

BEFORE THE HEARING BOARD
OF THE
ILLINOIS ATTORNEY REGISTRATION
AND
DISCIPLINARY COMMISSION

In the Matter of:)
)
 LISA M. STAUFF,)
) Commission No. 2026PR00011
 Attorney-Respondent,)
)
 No. 6275980.)

COMPLAINT

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Ann R. Pieper, pursuant to Supreme Court Rule 753(b), complains of Respondent Lisa M. Stauff, who was licensed to practice law in Illinois on November 1, 2001, and alleges that Respondent has engaged in the following conduct which subjects her to discipline pursuant to Supreme Court Rule 770:

COUNT I

(Lack of Diligence, Failure to Inform a Client About the Status of the Matter, False Statement to a Client, and Failure to Expedite Litigation – R.R. Matter)

1. At all times alleged in this complaint, Respondent was a sole practitioner in Chicago who primarily represented plaintiffs in employment law matters.
2. On November 21, 2022, an individual with the initials “R.R.” filed a discrimination charge against his employer, the Illinois Department of Commerce and Economic Opportunity (“DCEO”), with the Equal Employment Opportunity Commission (“EEOC”).
3. In or around December 2022, Respondent and R.R. agreed that Respondent would represent R.R. in the ongoing matter pending before the EEOC relating to his former employment with DCEO. Respondent and R.R. agreed that R.R. would pay Respondent a fee of \$250 per

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month to handle the matter. Beginning in December 2022 and continuing until January 2024, R.R. paid Respondent a total of \$3,250 in connection with his dispute with DCEO.

4. On January 16, 2024, the EEOC closed its investigation of the charge against DCEO and issued R.R. a right to sue letter permitting R.R. to bring his case against DCEO in federal court.

5. On April 15, 2024, Respondent filed an appearance and complaint in the United States District Court for the Northern District of Illinois on behalf of R.R. against DCEO. The complaint alleged that DCEO had failed to accommodate R.R.'s disability and had retaliated against him for asserting his rights under the Americans with Disabilities Act, both alleged violations of the Act.

6. Pursuant to Federal Rule of Civil Procedure 4(m), Respondent then had 90 days to complete service of the complaint on DCEO at which point the summons would need to be re-issued. In the event that the complaint and summons are not timely served, the Court may dismiss the matter for want of prosecution.

7. As of May 3, 2024, the first status date set by the Court, Respondent had not taken any action to serve DCEO with the summons and complaint she filed on R.R.'s behalf. The court set a subsequent status hearing on June 18, 2024 at 9:45 a.m.

8. Respondent took no action between May 3, 2024 and June 18, 2024 to serve the complaint on DCEO. Respondent appeared in court on June 18, 2024. At that hearing, Respondent reported that she had not yet served DCEO with the complaint and that she would report back to the court in a month on the issue of service. The court set the matter for a third status hearing on July 12, 2024 at 10:00 a.m.

9. Respondent took no action between June 18, 2024 and July 12, 2024 to serve the complaint on DCEO. On July 12, 2024, Respondent appeared in court and reported that she had had been unable to serve DCEO. The court set the matter for a fourth status hearing on August 12, 2024 at 9:45 a.m.

10. Respondent took insufficient action to effectuate service on DCEO between July 12, 2024 and August 12, 2024. On August 12, 2024, Respondent appeared in court and reported that she attempted to serve DCEO with a copy of the complaint, summons, and a service waiver, by U.S. and priority mail but she had not used the correct address for DCEO. Respondent told the court that she re-sent the documents to DCEO using the correct address, but she had not yet received a response. Respondent told the court that she would contact the State Attorney General to determine whether DCEO had received the complaint and summons and whether they were willing to waive personal service of the complaint. Respondent believed that the Attorney General would be an appropriate contact to speak for the DCEO because the DCEO is an administrative agency of the State of Illinois and the Attorney General's office functions as the agency's attorney. The court set the matter for a fifth status hearing on October 16, 2024.

11. Respondent took insufficient action to effectuate service on DCEO between August 12, 2024 and October 21, 2024. On October 21, 2024, Respondent appeared in court and reported that she had mailed the complaint, summons, and waiver of service paperwork to the State Attorney General, but she had not received confirmation that the Attorney General accepted service of the complaint on DCEO's behalf. The court set the matter for an in-person status hearing on November 4, 2024 at 9:45 a.m.

12. Respondent took the minimal action of calling the Illinois Attorney General's office and speaking to an assistant Attorney General from October 21, 2024 through November 4, 2024,

but did not follow through with effectuating personal service on DCEO. On November 4, 2024, Respondent appeared in court and reported that she had re-mailed the complaint, summons, and waiver of service paperwork to DCEO with a letter of explanation. She also reported that she had spoken with the State Attorney General who had advised her to serve DCEO with the complaint. The court set the matter for an in-person status hearing on December 18, 2024 at 1:30 p.m.

13. Respondent did not do anything to effectuate personal service of the complaint and summons on DCEO as required by the Federal Rules of Civil Procedure, Rule 4, even though she heard nothing from DCEO after sending her letter and accompanying documents in November. On December 18, 2024, Respondent appeared in court and reported that DCEO had not filed an appearance or an answer to the complaint. On that date, the court entered an order setting a deadline of January 17, 2025 for Respondent to file a proof of service of the complaint on DCEO and set a status date for January 27, 2025. The court warned Respondent that if she failed to meet this deadline, the court would dismiss the case for want of prosecution.

14. Respondent did not arrange for DCEO to be personally served with the complaint and summons by process server between December 18, 2024 and January 17, 2025 to ensure proper service under Rule 4 of the Federal Rules of Civil Procedure. On January 27, 2025, Respondent had not filed proof that she had served the complaint on DCEO. On that date, the court extended the deadline for Respondent to file the proof of service until February 3, 2025 and again warned Respondent that it would dismiss the case if Respondent failed to file the proof of service. As of February 3, 2025, Respondent had not filed the proof of service with the court nor had she, at any point, arranged for personal service to DCEO as is proper under Rule 4 of the Federal Rules of Civil Procedure.

15. On February 5, 2025, the court terminated the case and dismissed the complaint against DCEO for want of prosecution because Respondent had not filed a proof of service. As counsel of record, Respondent received a copy of the court's order dismissing the matter as soon as that order was filed via her email contact through PACER, the federal court's online portal.

16. At no time prior to February 5, 2025 had Respondent had DCEO properly served with the summons and complaint. In addition, at no time prior to February 5, 2025 had DCEO accepted service or agreed to waive service of the summons or complaint.

17. On February 14, 2025, Respondent and R.R. spoke on the phone. During that call, Respondent told R.R. that she was in the process of "filing things" in his case against DCEO. Respondent did not tell R.R. that his case had been dismissed nine days earlier.

18. Respondent knew that her statement about "filing things" in R.R.'s case was false because at the time she made the statement she had received notice from the court on February 5, 2025 advising her that the case had been terminated and the complaint had been dismissed. Further, Respondent knew that there was nothing that she could file into the case but a motion to vacate the dismissal which would not be possible without attaching a proof of service, a document she did not have because she had not had the complaint and summons properly served on DCEO.

19. Respondent refused to communicate with R.R. after February 14, 2025. R.R. sent Respondent text messages on March 10, March 19, April 2, April 3, April 4, April 7, April 8 and April 9, 2025. Respondent did not respond to any of the texts.

20. R.R. checked the PACER system in April of 2025 and realized that his case was dismissed on February 5, 2025. R.R. tried to call Respondent from April through June of 2025 and Respondent did not return his calls.

21. On June 26, 2025, R.R. called the court and left a voicemail stating that he had not been in contact with Respondent and that he was “trying to reopen the case.” The court’s clerk set the matter for an in-person status hearing on July 14, 2025 at 10:15 a.m. Notice of the hearing was posted to PACER. Respondent received the notice through the PACER online portal system.

22. On July 14, 2025, R.R. appeared in court *pro se* for the status hearing and Respondent did not appear. The Court set the matter for a telephone status hearing on July 17, 2025 at 9:45 a.m. and posted the Order setting the subsequent status hearing to the PACER system. The PACER system sent Respondent a copy of the order setting the hearing.

23. On July 17, 2025, R.R. appeared in court for the status hearing and Respondent did not appear. R.R. moved to terminate Respondent as his counsel and moved to reinstate the case against DCEO *instantur*. The Court took R.R.’s motions under advisement.

24. On July 23, 2025, the court granted R.R.’s motion to terminate Respondent as his counsel but denied R.R.’s motion to reopen his case. R.R. attempted to appeal the court’s decision to close his case but was unsuccessful.

25. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. failing to act with reasonable diligence and promptness in representing a client, by conduct including never properly serving the summons and complaint filed on behalf of R.R. on DCEO, causing the court to dismiss the complaint, in violation of Rule 1.3 of the Illinois Rules of Professional Conduct (2010);
- b. failing to promptly comply with reasonable requests for information, by conduct including not keeping R.R. reasonably informed about the status of his lawsuit against DCEO by not responding to R.R.’s emails, telephone calls, voicemails, and texts regarding the status of his lawsuit against DCEO, in violation of Rule 1.4(a)(3) and 1.4(a)(4) of the Illinois Rules of Professional Conduct (2010);

- c. failing to make reasonable efforts to expedite litigation consistent with the interests of the client, by conduct including never properly serving the summons and complaint filed on behalf of R.R. on DCEO, causing the court to dismiss the complaint, in violation of Rule 3.2 of the Illinois Rules of Professional Conduct (2010); and
- d. engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including knowingly making a false statement to R.R. on February 14, 2025 when Respondent told him that she was in the process of making filings in the case against DCEO that had been dismissed, and by not telling him that his case had been dismissed, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010); and
- e. engaging in conduct that is prejudicial to the administration of justice, by conduct including failing to take steps to effectuate service of the complaint on DCEO resulting in the case being dismissed by the court, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

COUNT II

(Failure to Respond to a Lawful Demand for Information)

- 26. The Administrator realleges paragraphs one through twenty-four in Count I, above.
- 27. On May 8, 2025, Respondent received email communication from the ARDC that included a copy of the request for investigation submitted by R.R. and a request asking Respondent to provide a written response to the allegations within 14 days. As of June 20, 2025, Respondent had not provided a response.
- 28. On June 20, 2025, Respondent received a second letter advising Respondent that her failure to respond to R.R.'s allegations was inconsistent with Commission Rule 53 and Rule 8.1(b) of the Illinois Rules of Professional Conduct. The letter requested that Respondent provide a written response within seven days. Respondent did not respond to the June 20, 2025 letter.

29. On July 22, 2025, the ARDC served Respondent with a subpoena via Federal Express. The subpoena commanded Respondent to appear for a remote sworn statement on August 21, 2025 at 10:00 a.m. and to produce her files related to Respondent's representation of R.R. Respondent did not produce any records, nor did she appear for her sworn statement on August 21, 2025. Her attendance was not excused or waived.

30. On September 16, 2025, an investigator from the ARDC personally served Respondent with a subpoena compelling her appearance for a sworn statement on October 31, 2025 at 10:00 a.m. On October 31, 2025 at 8:38 a.m., Respondent sent an email to the investigator advising him that she could not appear for the statement and asking that the statement be continued for 45 days. The ARDC investigator responded to her email and advised her that she should contact counsel for the Administrator directly. Respondent did not contact counsel for the Administrator, and her sworn statement proceeded at 10:00 a.m. because her attendance had not been waived or excused. Respondent did not appear for the sworn statement. During the sworn statement, counsel for the Administrator attempted to reach Respondent by calling both her business and home phone numbers. Respondent did not answer either call.

31. Counsel for the Administrator sent a letter to Respondent on November 3, 2025 advising her of her non-cooperation with the investigation. The letter requested that she provide a written response to R.R.'s allegations within seven days. As of February 17, 2026, the date that this matter was considered by an Inquiry Board of the ARDC, Respondent has not provided any written response.

32. By reason of the conduct described above, Respondent has engaged in the following misconduct:

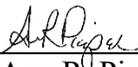
- a. knowingly failing to respond to lawful demands for information from a disciplinary authority, by conduct

including failing to respond to the Administrator's letters requesting a written response to R.R.'s complaint and failing to appear for sworn statements, after being served with a subpoena, in violation of Rule 8.1(b) of the Illinois Rules of Professional Conduct (2010).

WHEREFORE, the Administrator requests that this matter be referred to a panel of the Hearing Board of the Commission, that a hearing be conducted, and that the Hearing Panel make findings of fact, conclusions of fact and law, and a recommendation for such discipline as is warranted.

Respectfully submitted,

Lea S. Gutierrez, Administrator
Attorney Registration and
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By: 
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