,  
14 or their children of the removal orders issued on August 10, 2022. Respondent did not seek relief  
15 from the removal orders on behalf of VK. or the children for over seven months.

16          77.     In January 2023, V.K. learned of the removal orders from an immigration official.

17          78.     On February 22, 2023, Respondent sent an email to counsel for the government  
18 asking if the government would join in motions to reopen that Respondent planned to file in the  
19 cases of V.K., N.K., and their children. In the email, Respondent falsely stated that Respondent  
20 had not received any information regarding orders of removal in these matters.

21          79.     On March 14, 2023, Respondent filed a motion to reopen removal proceedings on  
22 behalf of V.K. and the children. In the motions to reopen, Respondent falsely claimed that  
23



1 Respondent had filed I-589 applications for V.K. and the children through the immigration court's  
2 online filing system on November 15, 2021.

3 80. In support of the motions to reopen, Respondent filed declarations, signed by  
4 Respondent under penalty of perjury, falsely stating that Respondent had personally filed I-589  
5 applications for V.K. and the children on November 15, 2021, and that Respondent had received  
6 emails confirming the filing of the I-589 applications on that date.

7 81. In support of the motions to reopen in each case, Respondent filed I-589  
8 applications dated November 15, 2021, purportedly filed on that day. The I-589 applications filed  
9 with the immigration court on March 14, 2023, were the first I-589 applications Respondent had  
10 filed on behalf of V.K. and the children.

11 82. An applicant for asylum within the United States is generally required to  
12 demonstrate that the application has been filed within one year after the date of the applicant's  
13 arrival in the United States. The I-589 applications Respondent filed with the immigration court  
14 on behalf of V.K. and the children on March 14, 2023, were not filed within one year of their  
15 arrival in the United States.

16 83. In support of the motions to reopen Respondent filed on behalf of V.K. and the  
17 children, Respondent filed falsified emails from the immigration court's online filing system  
18 purporting to confirm electronic filings in their cases on November 15, 2021.

19 84. DHS did not oppose the motions to reopen.

20 85. On March 24, 2023, the immigration court granted the motions to reopen.

1 N.K.

2 86. Respondent did not enter a notice of appearance on behalf of N.K. at the time the  
3 representation began.

4 87. N.K.'s removal hearing was originally scheduled for May 31, 2022, but on April  
5 6, 2022, the immigration court rescheduled the hearing for October 12, 2022. Notice of the  
6 October 12, 2022 hearing was mailed to N.K. Respondent was not served with notice of the  
7 October 12, 2022 hearing in N.K.'s case because Respondent had not yet entered a notice of  
8 appearance with the court on behalf of N.K.

9 88. Neither N.K. nor Respondent appeared for N.K.'s October 12, 2022 removal  
10 hearing. The immigration court proceeded with the hearing *in absentia* and found that the  
11 evidence submitted by DHS established that N.K. was subject to removal from the United States.  
12 The immigration court further found that N.K.'s failure to appear constituted an abandonment of  
13 any pending applications for relief or protection from removal as well as any applications the  
14 N.K. may have been eligible to file. The immigration court ordered N.K. removed to Russia. The  
15 order of removal was mailed to N.K. on October 12, 2022.

16 89. On October 16, 2022, N.K. informed Respondent that N.K. had been ordered  
17 removed. Respondent did not file a motion to reopen or an appeal on behalf of N.K. for at least  
18 four months.

19 90. On March 12, 2023, Respondent sent an email to N.K. falsely stating that a motion  
20 to reopen had been filed on behalf of N.K. and that Respondent had filed N.K.'s I-589 application  
21 with the court on November 15, 2021.

1           91.     On April 5, 2023, Respondent entered an appearance with the immigration court  
2 on behalf of N.K for the first time and filed a motion to rescind the *in absentia* removal order and  
3 reopen removal proceedings on behalf of N.K.

4           92.     In support of the motion to reopen N.K.'s case, Respondent filed a declaration,  
5 signed by Respondent under penalty of perjury, falsely stating that Respondent "entered my  
6 representation on [N.K.'s] behalf on or about October 15, 2021." In the declaration, Respondent  
7 also falsely stated that Respondent had personally filed an I-589 application for N.K. on  
8 November 15, 2021, and that Respondent had received an email confirming the filing of the I-589  
9 application on that date.

10          93.     In support of the motion to reopen N.K.'s case, Respondent filed an I-589  
11 application dated November 15, 2021, purportedly filed on that day. The I-589 application  
12 Respondent filed with the immigration court on April 5, 2023, in support of the motion to reopen  
13 was the first I-589 applications Respondent had filed on behalf of N.K. The I-589 application was  
14 not filed within one year of N.K.'s arrival in the United States.

15          94.     In support of the motion to reopen N.K.'s case, Respondent filed falsified emails  
16 from the immigration court's online filing system purporting to confirm electronic filings in the  
17 cases of N.K., V.K., and their children on November 15, 2021.

18          95.     DHS did not oppose the motions to reopen in N.K.'s case.

19          96.     On April 19, 2023, the immigration court granted the motion to reopen removal  
20 proceedings in N.K.'s case.

21 **FALSIFIED FEDERAL COURT ORDER**

22          97.     On January 26, 2023, Respondent sent to Respondent's client O.Z, via email, a  
23 falsified federal court judgment in O.Z.'s favor in the amount of \$12,590.88 in case number

1 21CIV26901KCX. The falsified order, dated November 10, 2022, was titled “Judgment Order,”  
2 and appeared to be signed by Federal District Court Judge Robert J. Bryan. Judge Bryan did not  
3 sign any such order. Respondent included Judge Bryan’s signature on the fraudulent “Judgment  
4 Order” to make the falsified order appear authentic.

### 5 III. STIPULATION TO MISCONDUCT

6 98. By failing to act with reasonable diligence in filing Fomichev’s I-589 application,  
7 Respondent violated RPC 1.3 and RPC 3.2.

8 99. By making false statements to Fomichev about filings, providing Fomichev with  
9 falsified records, impersonating Andreas Kischel in communicating with Fomichev, and failing  
10 to disclose Respondent’s delays in filing Fomichev’s immigration applications, Respondent  
11 violated RPC 1.4(a), RPC 1.4(b), RPC 8.4(b), RPC 8.4(c), and RPC 8.4(d).

12 100. By submitting falsified I-797C forms to USCIS on behalf of the Fomichev family,  
13 making false statements to USCIS regarding the authenticity of these forms, and submitting  
14 falsified I-797C forms to USCIS on behalf of K.T., E.T., the children of K.T. and E.T., and I.C.,  
15 Respondent violated RPC 8.4(b), RPC 8.4(c) and RPC 8.4(d).

16 101. By making false statements to ODC, submitting falsified evidence to ODC during  
17 the course of a disciplinary investigation, and making false statements under oath at a disciplinary  
18 deposition, Respondent violated RPC 8.1(a), RPC 8.4(b), RPC 8.4(c), RPC 8.4(d), and RPC  
19 8.4(d)(by violating ELC 5.3(g)).

20 102. By making false statements to E.T., K.F.S., I.S., V.B., O.K., R.S., K.R.S., I.C.,  
21 D.V.I., and V.V., providing them with falsified records, failing to disclose Respondent’s delays  
22 in pursuing relief, and failing to accurately inform them about the status of their matters and/or  
23



1 related matters, Respondent violated RPC 1.4(a), RPC 1.4(b), RPC 8.4(b), RPC 8.4(c), and RPC  
2 8.4(d).

3 103. By providing S.K., Y.R., A.S., and I.G. with falsified emails, failing to disclose  
4 Respondent's delays in pursuing relief on their behalf, and failing to accurately inform them about  
5 the status of their matters, Respondent violated RPC 1.4(a), RPC 1.4(b), RPC 8.4(b), RPC 8.4(c),  
6 and RPC 8.4(d).

7 104. By making false statements to representatives of the immigration court regarding  
8 past filings in the cases of Y.Z., D.G.I., R.M., and M.B., that Respondent had not actually made,  
9 and by sending falsified records relating to these cases to the court, Respondent violated RPC  
10 3.3(a)(1), RPC 8.4(b), RPC 8.4(c), and RPC 8.4(d).

11 105. By failing to act with reasonable diligence in representing V.K., N.K., and their  
12 children in removal proceedings, Respondent violated RPC 1.3 and RPC 3.2.

13 106. By failing to keep V.K., N.K., and their children reasonably informed about the  
14 status of their matters and failing to explain their matters to the extent reasonably necessary to  
15 permit them to make informed decisions regarding the representations, Respondent violated  
16 RPC 1.4(a) and RPC 1.4(b).

17 107. By making false statements in the motions to reopen Respondent filed on behalf  
18 of V.K., N.K. and their children, and in the declarations Respondent filed in support of these  
19 motions, and by filing falsified records in support of these motions, Respondent violated RPC  
20 3.3(a)(1), RPC 3.3(a)(4), RPC 8.4(b), RPC 8.4(c), and RPC 8.4(d).

21 108. By making false statements to N.K. in the March 12, 2023 email Respondent sent  
22 to N.K., Respondent violated RPC 1.4(a), RPC 1.4(b), RPC 8.4(c), and RPC 8.4(d).

1 109. By sending O.Z a falsified federal court order, Respondent violated RPC 1.4(a),  
2 RPC 1.4(b), RPC 8.4(b), RPC 8.4(c), and RPC 8.4(d).

#### 3 IV. PRIOR DISCIPLINE

4 110. Respondent has no prior discipline.

#### 5 V. APPLICATION OF ABA STANDARDS

6 111. The following American Bar Association Standards for Imposing Lawyer  
7 Sanctions (1991 ed. & Feb. 1992 Supp.) apply to this case: ABA Standard 4.4, ABA Standard  
8 4.6, ABA Standard 5.1, ABA Standard 6.1, and ABA Standard 7.0. Copies of these standards are  
9 attached as Appendix A.

10 112. Respondent acted knowingly in failing to act with reasonable diligence in  
11 representing clients.

12 113. Respondent acted knowingly in failing to keep clients reasonably informed about  
13 the status of their matters and in failing to explain their matters to the extent reasonably necessary  
14 to permit them to make informed decisions regarding the representations.

15 114. Respondent acted knowingly in making false statements and providing falsified  
16 records to clients and acted with the intent to prevent the clients from discovering Respondent's  
17 lack of diligence and dishonesty in their matters.

18 115. Respondent's lack of diligence and reasonable communication in client matters,  
19 false statements to clients, and provision of fraudulent records to clients caused serious or  
20 potentially serious injury to the clients, who were exposed to possible deportation, whose  
21 applications for asylum and work authorization were substantially delayed, and who were unable  
22 to make informed decisions about their representation.

1           116. Under ABA Standards 4.41(b) and 4.61, the presumptive sanction for the above  
2 misconduct is disbarment.

3           117. Respondent acted intentionally in providing falsified records to clients, the  
4 immigration court, and USCIS. This dishonest conduct seriously adversely reflects on  
5 Respondent's fitness to practice law.

6           118. Under ABA Standard 5.11, the presumptive sanction for the above misconduct is  
7 disbarment.

8           119. Respondent acted intentionally in making false statements to the immigration  
9 court and providing the court with falsified records. In doing so, Respondent caused serious or  
10 potentially serious injury to the federal government by attempting to circumvent and/or  
11 circumventing statutory deadlines/waiting periods in order to allow Respondent's clients to obtain  
12 immigration benefits.

13           120. Under ABA Standard 6.11, the presumptive sanction for the above misconduct is  
14 disbarment.

15           121. Respondent acted knowingly in providing false deposition testimony and  
16 submitting false statements and forged records to ODC with the intent to deceive ODC and avoid  
17 discipline and thereby caused serious and potentially serious injury to the disciplinary system.

18           122. Under ABA Standard 7.1, the presumptive sanction for the above misconduct is  
19 disbarment.

20           123. The following aggravating factors apply under ABA Standard 9.22:

21                   (b) dishonest or selfish motive;

22                   (c) a pattern of misconduct;

23                   (d) multiple offenses; and

1 (g) refusal to acknowledge wrongful nature of conduct.

2 124. The following mitigating factors apply under ABA Standard 9.32:

3 (a) absence of a prior disciplinary record.

4 125. It is an additional mitigating factor that Respondent has agreed to resolve this  
5 matter at an early stage of the proceedings.

6 126. On balance the aggravating and mitigating factors do not require a departure from  
7 the presumptive sanction.

#### 8 VI. STIPULATED DISCIPLINE

9 127. The parties stipulate that Respondent shall be disbarred.

#### 10 VII. CONDITIONS OF REINSTATEMENT

11 128. Reinstatement from disbarment is conditioned on payment of costs and expenses  
12 as provided below, including any accumulated interest, pursuant to ELC 13.9(i).

#### 13 VIII. RESTITUTION

14 129. Restitution is not required as Respondent previously issued a full refund to the  
15 grievant, Ivan Fomichev.

#### 16 IX. COSTS AND EXPENSES

17 130. Respondent shall pay attorney fees and administrative costs of \$5,732.56 in  
18 accordance with ELC 13.9(i). The Association will seek a money judgment under ELC 13.9(l) if  
19 these fees and costs are not paid within 30 days of approval of this stipulation Reinstatement from  
20 disbarment is conditioned on payment of fees and costs.

#### 21 X. VOLUNTARY AGREEMENT

22 131. Respondent states that prior to entering into this Stipulation Respondent has  
23 consulted independent legal counsel regarding this Stipulation, that Respondent is entering into



1 this Stipulation voluntarily, and that no promises or threats have been made by ODC, the  
2 Association, nor by any representative thereof, to induce the Respondent to enter into this  
3 Stipulation except as provided herein.

4 132. Once fully executed, this stipulation is a contract governed by the legal principles  
5 applicable to contracts and may not be unilaterally revoked or modified by either party.

#### 6 XI. LIMITATIONS

7 133. This Stipulation is a compromise agreement intended to resolve this matter in  
8 accordance with the purposes of lawyer discipline while avoiding further proceedings and the  
9 expenditure of additional resources by the Respondent and ODC. Both the Respondent and ODC  
10 acknowledge that the result after further proceedings in this matter might differ from the result  
11 agreed to herein.

12 134. This Stipulation is not binding upon ODC or the respondent as a statement of all  
13 existing facts relating to the professional conduct of the Respondent, and any additional existing  
14 facts may be proven in any subsequent disciplinary proceedings.

15 135. This Stipulation results from the consideration of various factors by both parties,  
16 including the benefits to both by promptly resolving this matter without the time and expense of  
17 hearings, Disciplinary Board appeals, and Supreme Court appeals or petitions for review. As such,  
18 approval of this Stipulation will not constitute precedent in determining the appropriate sanction  
19 to be imposed in other cases; but, if approved, this Stipulation will be admissible in subsequent  
20 proceedings against Respondent to the same extent as any other approved Stipulation.


21 136. Under ELC 9.1(d)(4), the Disciplinary Board reviews a stipulation based solely on  
22 the record agreed to by the parties. Under ELC 3.1(b), all documents that form the record before  
23

1 the Board for its review become public information on approval of the Stipulation by the Board,  
2 unless disclosure is restricted by order or rule of law.

3 137. If this Stipulation is approved by the Disciplinary Board and Supreme Court, it  
4 will be followed by the disciplinary action agreed to in this Stipulation. All notices required in  
5 the Rules for Enforcement of Lawyer Conduct will be made. Respondent represents that  
6 Respondent is not admitted to practice law in the any jurisdictions other than the State of  
7 Washington, whether current status is active, inactive, or suspended.

8 138. If this Stipulation is not approved by the Disciplinary Board and Supreme Court,  
9 this Stipulation will have no force or effect, and neither it nor the fact of its execution will be  
10 admissible as evidence in the pending disciplinary proceeding, in any subsequent disciplinary  
11 proceeding, or in any civil or criminal action.

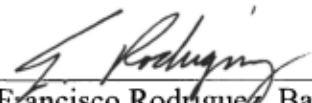
12 WHEREFORE the undersigned being fully advised, adopt and agree to this Stipulation to  
13 Disbarment as set forth above.

14   
15 \_\_\_\_\_  
16 Olga V. Efimova, Bar No. 52498  
17 Respondent

Dated: 03/19/2024

18   
19 \_\_\_\_\_  
20 Anne I. Seidel, Bar No. 22742  
21 Counsel for Respondent

Dated: 3/19/24

22   
23 \_\_\_\_\_  
24 Francisco Rodriguez, Bar No. 22881  
Senior Disciplinary Counsel

Dated: 03/19/2024