

**DISTRICT OF COLUMBIA COURT OF  
APPEALS  
BOARD ON PROFESSIONAL  
RESPONSIBILITY**



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**In the Matter of** :

**KISSINGER N. SIBANDA** : **Board Docket No.** \_\_\_\_\_

Respondent, : **Disciplinary Docket No.** \_\_\_\_\_

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**A Suspended Member of the Bar of  
the District of Columbia Court of  
Appeals**

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**Bar Number 1017426**

**Date of Admission: December 9, 2013**

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**PETITION FOR REINSTATEMENT**

**DR. KISSINGER N. SIBANDA**

Respondent respectfully submits his request for reinstatement to the Board on Professional Responsibility and submits the following facts:

**1) The nature and circumstances of the misconduct for which petitioner was disbarred or suspended<sup>1</sup>.**

Respondent was suspended for violation of Rule 1.18 of New York, regarding a prospective client's confidentiality. Respondent was found to have revealed prospective client's secrets and confidences, in various emails cc-ed to an opposing party and in a motion to be added as an interested party in the Southern District of New York.

**2) Petitioner's recognition of the seriousness of such misconduct.**

Petitioner recognizes that attorney-client confidentiality is central to the integrity of the legal profession (by protecting the public) and that this was a gross violation, even if mistakenly undertaken. At present and during the proceedings, Respondent has further cemented this thinking.

The reason why prospective client, client or former client confidences, should be protected at all costs is that it gives the public confidence to engage lawyers knowing fully well that the lawyer provides a safe ethical environment. Respondent's mistake was to overact<sup>2</sup> and file pleadings in a case he was not a party thus inadvertently disclosing secrets and impressions, this was the mistake. The objective application of the rule and prohibition, not to disclose any secret or

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<sup>1</sup> The Board's recommendation was not followed by the Court of Appeals, regarding CLE and no need for a fitness requirement.

<sup>2</sup> The overreaction was not an intentional act to hurt Annabi, but to address what Respondent saw as a problem, with his court filings.

impression that hurts the client, is that it allows client(s) to own their secrets, even when relying on lawyers for their professional services<sup>3</sup>. This protects the public

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Even though interference with justice charge was not sustained, Respondent agrees that from an objective view, a lawyer should not do this (filing or emailing any email or pleading that has the hint of a secret or confidence he received from his client under the *but for* standard of attorney-client confidentiality), now or in the future. The dual prohibition is against interference of any sought with the rights of prospective clients, clients or former clients (filings) and attorney-client confidentiality. Stated differently, Respondent should not have filed any pleading in the Annabi matter or communicated with opposing counsel (this is the lesson) to be applied in the future.

Respondent acknowledges that he made a mistake in judgment, a mistake by overreacting and ultimately it is a teachable moment on how to resolve conflict within the ethical confines of our Bar Rules. Respondent has a deeper appreciation for the Rules of ethics and will continue to review the updates on all the Rules and their opinions.

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<sup>3</sup> If lawyers were to take a moral stand against former clients, clients or prospective clients – this would be an end to the legal profession. Respondent has now done some research on the history of attorney client confidentiality, specifically, its aims and why it exists, - this comes up as one of the reasons.

Recently, complainant Annabi has again requested his \$200 consultation fee be refunded. This is after over three years (April 2022 – October 2025) of doing the same in New York Civil court<sup>4</sup>. Learning from the past mistake, Respondent ignored the email and instead reported him to the Court of Appeals. Respondent did not allow himself to be dragged into an unprofessional email exchange with Annabi<sup>5</sup>. This is the ultimate lesson learnt – how to deal with difficult clients or prospective clients in a way that maintains the integrity of the legal profession and its fiduciary role.

Even though Respondent did not always agree with ODC (mostly on motives, procedural and ultimately sanctions to be rendered), Respondent concedes that the complaint was initiated by Annabi<sup>6</sup>, and that ODC had a responsibility to act on it. The Bar complaint was not generated by ODC and thus Respondent should be better prepared to handle future client conflicts. This is the case here -

**3) Petitioner’s conduct during the period of suspension, including steps taken to remedy past wrongs and prevent future ones:**

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<sup>4</sup> Annabi claimed he commuted all the way from Canada to New York, to prosecute his case; appearing close to ten times in New York civil court. Respondent has argued, throughout these proceedings, that Annabi has other motives for his false allegations against Respondent, based on false assumptions about the Respondent’s background. To this very day, Annabi refuses to address Respondent with his proper title, Dr. But refers, pejoratively to Respondent as “Mr. Sibanda.” ( Email of October 14, 2025, from Annabi, filed on Docket, DCCA 24-BG-0690).

<sup>5</sup> A part of the disciplinary concern is to abate or educate the lawyer to be better prepared for future interactions with difficult clients.

<sup>6</sup> This is an oxymoron: the people complaining mostly about lawyers of color are the clients of color themselves; not ODC.

Petitioner focused on non-legal endeavors during his suspension. I used the time to focus on the Jewish high season, and my religious obligations. (Rosh Hashanah, Yom Kippur and Sukkot). As well as editing my science fiction novel.

As for steps taken to remedy situation, I spent time sending the required Rule XI, Section 14 (g) affidavit, reviewing the DC Bar Rules and looking at different models for my future practice, in terms of approach to cases and clients. I also edited any DC presence to reflect the suspension's effect, including my website and stopped using the law office email, when it was brought to my attention that Esquire means "licensed attorney." I also, read a section on fiduciary in the text book, "Regulating Lawyers."

Another step to remedy future wrongs will be to screen prospective clients for potential issues before agreeing to be their lawyer. To naively believe that prospective clients are telling the whole truth, is a hard learnt lesson as these proceedings have shown.

#### **4) Petitioner's present character:**

Petitioner remains committed to justice and rights-based litigation. While I did not formally take additional CLE classes during my suspension, I took the recommended CLE classes by the Board on Professional Responsibility and submitted the affidavit to the DC Court of Appeals.

I have also read several journal articles regarding attorney-client privileges. Even though I did not always agree with ODC, I do agree with their sentiment that this area of law is central to the practice of law and integrity of our profession.

and 5) **Petitioner's present qualifications and competence to practice law:**

Petitioner is competent to practice and remains committed to detailed and ethical law practice. Petitioner, on hindsight, attributes some of the lack of judgment on the fact that during the occurrence of the infraction, he was focused on finishing his PhD ( SJD), with Suffolk School of Law, that is in 2022, graduating May of 2023. That final year demands a publishable and original dissertation. This is not an excuse for the infraction or mitigation but is presented on hindsight after reflection on what threw his judgment off-balance.

Petitioner regrets that both parties ( ODC and Petitioner) never fully understood each other's positions. ODC is correct in its aims to regulate attorneys, and any advocacy position by Petitioner was not intended to undermine the Rules, but to assure procedural fairness for Petitioner and others who come after, under *the peculiarized set of facts*.

Petitioner kept abreast of all petitioning legal cases in his area of practice and any new developments by reading court opinions during suspension.

Petitioner attaches the questioner ( Section I), a copy of the DC Rule XI Section 14 (g) affidavit, and (Section II) a certified copy of Order from the Second Circuit ( Section III).

### CONCLUSION

Respondent respectfully submits his petition for reinstatement and respectfully requests that it be deemed compliant, allowing him to resume the practice of law, to provide for his family<sup>7</sup>.

October 21, 2025

Respectfully submitted,



Signature

Dr. Kissinger N. Sibanda  
*Respondent*

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<sup>7</sup> Prior to withdrawing from clients' cases, several clients have indicated that they wish to rehire Respondent to assist them with finishing their cases, because they involve intricate matters. In addition, even though Respondent was suspended for 30 days, he has not taken any new cases for 30 days prior to suspension. Thus, Respondent has essentially not practiced law (and taken any new clients) for two months (60 days). Respondent has addressed any litigation issue with the Court of appeals, and prays that his reinstatement is handled timely, taking Respondent's financial need into consideration.

## **CERTIFICATE OF COMPLIANCE**

This document complies with the length and format requirements of Board Rule 19.8(c) because it contains 1400 words, double-spaced, with one-inch margins, on 8½ by 11-inch paper. I am relying on the word-count function in Microsoft Word in making this representation.

October 21, 2025

  
Signature

Dr. Kissinger N. Sibanda

**CERTIFICATE OF SERVICE**

I hereby certify that on this 21st day of October 2025, I caused copies of  
***Petition for Reinstatement: Dr. Kissinger N. Sibanda:***

To be served electronically to James T. Phalen, Executive Attorney, Board on Professional Responsibility, at [casemanager@dcbpr.org](mailto:casemanager@dcbpr.org), and to ODC counsel, Theodore Metzler at [metzlerj@dcdc.org](mailto:metzlerj@dcdc.org).

October 21, 2025

  
Signature

Dr. Kissinger N. Sibanda