UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT TACOMA

"ZAMBONI" JOHN SCANNELL, Plaintiffs vs. **WASHINGTON STATE BAR ASSOCIATION**, **STATE OF WASHINGTON , BARBARA A. MADSEN, SUSAN J. OWEN, CHARLES W. JOHNSON, MARY E. FAIRHURST, DEBRA L. STEPHENS, CHARLES K. WIGGENS, STEVEN C. GONZÁLEZ, SHERYL GORDON MCCLOUD, MARY I. YU** in their official and administrative capacities **UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON** **CHRIS LANESE**, **KIM WYMAN**, in her official and administrative capacity of Secretary of State for Washington State Defendants	No. Complaint for Damages and Equitable Relief 42 USC 1983 Denial of Constitutional Rights 42 USC § 1988 COSTS and Attorney Fees; and Sherman Anti-Trust Act violation 15 U.S.C. §1

INTRODUCTION

Plaintiff, John Scannell ("Scannell"), bring this civil rights action under the First and

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Fourteenth Amendments to the United States Constitution and 42 U.S.C. § 1983, challenging defendants' attempts to restrict plaintiff Scannell's right to run for the Washington State Supreme Court by requiring him to join the Washington State Bar Association (WSBA). The defendants also claim the right to force Scannell to join the Washington State Bar Association as a precondition for practicing law in the State of Washington. Since the WSBA is dominated by a criminal enterprise, as outlined in this complaint, because it is practices racial discrimination, because it denies basic civil liberties such as the right to counsel and right to free speech, and/or because it does not advance the ethics of the profession, it does not qualify as an exception to the plaintiff's constitutional right of disassociation. In addition, under the recent case of *Janus v. AFSCME* No. 16-1466, 85 U.S. ___ (2018), Scannell cannot be compelled to either join or pay dues to the Washington State Bar Association as a precondition to practicing law or running for Washington State Supreme Court, nor can the defendants delegate to the WSBA to have any role in preventing him from practicing law or running for the Washington State Supreme Court.

Plaintiff requests the court to take notice that the Washington State Constitution prohibits immunities and "hereditary privileges" [See Article 1, sec 12 and sec 28], any limitation of civil and criminal actions, and prohibits legalizing the unauthorized or invalid act of any officer [See Article 2, Section 28(12 and 17)]. The defendants have no immunity under any legal theory as the Washington Constitution expressly prohibits immunities whether "hereditary" or statutory. See RCW 4.04.010 voiding common law inconsistent with these constitutional provisions.

The plaintiff further contend that the so-called "disbarment" of John Scannell in 2010, Is null and void, because it was based primarily upon conduct occurring before a federal court in Virginia, for which the Washington Courts have no jurisdiction.

I. PARTIES, JURISDICTION, VENUE

1.1 The acts and omissions alleged in this complaint occurred within the geographical

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and jurisdictional boundaries of the United States District Court for the Western District of Washington by persons located and residing therein, and some events that gave rise to this complaint took place within the geographical jurisdictional boundaries of the Western District of Washington. Venue in this district is therefore appropriate pursuant to 28 U.S.C. §1391 as most of the acts of the defendants took place in the United States District Court, Western District of Washington.

1.2 Scannell is entitled to sue for and obtain injunctive relief under 15 U.S.C. § 26.

1.3 This court has subject matter jurisdiction on Anti-Trust violations under the Sherman Act pursuant to 28 U.S.C. § 1337.

1.4 This court has subject matter jurisdiction over Scannell's claims of violations of his constitutional rights under 42 U.S.C. § 1983.

1.5 This court has subject matter jurisdiction over Scannell's state law claims pursuant to the court's supplemental jurisdiction, 28 U.S.C. §1367. Scannell is entitled to sue for damages under state law causes of action.

1.6 Jurisdiction is conferred on this Court pursuant to 28 U.S.C. §§ 1331 and 1343.

1.7 Venue is proper under 28 U.S.C. § 1391(b) because a substantial part of the events or omissions giving rise to the plaintiffs' claims occurred in this district of Washington.

1.8 Plaintiff's claims for declaratory and injunctive relief are authorized by 28 U.S.C. §§ 2201 and 2202, by Rules 57 and 65 of the Federal Rules of Civil Procedure, and by the general legal and equitable powers of this Court, 42 U.S.C. §§ 1983 and 1988; Sherman Anti-Trust Act violation 15 U.S.C. §1; and for declaratory and injunctive relief under both state and federal law,. Plaintiffs' claim for nominal damages are authorized by 42 U.S.C. § 1983.

1.9 This court is authorized to grant plaintiffs' prayer for relief regarding costs, including reasonable attorney's fee, pursuant to 42 U.S.C. § 1988.

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1.10 Plaintiff Scannell is a single man who is competent to bring this action. Scannell resides within the C ity of Bremerton, who is a voter and attorney, labor organizer and activist, civil rights activist, and has filed as a candidate for the Supreme Court of Washington State. He has exercised speech and petition rights secured to him by the First and Fourte enth Amendments to the United States Constitution. For exercising his constitutional rights, the leadership of the WSBA has conducted a campaign of prohibited retribution and retaliation, individually and collectively by conducting a smear campaign over t he last ten years by claiming he was justifiably disbarred for misconduct. In fact, Scannell engaged in no misconduct and was disbarred entirely for asserting Sixth Amendment right to counsel and other constitutional rights, and for his activism on behalf of labor and taxpayers.

1.11 Defendant WSBA is a private association, whose officials and employees, as a matter of policy, custom and usage of the WSBA, and with the power conferred upon them by the State of Washington, retaliated collectively and in con cert and agreement with the others against Scannell to wrongfully injure Scannell for exercising his First Amendment rights, his constitutional, and his statutory rights. WSBA is a state actor for the purposes of 42 USC 1983. Under Washington law, membe rs of the WSBA are jointly and severally liable for its debts and are therefore indirect defendants in the case. Some of its members retaliated collectively against Scannell to deny him his civil rights, and some are members of a criminal enterprise that now dominates the WSBA and are therefore indirect defendants.

1.12 Defendant Barbara Madsen (" Madsen") was at all material times a Justice for the Washington State Supreme Court and agent of the WSBA. She is a person who, individually, and in concert and a greement with other persons, acted under color of law to deprive Scannell of rights guaranteed by the United States Constitution by taking steps to continue forcing him to join the WSBA. . Madsen on some occasions acted outside her official capacity as Ju stice of the State Supreme Court.

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1.16 Defendants Charles W. Johnson, Mary E. Fairhurst, Debra Stephens, Charles Wiggens, Steven C. Gonzalez, Sheryl Gordon, McCloud, Susan Owens and Mary I. Yu are Justices of the Washington State Supreme Court. Like Barbara Madsen, they were either aware, or should have been aware, that the defendant WSBA is not qualified to act as a unified bar and therefore are responsible for denying the plaintiff his constitutional right to disassociate from the organization. Under the most recent ruling by the United States Supreme Court in the case of Janus v. AFSCME 585 U.S. ___ (2018), it should be abundantly clear to the court that Washington State has no power to compel attorneys in Washington to join the WSBA as a precondition to the practice of law or to run for the Washington State Supreme Court.

1.17 Judge Chris Lanese is a Thurston County Superior Court judge who on June 1, 2018, issued a void order that ordered defendant Kim Wyman to take Scannell off the ballot for Washington State Supreme Court position #2. In his order, Judge Lanese rule that Scannell could not be on the ballot because Scannell is not a member of the Washington State Bar Association. Judge Lanese is a necessary party to this suit as the plaintiff is seeking an injunction that would prevent his order from being enforcedThe court order was void because it took place more than 5 days after it was filed. Under Washington law, the election contest statute is the sole and exclusive remedy for contesting names put on the ballot, is in derogation of common law, and therefore all time limits are strictly construed. Declaratory judgment is not available in any State of Washington court including the Washington State Supreme Court and therefore 42 USC 1983 is an appropriate remedy against all judicial defendants.

1.18 Karen Unger is a qualified voter in this election and was the elector that filed the petition that removed Scannell from the ballot. She is a necessary party because she has an interest in seeing her position upheld. As an elector and as an attorney, she is qualified and entitled to have her position argued in court. She has not retaliated against the plaintiff.

1.19. The Western District of Washington of the United States District Court is a court in

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which most, if not all of the judges were members of the Washington State Bar Association. This court has a history of allowing judges to participate in cases involving the Washington State Bar in spite of the fact that as members, they are jointly and severally responsible for its debts.

FACTS

2.1. John Scannell is a lifelong resident of the Puget Sound area and has been active in labor and in politics the entire time. When he worked at the Seattle Center between 1973 and 92 he filed the largest successful class action lawsuit against a public agency in Washington history. Between 1988 and 2004 he filed lawsuits In 2001, he filed a bar complaint against Christine Gregoire who was then the attorney general of the State of Washington. As a result of his long time advocacy on behalf of labor and taxpayers, and as a result of his bar complaint, some of the defendants here, along with others, retaliated as outlined in this complaint, to deprive him of his right to practice law in Washington State courts.

2.2 All federal judges in Washington state that are members of the Washington State Bar Association or who were members during the relevant period of time given in this complaint have an inherent conflict of interest that prevents them hearing this case. As members of the Washington State Bar Association, they become liable for its wrongdoing, and therefore are indirect defendants in the cases. The chief justice of the Ninth Circuit Court of Appeals held in *Marshall v. WSBA*, *Pope v. WSBA*, and *Scannell v. WSBA*, that this conflict requires disqualification. This ruling is consistent with the holding *Riss v. Angel*, which states that Washington follows the common law with respect to organizations like the Washington State Bar Association and therefore all of its members are jointly and severally responsible for its debts. This makes all said judges indirect defendants in this case.

2.3 The Washington State Bar Association is an organization that routinely practices racial discrimination by virtue of the fact that it disciplines and disbars Afro-American and other minority attorneys at a disproportionate rate by utilizing invalid racially based selection

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procedures having an adverse impact on minority attorneys. They also practice racial discrimination by treating minority attorneys with disparate treatment.

2.4 In addition, the Washington State Bar Association is now controlled by a cadre of unethical attorneys, that constitute a criminal enterprise. The criminal organization shall be identified as “the enterprise”.

2.5 The Washington State bar Association rather than disciplining attorneys on the basis of violating the Rules of Professional conduct, instead targets for discipline political enemies of the the enterprise.. The Washington State Bar Association also rewards friends of the enterprise by giving them a pass on bar complaints allowing them to act in an unethical manner.

2.6 The policy of the the enterprise of rewarding their friends and punishing their enemies does not advance the ethics of the legal profession. Rather, it allows and encourages the practicing of unethical activity.

2.7 In March 2016, Christie Law Group, contracted by the Washington State Attorney General's office, caused taxpayers to be sanctioned over $1 million for part icipating in the destruction public records during the Oso mudslide litigation by the Honorable Judge Rogoff (Rogoff). Rogoff by clear and convincing evidence, held that Christie Law Group lawyer Mark Jobsen did intentionally withhold records to evade di scovery. The unethical conduct caused the taxpayers to lose an investment of over $3 million in expert witness fees and a portionsettlement costs that now stand at over $61 million. As a result, Anne Block Block filed a WSBA complaint against Mark Joben fo llowing Judge Rogoff 's order stating that Christie Law Group 's lawyer's actions were “ deliberate”. This was followed by a bar complaint filed by Scannell where he joined Block 's complaint and also accused the attorney general, Bob Ferguson of failing to supervise the attorneys for the ninth month period they committed the fraud upon the court. As of today, the WSBA has failed to investigate or sanction Christie Law Group or its attorney, Mark Jobsen. Marsha Matsumoto refused to file against the attorney g eneral claiming that

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Ferguson did know of the fraud even though he was their direct supervisor and the case was the largest tort claim in Washington State history,. By refusing to investigate agency attorneys and/or sanction Ferguson, the WSBA and Matsum oto committed Sherman Antitrust Act violationsas well as racial discrimination because they treated the caucasion attorneys differently than minority attorneys such as Bradley Marshall. The Washington State Supreme Court does not supervise the WSBA disciplinary office by reviewing cases where charges are not brought.

2.8 Throughout the summer of 2016, defendant Madsen, in conjunction with other WSBA officials, sought to hoodwink the public and the membership of the Washington State Bar Association into changing its name to the Washington State Bar. The change was allegedly proposed as a benign change "to more accurately reflect the dual nature of the Bar's function as both a regulatory agency and professional association as well as to align with the names of most unified Bars nationwide." In fact, the proposal had nothing to do with this. The reason the change was made was in response to several suits pending in the court of appeals, which pointed out, as an association under Washington law, the members were individually responsible for the debts of the organization which would include the judges in the United States District Court Western District of Washington. Thus, the name change was actually an attempt to allow the enterprise have its allied federal judges in the Western District fix Block's cases even though they had a conflict of interest. Alternatively or in addition to, the proposal was to pass the liability from RICO and Sherman Anti-trust violations that could result in liability in the billions of dollars, from the membership of the WSBA onto the taxpayers. In doing so, Madsen committed honest services fraud, a violation of 18 U.S.C. § 1346

2.9. In September of 2016, the WSBA Board of Governors, in response to a petition from its rank and file, rejected the proposal. Nevertheless, the fact that the attempt was made was honest services fraud under the federal wire fraud statutes, making it was a predicate act under RICO.

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2.10 On May 18, 2018 plaintiff John Scannell filed for position #2 in the Washington State Supreme Court by submitting the full filing fee of $1861.81 and application to Kim Wyman. Susan Olsen, the incumbent was the only other filer which meant that if Scannell had not been disqualified, his name would appear on the general election ballot.

2.11 On May 21, 2018, elector Karen Unger filed a timely challenge to Scannell's position on the ballot pursuant to RCW 29A,68.011. She claimed he was disbarred and therefore ineligible to run under Washington State's constitution.

2.12 Elector Karen Unger was not able to effect service within 5 days. As a result, the judge signed a continuance for the hearing to be held on June 1, 2018. Under clear Washington case law, by that date, the court lost jurisdiction to hear the case.

2.13 On that date, defendant Judge Chris Lanese ruled he did not have the power to set aside a judgment from the Washington State Supreme Court. He also ruled that Washington could extend its long arm jurisdiction to a dispute occurring in a Virginia courtroom without citing to any authority as the basis for the ruling. Finally, he ruled that as a matter of law, Scannell had to be a member of the Washington State Bar Association in order to run for Washington State Supreme Court. None of these rulings are correct

2.14 There is no right to appeal any of these ruling before any Washington state court, because, under Washington case law and authority, the judge's decision must finalized within 5 days of the filing by Karen Unger.

2.15 In addition, defendant Judge Chris Lanese lacked jurisdiction to take Scannell off the ballot on the basis of his so-called disbarment, because the disbarment order itself was void. The primary issue in the disbarment case was whether Scannell obstructed the WSBA's investigation into whether Paul King an attorney under suspension in Washington State was practicing law before a federal court in Virginia. Washington State lacks subject matter and territorial jurisdiction over the Federal court in Virginia, so Washington had no jurisdiction to conduct the

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investigation and therefore no right to convict Scannell of obstruction.

2.16 Even though the actions of defendant judge Lanese are void for lack of jurisdiction, defendant Kim Wyman acted on the order by taking steps which removed the plaintiff from the ballot.

2.17 Since defendant judge Lanese's ruling cannot be appealed and/or because Wyman's have statewide effect, defendant Lanese's ruling have now become custom and policy for the State of Washington.

WSBA ENTERPRISE'S PATTERN OF CRIMINAL ACTIVITY AND PREDICATE ACTS INVOLVING SCANNELL AND OTHER PARTIES DURING THE PERIOD OF HIS "DISBARMENT".

2.18 As a legal assistant, as a legal intern, and as an attorney, John Scannell was involved in a number of controversial suits In 1993, he was lead plaintiff the largest class action lawsuit in Washington's history against a municipality. He filed a lawsuit that challenged the legal status of Sports stadiums that stopped their construction or delayed construction for years. In these lawsuits he teamed up with Stephen Eugster, He filed a number of racial discrimination suits, attempting to get the Washington State Supreme Court to adopt the adverse impact method of proof that was consistent with the U.S. Supreme Court. He filed suits charging the Seattle Police Department with war crimes for using chemical warfare during the WTO demonstrations in 1999 and won numerous settlements as a result

2.19 These activities attracted the attention of certain bar associates and others who targeted Scannell's legal practice for elimination because the embarrassment these suits were bringing to prosecutors and to large firms who represented Scannell's opponents, who were supporters of the corrupt aims of the enterprise.

2.20 In 1996 Doug Schafer attracted the attention of the enterprise when he filed a complaint with the Washington State Bar Association against a corrupt judge, Grant Anderson,

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who violated the Rules of Professional Conduct when he was an attorney by illegally milking the estate of an elderly client. The Enterprise refused to prosecute the judge, claiming there was no wrongdoing.

2.21 Instead the enterprise began an extortion attempt against Schafer by threatening to disbar him. A biased investigation was conducted in early 1999 with the culmination of the filing of charges against Schafer on May 26th, 2009, by co-conspirator Timothy L. Leachman. Even though the Judge was eventually convicted, the enterprise preselected Schafer for discipline. The action of pre-selecting Schafer for discipline was a predicate act under RICO as it was an attempt to extort the democratic rights of WSBA membership from Schafer to prevent him from exposing the corrupt activities of the enterprise. As such it was a violation of the Hobbs act and a predicate act under RICO.

2.22 Bradley Marshall is an African American Attorney who has filed numerous lawsuits on behalf of minorities and against the police. As a minority attorney he attracted the attention of the enterprise because of his potential to embarrass prosecutors and his potential to expose the discriminatory practices of the enterprise. He was also targeted for being a minority.

2.23 Stephen Eugster is a Spokane attorney well known for his lawsuits on behalf of the public interest. These lawsuits included those that wasted the valuable tax money of the public such as stadiums for rich sports owners and other so-called public projects funded on behalf of the public. These lawsuits attracted the attention of the enterprise, most of whose members support such waste of the public resources.

2.24 Richard Pope is a Seattle attorney who was a political opponent of Christine Gregoire, who ran against her at least twice for the office of attorney general on the Republican ticket.

2.25 In 2009 Pope was targeted for discipline when he was "temporarily" suspended for three years because he raised a mental disability as a defense to some bar complaints. Eventually

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he was given a reprimand in 2012, but the motive for the three year non-disciplinary suspension, was political because he a an opponent of Gregoire who is an avid supporter of the enterprise.

2.26 Byron Holcomb is an attorney who is a sole practitioner who is active in supporting gun rights. He was told by representatives of the WSBA that he would be targeted for discipline because of his conservative political beliefs on gun rights..

2.27 In 1998, Mr. Holcomb agreed to represent a client for an hourly fee to review files and make recommendations regarding an equal employment opportunity action that the client had filed pro se. Mr. Holcomb and the client later signed a second fee agreement in which Mr. Holcomb agreed to represent the client in an Equal Employment Opportunity Commission (EEOC) hearing. When the EEOC denied the client's claim and the client decided to appeal to the U.S. District Court, the client and Mr. Holcomb agreed to a contingent fee arrangement and signed a third agreement. In 2003, after the District Court dismissed the client's appeal, Mr. Holcomb and the client entered into a fourth fee agreement in which Mr. Holcomb agreed to file a notice of appeal at the Ninth Circuit Court of Appeals and seek mediation of the client's claim. Sometime in early March 2003, the client and Mr. Holcomb reached an impasse regarding the representation in the appeal, and Mr. Holcomb withdrew.

2.28 From December 1999 through March 2001, Mr. Holcomb borrowed from a trust a total of $52,300 in 24 individual loans. The trust was not a client. The amount of each individual loan ranged from $750 to $3,500. Most of the loans were outstanding for no more than two weeks; the last loan was outstanding for over a year. Mr. Holcomb eventually repaid all of the loans. The loans were not subject to a written loan agreement, payment of interest, penalties or fees, or a schedule for repayment of the principal. Mr. Holcomb did not provide security for the loans. Since the trust was not a client, there was no need for Holcomb to provide a conflict statement. There was never any evidence presented that the trust was a client. In spite of this, the ODC targeted Holcomb for his political beliefs and recommended discipline, for which he

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was ultimately suspended. However, the United States District Court of the Western District of Washington, never issued a reciprocal suspension, because there was no violation of the Rules of Professional Conduct.

2.29 Paul Simmerley is an attorney who has been a harsh critic of the WSBA Office of Disciplinary Counsel. He publicized the payment of sanctions in the Karen Unger case to the rest of the membership. In March of 2007, the Bar audited his trust accounts retroactive to 2004.

2.30 Eight cases of his clients were involved in his disciplinary proceeding, but he had hundreds of cases from other clients over a continuous 32 year legal career which were not. Further, Three of those eight cases were among the top-five most successful he have ever had in his 32 year legal career, successful results under a variety of very difficult circumstances for an incredibly low fee. Where the attorney has cases for which he is being subjected to possible discipline as his most successful in a 32 year career - was unprecedented for the typical disciplinary proceeding where there is usually bad legal work by the attorney or over-billing or both.

2.31 For five years, the Bar conducted an exhaustive, comprehensive audit of his Trust Account and investigated his practice and contacted and interviewed all of his clients at least since 2004 and exhaustively litigated these eight matters in the disciplinary proceeding. Yet, despite all of that, he was ordered to refund money to only one client and that refund was disputed - because the client had approved in writing his division of her case settlements proceeds, thanked him profusely and cashed the check he sent her - and her case did not involve any Trust Account issues. That case should have been a contract dispute, not a bar violation.

2.32 The money that was in his Trust Account went to the right place and that was done . Further, he saw to it that the money went to the right place before the Bar Association became involved for the first time in March of 2007. He did not have to be forced to do this. All of the above was uncontroverted.

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2.33 His billing rate was $200 per hour which is well below the going rate for an attorney of his years in practice and experience. In addition, the total amount of his fees charged to his clients, obviously the most meaningful figure to a client, has also been extremely reasonable. In his 32 years of legal practice, in cases where the amount of fees charged by his opposition has been disclosed, He was not aware of any case where my fees have exceeded my opposition's fees None of this was of any concern to the WSBA..

2.34 ODC attorneys made misrepresentations to the WSBA Disciplinary Board about the record from the hearing and his attorney representing him, Kurt Bulmer, failed to timely file a Reply Brief in his appeal to the Washington State Supreme Court and also failed to timely file a Motion for Reconsideration, resulting in those important documents not being considered by the Court.

2.35 Had the documents been considered, he would have received a reprimand or perhaps a small suspension. Instead he was disbarred and he can not get any remedy because of the unlawful actions of the clerk Carpenter, who refuses to accept motions to set aside the mandate or otherwise allow evidence presented to set aside a judgment.

2.36 Karen Unger is an aggressive defense attorney who has received national awards for her work on behalf of defendants. She was so successful that prosecutors in her area even went to the unusual extent of having her law offices searched in 1997 as part of a personal vendetta carried out by local prosecutors to harass her because of her successful work. A statewide criminal defense attorney group decried the raid as having frightening implications. The local prosecutors could not get a local judge to sign the search warrant and had to go to a neighboring county to find a judge to sign the warrant to conduct the raid.

2.37 Ms. Unger's reputation as a good defense counsel attracted the attention of the Office of Disciplinary Counsel and the Enterprise, which is pro prosecutor. It brought charges on February 12, 2012, which were so frivolous that the hearing officer who heard the case stated in

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his decision that if he could award sanctions he would. Eventually the WSBA settled for over $70,000 in sanctions which the membership of the WSBA had to pay.

2.38 In 2000, the Scannell filed a grievance against Christine Gregoire, who at the time of the filing of the complaint in this case, was the governor of the State of Washington. In this grievance Scannell charged that Ms. Gregoire was negligent in supervising her subordinate Janet Capps who failed to file a notice of appeal in a timely fashion, which cost the taxpayers the right to have a $17 million appeal heard. (See *Beckman v. State*, No. 25982-6-II (Wash.App.Div.2 08/21/2000) (hereinafter referred to as the "Beckman case". At the time, the $17 million judgment was the largest judgment in Washington's history

2.39 Jan Michels, on or about August 18, 2000, notified the press that the bar was going to investigate Ms. Capps, ignoring confidentiality rules which normally would have Capps during the investigation state. Ms. Michels acted at the behest of the BOG and the Disciplinary Board impermissibly injected their judicial role into the investigative or police process, thereby destroying the illusion of an independent judiciary. In reality, the Disciplinary Board was intending to use Capps as a scapegoat for the unethical actions of then attorney general Christine Gregoire.

2.40 In notifying the press, the WSBA leadership made use of the mails and the internet to perpetuate their fraud on the public. In notifying the press, the WSBA leadership made the representation to the public that the WSBA would hold those responsible for wasting the taxpayers money in the Beckman suit. Gregoire made a representation that this was the first time her office had blown an appeal like this.

2.41 These representations were false. In fact, Gregoire, and Loretta Lamb were responsible for the waste of taxpayers moneys because of the disorganization in Gregoire's office (See court of appeals findings in the Beckman case). In fact, Gregoire's office had failed to file a timely appeal in a $1.6 million just one year earlier. The disciplinary board and disciplinary counsel

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office knew that their representations to the taxpayers was false, that the WSBA would never make a meaningful investigation into Scannells meritorious grievance because they needed to cover the unethical activities of Loretta Lamb, who was first chair on the Beckman case, and the chairman of the WSBA disciplinary board. They also needed to cover for the unethical conduct of Gregoire, who was then attorney general, but would soon be running for governor.

2.42 The above representations were material to both the public and to attorneys in the system as the public is entitled to a disciplinary system that polices ethical conduct, and other attorneys need a system that makes sure that ethical attorneys are not taken advantage of by unethical attorneys, and that their elected representatives are held accountable for their misdeeds..

2.43 In making these representations, the leadership of the WSBA had scienter. That is, they had knowledge of the falsity or reckless disregard for as to the truth of the representation. The leadership of the WSBA intended to induce reliance on it by the Block, other attorneys in the WSBA, and the public at large.

2.44 Scannell filed more grievances against Ms. Gregoire on another case, unrelated to the Beckman case, where she committed a similar violation. Ms. Gregoire requested and the Disciplinary Board granted, an indefinite stay of the investigation of the grievance. At the time Scannell was filing the complaint, he was working for the Law Offices of Paul H. King.

2.45 Unbeknownst to Scannell and Paul King, the chairman of the disciplinary was Loretta Lamb who was co-counsel and supervising attorney of Ms. Capps on the Beckman case and a direct subordinate of Gregoire. As supervising attorney, Loretta Lamb was responsible for properly managing the case and therefore was guilty of violating the Rules of Professional Conduct.

2.46 Immediately upon the filing of the complaint, the Disciplinary Board and/or disciplinary counsel began harassing Scannell and Paul King by making unjustified demands for records and otherwise harassing them by investigating and charging for grievances that the Disciplinary

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Board normally doesn't care about. Disciplinary counsel first demanded that King produce all of Scannell's calendars for three years. This was a demand that was completely unrelated to any legitimate bar complaint. The purpose of the demand was to "send a message" that cooperation with the enterprise needed to perpetuate the fraud. That is, the Washington State Bar Association would "send a message" that any attorney that did not cooperate with the protection racket would suffer the legal equivalent of burning his business down. (disbarment) This action of "sending a message" was totally unrelated to legitimate aims of the bar association, and was designed to perpetuate the enterprise's function of exchanging dues for protection. It was an attempt to silence King and Scannell

2.47 The reason disciplinary counsel began its harassment of King and Scannell was to prevent the exposure of the fraud that the Enterprise was perpetuating upon the public. This fraud including protecting powerful attorneys such as Gregoire and those who were on the Disciplinary Board from scrutiny from the public, thereby increasing the probability of illicitly making money at their profession. This came a common response by the Enterprise, which was to protect their racketeering enterprise by extorting concessions from its opponents.

2.48 The actions taken by the disciplinary board and disciplinary counsel at the time were extortion, designed to coerce the democratic rights of Scannell and King as members of the Washington State Bar Association. As such these actions were extortion under the Hobbs act, and a predicate act under RICO.

2.49 The disciplinary counsel then turned its attention on Paul King in retaliation for Mr. Scannell's filing of the Gregoire grievance. The Washington State Bar Association deviated from its standard practice of rarely performing more than a perfunctory investigation on bar complaints by investigating anything it could learn about the King firm. It first demanded trust account records for his entire firm when it did not have adequate cause to do so. This was done to "send a message" to Paul King that Scannell's grievance threatened exposure of the racketeering

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enterprise. As such it was a predicate offense under RICO as a classic extortion scheme outlawed by the Hobbs Act..

2.50 After getting a list of clients members of the racketeering enterprise began scrutinizing every aspect of the King firm. Within two years, virtually all the time worked at the Law Offices of Paul King were spent responding to bar complaints manufactured by the racketeering enterprise.

2.51 John Scannell became an attorney in May of 2001.

2.52 During this time, John Scannell was an attorney for Paul King and remained so until he was eventually "disbarred." He had an agreement where he was the attorney for Paul King on virtually all of his business matters including before the Washington State Bar Association Disciplinary Board. He also has an agreement to represent King in any cases he might have in the ninth circuit.

2.53 Within a short period of time, over 30% of the plaintiff's practice was spent dealing with unjustified investigations by the enterprise. The acts of threatening King and Scannell with unjustified Bar Complaints were a form of extortion, expressly forbidden by the Hobbs act, as it became a method by which to coerce cooperation from the victims of the Enterprise from exposing the corrupt actions of the Enterprise which including paying protection (dues). This is a predicate offense under RICO.

2.54 Paul King eventually succumbed to the massive investigations, pleading guilty in hopes that the never ending investigations would cease. He pleaded guilty to a two year suspension which began on April 24, 2002.

2.55 Unknown to the racketeering enterprise, Paul King also pleaded guilty to a three year suspension in federal court part of which was reciprocal in nature. This was contained in a sealed court file in United States District Court, Western District of Washington.

2.56 During the Marshall's career as an attorney, the Enterpris engaged in institutionalized

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systematic racism in connection with the operation, control and structure of its lawyer disciplinary system in Washington State. The pervasiveness of this discrimination can be documented through factual and empirical studies which will confirm that African-American and ethnic minorities are substantially more likely to be disciplined than Caucasian lawyers in Washington State.

2.57 The Enterprise has engaged in disparate treatment of African-American and ethnic minorities through the use of facially neutral policies and practices that have a disparate discriminatory impact on African-American and ethnic minority lawyers.

2.58 The use of unbridled discretion of prosecutors, review committees, hearing officers, disciplinary board members and justices of the Washington State Supreme Court allows the selection of racial minority lawyers for prosecution in a racially biased manner.

2.59 Although the Enterprise was subject to Title VII and thus were required under the Uniform Guidelines on Employee Selections procedures to monitor the impact of their selection procedures on African American attorneys, they failed to so, and instead promulgated policies and procedures that hid the impact of their selection procedures, and in fact destroyed data in a systematic fashion so as to make it difficult, if not impossible to discover the true extent of their racially discriminatory policies.

2.60 There is no legitimate business reason justifying each of the aforementioned policies and practices that could not be achieved by a policy that does not have a discriminatory impact or a greatly reduced discriminatory impact.

2.61 It is beyond dispute that African-American and other ethnic minorities have long been victims of discriminatory treatment in public accommodations and have been deprived from equal opportunity in employment, education, housing and otherwise to participate in the American dream, simply because of the color of their skin.

2.62 Members of the Enterprise are aware that African-Americans and ethnic minorities have

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long been unrepresented and/or under-represented in the legal system and are susceptible to disparity in treatmen t due to racial discrimination. The Enterprise has utilized policies and procedures that have adversely impacted African-American and ethnic minority lawyers.

2.63 Bradley Marshall, as a minority, he was thus targeted for special scrutiny because of his race. Historically, Afro-Americans were completely under-represented in the law profession generally and in the Washington State Bar Association in particular. The Washington State Bar Association masked its discriminatory policies by keeping the effects of the enforcement of the Rules of Professional conduct, secret. By doing so, it could use minorities as scapegoats for its own corrupt policies which included the enterprise. Also by doing so, the Enterprise has engaged in racial discrimination. There is clear disparate treatment of Afro American attorneys such as Marshall as compared to Caucasian attorneys. The disciplinary counsel would not extend its favored treatment it gives to Caucasian attorneys to Afro-American attorneys. More importantly, the Washington State Bar Association interprets its bar rules in such a fashion that its interpretations have an adverse impact on minorities.

2.64 During his career as an attorney, Bradley Marshall filed numerous racial discrimination administrative claims and lawsuits on behalf of his clients, which were widely publicized by local newspapers and television news companies.

2.65 On October 1, 2002, the Washington State Supreme Court implemented ELC 5.5.

Under this rule, as eventually interpreted by the Washington State Supreme Court, the court delegated unprecedented police powers to the Washington State Bar Association.

2.66 The rule allows a disciplinary counsel to secretly issue a subpoena to anyone he wants, demanding testimony and records without notifying the target of an investigation notice. Since the witness usually has no idea as to what is being investigated, he has no ability to object to any of the questioning on the basis of relevancy.

2.67 The attorneys who the depositions are about, since they have no right to notice, cannot

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object. Thus there is no limit to the scope of the questioning. There is no provisions for filing for protective orders to limit the scope of questioning. It is the modern day equivalent to a star chamber.

2.68 In 2003, the Washington State Bar Association recommended the discipline of Doug Schafer

2.69 The WSBA did this to "send a message" to other members of the WSBA as to what would happen if they stood up to the activities of the protection racketeering enterprise. It was an attempt to extort the bar membership rights Schafer, therefore being a violation of the Hobbs act and a predicate offense under RICO.

2.70 On April 4, 2003, Danielson secretly negotiated a contract where he would work for the Washington State Bar Association as the "Chief Hearing Officer." Members of the enterprise negotiated the contract to further their goal of domination of the legal profession of Washington through corrupt means.

2.71 Under the scheme as negotiated by members of the enterprise, Danielson would share a $30,000 salary with Bastian, who was president of the WSBA Board of Governors. Since the WSBA was the charging party in cases where members such as Scannell, King, and Marshall, this would secretly give the WSBA BOG control over who was selected as hearing officers. This would also allow the BOG to set up sham trials for attorneys such as King, Marshall, and Scannell by pre-selecting judges that were predisposed to making findings of guilt against the political enemies of the enterprise.

2.72 In 2003, Scannell began representing Stacy Matthews and Paul Matthews over criminal charges that had been filed against both of them. Before his representation began he verbally told both of them that there might be a potential problem of a conflict of interest arising in the future. He stated that if that occurred, that he would have to withdraw representation of both of them. Stacy Matthews and Paul Matthews knew this, but wanted Scannell to represent them anyway.

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The reason for this was the criminal charges were being initiated by Mr. Matthews former employer and they did not want the criminal charges to impact the civil suit they had hired Scannell to file on their behalf.

2.73 The interest of Scannell, and Matthews interests in both the civil and criminal suits were the same. All three wanted the criminal trials to impact the civil trials as little as possible. For that reason, all three had a vested interest in making sure that the criminal charges were as light as possible and would have as little impact on the civil case as possible. The Matthews understood this and this was the reason that they wanted Scannell to represent them, as public defenders had no vested interested in the civil trial and already told the Matthew's they would not take the considerations of the civil trial when negotiating the plea. Scannell's actions were in compliance with the Rules of Professional Conduct as they existed at the time.

2.74 Later, in the summer of 2004, both Paul and Stacy Matthews entered an Alford plea to the charges. Stacy Matthew's sentence was slightly longer than Paul Matthew's for two reason. First, she had more evidence against her in case because she had allowed the police officers to tape an admission which put her in a worse light. Second, she had already pleaded guilty to another set of charges in another county. By accepting a slightly longer sentence, she achieved the benefit of serving the sentences concurrently instead of consecutively.

2.75 The sentencing was presided over by Judge Comstock. At the hearing, there was some concern expressed by the judge that a potential conflict of interest existed in the case and wondered if it had been adequately explained to them by counsel. The judge asked each defendant what his counsel had told them about the potential conflict. At the time, both defendants told the judge what the potential conflicts were and affirmed it had been explained to them by counsel. After the discussion, the judge was satisfied there was no problem in the acceptance of the pleas and ratified the agreement.

2.76 In 2004, when one targeted attorney, Jeffery Poole, had his counsel attempt to utilize

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the rules to file a protective order against an oppressive request, the disciplinary board ruled on the motion by refusing to exercise their jurisdiction. *In re Disciplinary Proceeding Against Poole*, No. 200, 193 P.3d 1064, 164 Wash.2d 710 (Wash. 10/09/2008). An agreement was reached between Poole's counsel Kurt Bulmer, and disciplinary counsel, Christine Grey to have the issue heard before Alexander.

2.77 Later, Poole was suspended in part, because he brought the motion before justice Alexander with other members of the enterprise agreeing that bringing a protective order constituted non-cooperation. In doing so, members of the protection racketeering enterprise ignored the dictates of CR 30, which suggests that any deposition is stayed while a motion to terminate the deposition is considered..

2.78 Christine Grey did this to "send a message" to other members of the WSBA as to what would happen if they stood up to the activities of the protection racketeering enterprise. It was an attempt to extort the cooperation of Poole, therefore being a violation of the Hobbs act and a predicate offense under RICO.

2.79 On January 14, 2005, WSBA hearing officer Tina Killian submitted her first known employment application for a WSBA disciplinary counsel position. She then presided in *In re Eric C. Hoort*, Pub. File No. 04-00037, without recusing herself or notifying respondent's counsel in that case. Neither James Danielson, the WSBA's chief of hearing officers, the WSBA's disciplinary counsels, nor anyone else at the WSBA took any action after learning of this and did not remove her from the hearing officer list. The actions of making an ex parte contact with a prosecutor and attempting to extract a "job" from the disciplinary counsel is attempted bribery and a predicate act under RICO. By not disclosing her ex parte contacts she committed misrepresentation by omission, which is a violation of RPC 4.1. She used the mails to commit her misrepresentation so that was mail fraud, a predicate offense under RICO.

2.80 Also in 2005, members of the enterprise targeted Bradley Marshall for prosecution for

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alleged violations of the RPC violations which led to a suspension on May 10, 2007. The selection and prosecution of Marshall was racially motivated and an extortion attempt to prevent Marshall from exercising his rights as a WSBA to prevent and fraud perpetuated by the enterprise. During the prosecution of Marshall, attempts were made by the enterprise to bribe the hearing officer. The charging and prosecution of Marshall in this fashion were predicate acts under RICO.

2.81 In 2005, Jonathan Burke and other members of the enterprise began targeting Stephen Eugster for prosecution of so-called violations of the RPC which led to Eugster's suspension on 6-11-2009. The prosecution relied almost entirely on the usually inadmissable testimony of a dead woman who was probably incompentent. The purpose of the prosecution was to target Eugster for his lawsuits on behalf of the public, which by their very nature, also threatened the illegal activities of the enterprise. The prosecution of Eugster was an attempt to extort the WSBA membership rights from Eugster so that the illegal activities of the enterprise would be continued. This prosecution was therefore a violation of the Hobbs Act and a predicate act under RICO

2.82 On or before October 18, 2005, John Scannell was served with two subpoenas duces tecums requiring him to appear for a deposition pursuant to ELC 5.5 (a subpoena issued before charges have been filed) to be taken on October 25, 2005.

2.83 One subpoena was issued pursuant to WSBA file # 05-00312, which concerns a WSBA-initiated complaint concerning Scannell's representation of his client Paul Matthews

2.84 The other subpoena was issued pursuant to WSBA file # 05-00873, which was related to a WSBA complaint filed against Scannell's client Paul King by King's client Kurt Rahrig.

2.85 That subpoena sought all documents, including emails, and other electronic documents relating to Kurt Rahrig and/or *Kurt Rahrig v. Alcatel USA Marketing Inc. et al*,

2.86 The documents subpoenaed would have included records covered by the attorney-client privilege, arising from Scannell's representation of King. This included, e-mail consultations

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regarding the drafting of legal documents and pleadings regarding how King should respond to allegations of misconduct.

2.87 The documents subpoenaed would have included all electronic versions of drafts of different pleadings made by Scannell and King

2.88 Since the Washington State Bar Association was investigating King for practicing law without a license in Virginia, the attorney client privileged conversations could potentially be used in later criminal proceedings.

2.89 By demanding thousands of irrelevant documents such as this, members of the protection racketeering enterprise could bury the with mountains of paperwork, possibly gaining knowledge of privileged attorney client privileged information in other cases by examining the metadata contained in the electronic files, and otherwise make it impossible for the to carry on the practice of law.

2.90 By issuing such an oppressive subpoena, Busby committed an act of extortion, a predicate offense under RICO.

2.91 The subpoenas were for a deposition on the 25th of October, 2005, but were postponed because of a conflict in Scannell's schedule.

2.92 King, a Washington attorney, was the subject of a WSBA investigation arising from a bar complaint filed by Kurt Rahrig.

2.93 King was not notified of Scannell's deposition.

2.94 Scannell represented King before the WSBA and in a subsequent appeal to the Washington State Supreme Court.

2.95 Scannell also represented King in virtually all of his other legal cases up to that point, including giving advice on the Rahrig case.

2.96 Disciplinary counsel also issued subpoenas duces tecum on October 12 and November 2, 2005, commanding Mr. King to appear and produce documents in the Rahrig investigation.

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2.97 Scannell was not notified of the King depositions.

2.98 The October 12, 2005, subpoena, to King had to be reissued on November 3, 2005, because King the subpoena was not served by the WSBA. That subpoena was scheduled for a November 22, 2005 deposition.

2.99 During this time, the Washington State Bar Association issued at least one more subpoena regarding investigations of King and Scannell under ELC 5.5.

2.100 Using their newly granted subpoena powers under ELC 5.5, investigators for the WSBA claimed they could subpoena members of the public without giving individuals who were the subject of the investigation notice of the depositions.

2.101 On October 25, 2005, disciplinary counsel for the Washington State Bar Association, Scott Busby, WSBA # 17522, deposed Mark Maurin a former employee of both Scannell and King, and conducted an investigatory deposition concerning King and Scannell.

2.102 No notice was provided to Paul King nor Scannell.

2.103 Neither King nor Scannell had any knowledge of the deposition.

2.104 Neither King nor Scannell attended the Maurin deposition.

2.105 As a confidential employee who helped write briefs, Mark Maurin would have been privy to attorney client conversations of Scannell and King.

2.106 Since Mark Maurin did not have counsel and did not possess knowledge as to what the investigation was about, he had no way of knowing what questions were privileged or when he could object on the basis of privilege.

2.107 The continued Scannell deposition commenced on November 1, 2005, but was suspended when Scannell made a demand pursuant to CR 30(d) that the deposition be suspended to permit him to file a motion to terminate or limit the scope of the examination.

2.108 Scannell made the motion to terminate the deposition on November 3, 2005.

2.109 This motion was never ruled upon by the Disciplinary Board nor the Chief Hearing

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Officer.

2.110 On November 10, 2005, Paul King was served with one subpoenas duces tecum requiring him to appear for a pre-charging deposition pursuant to ELC 5.5.

2.111 That deposition was suspended when King filed a motion for a protective order.

2.112 That motion was similar to the motion of Mr. Scannell concerning the same subject matter (to terminate the deposition) concerning Mr. Rahrig in that it also contended, among other things, that the WSBA lacked jurisdiction to investigate a grievance concerning alleged representation of a client in Virginia.

2.113 It also complained about the WSBA conducting depositions without giving King or Scannell notice and asked that the Mark Maurin deposition be suppressed.

2.114 The Washington State Bar Association asserted that Mr. King engaged in the unauthorized practice of law by participating in a case in Federal Court in Virginia.

2.115 However, even tough alleged activity was before a tribunal in Virginia, the was subjected to the subpoena in Washington, in violation of Washington's RPC 8.5(b) which provides for conduct in connection with a matter pending before a tribunal, the rules of the jurisdiction in which the tribunal sits is used, unless the rules of the tribunal provide otherwise.

2.116 The Washington State Bar Association asserted that Scannell aided King in the unauthorized practice of law in a case in Federal Court in Virginia.

2.117 Even though alleged activity was before a tribunal in Virginia state, Scannell was subjected to the subpoena in Washington, in violation of Washington's RPC 8.5(b) which provides for conduct in connection with a matter pending before a tribunal, the rules of the jurisdiction in which the tribunal sits is used, unless the rules of the tribunal provide otherwise.

2.118 The WSBA asserted that Scannell assisted King in the practice of law, but it is unclear whether or not Rahrig alleged that Scannell engaged in any misconduct. Scannell maintained in his response that he was never consulted regarding the Rahrig matter. He additionally maintains

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that he is not a partner of King, and did not associate on the case with King. All parties agree that Scannell and Rahrig only met briefly on one or two occasions, that Scannell never performed any legal services for Rahrig, and that Scannell never agreed to represent Rahrig. However, even though alleged activity was before a tribunal in Virginia, the was subjected to the unconstitutional subpoena in Washington, in violation of Washington's RPC 8.5(b).

2.119 A motion to terminate the Scannell deposition concerning Rahrig was made in writing by Scannell on November 3, 2005. Scannell argued that the WSBA lacked jurisdiction to investigate a grievance concerning King's alleged representation of a client in Virginia. He also alleged that the deposition was intended to elicit privileged attorney-client information and that the privilege had not been waived by King. In issuing subpoenas without probable cause and without notifying the target of the deposition, King, Busby violated the constitutional rights of Paul King to counsel. By not notifying King and thus, keeping him out of the deposition, Scannell could not assert attorney client privilege, as ELC 5.4 prevents him from doing so.

2.120 Rahrig asserted that King engaged in the unauthorized practice of law by participating in a case in Federal Court in Virginia while suspended from the State Bar Association in Washington. While Washington law requires bar complaints connected with a court in another state be tried under the law of the state where the tribunal sits, the agents of the WSBA refused to do so, as they wanted to use unconstitutional subpoena powers bestowed upon them by their fellow co-conspirators of the enterprise.. King filed a protective order motion on November 21, 2005 challenging Washington's jurisdiction to conduct the deposition.

2.121 The WSBA filed a formal complaint on November, 2005 against Bradley Marshall, after he had filed suit against a client for fees owing to Marshall. Bradley Marshall, by suing the client had not relied upon the protection scheme for protection and therefore was working outside the parameters set by the enterprise.

2.122 On December 5, 2005, Tina Killian was appointed to preside over the Marshall's

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disciplinary case in the *Rheubottom* matter. When she was appointed, she failed to disclose her earlier job application committing misrepresentation by omission under RPC 4.1. Her subsequent communications by mail were thus mail fraud, a predicate act under RICO.

2.123 On December 14, 2005, the Chairman of the Disciplinary Board Bernard Friedman (Friedman), purporting to have some kind of authority to rule on Scannell's motion to terminate as well as King's Motion for a protective order, denied the motion without giving reasons for his decision in WSBA cases 05-00874 and 05-00302.

2.124 The Chairman's decision to issue an order, contradicted the precedent established in the Poole case, whereby the Chairman of the Disciplinary Board declined jurisdiction to rule pre-charging deposition. Scannellwas put in a "no win" situation, no matter how he chose to exercise his rights, the Enterprise members would change the rules so that Scannell would always be "wrong" and "frivolous." Since Washington Court Rule 30 does not allow for enforcement of a subpoena while a protective order is pending, since both the Disciplinary Board and the Washington State Supreme Court refuse to rule on the protective order, all actions taken against Scannell from this point in time forward are null and void as they are attempts to enforce a subpoena for which a motion to terminate the deposition had not been ruled upon.

2.125 King and Scannell each objected to the authority of Friedman to issue an order as they contended he had no authority under existing ELC rules. King and Scannell contended that that the Chief Hearing Officer had the authority.

2.126 Acting on the "order" issued the previous year in WSBA cases # 05-00874 and # 05-00302, disciplinary counsel Busby attempted to reschedule the depositions of Scannell in a deposition notice dated April 20, 2006.

2.127 Busby rescheduled the Matthews' deposition for May 11, 2006 in WSBA case #05-0032. The Rahrig deposition was rescheduled for May 19, 2006 in case #05-00874.

2.128 On May 2, 2006, less than twenty days before the hearing for Bradley Marshall was

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scheduled to start, the WSBA filed its First Amended Formal Complaint, adding three new counts. On May 16, 2006, Ms. Killian allowed the WSBA's filing of its First Amended Formal Complaint.

2.129 Scannell attended the deposition on the Matthew's grievance on May 11, 2006 and answered all questions proposed to him.

2.130 Scannell refused to take part in the Rahrig deposition on May 19, 2006, because he claiming he had not been tendered witness fees in violation of RCW 2.40.020, RCW 5.56.010, ELC 5.5, CR 30, and CR 45.

2.131 In May 25, 2006, the WSBA posted on its Web site an opening for disciplinary counsel. The next day, Ms. Killian inquired about the open disciplinary counsel opening. This letter was an undisclosed ex parte contact forbidden by RPC 3.4 in that she concealed this letter from Bradley Marshall by not disclosing it. It was also an undisclosed attempt to solicit a bribe and therefore a predicate offense under RICO.

2.132 On June 1, 2006, disciplinary counsel forwarded an order to Ms. Killian for signature. Within hours they learned of Tina Killian's application, but took no action. The failure to notify Marshall was an act of misrepresentation by omission, a violation of RPC 4.1. In all of her subsequent communications, her failure to mention the ex parte contact was therefore mail fraud, and attempted bribery, both predicate offenses under RICO.

2.133 On June 2, 2006, the Anne Seidel responded to Killian's job application on promising to expedite her job application. On June 2, 2006, Killian signed the order sent to her on June 1, 2006. By signing the order, Killian had signaled that she intended to continue on hearing the case with the hopes of obtaining a job offer in exchange for dealing harshly with Marshall. Such actions constitute bribery, a predicate offense under RICO.

2.134 On June 20, 2006, disciplinary counsel informed Kurt Bulmer, Marshall's attorney, of Tina Killian's application, but refused to disclose other relevant information. The failure to

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disclose other relevant information was misrepresentation by omission, and a fraud upon the court. This was a predicate offense under RICO. On June 22, 2006, a letter was sent to Killian requesting she recuse herself. On June 26, 2006, Ms. Killian recused herself.

2.135 As to the disciplinary counsel and the WSBA generally, they were aware of Killian's actions in *In re Eric C. Hoort* and no action was taken. This is a predicate act under RICO. They also were aware of Killian's actions in Marshall's disciplinary matter and took no action for almost twenty days after Killian's inquiry into this new disciplinary counsel opening. This makes two attempted bribes and both are predicate acts under RICO.

Two other hearing officers were appointed and objected to in the Marshall case, exhausting all preemptory challenges.

2.136 On August 10, 2006, James Danielson, appointed himself to preside over Mr. Marshall's prosecution. However, when he appointed himself, he made no disclosures to Marshall of his conflict of interest created by the payment of his salary by the WSBA and the kickback of part of his salary to Bastian, who was the president of the WSBA. He notified Marshall by mail committing an act of misrepresentation by omission under RPC 4.1 and mail fraud under RICO.

2.137 In August 26, 2006, Danielson denied Marshall's motion to vacate Killian's Order allowing the filing of the WSBA's First Amended Complaint.

2.138 On December 14, 2006, Kurt Bulmer issued a subpoena to Tina Killian and the WSBA requesting all documents regarding Killian's employment applications. The WSBA moved to quash and opposed all discovery requests that could have revealed whether Danielson provided training on the ethical propriety of hearing officers' efforts to obtain employment with the WSBA, the WSBA's willingness to interview a hearing officer for the position of disciplinary counsel while the hearing officer is presiding over an ongoing case, and what role Killian's training, or lack thereof, had in her decision to not disclose her effort to obtain employment with

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the WSBA while serving as a hearing officer. The WSBA opposed a request to depose Killian. Danielson signed an order quashing the December 14, 2006 subpoena *deuces tecum* and disallowed Killian's deposition. Other than some greatly redacted sheets of paper, all discovery was disallowed by James Danielson.

2.139 During his prosecution of Marshall, Danielson identified with and was an advocate for the WSBA, sending letters on WSBA letterhead, the same letterhead disciplinary counsel used, issuing orders on WSBA pleading paper, the same pleading paper disciplinary counsel use, and thanking witnesses on behalf of the WSBA, not on behalf of all parties. By appointing himself as hearing officer, after all preemptory dismissals were used, by denying the deposition of WSBA personnel and Killian and by precluding the discovery of other instances where Killian served as hearing officer, through the issuance of a protective order, he in effect insulated Killian, disciplinary counsel and the WSBA from the rigors of constitutional impartiality and fairness. He also issued an order, directing the parties to not discuss Killian's actions with third parties and his refusal to grant Marshall's motion to vacate Killian's order allowing the filing of the WSBA's First Amended Complaint and other orders, allowed the prejudicial effect of Killian's conflict of interest and unconstitutional actions to go uncured. All of these actions were an attempt to corrupt the legal process and were therefore predicate acts under RICO.

2.140 Disciplinary Board Chairman Friedman denied King's motion for a protective order on June 6, 2006 in WSBA case #00854.

2.141 Busby on June 13, 2006 attempted to reschedule the deposition of King on June 28, 2006 in WSBA case #00854.

2.142 On June 13, 2006, Scannell was re-served with a subpoena, this time was paid witness fees.

2.143 On July 5, 2006, Scannell again refused to testify because his client Paul King had not been notified of the deposition. Under the rules that were in effect at that time, John Scannell

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would have had to turn over attorney client information that had been subpoenaed because he had no right to assert attorney client privilege under ELC 5.4. However, Mr. King had a right to assert attorney client privilege if he had been notified of the deposition.

2.144 Another motion to terminate the deposition was filed by Scannell on July 6, 2006 in WSBA case # 05-00874. The Association responded on July 25, 2006 with a final response by Scannell on August 1, 2006.

2.145 On July 20, 2006, King filed a motion for a protective order, this time complaining that Scannell had not been given 5 days notice as a party to the deposition as required by ELC 5.5 and CR 30 in case # 05-0085480. On July 20, 2006, Busby attempted to take deposition of Paul King in case # 05-00854.

2.146 Meanwhile, in August of 2006, the American Bar Association released another critical report on Washington State's lawyer discipline system. It was criticized for allowing having the WSBA play a dominant role in the disciplinary process recommended that the court should distance the disciplinary process from the Washington State Bar Association. Among its criticisms were that the "ability of the disciplinary counsel's office to operate with the adjudicative function of the system was at risk". The report cited the Board of Governors supervisory control over the Disciplinary Board and the disciplinary counsel as examples of improper political influence over the disciplinary process and criticized the WSBA for being the grievant in many of the cases that came before the Board.

2.147 On August 17, 2006, Gail McMonagle (McMonagle), a new chairperson of the WSBA Disciplinary Board issued an "order" on behalf of the Washington State Bar Association denying Scannell's motions in case #05-00874.

2.148 Scannell responded to McMonagle with a motion for reconsideration that she did not have authority to issue an order on behalf of the Disciplinary Board on August 25, 2006.

2.149 King's second motion for protective order was denied on September 20, 2006 by

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McMonagle in case # 05-00854.

2.150 Scannell's reconsideration motion was denied with another "order" from McMonagle on September 21, 2006.

2.151 Both King and Scannell considered McMonagle's order void because she acted beyond her authority.

2.152 In addition Scannell refused to follow McMonagle's order because it ordered attorney client privileged documents produced before appeals could have been completed. On October 16, 2006, John Scannell filed an action in King County Superior Court case # 06-2-33100-1 SEA which sought a ruling on the validity of the subpoena.

2.153 Shortly thereafter, a copy was faxed to Scott Busby..

2.154 On December 13, 2006, an amended petition to the King County action was filed in case # 06-2-33100-1 SEA which included Paul King as a plaintiff.

2.155 Both Scannell and King filed detailed responses to Review Committee IV, detailing the problems with common counsel, ex-parte contacts and conflict of interest.

2.156 On January 5, 2007, this WSBA review committee ordered Scannell and King to hearing on the charges presented by Busby relating to the investigation. There was only two persons on the review committee instead of three as required by the ELC.

2.157 On January 16, 2007, King objected to the absence of the citizen member on the committee and the apparent violation of not being charged by a three person review committee.

2.158 Nothing in the rules indicates that 2 constitutes a quorum, and the review committees do not follow Robert's Rules of Order or any other parliamentarian system when conducting meetings.

2.159 As a result, King argued that the remaining trials that would ensue were void because he and Scannell had not been legitimately charged.

2.160 Any similar argument by Scannell would have been futile.

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2.161 On February 7, 2007, the Chairman of the Disciplinary Board denied King's motion to vacate on the basis that two members were not considered a quorum in WSBA case # 05-00854.

2.162 On February 14, 2007, King filed a motion for reconsideration on the quorum issue.

2.163 On February 20, 2007, the Chairman of the Disciplinary Board denied King's motion to vacate on the basis that two members were not considered a quorum.

2.164 The hearing on the Marshall case was held on February 20-22 and 26-27, 2007. Neither Mr. nor Mrs. Harris nor Mr. nor Mrs. Rheubottom testified.

2.165 On February 23, 2007 King appealed to the full disciplinary board on the quorum issue.

2.166 Beginning on March 28, 2007, and continuing the present time, the Enterprise members began having undisclosed ex parte contacts between disciplinary counsel, the Disciplinary Board, the Board of Governors and members of the Washington State Supreme Court.

2.167 In Scannell's case alone there were over 300 undisclosed ex parte contacts.

2.168 Beginning on March 28, 2007, and continuing the present time, the Enterprise members began having undisclosed ex parte contacts between disciplinary counsel, the Disciplinary Board, the Board of Governors and members of the Washington State Supreme Court.

2.169 During the trial, Danielson met with members of the Washington State Supreme Court, the Disciplinary Counsel's Office, and the WSBA who was one of parties. These meetings occurred as part of his membership on a Board of Governor's task force that was responding to the negative report issued by the American Bar Association. The existence of these meeting were illegal ex parte contacts that were an attempt to corrupt the legal process by influencing judges and members of the Disciplinary Board to punish Marshall for speaking out against the enterprise. As such, they were predicate acts under RICO.

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2.170 Specifically, on March 28, 2007, on the very night before Danielson issued his decision, in the Marshall case, a meeting of the discipline committee task force #2 of the Board of Governors was held in which Danielson was a member. While Danielson was not present, he was immediately notified of the results of the meeting by e-mail. Included in this meeting were two members of the Board of Governors and one member of the Disciplinary Counsel's Office. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.171 Also, on March 28, 2007, a meeting of the Discipline Committee Task Force #1 of the Board of Governors was held. Supreme Court Justice Susan Owens was a member of the committee, and was not present, but was notified of the results of the meeting by e-mail. Also present was a representative of the Disciplinary Counsel's Office and members of the Board of Governors. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.172 In that the WSBA hearing officer Danielson made findings of fact not alleged in the WSBA complaint, entered conclusions of law and made recommendations based upon those findings of fact, Marshall was deprived of his right to due process of law.[1]

2.173 The decision by Danielson had nothing to do with evidence or based on any legal principles. Instead it was a fraudulently issued decision whose sole purpose was to punish Marshall for speaking out against the enterprise, to discriminate against him on the basis of his race, and to serve as a warning to other attorneys what would happen to them if they did not cooperate and pay homage to the protection racketeering enterprise. It was sent through the mail and fraudulently portrayed as some kind of legitimate legal decision, even thought the results were predetermined by a corrupt judiciary who violated their own code of judicial conduct in

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order to pressure the hearing examiner to do the dirty work of the enterprise. By fraudulently issuing its corrupt decision without due process and in violation of the constitutional rights of the Marshall and then using the mail system to accomplish its corrupt ends, Danielson committed a predicate act of mail fraud, and extortion under RICO.

2.174 The decision issued by Danielson included the use of a selection procedure, that has an adverse impact on minorities. This selection procedure is to allow the WSBA act as a complainant and be given unbridled discretion in conducting its prosecution including using ex parte contacts and other illicit methods to influence judges, while extorting cooperation from attorneys who do not pay homage to the enterprise. It has an adverse impact on minorities without a legitimate business related purpose and therefore constitutes racial discrimination under Title VII. In addition, Marshall can demonstrate that the WSBA's actions constitute disparate treatment compared to Caucasion attorneys with an intent to discriminate and therefore also constitutes racial discrimination under Title VII. The act of using racial discriminatory acts against Marshall also constituted an attempt to steer the market for attorneys against Afro-American attorneys and sole practitioners.

2.175 After he issued his corrupt decision, James Danielson and other members of the enterprise continued their corrupt methodology of having undisclosed ex parte contacts among themselves to ensure that the decision of Danielson would be upheld by his fellow co-conspirators in the enterprise.

2.176 For example on April 3, 2007, a meeting of the Discipline Committee Task Force #1 of the Board of Governors were held. Supreme Court Justice Susan Owens was a member of the committee, and was present. Also present was a representative of the Disciplinary Counsel's Office and members of the Board of Governors. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

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2.177 On April 18, 2007, members of Task Force #1 of the Board of Governors met. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.178 On April 20, 2007, members of Task Force #2 of the Board of Governors met. This included two members of the Board of Governors and one member of the Disciplinary Counsel's Office. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.179 On May 8, 2007, King was charged by disciplinary counsel, in part for objecting to his loss of attorney client privilege and for objecting to the subpoena.

2.180 On May 9, 2007 members of Task Force #1 of the Board of Governors met. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.181 On May 10, 2007 the Washington State Supreme Court suspended Bradley Marshall for 18 months. That case is reported in *In re Disciplinary Proceeding Against Marshall* [No. 200, 302-8], 160 Wn.2d 317, 157 P.3d 859 (2007). In issuing their May 2007 suspension th e WSBA and Supreme Court practiced racial discrimination by both disparate treatment, retaliation and by adverse impact. They charged Marshallknowing that there were similarly situated Caucasian lawyers that they did not charge. At least two of the comp arators were on the same case as Mr. Marshall. The WSBA did this with the intent to discriminate against Marshall on the basis of race. Another comparator was an attorney that had close associations with the WSBA as a hearing officer. The WSBA also utilized policies and procedures that had an adverse impact on African Americans, with no justifiable business reason that could not be achieved by a policy that

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does not have a discriminatory impact or a greatly reduced discriminatory impact.

2.182 On May 14, 2007, members of Task Force #3 of the Board of Governors met. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.183 On May 23, 2007, Danielson met with McMonagle and Stan Sebastion, Bob Weldon, Doug Lawerence and Kristal Wiitala. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.184 On May 25, 2007, WSBA Chief Hearing Officer Danielson appointed Schoeggl as hearing officer in the King Case.

2.185 On May 30, 2007, Scott Busby charged Scannell with misconduct based upon the review committee order of January 5, 2007.

2.186 Scannell was primarily charged because of his insistence on preserving the right of King to attorney client privilege and for asserting that the chairman of the board did not have the right to act on behalf of the rest of the Disciplinary Board.

2.187 On June 4, 2007, Washington State Supreme Court Justice Matson met with Busby and another member of the ODC. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.188 On June 11, 2007, Chief Hearing Officer James Danielson (hereinafter referred to as Danielson) appointed a hearing officer in the Scannell case.

2.189 Neither before nor during this appointment did Danielson disclose that he had been having ex parte contacts with disciplinary counsel Busby, nor did he disclose he had been having ex parte contacts with opposing party, the WSBA.

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2.190 He also did not disclose the substance of the conversations.

2.191 He also did not disclose that he was paid by the WSBA, who was one of the parties, nor did he disclose that he had been hired through a process which had an inherent conflict of interest because part of his salary was kicked backed to his law partner who was president of the WSBA.

2.192 On June 15, 2007, Scannell filed a motion to disqualify the WSBA hearing officer Mary Weshler as well as the entire Disciplinary Board.

2.193 Scannell brought this motion for cause because the hearing officer was not following ELC 10.12 for scheduling the hearing. The rule explicitly calls for motion to be filed before a hearing can be set, but Weshler attempted to set a hearing without a motion.

2.194 On June 20, 2007, members of the Disciplinary Committee of the Board of Governors met. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.195 On June 22, 2007, Scannell filed an alternative motion to disqualify the hearing officer assigned to his case without cause, in the event the Chief Hearing Officer did not rule in his favor on the motion to disqualify for cause.

2.196 On June 25, 2007, Danielson, without ruling on the motion to disqualify the hearing officer for cause, removed the hearing officer without cause, claiming Scannell had now used his only pre-emptory challenge.

2.197 On that same date, Danielson, as he had in the Marshall case, appointed himself as a hearing officer.

2.198 On July 6, 2007, Scannell brought a motion to disqualify the entire Disciplinary Board, as well as the Chief Hearing Officer, as they were witnesses in the case and the Chief Hearing Officer had deprived Scannell of his right to exercise a pre-emptory challenge.

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2.199 He also sought to appeal the Chief Hearing Officer's previous rulings.

2.200 On July 10, 2007, Danielson formalized his opinion in the Scannell case where he refused to rule on the motion to disqualify the hearing officer for cause.

2.201 During July of 2007 Gail McMonagle, Larry Kuznetz, Amanda Elizabeth Lee, David Heller, Brian Romas, Zachary Mosner, Thomas Cena, Joni Dickinson Mina, Thomas Andrews, Tamara Darst, Susan B. Madden, Seth Fine, William J. Carlson, Clementine Hollingsworth, and Julie Shankland and the hearing officer in the King case, David Martin Schoeggl, held meetings with Busby and hired common counsel Robert Weldon to represent them in King County case # 06-2-33100-1 SEA.

2.202 The retaining of common counsel and subsequent discussions were ex parte contacts forbidden by Code of Judicial Conduct 1, 2(A), 3A(4), RPC 3.5b and ELC 2.6(e)(1)(d) and violated ethics prohibitions for Washington judges for having common counsel with one of the parties appearing before them.

2.203 The WSBA Disciplinary Board, McMonagle and David Martin Schoeggl then prejudged the case on July 24, 2007 by authorizing their retained counsel to enter briefing on a motion to dismiss that stated that none of John Scannell or Paul King's grievances had any basis in law or fact.

2.204 They raised a number of other arguments, including the argument that the Scannell and King had failed to include Washington State Supreme Court members as defendants.

2.205 The hiring of common counsel and subsequent discussions were ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.206 Scannell and King were denied by the King County Superior Court in case # 06-2-33100-1 SEA for lack of jurisdiction on August 8, 2007. In his ruling King County Superior Court presiding Judge Erlick at no point considered Scannell or King's arguments frivolous,

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stating he understood their arguments and they were debatable, but nonetheless considered them mistaken.

2.207 On September 19, 2007, members of the Disciplinary Committee of the Board of Governors, including Disciplinary Counsel Ende and Board of Governor members Bastian, Doug Lawerence, Weldon, Mungia, and Littlewood met.

2.208 During this meeting members of the committee met with each other to discuss King's issue that three board members were required charge a member with misconduct, and decided among themselves to say it was two.

2.209 King was not notified, nor were his arguments discussed.

2.210 Since Weldon was the common counsel in the King-Scannell lawsuit for McMonagle, Shoeggl, the Disciplinary board and Busby, this provided another level of ex parte contacts.

2.211 On October 1, 2007 Larry J. Kuznetz, William J. Carlson, Thomas Cena, , Brian Romas, Thomas Andrews, Carrie M. Coppinger, Susan B. Madden, Tamara J. Milligan-Darst, Norma L. Ureña, Norris Hazelton, Seth Fine, Shea C. Meehan, Melinda Anderson, Julie Shankland began serving as members of the Disciplinary Board for the calendar year of October 1, 2007 to September 30, 2008. For the next year they met with Scott Busby, Disciplinary counsel in violation of the ethics statute and the ELC. These were ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.212 On October 7, 2007, members of the Disciplinary Committee of the Board of Governors, including Disciplinary Counsel Ende, Disciplinary Board Counsel Shankland and Board of Governor members Doug Lawerence, Weldon, Kristal Wiitala, and Littlewood met. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

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2.213 On November 14, 2007, members of the Disciplinary Committee of the Board of Governors, including Disciplinary Board Counsel Shankland, Danielson and Board of Governor members Doug Lawerence, Weldon, Kristal Wiitala, and Littlewood met. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.214 The Disciplinary Board upheld the disbarment recommendation of Marshall on October and November. Between November 14, 2007 and September 8, 2007, by information and belief, various members of the enterprise met and conspired among themselves to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO. On September 8, 2007, the WSBA Discipline Committee issued their "final report". In this "final report" the committees declared that the criticisms of the ABA were, for the most part, unjustified, and only offered a few meaningless token reforms. The committee used the mail to issue their "final report" which was an attempt to cover for the fraudulent conduct of members of the enterprise so that the enterprise could continue its protection racketeering activities. This is mail fraud and a predicate offense under RICO.

2.215 Beginning on or about November 2008, the individual members of the Enterprise again began making undisclosed ex parte contacts, this time for the purpose of amending the ELC's in response to the report of the American Bar Association. The name of the committee was the "ELC Drafting Task Force." On November 20, 2008, Carpenter, attended a meeting with Busby and disciplinary counsel Beitel, Disciplinary Board member Fine, Danielson, and office of General Counsel Turner. Barbara Matson, Susan J. Owen, Gerry L. Alexander, Charles W. Johnson, Richard B. Sanders, Tom Chambers, Mary E. Fairhurst, James M. Johnson, and Debra L. Stephens sent a representative-agent to the meeting named Sullins who would keep

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them abreast of what was going on. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.216 On March 11, 2008, King brought a motion for stay pending resolution of grievance filed alleging conflict of interest of hearing officer having common counsel with disciplinary counsel and prejudging the case.

2.217 On March 11, 2008, hearing officer David Martin Schoeggl refused King's motion for a stay.

2.218 On March 19, 2008 and on March 20, 2008, King filed for recusal of the hearing officer in his case for having common counsel and ex parte contacts with the ODC.

2.219 On March 21, 2008, the disciplinary chair denied King's motion for recusal.

2.220 On April 14, 2008, Schoeggl denied motion for recusal.

2.221 On April 16, 2008, King appealed denial of motions for recusal to full board.

2.222 On April 25, 2008, William Carlson, acting as Vice Chair of the Disciplinary Board denied King's appeal of the denial of motions for recusal.

2.223 King's trial began on April 28, 2008.

2.224 On September 19, 2008, hearing officer Schoeggl recommended discipline in the King case.

2.225 Part of his decision relied on enhanced penalties for King for challenging the misconduct of the Disciplinary Board and the hearing officer and challenging the subpoenas in King County Superior Court.

2.226 Beginning on or about November 2008, Busby began making undisclosed ex parte contacts, this time under the alleged purpose of amending the ELC's. The name of the committee was the "ELC Drafting Task Force."

2.227 These meetings were organized as private meetings of a committee of the WSBA.

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2.228 A representative of the Washington State Supreme Court was apparently invited to attend along with the Clerk of the Supreme Court.

2.229 Scannell's trial began on December 1, 2008.

2.230 On December 16, 2008, Busby filed more charges against Paul King.

2.231 On January 7, 2009, Scannell filed an answer on behalf of King to the December 16, 2008 complaint.

2.232 On February 2, 2009, the Disciplinary Board upheld the decision of the hearing officer in the King case.

2.233 In its decision the Disciplinary Board issued enhanced penalties for King for challenging the misconduct of the Disciplinary Board and the hearing officer and challenging the subpoenas in King County Superior Court.

2.224 On February 3, 2009, the hearing officer in the Scannell case issued findings and proposed order proposing two year suspension..

2.225 On February 19 2009, King filed a timely notice of appeal to the Washington State Supreme Court.

2.226 On March 12, 2009, Carpenter, attended a meeting with Busby and Disciplinary counsel Beitel, Disciplinary Board member Urina, Danielson, and office of General Counsel Turner. s Barbara Matson, Susan J. Owen, Gerry L. Alexander, Charles W. Johnson, Richard B. Sanders, Tom Chambers, Mary E. Fairhurst, James M. Johnson, and Debra L. Stephens sent a representative-agent to the meeting named Sullins who would keep them abreast of what was occurring. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.227 The King County Superior Court's decision in case # 06-2-33100-1 SEA to dismiss Scannell and King's suit for lack of jurisdiction was upheld by the Washington State Court of

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Appeals on April 10, 2009

2.228 On May 12, 2009, Scannell provided a more detailed defense to the December 16 2008 complaint against King by an amended answer offering an additional defense involving the subject of Alford pleas. King contended that existing law would allow him to litigate the merits of his claim.

2.229 On or about May 14, 2009, Marshall appeared before the Washington State Supreme Court. Neither before nor during this hearing did individual members of the Washington State Supreme Court disclose that they had been having ex parte contacts with opposing disciplinary counsel nor did they disclose they had been having ex parte contacts with opposing party, the WSBA. They also did not disclose the substance of the conversations. In particular, co-conspirator Matson did not divulge that she had met regularly with disciplinary counsel Busby for over two years. Furthermore co-conspirators Fairhurst and Chambers were both past presidents of the Washington State Bar Association, who was a party and complainant in the Marshall case. As past president they would have been intimately familiar with the political makeup of the Washington State Bar Association. By not divulging these ex parte contacts they denied Bradley Marshall due process of law. The purpose of the failure to disclose was to discriminate against Bradley Marshall on the basis of race and to corrupt the judicial process and to ensure the continued existence of the protection racketeering enterprise. As such, it was a predicate offense under RICO and discrimination in violation of Title VII.

2.230 On June 10, 2009, the Washington State Supreme Court issued an order on the King case upholding the Disciplinary Board order.

2.231 In its decision the Washington State Supreme Court did not rule on the merits of the disqualification issue, claiming that King had not properly authenticated the exhibits in King County Case # 06-2-33100-1 SEA.

2.232 In its decision the Washington State Supreme Court issued enhanced penalties for

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King for challenging the misconduct of the Disciplinary Board and the hearing officer and challenging the subpoenas in King County Superior Court.

2.233 On June 30, 2009, King filed a timely motion for reconsideration, authenticating the exhibits in question.

2.234 Carpenter never filed the motion for reconsideration in a timely fashion.

2.235 The Washington State Supreme Court never ruled on the motion for reconsideration in the King case.

2.236 On July 22, 2009, Carpenter, attended a meeting with Busby and Disciplinary counsel Beitel, Disciplinary Board member Urina, Danielson, and office of General Counsel Turner. s Barbara Matson, Susan J. Owen, Gerry L. Alexander, Charles W. Johnson, Richard B. Sanders, Tom Chambers, Mary E. Fairhurst, James M. Johnson, and Debra L. Stephens sent a representative-agent to the meeting named Sullins who would keep them informed of the proceedings.

2.237 For Scannell and King, these were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.238 At the meeting, materials were distributed to the various participants and eventually were circulated to all the members of the enterprise. During this discussion, the Disciplinary Counsel's Office made a damaging admission that the rules do not clearly address the issue as to who was authorized to rule on motions during the investigative stage. This was in direct contradiction to the representations the disciplinary counsel's office made in the Scannell case, both in the disciplinary hearings and in the civil case that was filed in the King County Superior Court. In those cases, the disciplinary counsel charged that Scannell was “frivolous” for arguing the Chairman of the Disciplinary Board had no authority to rule on his motion to terminate the deposition.

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2.239 Among the materials distributed to the various participants at the July 22, 2009 meeting was a proposal to redefine conviction in ELC 7.1 to include "Alford" pleas. This would prevent bar complaint s from using Alford pleas as a reason to fully litigate a defense to a bar complaint.

2.240 This was an undisclosed ex parte contact in King's case.

2.241 In August of 2009, Scott Busby wrote on behalf of the WSBA before the Washington State Supreme Court.

> The Association further requests that the Court address the issues presented here when [the court] issues it published opinion in this case to give guidance to other respondent lawyers who believe they can thwart a disciplinary proceeding merely by filing a lawsuit against the Association, the Supreme Court, or its members.

Mr. Marshall was not charged with filing a frivolous lawsuit as part of the disbarment proceedings. This is clear intent on the part of Mr. Busby and the Washington State Bar Association as a whole, to retaliate against Mr. Marshall and others as well as submit an improper "Send a message" argument to the decision-makers See *State v. Powell* 62 Wn. App. 914, 816 P.2d 86 (1991), review denied, 118 Wn.2d 1013 (1992).

2.242 This was a continuation of the extortionate behavior made by both Busby and the rest of the disciplinary counsel's office, to retaliate and extort concessions from Scannell, Marshall, King and other like them, who oppose the activities of the protection racket enterprise. The failure of the Washington State Supreme Court to sanction or reprimand Busby for his behavior demonstrates a failure to supervise and represents collusion by the rest of the members of the enterprise to support the activities of the protection racket enterprise. As such it is a violation of the Hobbs Act (18 U.S.C. §1951) and a predicate offense under RICO.

2.243 On September 4, 2009, Chairman of Task Force B, Seth Fine, wrote to the Chair of the ELC task force, in another undisclosed ex parte contact, admitting the following:

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> ODC is authorized to demand information from a lawyer. There is no procedure for reviewing such demands. If a lawyer receives a demand that he or she consider improper or excessive, the lawyer has essentially two alternatives. The lawyer can provide the demanded information notwithstanding that objection. Or the lawyer can refuse to provide the information, thereby subjecting himself or herself to possible interim suspension or additional disciplinary charges…"

2.244 This was an undisclosed ex parte contact with the decision-makers and ODC over a substantive issue in both the Scannell and King appeals.

2.245 Seth Fine, a prosecutor for Snohomish county, was the Chair of the Disciplinary Board from October 1, 2009 until September 30, 2010.

2.246 Seth Fine's memo of September 4, 2009 along with the ODC memo of June 26, 2009 were in direct contradiction to the representations the disciplinary counsel's office made in the Scannell case. According to paragraph 76 of the Scannell charging complaint, his motion allegation that there was no authority for the chairman to rule on a protective order was "frivolous".

2.247 This also contradicted the briefing in the Scannell-King civil case, where the WSBA alleged that Scannell's and King's argument that there was no authority for the Chairman to rule on the motion had "no basis in law or fact."

2.248 On September 10, 2009, Busby and disciplinary counsel Beitel, Disciplinary Board members Urina and Fine, and Danielson met. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.249 On September 29, 2009, Scannell filed a timely notice of appeal of the September 1, 2009 recommendation to discipline him.

2.250 The King County Superior Court's decision in case # 06-2-33100-1 SEA to dismiss Scannell and King's suit for lack of jurisdiction was upheld by the Washington State Supreme

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Court on September 30, 2009.

2.251 On October 5, 2009, Scannell timely filed a notice of appeal to the Washington State Supreme Court.

2.252 A mandate was issued on November 4, 2009 on Court of Appeals case no. 60623-9-I directed to King County Superior Court in this case.

2.253 This mandate has yet to be acted upon.

2.254 Scannell attempted to get the court to address the issue of whether attorneys had a right to be notified of ex parte depositions failed when he filed a petition as an original proceeding to resolve the issues on or about November 4, 2009. His petition was in response to a petition to have him temporarily suspended.

2.255 On November 13, 2009, Scannell brought a motion to disqualify Justice Fairhurst because of her ties to Gregoire while working in the attorney general's office.

2.256 At the hearing, Fairhurst refused to disqualify herself.

2.257 Neither before nor during this hearing did individual members of the Washington State Supreme Court disclose that they had been having ex parte contacts with opposing disciplinary counsel nor did they disclose they had been having ex parte contacts with opposing party, the WSBA. They also did not disclose the substance of the conversations which included the most important issues raised by the appeal.

2.258 In particular, Justice Matson did not divulge that she had met regularly with disciplinary counsel Busby for over two years.

2.259 Both Justice Olsen and Justice Matson did not disclose that they had met with members of the WSBA, the WSBA Disciplinary Board, and members of the ODC for two years.

2.260 The other members of the Washington State Supreme Court did not disclose that they had sent a representative to the meetings for another two years.

2.261 Furthermore Fairhurst and Chambers were both past presidents of the Washington

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State Bar Association, who was a party and complainant in the Scannell case.

2.262 As past presidents they would have been intimately familiar with the political makeup of the bar association.

2.263 Justices Fairhurst and Justice Chambers did not disclose their past relationship to one of the parties, the WSBA.

2.264 Justice Fairhurst did not disqualify herself in response to the Scannell motion to disqualify.

2.265 Also at the November 16, 2009 meeting, Scannell complained that the court did not have authority to prosecute him under Washington law because of ELC 8.5, which requires grievances based upon conduct before another tribunal have to be investigated and tried in the law of the jurisdiction the other tribunal.

2.266 By not disclosing their relationships to the complainant WSBA and by not disclosing their ex parte relationships, said judgess denied Scannell due process of law by having his case heard by a disinterested and neutral tribunal.

2.267 On November 24, 2009, the Supreme Court suspended Scannell pending final resolution of his case. The court did so without considering whether the charges against him had any merit and therefore suspended him without due process.

2.268 On November 30, 2009, Scannell brought motion for reconsideration which was denied.

2.269 On or about December 24, 2009 Evangeline Zandt filed a bar complaint (WSBA File #09-01876) against Henry Judson III alleging that attorney Henry Judson III was violating RPC 1.7 by attempting to exploit a conflict of interest to transfer assets from her husband's guardianship to another guardianship.

2.270 On January 14, 2010, Carpenter, attended a meeting with Busby and Disciplinary Counsel Beitel, Disciplinary Board member Urina, and Fine, Danielson, and office of General

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Counsel Turner. Barbara Matson, Susan J. Owen, Gerry L. Alexander, Charles W. Johnson, Richard B. Sanders, Tom Chambers, Mary E. Fairhurst, James M. Johnson, and Debra L. Stephens sent a representative-agent to the meeting named Sullins who would keep them abreast of what was occurring at the meetings. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.271 On January 15, 2010, Henry Judson III responded to the Zandt grievance (WSBA file #09-01876) by generally denying the allegation without supplying specifics.

2.272 The WSBA defaulted after service of a summons and petition on Scannell's November 4, 2009 action. Scannell filed a motion for default on or about February 26, 2010.

2.273 Washington State Supreme Court Clerk Carpenter refused to process the motion on March 1, 2010.

2.274 Washington State Supreme Court Clerk Carpenter refused to process the mandamus and prohibition actions on March 1, 2010

2.275 On March 3, 2010, Evangeline Zandt, responding to a request for additional information by the bar in WSBA file #09-01876, sent over a hundred pages of documentation detailing the conflict of interest and providing canceled checks showing that transfer of disputed funds could be imminent.

2.276 On March 10, 2010, Carpenter, attended a meeting with Busby and Disciplinary counsels Beitel and Ende, Disciplinary Board member Fine, Danielson, and office of General Counsel Turner. Barbara Matson, Susan J. Owen, Gerry L. Alexander, Charles W. Johnson, Richard B. Sanders, Tom Chambers, Mary E. Fairhurst, James M. Johnson, and Debra L. Stephens sent a representative-agent to the meeting named Sullins who would keep them abreast of what was occurring at the meetings. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary

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Board and as such were predicate acts under RICO.

2.277 Scannell filed an objection to the Clerk's Ruling on March 31, 2010 using RAP 17.7.

2.278 Carpenter refused to process objection on April 5, 2010.

2.279 Any further efforts to appeal would be futile.

2.280 On April 8, 2010, Carpenter, attended a meeting with Busby and Disciplinary counsel Beitel and Ende, Disciplinary Board member Fine and Shanklund, Danielson, and office of General Counsel Turner. Barbara Matson, Susan J. Owen, Gerry L. Alexander, Charles W. Johnson, Richard B. Sanders, Tom Chambers, Mary E. Fairhurst, James M. Johnson, and Debra L. Stephens sent a representative-agent to the meeting named Sullins who would keep them informed of what was occurring at the meetings. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.281 On June 10, 2010, Carpenter, attended a meeting with Busby and disciplinary counsels Beitel and Ende, Disciplinary Board members Fine, Urina and Shanklund, Danielson, and office of General Counsel Turner.

2.282 Barbara Matson, Susan J. Owen, Gerry L. Alexander, Charles W. Johnson, Richard B. Sanders, Tom Chambers, Mary E. Fairhurst, James M. Johnson, and Debra L. Stephens sent a representative-agent to the meeting named Sullins who would keep them informed of what occurred during the meeting.

2.283 At this meeting, the Chairman of the Disciplinary Board, Seth Fine, proposed a new ELC 5.5, which "would allow" an attorney to raise confidentiality concerns during an investigative subpoena.

2.284 One purpose of this change would be to take "discipline for non-cooperation off the table" where an attorney tried to raise confidentiality concerns.

2.285 This was an undisclosed ex parte contact over a material issue that was pending

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before the Washington State Supreme Court in the Scannell and King cases. These were attempts to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.286 Scannell was contending he was being disciplined for non-cooperation, because he tried to raise confidentiality concerns over attorney client privileged information for an attorney he represented before the Disciplinary Board. That is, he was demanding that his client be notified of the deposition because, under ELC 5.4, Scannell could not raise it for him. In the three years the Scannell case had been litigated, the disciplinary counsel had ignored this issue in his briefing contending only that Scannell's arguments were frivolous.

2.287 Paul King was also, among other issues, contending that Scannell had to be notified because he was also a party to the deposition since the investigation was for the same issues.

2.288 King attempted to get the court to address the issue of the ex parte deposition of Mark Maurin in that case.

2.289 Scannell attempted to get the Washington State Supreme Court to address the issue of joint counsel and ex parte contacts between disciplinary counsel and decision-makers in his disciplinary proceedings. The Washington State Supreme court refused to address this issue other than saying the ex parte contacts "arose" from Scannell's suit. There was no explanation as to why joint counsel was used.

2.290 Finally, Scannell attempted to get the Washington State Supreme Court to address the issue of attempting to protect the right of King to counsel and attorney client privilege in his disciplinary action. The Washington State Supreme Court refused to deal with the issue.

2.291 On June 14, 2010, Scannell filed a Motion for Relief From Court Order or Judgment.

2.292 On June 21, 2010, the ODC in WSBA file #09-01877 dismissed Evangeline Zandt's grievance, claiming she had not responded to the requested information.

2.293 On June 29, 2010, Carpenter dismissed motion Scannell's motion without prejudice,

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pending filing of new motion.

2.294 Evangeline Zandt subsequently notified the ODC supplying proof of service that she had supplied the information. However, the ODC did not further investigate the grievance.

2.295 On July 13, 2010, Scannell resubmitted Motion for Relief from Court Order or Judgment.

2.296 On July 22, 2010 Evangeline Zandt filed an appeal of the denial of the grievance and filed a bar complaint against the ODC for losing her paperwork. To this date she has not received a response to either the appeal or the grievance. The failure of the WSBA to investigate these grievances was a fraudulent attempt to corrupt the legal process and a predicate act under RICO.

2.297 On July 28, 2010, Washington State Supreme Court Clerk Carpenter refused to process the Motion for Relief from court order or Judgment.

2.298 On August 27, 2010, Scannell objected to Carpenter's ruling of July 28, 2010.

2.299 Washington State Supreme Court Clerk Carpenter refused to allow Scannell to appeal his refusal to process the petition under RAP 17.7 on September 9, 2010.

2.300 Scannell was disciplined on September 9, 2010.

2.301 As in the King case, the court made no ruling as to whether the Chairman of the Disciplinary Board had power to rule on the motion for protective order. This was a necessary finding for the court to have to proceed to discipline him when there is an outstanding order for protection.

2.302 The court refused to issue any findings as to how it had authority to prosecute Scannell and King under Washington law.

2.303 In its decision the Washington State Supreme Court made new findings of fact that had no basis in the record. These included the allegation Scannell had not attended the Matthew's deposition even though he clearly had.

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2.304 Since Scannell had attended the deposition there was no basis for finding him guilty of failing to cooperate in count 2 of the charges filed against him.

2.305 The court made findings that his lawsuit in King County Superior Court case #06-2-33100-1 SEA was frivolous even though he was never charged with that as misconduct and it was not a part of the record in his disciplinary appeal.

2.306 The court made findings that Scannell improperly made an unwritten contract with a client, even though he was not charged with that and there was no argument on the issue throughout the proceedings.

2.307 Scannell had not made a contract with Matthews.

2.308 The court did not address the issue as to how it could prosecute Scannell using Washington law for conduct connected with a tribunal in Virginia.

2.309 The court made no attempt to address the attorney client privilege issue, which was the central issue in the Washington State Supreme Court lawsuit, the disciplinary action against Scannell, and the present case.

2.310 On October 28, 2010, Carpenter, attended a meeting with Busby and disciplinary counsel Beitel and Ende, Disciplinary Board member Urina, Danielson, and office of General Counsel Turner. Barbara Matson, Susan J. Owen, Gerry L. Alexander, Charles W. Johnson, Richard B. Sanders, Tom Chambers, Mary E. Fairhurst, James M. Johnson, and Debra L. Stephens sent a representative-agent to the meeting named Sullins who would keep them informed of what was occurring at the meeting. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.311 Meanwhile, the Disciplinary Board has refused to investigate Gregoire or her subordinates in any meaningful fashion, instead destroying all files connected with the grievance.

2.312 The Washington State Supreme Court has denied any remedy for the ex parte contacts

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of the Supreme Court and for that of the Disciplinary Board as well as a remedy for the unconstitutional subpoenas.

2.313 Scannell's attempt to get the court to address this issue failed when he filed a petition to resolve the issues on or about November 4, 2009.

2.314 On or about December 24, 2009 Evangeline Zandt filed a bar complaint (WSBA File #09-01876) against Henry Judson III alleging that attorney Henry Judson III was violating RPC 1.7 by attempting to exploit a conflict of interest to transfer assets from her husband's guardianship to another guardianship.

2.315 On January 14, 2010, Carpenter, attended a meeting with Busby and Disciplinary Counsel Beitel, Disciplinary Board member Urina, and Fine, Danielson, and office of General Counsel Turner. Barbara Matson, Susan J. Owen, Gerry L. Alexander, Charles W. Johnson, Richard B. Sanders, Tom Chambers, Mary E. Fairhurst, James M. Johnson, and Debra L. Stephens sent a representative-agent to the meeting named Sullins who would keep them abreast of what was occurring at the meetings. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.316 On January 15, 2010, Henry Judson III responded to the Zandt grievance (WSBA file #09-01876) by generally denying the allegation without supplying specifics.

2.317 On April 8, 2010, Carpenter, attended a meeting with Busby and Disciplinary counsel Beitel and Ende, Disciplinary Board member Fine and Shanklund, Danielson, and office of General Counsel Turner. Barbara Matson, Susan J. Owen, Gerry L. Alexander, Charles W. Johnson, Richard B. Sanders, Tom Chambers, Mary E. Fairhurst, James M. Johnson, and Debra L. Stephens sent a representative-agent to the meeting named Sullins who would keep them informed of what was occurring at the meetings. These were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and members of the

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Disciplinary Board and as such were predicate acts under RICO.

2.318 On June 10, 2010, Carpenter, attended a meeting with Busby and disciplinary counsels Beitel and Ende, Disciplinary Board members Fine, Urina and Shanklund, Danielson, and office of General Counsel Turner.

2.319 Barbara Matson, Susan J. Owen, Gerry L. Alexander, Charles W. Johnson, Richard B. Sanders, Tom Chambers, Mary E. Fairhurst, James M. Johnson, and Debra L. Stephens sent a representative-agent to the meeting named Sullins who would keep them informed of what occurred during the meeting.

2.320 At this meeting, the Chairman of the Disciplinary Board, Seth Fine, proposed a new ELC 5.5, which "would allow" an attorney to raise confidentiality concerns during an investigative subpoena.

2.321 One purpose of this change would be to take "discipline for non-cooperation off the table" where an attorney tried to raise confidentiality concerns.

2.322 This was an undisclosed ex parte contact over a material issue that was pending before the Washington State Supreme Court in the Scannell and King cases. These were attempts to fraudulently corrupt the legal process by influencing judges and members of the Disciplinary Board and as such were predicate acts under RICO.

2.323 Scannell was contending he was being disciplined for non-cooperation, because he tried to raise confidentiality concerns over attorney client privileged information for an attorney he represented before the Disciplinary Board. That is, he was demanding that his client be notified of the deposition because, under ELC 5.4, Scannell could not raise it for him. In the three years the Scannell case had been litigated, the disciplinary counsel had ignored this issue in his briefing contending only that Scannell's arguments were frivolous.

2.324 Paul King was also, among other issues, contending that Scannell had to be notified because he was also a party to the deposition since the investigation was for the same issues.

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2.325 King attempted to get the court to address the issue of the ex parte deposition of Mark Maurin in that case.

2.326 Scannell attempted to get the Washington State Supreme Court to address the issue of joint counsel and ex parte contacts between disciplinary counsel and decision-makers in his disciplinary proceedings. The Washington State Supreme court refused to address this issue other than saying the ex parte contacts "arose" from Scannell's suit. There was no explanation as to why joint counsel was used.

2.327 On June 30, 2010, King filed a timely motion for reconsideration. To date, the Washington State Supreme Court has yet to rule on King's motion for reconsideration.

2.328 Meanwhile, the Disciplinary Board has refused to investigate Gregoire or her subordinates in any meaningful fashion, instead destroying all files connected with the grievance.

2.329 The Washington State Supreme Court has denied any remedy for the ex parte contacts of the Supreme Court and for that of the Disciplinary Board as well as a remedy for the unconstitutional subpoenas.

2.330 King's attempt to get the court to address this issue failed in **In re Disciplinary Proceeding Against King**, No. 200, 232 P.3d 1095, 168 Wash.2d 888 (Wash. 06/10/2010).

2.331 April 20, 2011, Matthew Little filed grievance against a Kitsap County defense attorneys Stephen King(King) (WSBA file #1100661), Michael Raya (Raya)(WSBA file #1100664), Eric Fong (Fong)(WSBA file #11-00665), and prosecutor Gina Buskirk(Buskirk).

2.332 Complaints against King alleged violations of RPC 3.3(a)(1)(4) in that he attempted to induce Little's wife to file a false declaration. King was also charged with advising Little he could take a certain course in order to satisfy the courts requirement of taking domestic violence treatment. After Little spent $250.00 and spent 27 hours in taking the course, the court ordered him to start over because it was the incorrect course.

2.333 Complaints against Raya and Fong alleged violations of RPC 1.4(a)(b) because they

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failed to disclose that his wife had stated in writings to the court that there was no domestic violence or assault in the case, when she was the complaining witness.

2.334 Complaints against Buskirk alleged violations of RPC 3.3(a)(1)(4) by making untrue statements to the court.

2.335 On April 25, 2011, the WSBA dismissed grievance against Raya and Fong on the grounds that their misconduct involved "professional judgment" and the bar does not reassess "professional judgment". The complaint against Buskirk was dismissed on the grounds her actions were not in violation of the RPC's. The complaint against King was dismissed with Little being told that when he claims ineffective assistance of counsel, they do not investigate it unless there is a judicial finding of impropriety.

2.336 On or about May 27, 2011, Michael Chiofar Gummo Bear filed grievances against John Cobb, a King County Prosecutor, (WSBA # 14304) for contacting him without going through his attorney of record John R. Scannell, claiming a violation of RPC 4.3 which prevents a lawyer from communicating directly with me about the subject of representation without the consent of the other attorney.

2.337 On or about May 28, 2011, Michael Chiofar Gummo Bear filed a grievance against Patrick Oishi (WSBA file #11-00921) and Phillip K. Sorenson (WSBA file #11-00922) charging them with charging a criminal charge without basis in law or fact (RPC 3.1)

2.338 On or about June 16, 2011, Michael Chiofar Gummo Bear filed a grievance against John Cummings (WSBA file #11-01019) charging him with obtaining a summons for a criminal charge without basis in law or fact (RPC 3.1).

2.339 On June 28, 2011 Matthew Little filed a grievance against defense attorney David LaCrosse(LaCrosse) (WSBA file #11-01079) alleging that Lacrosse had showed up at hearings unprepared and had done little, if any investigations in preparing his case for trial. .

2.340 On June 30, 2011, in response to grievance filed against LaCrosse, the WSBA told

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Little that when he claims ineffective assistance of counsel, they do not investigate it unless there is a judicial finding of impropriety.

2.341 On August 1, 2011, the disciplinary counsel's office rejected Bear's grievances against Sorenson (WSBA file #11-00922) and Cummings (WSBA file #11-01019), claiming the prosecutions were in good faith.

2.342 Prior to August 2, 2011, Little filed a grievance (WSBA file #11-01454) against Charles W. Tibbits alleging ineffective assistance of counsel.

2.343 On August 2, 2011, the WSBA dismissed the Tibbets grievance(WSBA file #11-01454) and told Little that when he claims ineffective assistance of counsel, the WSBA does not investigate it unless there is a judicial finding of impropriety.

2.344 On August 2, 011, the WSBA dismissed the Jeniece Lacross grievance, telling him that when charges ineffective assistance of counsel, the WSBA does not investigate it unless there is a judicial finding of impropriety.

2.345 On August 3, 2011, Matthew Little filed grievances against defense attorney Michelle Taylor(11-01309)

2.346 On August 5, 2011, the WSBA dismissed the grievance against Michelle A. Taylor (11-01309), telling Little do not investigate it unless there is a judicial finding of impropriety.

2.347 On August 15, 2011, the disciplinary counsel's office dismissed Bear's grievances against Patrick Oishi (WSBA file #11-00921), claiming the prosecution was in good faith.

2.348 On or about August 25, 2011 Little filed a grievance against prosecutor Robert R. Davy (WSBA file: 11-01289), and appealed dismissals of the grievances against Janeice LaCrosse, (WSBA file: 11-01290), and Michelle Taylor (WSBA file: 11-01309.

2.349 In the case of Davy, Little alleged violations of RPC 1.7(b)(2) (failure to get a written waiver before representing a client against a former client), RPC 3.8(b), (engaging in conversations with an unrepresented party without first informing him of right to counsel), RPC

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3.8(a). (filing charge not supported by probable cause), all stemming from his representation of the City of Bremerton in doubling Little's bail at a time when the court would not provide Little a counsel in violation of his constitutional right to counsel in a criminal proceeding.

2.350 Bar pursuit of Robert Grundstein is an example of the practiced dishonesty and organized, institutional deceit an organization which violates Separation of Powers is able to maintain.

2.351 Grundstein was a Vermont resident on inactive WSBA status for the prior 12years. He had no history of discipline, anywhere. He was not a resident of WA nor was he found in the state for service. He had no clients and performed no acts under the WA long arm statute. Bar contrived to file a formal complaint against him which included charges related to motion practice in other states Bar didn't like. The Formal Complaint asked for "Probation". A disciplinary hearing was set for Spring of 2011.

2.352 Grundstein filed in Federal Court to enjoin the WA hearing. There was no jurisdiction or venue and the WA subpoena power did not extend to foreign states.

2.353 Grundstein couldn't call witnesses under the 6th amendment. The federal court abstained. At hearing, in violation of "In re Ruffalo", Civil Rule 15 and the 5th Amendment, Bar amended it's complaint to add 8 additional counts and changed it's requested sanction to "Disbarment".

2.354 After hearing, Bar removed all Grundstein's evidence from the record. The evidence was entered over 80 pages of transcript and re-numbered by the Hearing Officer to suit her pre-existing numbering system. This included 42 exculpatory exhibits and letters of recommendation. This was in violation of RPCs 3.3, 3,4 and 3.8. It also violated the 6th amendment and Grundstein's "Brady" rights. Bar obstructed justice and spoliated evidence to contrive the lies it needed. It also enlisted a corrupt attorney named Ronald Meltzer who testified to one of the surprise Complaint amendments. Bar sought to charge that a subpoena Grundstein issued under

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WA Civ. Rule 45 in a pro se action on behalf of his geriatric mother was fraudulently obtained because "only an active attorney can issue a subpoena". This was a fictitious offense. Any named party to a suit or pro se attorney can issue a subpoena.

2.355 Grundstein has tried to file corrective motions with the WA Supreme Court. The Clerk of Court, Ron Carpenter, will not let him file. Grundstein tried a Motion to Recall Mandate, (recall order of disbarment) which the Clerk would not present to the court.

2.356 The clerk felt that a mandate is not the same as an order.

ALLEGATIONS INVOLVING ANNE BLOCK

1. Anne Block is an investigative journalist, civil rights advocate, a citizen of the City of Gold Bar, located in County of Snohomish. She is the co-owner of an online political blog called the "Gold Bar Reporter," which reports on government and government officials in Snohomish County and the City of Gold Bar. As early as 2008 and continuing to the present day, the plaintiff learned of misfeasance, malfeasance, and corruption within city and county government. Since 2013, Block actively investigates and reports on corruption within the Washington State Bar Association (WSBA). Block has attempted to exercise her rights guaranteed by the speech and petition provisions of the First Amendment to the United States Constitution to investigate and report on the ongoing activities (many criminal) of county and city officials up to the date of filing this complaint.

2. Block is also a former Washington S tate attorney harassed out of the practice of law. Block asserts that the individuals named in this complaint have, in bad faith, conspired to deprive her of her vested right to practice law through a number of acts which led to her resignation and disassociation from the bar. Additionally, these individuals have conspired to form an enterprise with the purpose of dominating the WSBA and its disciplinary system so as to allow prosecutors, defense attorneys, practitioners' at large firms, and non-minority attorneys to practice unethically and evade accountability for their misconduct. The conspiracy will hereinafter be referred to as

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"the enterprise."

3. The enterprise has, as one of its goals, to dominate the Washington State Bar Association by punishing those who oppose or seek to expose the illegal goals of the enterprise. It does this through harassment, extortion, bribing, bullying, and punishing its enemies. It punishes its members with disciplinary actions " to send a message" to those who would opp ose WSBA criminal activities and those who exercise their constitutional and statutory rights.

4. Alleged in Block vs Snohomish County et al C14-235 RAJ : In December 2008, Block, a citizen of Gold Bar, Washington, located in Snohomish County, requested records relating to well tampering (malicious mischief RCW 9A.48.070) by a former water employee, which Hill-Pennington, formerly Gold Bar Mayor " Crystal Hill" , failed to report to the Snohomish County Sheriff's Office or to Homeland Security for investig ation. RCW 35a.12.100 states the mayor " shall see that all laws and ordinances are faithfully enforced and that law and order is maintained in the city, and shall have general supervision of the administration of city government and all city interests." This request for records was made after Block received a phone call from Gold Bar Council Member, Dorothy Croshaw, informing Block that the city had just made a secret deal to pay off Karl Majerle in exchange for his silence. Public records obtained from Snohomish County in late 2008 establish that Majerle sabotaged the city's water system by throwing gravel on a turbine that pumped the town 's water supply and illegally used the City's petro card by charging over $1000 his personal use. The pump in question remains damaged to this day. The city failed report Majerle's crimes in accordance with their duties to the public: defendants Hill-Pennington, Beavers, and Croshaw breached their public duties, violated their oaths of office, conspired, and agreed to cover up Majerle's crimes. RCW 42.20.100 In December 2008, Block exercised her statutory rights pursuant to RCW 42.56 (Public Records Act "PRA") asking the City of Gold Bar for all records relating Karl Majerle. Instead of releasing public records in compliance with the PRA, the City of Gold Bar injured the public records by removing

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them from the city offices and/or the public official that held them, concealing them, and transferring the records to a private party, the insurance company, Association of Washington Cities (AWC) representative Eileen Lawrence. RCW 40.16.010 states: "Every person who shall willfully and unlawfully remove, alter, mutilate, destroy, conceal, or obliterate a record, map, book, paper, document, or other thing filed or deposited in a public office, or with a public officer by authority of law, is guilty of a class C felony and shall be punished by imprisonment in a state correctional facility for not more than 5 years or by a fine of not more than one thousand dollars or by both.") The purpose of transferring the records according to council member Jay Prueher was because AWC instructed the city not to turn over the public records because the city would be sued again due to what was contained in the records. As of today, the City of Gold Bar, Snohomish County, and AWC continue to conceal public records. The limited records that were produced showed that a police report was not created until Block asked for public records in December 2008, and the report was never acted upon.

5. Block, after United States District Court Case C14-235 RAJ was decided at the district court, later learned through other witnesses including Chuck Lee on Gold Bar City Council, and through other public disclosure reports that Karl Majerle knew that Crystal Hill had been convicted of bank fraud and was paid to keep quiet about it.

6. Alleged in Block vs Snohomish County et al C14-235 RAJ : In October 2009, Hill-Pennington Pennington, then acting Mayor of Gold Bar did hold a meeting on a non-regularly scheduled date, at a non-principle location, where notice was not given by posting notice prominently at the principal location, nor by giving notice to the newspaper, radio, or television station, nor was it posted on the City's website pursuant to RCW42.30.080 (Special Meetings). Further, there were no minutes recorded at the special meeting, but were created later following a public records request and lawsuit in late February 2009.

7. Alleged in Block vs Snohomish County et al C14-235 RAJ : The members of the 2009 Gold Bar Planning Commission were regular attendees of the city council meetings. Both the city

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council meetings and the planning commission meetings were customarily held at the principal location in City Hall on opposite Tuesdays. On the day of this spe cial meeting, the planning commission was meeting at the principal location. Several members of the planning commission were unaware of the special meeting and did not see any notice of special meeting posted at the principal location which they then occup ied. Block asserts this "special meeting" was in fact a secret meeting in violation of OPMA intended to evade public knowledge and scrutiny. It follows then that if regular attendees (planning commission members) did not see notice, the general public was also unaware of the special meeting. In December 2008 after being informed by council member Dorothy Croshaw of the Majerle settlement, Block requested all records relating to Karl Majerle, which should have included the special meeting notice and meeting minutes. Only after Block hired an open government attorney and filed suit did the city provide Blockwith a notice of special meeting and minutes, which Block asserts were created after the special meeting took place and after Block requested records in na tive format with metadata. The meeting minutes have been provided in native format with metadata, only paper format. The arrangement agreed upon in the secret meeting, under the circumstances constituted bribery and extortion, thus predicate acts under RICO.

8. Alleged in Block vs Snohomish County et al C14-235 RAJ : From public records, Block discovered that on July 8, 2008 the City of Gold Bar terminated Karl Majerle for gross misconduct, sabotaging the city's wells and unlawful use of the city petro card . Mr. Majerle was previously placed on paid administrative leave pending an investigation for his use of the city's petro card in late June 2008. After Majerle was informed he was being placed on administrative leave, he left city hall and went to wells # 3 and #4 and shut them down which he admitted in a Loudermill hearing. This hearing was recorded by Majerle and conducted by H. Majerle Hill-Pennington subsequently applied for and was denied unemployment benefits due to his gross misconduct. Majerle retai ned counsel to fight for unemployment benefits, Brian Dale, Majerle

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never claimed he was terminated without cause, nor did he ever file or threaten to file a lawsuit. Majerle did sign an at-will employment acknowledgment from the city of Gold Bar upon employment. In a September 2008 letter, Brian Dale suggested the city may not participate in Majerle's unemployment hearing. According to council member Dorothy Croshaw; in October 2008, the secret Gold Bar meeting occurred to arrange Majerle's payoff in excha nge for his silence. In late 2008 Majerle had an unemployment hearing contesting the denial of benefits; the city abdicated their duty and failed to participate and subsequently Majerle received unemployment benefits despite being terminated for gross misc onduct; in January 2009, he was given assistance obtaining new employment Hill-Pennington Pennington called the city of Bellevue and gave a "positive reference; Majerle additionally received $10,000. At the time, G. Geoffrey Gibbs's law firm, representing Majerle, had one of the largest contracts with Snohomish County, and Seth Fine and Sean Reay were in charge of criminal prosecution unit in Snohomish County. Majerle was not prosecuted for his crimes. Telephone records retrieved from Snohomish County estab lishes that Reay and Gibbs communicate on a regular basis. There was not any legitimate purpose for the benefits provided to Majerle. There wasn 't any legitimate reason not pursue criminal charges against Majerle. Majerle in late summer 2014 informed PSI Investigators that he was under an agreement not to talk about the terms of the settlement agreement. In September 2013, then Mayor Joe Beavers announced at a city council meeting that the state auditor ordered him, Joe Beavers, to deposit an additional $12, 000 + in Karl Majerle's retirement account. This was six years past Majerle's termination for cause. Joe Beavers offered no evidence at the meeting of this "order". Neither was their evidence in the state auditor's annual financial audit report to support Joe Beaver's claim. The benefits Majerle received, he was not entitled to. The agreement and authorization for payment of these funds to Majerle was misappropriation of public funds (RCW 42.20.070(1)). The agreement and payment constitutes bribery, extort ion thus a predicate act under RICO.

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9. Alleged in Block vs Snohomish County et al C14-235 RAJ: Since August 2009, Block maintains and reports on local news inside Snohomish County on a BlogSpot called "the Gold Bar Reporter" which was co-owned with anothe r Gold Bar resident, Susan Forbes. As early as 2008 and continuing to the present day, Block learned of misfeasance, malfeasance, and corruption within city and county government. Block has attempted to exercise her rights, as guaranteed by the speech and petition provisions of the First Amendment of the United States Constitution, by reporting on the activities of local city and county officials via her co-owned blog the Gold Bar Reporter.

10. Alleged in Block vs Snohomish County et al C14-235 RAJ : The City of Gold Bar, Snohomish County, and Washington State Bar Association channels its citizen's First Amendment speech and petition rights through a system of formal written public records requests and responses under Washington State's Public Records Act (RCW 42.56), as does Snohomish County and the Washington State Bar. Block as a news reporter requests, gathers, disseminates and reports on news in Washington State as defined under RCW 5.68.010. Block has been labeled as news reporter by high ranking memb ers of open government, and in September 2015 honored for her contributions in reporting.

11. Alleged in Block vs Snohomish County et al C14-235 RAJ : In early 2009, after Block filed suit against the City of Gold Bar seeking access to public records, Seth Fine, acting outside his official capacity as a prosecutor, and in derogation of his responsibility to avoid ex parte contact as a Disciplinary Board member stole from the WSBA Block's WSBA license application and investigative file. He then disseminated Block's's WSBA license application and investigative file to the City of Gold Bar's law firm, Weed, Graafstra, and Benson, Inc. The file was then further disseminated to the City of Gold Bar employees and its governing body. Fine's actions amounted to thos e of an investigator not a prosecutor or a disciplinary board member. Fine's actions violated Blocks civil rights and served no governmental purpose, and amounted to

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extortion, thus a predicate act under RICO. 3.11

12. Alleged in Block vs Snohomish County et al C14-235 RAJ : In late November 2013, Eide, acting on behalf of Defendant WSBA issued an illegal subpoena for Block 's's Gold Bar Reporter news files collected for and in preparation for publication on several political appointees from Snohomish Coun ty. None of the files collected, nor were any of the files collected from a potential or past or current client. The files Block collected were retrieved under the PRA, and many were given to Block by long-term career county employees. The WSBA's subpoena and attempts to depose and retrieve documents from Block solely on First Amendment news reporting activity and did not involve a client, only a political appointee, John E. Pennington, and his current wife, the former Mayor of Gold Bar, Hill-Pennington. W ithout legal authority to issue such subpoenas in violation Block's constitutional and statutory rights, this constituted extortion and was thus a predicate act under RICO. This also violated Blocks civil rights and served no governmental purpose. Block le arned in late 2013 that the WSBA's complainant and political appointee John E. Pennington was a personal friend to lead Counsel Linda Eide.

13. Alleged in Block vs Snohomish County et al C14-235 RAJ : Blockpublished over fifty articles about John Penningt on's incompetence, lack of credentials, and criminal history of assaulting women, to head the Department of Emergency Management for Snohomish County, and had requested access to his records starting as early as December 2008 republishing an article written by another reporter Chad Shue regarding Pennington's online diploma from California Coastal College, an online college the U.S. government reported sold diplomas at a flat rate; and another online diploma mill college U.S. Senator Tom Harkin said was no t providing education on PBS's Frontline, Education Inc.

14. Alleged in Block vs Snohomish County et al C14-235 RAJ : Public records Blockreviewed since 2009 established that John Pennington made several attempts to use his

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political influence with the Snohomish County Sheriff's Office since May 2009 to have Block charged with "cyber-stalking." Pennington's criminal complaints only complained about Block's's constitutional and statutory rights to publish articles about Pennington, a public figurre..

15. Alleged in Block vs Snohomish County et al C14-235 RAJ : In March 2009, Defendant Hill-Pennington, Pennington, Beavers, and Snohomish County to illegally access and retrieve Block's mental health history. Though they retrieved history for some other person, they falsely characterized it as hers and disseminated inside public records.

16. In June of 2009, Block filed a public disclosure request asking for all documents relating to Karl Majerle. Shortly thereafter, attorneys for AWC, who attended virtually all executive sessions of the Gold Bar City Council either in person or by phone when Chuck Lee was not present, told City Counsel members and the mayor that if they released public records to Block they would terminate their insurance. This constituted extortion under state and federal law, denial of honest services under federal wire and mail fraud statutes, and thus predicate acts under RICO.

17. Alleged in Block vs Snohomish County et al C14-235 RAJ : Additional public records documented that Penning ton criminally harassed Block on the Sky Valley Chronicle Facebook (SVC) and blog spots and through twitter. Public payroll records confirm that many of Pennington's posts on the SVC were made while on the County's payroll; and one threat to physically harm Block in December 2012 was made while being paid by FEMA in Paris, Texas.

18. Alleged in Block vs Snohomish County et al C14-235 RAJ : Block's's investigative pieces included posting police reports documenting that Hill-Pennington violently assaulted a six year child in her care leaving extensive bruises on the child's arms (public records show Mark Roe ensured this was not prosecuted); Hill-Pennington's secreting of public records involving Hill-Pennington and Pennington passing around mug shots; Penn ington's racist communication about President Obama; issues relating to John Pennington's involvement in a the rape of a 5 year

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child from Cowlitz County; and Kenyon Disend' s Special Prosecutor Sandra Sullivan (nee Meadowcraft) assisting Pennington in qua shing criminal assault charges of a third trimester pregnant Duvall City Council member, Ann Laughlin, in May 2009. Kenyon Disend, Michael Kenyon, Sandra Sullivan, City of Duvall, continue to withhold records relating to Kenyon Disend's assisting Pennington in quashing criminal charges. Snohomish County Prosecutor Mark Roe failed to prosecute Hill-Pennington for child abuse, instead, Roe emailed the child protective services (CPS) officer directing her to not pursue criminal charges. Roe's actions violated Block's civil rights and served no governmental purpose. Kenyon Disend and its employees Sullivan and Kenyon's assisting Pennington with quashing criminal assault charges in 2009.

19. Alleged in Block vs Snohomish County et al C14-235 RAJ : In June 2010, G old Bar's clerk Penny Brenton was ordered by Beavers to write WSBA complaints against Block which Dorothy Croshaw falsely certified that she had knowledge of. Brenton a paid Gold Bar contractor at the time also stated that Dorothy Croshaw paid her to writ e the WSBA complaints. Source public records from Gold Bar.

20. Alleged in Block vs Snohomish County et al C14-235 RAJ : In June 2010, Pennington wrote to Gold Bar's police chief Robert Martin asking him to charge Block with "cyber-stalking" pointing to a response one of the Gold Bar Reporters wrote to one its readers stating that Gold Bar Reporters should be afraid of John Pennington, which triggered a response that the Gold Bar Reporters were insured by Smith Wesson. Martin's superiors dismissed the comp laint as a prior restraint on Free Speech. Pennington never filed an official criminal complaint only sent an email to Gold Bar Deputy Sheriff's Officers trying to misuse his political influence to have Block charged with a crime.

21. Alleged in Block vs S nohomish County et al C14-235 RAJ : In April 2011, Beavers assisted Kenyon Disend in obtaining the contract with the City of Gold Bar for legal services. Margaret King was assigned to represent the City of Gold Bar.

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22, Alleged in Block vs Snohomish Count y et al C14-235 RAJ : One month following Kenyon Disend's contract with Gold Bar, Gold Bar's clerk Penny Brenton was ordered by then Mayor Beavers to write a WSBA complaint for former council member Dorothy Croshaw. Croshaw filed a WSBA complaint against B lock in June 2010. Public records confirm Margaret King's involvement in Croshaw complaint filed against Block was solely based on Block 's Gold Bar Reporter publications. The City admitted in a public inspection request that it was collecting Gold Bar Reporter files. In late 2010, the WSBA dismissed King, Croshaw, Brenton and Beavers complaints as restraints on Block's free speech rights that have nothing to do with the practice of law.

23. Alleged in Block vs Snohomish County et al C14-235 RAJ : In late 2 010 after receiving information that Beavers was stealing money from the City's water fund, Block filed a Recall Petition against Beavers. In early 2011, King without first seeking permission from the Gold Bar City Council filed a Motion for Sanctions against Blockfor exercising her constitutional right to file a Recall. Blockobjected noting that RCW and Washington State's Constitution only allows a City to defend a Recall Petition and provides no legal means to file a motion for sanction with tax payer mo nies on Recall Petitions. Snohomish County Superior Court Judge Krese agreed with Block dismissing King's illegal motion for sanctions.

24. Alleged in Block vs Snohomish County et al C14-235 RAJ : In late 2011, Gold Bar council member Chuck Lie (Lie) witne ssed the City's strategy inside executive meetings as a three prong approach against Block: "out money you, and when that didn't work, they moved to defame you, and when that didn't work, they moved to discredit you." Lie also witnessed that the City of G old Bar used its executive meetings for non-permissible purposes (RCW limits what an agency can discuss in executive session) and mainly talked about retaliating against the Gold Bar Reporter by shutting down the Gold Bar Reporters online news blog. Lie fu rther witnessed council members stating that any settlement agreement with Block would include a

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demand that the Gold Bar Reporter be taken down and Beavers. Lie further witnessed Beavers stating "She (Block) took Karl Majerle's license so we're going get hers!" Lie is the one who complained to the Department of Health about Majerle lying on his application file with Bellevue which resulted in his termination, not Block

25. Alleged in Block vs Snohomish County et al C14-235 RAJ : In late 2011, Gold Bar council member Chuck Lie stated "Margaret King is coming after you!" Within one week, , Margaret King, City of Gold Bar attorney, filed a Motion for Sanctions on a Recall Petition in violation of Washington State Recall laws. Recall laws prohibit the filing of Sanctions using taxpayer monies to file a Motion for Sanctions on Recall Petitions. King's actions violated Block's's civil rights and served no governmental purpose. King's actions amount to extortion, thus a predicate act under RICO.

26. Alleged in Block vs WSBA C-15-2018RSM: In January 2012, Margaret King, Michael Kenyon, and Ann Marie Soto Hill-Pennington, Pennington, and Joe Beavers met and conspired to assemble, write, and file the second WSBA complaint against Block"s WSBA license. King, Hill-Pennington and Beavers used city staff, city's public records withheld from Block for over three years. In February 2012, Gold Bar's law firm, Kenyon Disend, billed the taxpayers of Gold Bar for the WSBA complaint against Block.

27. In February, 2012, Block made a request to Duvall for public records that relate to John Pennington in any way.

27. Alleged in Block vs WSBA C-15-2018RSM: In late March 2012, Reay telephoned Block under the guise of having a CR 26 conference as it relates to a public records case. During this telephone conference Reay threatened Block and her paralegal that if Block continued to insist on deposing Pennington he would have Blockand her paralegal arrested. By doing so, Reay was not acting as a prosecutor.

28 Alleged in Block vs Snohomish County et al C14-235 RAJ : In July 2012, Block,

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having received an Order Compelling Snohomish County employees' deposition testimony, deposed Snohomish County's public records officer Diana Rose. Block Rose, Reay, Di Vittorio, Gold Bar resident reporter Joan Amenn, and a court reporter were present. Rose admitted under oath that she physically tampered with county public records, removing them from Snohomish County, delivering them to City of Gold Bar. Once Rose admitted that she committed an "injury to public records", a felony in Washington State, Blockquestioned Rose on who ordered her to remove County records. This prompted Reay to start screaming at Block to divert attention. DiVittorio ordered Rose not to answer Block's questions. Reay and DiVittorio's actions violated Block's civil rights and served no governmental purpose.

29. In February 2013, the Snohomish County Daily Herald, acting on information provided to them by Block exposed Snohomish County Executive Officer Kevin Hulten for criminally harassing Block.

30. Alleged in Block vs Snohomish County et al C14-235 RAJ : In late February 2013, Block sends Snohomish County a litigation hold demanding that the county preserve all record in native format with metadata as it relates to her. Snohomish County Council refers the Hulten investigation to the King County Major Crimes Unit who confirms that the Herald's story was "right on target." According to King County Major Crimes Unit, Hulten used a "wiping program" in March 2013 to destroy evidence only after receiving Block's's litigation hold. From King County's Major Crimes Unit files from Reardon investigation, public emails between Reardon's executive officers confirmed that Snohomish County executive officers were authors on the Sky Valley Chronicle, an online news site which not one person identifies who is writing. In April 2013, Block receives a news tip from a person alleging to be a Snohomish County insider stating that Pennington and his public records officer Diana Rose (Rose) created a diversion to expose Snohomish County Executive Aaron Reardon's affair with a county social worker named Tamara Dutton. According to the source, this was done because Reardon's affairs were about to become

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public and Deanna Dawson threatened Reardon that if he exposed her, she would take him down. The Washington State Patrol (WSP) was investigating Reardon for misappropriation of public monies and had interviewed Dawson about her affair with Reardon. Dawson denied she had an affair with Reardon even though public records from Washington State's Public Disclosure Commission (PDC) documented Dawson was traveling with Reardon in France. In late April 2013, Block published “The Stoning on Tamara Dutton" in April 2013 alleging for the first time that Pennington and Rose assisted Dawson with covering up her extra marital affair with Snohomish County Executive Reardon, throwing Dutton under the bus to protect Dawson. Block learned in the summer of 2013 that Rose was a very close friend to Dawson.

31. Alleged in Block vs Snohomish County et al C14-235 RAJ : In May 2013, Block's private investigators provided Block with a 30 plus year background search on Pennington. This investigation concluded that Pennington was kicked out of a church in San Diego California for molesting two boys during a church camping trip, he is the only suspect in the rape of a five year old girl from Cowlitz County Washington, picture documents he is molesting his step daughter, and a witness, Ann Laughlin declared under oath that she caught Pennington taking naked showers with his genitalia hanging in the face of a six year old girl (declaration filed in King County Court). As a result, Block published a story about how Snohomish County DEM John Pennington was kicked out of church after two boys made sexual abuse allegations against him. Instead of denying any of the allegations Block has leveled against Pennington and suing for defamation in the proper forum should he believe the allegations were false, Pennington filed a series of WSBA complaints in an attempt harass, intimidate, and interfere with Block's income and business, as well as silence Block. Pennington filed these complaints directly with his personal friend and WSBA lead counsel, Linda Eide, stating that Block's publications were "beyond the pale." A careful review of past Gold Bar council meetings confirmed that the phrase "beyond the pale" was used by Hill-Pennington on a regular basis. Block answered Pennington's

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complaint affirming under oath that she contacted Pennington for comment prior to publishing any of her stories, and Pennington was a political appointee not a client, thus Block's answer to the WSBA was that it had no jurisdiction in this matter. Block further asserted New York Times v Sullivan, and suggested to the WSBA that if Pennington believes that we've defamed him, then he should file a defamation suit. Public records confirm that Pennington used government resources inside Snohomish County for the WSBA complaint.

32. Alleged in Block vs WSBA C-15-2018RSM: On June 1, 2013 John Lovick is appointed Snohomish County Executive. Since Block filed her last complaint, she has learned through public records that Snohomish County DEM, Pennington, was not trained, supervised, disciplined, or adequately screened for employment with Snohomish County. Since 2015, Block has reviewed thousands of public records relating to Pennington and has found no evidence that Pennington was trained, supervised, disciplined, nor was adequately screened. Public records show that Pennington received no civil rights training. Pennington was on paid-administrative leave since April 2014 until terminated by Snohomish County Executive Dave Somers in 2016. Pennington was never disciplined for his conduct as stated herein, even though Block produced voluminous evidence to Snohomish County to support discipline and in March 2014, then Council Member Dave Somers, stated in an email to Block that the County never ran a background check on Pennington and he didn't know why. As Snohomish County Executive, Lovick continued disgraced and ousted former Snohomish County Executive Aaron Reardon's policies including the policy “Let Pennington Do as He Pleases” and the policy “Get Anne Block”.

33. Alleged in Block vs Snohomish County et al C14-235 RAJ : In July 2013, Hill-Pennington sent Block a "tweet" stating "can't wait to go to your disbarment hearing." Block responded to the WSBA stating that she stands by her articles on Pennington, left the door open for Pennington to contact the Gold Bar Reporters for a retraction, and further asserted her

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constitutional rights to be left alone in her private affairs that do not involve a client, only a political official who Block as an investigative journalist has been reporting on for corrupt acts of child and criminal assault since August 2009. The WSBA assigned lead counsel Linda Eide. Linda Eide is a first relative to Senator Tracey Eide. Tracey Eide and Pennington are personal friends. Public emails from Snohomish County confirmed that a personal relationship exists between Pennington and WSBA Eide. In the middle of September 2013, the SVC published a story asking the general public to file WSBA complaints against Block. The SVC also stated that it would be filing its own WSBA complaints. Pennington is the only person who filed and signed the WSBA complaints. In November 2013, WSBA Eide issued a "subpoena seeking all Gold Bar Reporter files relating to Pennington and Hill-Pennington. All property records for a website owned by Block and all non-clients of Block. Eide also issued a subpoena for Gold Bar Reporter files and the deposition of Block in the same. Edie unilaterally scheduled the deposition for December 6, 2013, even after being notified that Block had been diagnosed with severe diverticulitis, unable to walk, thus disabled.

34. Alleged in Block vs Snohomish County et al C14-235 RAJ : In August 2013, Gold Bar Reporter's co-owner Susan Forbes contacted the WSBA stating that the Gold Bar Reporter have never sued for defamation, but if the Gold Bar Reporters got their Pennington story wrong we will retract; she left her contact information for Pennington but clearly stated that she will not retract anything until Pennington answers some questions. Pennington never requested a "retraction" and he never responded to Forbes's letter to the Washington State Bar Association in this matter.

35. Alleged in Block vs WSBA C-15-2018RSM: Summer 2013, Block learned from Snohomish County public records that Pennington was a personal friend to WSBA Eide. As a result, Block sent WSBA Ende a letter informing him of the personal relationship between Eide and Pennington requesting that Eide be removed Block's disciplinary investigation. Ende denied

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any such relationship between Eide and Pennington and refused to remove Eide.

38. Alleged in Block vs WSBA C-15-2018RSM: On December 3, 2013, Block sent an email to Eide, "objecting" to the WSBA subpoena for records and deposition relating to the same, asserting again that it had no legal right to citing First Amendment,Media Shield (RCW 5.68.010) and in violations of her constitutional rights. She also requested a continuance because she was not in the state and had not enough time to prepare her files. Eide ignored Block's December 3, 2013, objection letter and held an ex-parte deposition on December 6, 2013, even though Enforcement of Lawyer Conduct ("ELC") 5.5 mandates that once Eide received an objection, she was mandated to suspend the deposition until she could obtain a court order. Eide refused to grant a continuance because the WSBA had already agreed to change its rules on January 1, 2014 because a federal judge ruled the type of depositions Eide was trying to conduct were unconstitutional. In late 2013, Washington State's Legislature under RCW 5.68.010 mandated that 'no agency with subpoena power can issue a subpoena for media files;" and the WSBA Rules of Professional Conduct ("RPC") had no provision to oversee lawyers First Amendment rights or news reporters on issues not relating to the practice of law. Acting without authority of law, Eide unilaterally sent her request to a WSBA review committee asking for an investigation in the middle of February 2014 asking for the committee to charge her for obstruction for refusing to come to the unconstitutional deposition. One day prior to the review committee meeting, Eide sent Block a notice asking her if she wanted to submit any evidence. Block submitted the December 3, 2013letter notifying the WSBA that she objected in violation of RCW5.68.010, attorney-client communication, and her First Amendment rights as a news reporter.

36. Alleged in Block vs WSBA C-15-2018RSM: On February 14, 2014, a WSBA review committee issued a formal complaint against Block based solely on Eide 's unconstitutional subpoena. Eide then sent Pennington a copy but not the Block. It was immediately published it on the Sky Valley Chronicle site. Block immediately contacted Eide

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asking why she disseminated a copy of non-public record before serving a copy on the WSBA member. After receiving Block's complaint email, Eide sent a server to Block's house around 9:45 p.m. According to public records reviewed from the WSBA and a witness neighbor, the server, , John Doe, intentionally breached the peace hoping that someone would call the police. A neighbor who lives directly across the street from Block witnessed the breach of peace, came over to John Doe and told him to leave or he would be removed. The next day Block inspected her front door and noticed that the WSBA server caused extensive damage to the wood frame of Block's front door. Block's partner repaired the door and placed a metal plate around the wood frame to secure the door.

37. Alleged in Block vs WSBA C-15-2018RSM: On February 19, 2014 Court appointed investigator and special master to assist the Superior Court in Stevens County concluded that O'Dell had committed ethical violations and refused to account for funds that she had gained control over in her role as a limited guardian of a vulnerable adult, Paula Fowler. The unaccounted for funds were several hundred thousand dollars and remain unaccounted for at the time of filing of this suit. The court eventually found that O'Dell failed her duties as established by statute or standards of practice adopted by the certified professional guardian board and ordered the guardianship ended. O'Dell refused to resign as trustee and still refuses to account for the funds under her control. In addition public disclosures obtained by Block show that O'Dell has exploited another vulnerable adult Harry Highland, when she paid $15,000 for Highlands house that was assessed at $208,000.00 in Spokane County. O'Dell and Plivilech had lived in the house at the time C-15-2018RSM was filed.

38. February 27th, 2014 Block Requests "All letters written, drafted, or sent by Crystal Hill, Joe Beavers, Florence Davi Martin, and Christopher Wright. Please limit your search from January 1, 2009 to Present. This is a purposefully broad request seeking to gather all records which in any way relates to this PRR. For email communication, I am requesting all records be

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provided in native searchable format including metadata, and for all other records, I am requesting records in native format including metadata. See Shoreline."

39. Alleged in Block vs WSBA C-15-2018RSM: March 3, 2014, O'Dell is appointed by Nappi, from 54 hearing officers on the hearing panel. Nappi and O'Dell have a mutual undisclosed conflict of interest: O'Dell routinely refers vulnerable adult cases to the firm, Ewing Anderson, P.S.; Nappi works for Ewing Anderson, P.S. Neither O'Dell, nor Nappi disclosed this conflict of interest.

40. Alleged in Block vs WSBA C-15-2018 RSM: The WSBA has a long history of fixing cases in advance by paying the chief hearing officer $30,000 a year to pre-select judges to ensure conviction. This is the only primary duty that the Chief Hearing Officer has over other hearing officers who are "volunteers". O'Dell was chosen primarily for three reasons. First, she owned a construction company that profited from contracts that should have never been allowed because the construction took place on the Oso mudslide site. Since Pennington approved the permits, she would be a natural ally of him. Second, she also ran a partnership which allowed her to exploit vulnerable adults as a guardian and trustee and on probate; she would refer those cases to Ewing Anderson, P.S., Nappi's employer. Finally, and most importantly, she was chosen to fix the case against Anne Block in return for the bar not prosecuting bar complaints against her so she could continue to exploit and profit from her unethical actions as a guardian and trustee. The exchange of the conviction of Anne Block in exchange for her immunity from her illicit actions as a guardian constitutes bribery and a predicated act under RICO.

41. Alleged in Block vs Snohomish County et al C14-235 RAJ : On March 22, 2014, the OSO mudslide occurred resulting in the deaths of 43 people. At the time Pennington was on the east coast being paid by Snohomish when he was under contract for PEMA Emergency Institute. He doesn't get back until March 24, 2014 according to public records obtained by Block. Block immediately published articles critical of Pennington in his DEM role, including

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an “I told you so” statement on the Gold Bar Reporter referring to the warnings Block had published prior to the Oso deaths that Pennington, in the role of DEM, needed to be immediately terminated lest lives be lost in a future disaster due to his incompetence.

42. Alleged in Block vs WSBA C-15-2018RSM: In late March 2014, O'Dell and Plivilech set up USPS Box # 70 in Duvall Washington located within three blocks from the Penningtons' home in Duvall. O'Dell and Plivilech live in Spokane, four hours away, and had no previously known ties to City of Duvall. The Duvall postmaster (retired) stated seen Hill-Pennington accessing a post office box in Duvall. Block's investigation revealed neither Hill-Pennington, nor Pennington had a USPS Box in Duvall in March 2014.

46. Alleged in Block vs WSBA C-15-2018RSM: At the end of April 2014, Block notified the WSBA and the Washington State Supreme Court that she would not be renewing her license and would be disassociating with the WSBA. On May 1, 2014, the Washington State Supreme Court signed her request to dissociate with the WSBA. Post May 1, 2014, Eide and O'Dell continued to threaten Block via email and mail, attempting to unlawfully assert jurisdiction over Block's First Amendment protected activities that do not relate to RPC or clients, but only relat e to Block's political news reports on the Gold Bar Reporter

43. Alleged in Block vs WSBA C-15-2018 RSM: In May 2014, after being notified that Block does not waive personal and subject matter jurisdiction to the WSBA, Block notified O'Dell and Eide that she would be out of state on business for two months. O'Dell unilaterally set discovery for a three week period during the time that Block would be out of state. O'Dell and Eide refused to answer a single discovery request issued by Block.

44. Alleged in Block vs WSBA C-15-2018 RSM: In early May 2014, without waiving personal and subject matter jurisdiction, also noting that Block was no longer a member, Block agreed to participate in settlement conference with Eide. The conference amounted to Edie trying to extort Block's democratic rights, alleging that Block does not have the legal right to

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disassociate with the WSBA under the First Amendment. Block again noted that the WSBA has no jurisdiction over Block's First Amendment rights to report on Penningto n, and now the corruption inside the WSBA.

45. Alleged in Block vs WSBA C-15-2018 RSM: In early May 2014, after successfully "disassociating " with the WSBA by having the Washington State Supreme Court sign her suspension order for non-payment of fees and noncompliance of CLEs, Block finally agreed to speak with Lin O'Dell but at all times without waiving her personal and subject matter jurisdiction. Block's again noted that she was no longer a WSBA member and had disassociated as a result of being crimin ally harassed by Pennington with the assistance of the WSBA. This was the first time Block had any communication with O'Dell. During this telephone conversation, Block called O'Dell a thief and noted that the Gold Bar Reporter discovered that she was stea ling elderly clients' homes. Block also told O'Dell to "go pound sand! I'm not a member of your corrupt organization any longer, so don't contact me again!" At the end of June 2014, Eide had ex-parte communication with Reay trying to quash a legally issued CR45 subpoena Block issued for Pennington's deposition testimony. Source is public phones records. RPC prohibits the WSBA Hearing Officer from having ex-parte contact with the Office of Disciplinary Counsel. Block filed WSBA complaints against Eide, O'Del l and Reay, and Ronald Schaps. Without investigating a single allegation, WSBA dismissed plaintiff 's complaints in late 2014.

46. Alleged in Block vs WSBA C-15-2018 RSM: Early June 2014 Reay acted outside official County duties, made ex-parte contact with Eide. Block issued a CR 45 subpoena for WSBA witness, John Pennington. Shortly after Pennington is served, Snohomish County Prosecutor, Sean Reay, acting outside his official County duties and acting as personal attorney for WSBA witness Pennington, did use County resources to make ex-parte email contact with Eide requesting Eide quash the subpoena. Block sent a public records request to Snohomish

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County seeking records relating to official duties of Snohomish County Prosecutors and all records that relate to other bar complaints the prosecutors have participated in. Snohomish County responded that no responsive records exist.

47. Alleged in Block vs WSBA C-15-2018 RSM: June 2014 Eide, ex-parte contact with O'Dell Shortly after Reay contacted Eide to quash the subpoena, Eide made ex-parte contact with O'Dell who then issued a quash order.

48. Alleged in Block vs WSBA C-15-2018 RSM: June 2014 Eide unlawfully redacts records When Block learned a quash order was issued for the subpoena shortly after the subpoena was served, Block requested Eide's telephone records. Eide unlawfully redacted the phone records for the ex-parte contacts with O'Dell claiming attorney-client privilege.

49. Alleged in Block vs WSBA C-15-2018 RSM: June 30, 2014 O'Dell and Eide hold another ex-parte telephone communication. Source is public phones records from the WSBA. O'Dell then sets a hearing date for three weeks later on July 21, 2014. Block was not notified nor consulted in scheduling the hearing date, time, or location. RPCs and ELCs prohibit the WSBA Hearing Officer from having ex-parte contact with the Office of Disciplinary Counsel.

50. Alleged in Block vs WSBA C-15-2018 RSM: Defamation July 2014, Reay authored knowingly false, and libelous statements, intended to defame and marginalize Block, and published them inside public records that have been archived into digital on-line publications which have been further re-published and disseminated. Those false statements, which continue as published records today, including public records, that caused Block damages, although not all-inclusive, the statements include:

(1) That Block is “delusional”.

(2) That Block “accosted” Reay.

51. Alleged in Block vs WSBA C-15-2018 RSM: First week of July 2014 The Sky Valley Chronicle defames Block. While WSBA failed to notify Block of upcoming hearing, the

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Sky Valley Chronicle, registered to Ron, did receive a hearing notice. The Sky Valley Chronicle then posted a story stating a hearing was scheduled on July 21, 2014 for Ms. Block's "misconduct as an attorney" which is how Block learned of the scheduled hearing. Block has never committed "misconduct as an attorney". As of today, the Sky Valley Chronicle has meta-tagged Block in Google publishing that the "WSBA wants Anne Block disbarred". Several members of the WSBA were contacted and stated that the Sky Valley Chronicle never contacted them and such publication is defamation per se. Since February 13, 2012, the Sky Valley Chronicle has published more than 100 defamatory articles about Block which remain published to this day.

52. Alleged in Block vs WSBA C-15-2018 RSM: July 2014 WSBA denies reasonable accommodation request, precludes Block from participating in Hearing. July 21, 2014 Eide, O'Dell, Nappi held ex-parte hearing. When Block learned via the Sky Valley Chronicle about the scheduled July 21, 2014 hearing, Block immediately contacted the WSBA. Block, without waiving personal and subject matter jurisdiction, requested a reasonable accommodation of a telephone hearing so that Block could use special equipment to accommodate her disability so she could participate in the hearing. Eide did not want the Block to appear telephonically, and for some reason the Block does not understand, wanted Block to appear in a separate room. This was the only option Block was given by the WSBA. The WSBA refused to engage in the "interactive process". Block then emailed Eide and said she would be unable to participate due to the refusal for accommodation. Eide responded with a phone number for Block to call on the day of the hearing. Block called, as instructed, but was muted out of the hearing, which Block asserts was retaliatory. O'Dell, in her Findings of Fact and Conclusions of Law, while admitting "the volume was turned down", mischaracterized it as "very slightly" whereas witnesses state Block was "muted out". Additionally, the WSBA entirely muted or disconnected Block. O'Dell lied in the Findings of Fact and Conclusions of Law stating Block terminated the call. When Block was not responded to when she tried to communicate, which involved objections, and offering evidence,

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she set down her headset and tried to call into the hearing from another number three times over a 7 minute period but reached voicemail each time. Block's objections and evidence were never acknowledged. O'Dell and Eide later used Block's disability as a basis to further the discipline and pre-determined disbarment against Block. Block asserts the refusal to make a reasonable accommodation was further retaliation for Block exercising her statutory and constitutional rights.

53. Alleged in Block vs WSBA C-15-2018 RSM: In August 2014, Gibbs, as a WSBA Board of Governors " BOG" had ex-parte contact with the ODC to influence the disciplinary proceedings against Block vio lating the RPC; Gibbs has a connection with John Pennington; Gibbs has committed fraud on Snohomish County Citizens; WSBA disciplinary breach of process; WSBA deceives the public. In August 2014, while serving on the WSBA Board of Governors, Gibbs contacte d WSBA ODC member, Jean McElroy, via email, complaining about Block's First Amendment protected activity. To wit, news reports on the Gold Bar Reporter about Gibbs ' corruption as it relates to Snohomish County. Gibbs has significant motive to seek to supp ress Block's exercise of free speech as it relates to Gibbs specifically.

54. Block asserted in the Gold Bar Reporter blog that Gibbs is the reason why Snohomish County yields over 40% of disbarred lawyers in Washington State, that Gibbs had committed fra ud upon the Courts, and stole land misusing his influence in his various positions and with Snohomish County Superior Court to steal land from Carolyn Riggs. RPC prohibit ex-parte contact between any WSBA Board member and an ODC member when there is an ac tive investigation.

55. On the Arbitrator Application and Oath, 9-16-2010, Gibbs filed false statements.

Question 3 on the "Supplemental" Are you now, or have you ever been a party in a civil lawsuit? Gibbs ' response: " Everett Events Center Special Distr ict; Snohomish County (condemnation action to acquire land for Everett Events Center)"

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Question 4 on the " Supplemental" Have you ever been the subject of professional discipline of any type by the W.S.B.A. or other Bar Association or other professional regulatory body or agency? (Emphasis added) Gibbs' response: "No."

Gibbs failed to include on questions 3 and 4: several lawsuits involving him including a lawsuit filed against him in June 1990 by the Washington State Attorney General, Ken Eikenberry, relating to illegal lobbying acts and improper reporting of more than one-hundred thousand dollars. Gibbs was found guilty. The Attorney General issued a statement, published in the Seattle Times, that Gibbs conduct was fraud. The Attorney General found Gibbs ' hidden money in offshore accounts and then forced Gibbs to pay his judgment. Gibbs sought to have the records in these matters sealed.

56. The Public Disclosure Commission (" PDC") permanently revoked Gibbs ' lobbying license. They also contacted the WSBA seeking Gibbs disbarment for his illegal conduct.

57. Gibbs was also sued by the Washington State Food Dealers Association, filed February 8, 1990 in King County claiming $292,728 in damages, accusing Gibbs of using association funds for personal use. Gibbs and his law firm sought a secrecy order, having the records sealed. The Seattle P-I joined by KIRO, Inc. successfully challenged to have the records unsealed.

Additionally, in approximately 1998 Gibbs donated to John Pennington 's " Friends of John Pennington" legislative representative campaign through the lobbying group Food Dealers Association of Washington.

58. Curiously, at the time Block filed Block vs WSBA C-15-2018 RSM, Gibbs was not disbarred for his illegal conduct and the WSBA lists no disciplinary history for Gibbs. More astounding was that Gibbs was an active member of the WSBA, and had either currently or formerly (post fraud conviction) the Treasurer for the WSBA, the Chair of the WSBA Budget and Audit Committee, the Chair of the Investment Committee, the Chair of the Task Force to Revise Rules for Enforcement of Lawyer Conduct, Liaison for the Civil Rights Section, member

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of the WSBA Rules of Professional Conduct Committee, and member of the Board of Governors, as well as numerous o ther positions of authority and influence with the Snohomish County Bar Association and Snohomish County Courts. He is also an " active market participant" within the Anderson Hunter Law Firm, P.S. W hen Block filed a bar complaint against Gibbs the WSBA ignored it.

59. Alleged in Block vs WSBA C-15-2018RSM: O'Dell False Statements September 2014. Although not all inclusive, the following are some of the false statements:

(a) Page 1, ll. 11-12, O 'Dell claims Block attended hearing telephonically which a fa lse statement is. O 'Dell first muted, and then disconnected Block, thereby excluding her from the hearing in both actions.

(b) O'Dell lists three (3) formal charges, none of which are in anyway the subject matter of the original bar complaint or supplemen tal complaints. And, in fact, none of these formal charges are true.

1. As to COUNT 1, Block never " certified that no grievance investigation was pending" when she disassociated and chose to not renew her license, pay dues, or provide proof of insurance. Block did attest that no client filed a complaint when she added to contract "So long as the issue being investigated pertains to a former client". Block has the right to modify contracts. Berg vs Hudesman 115 Wn. 2d 657 (1990).

2. As to COUNT 2, Block filed a motion for a Protective Order on her media files, which the WSBA illegally demanded access to. The motion was never ruled on; it was entirely ignored. O'Dell does not have the authority to rule on that motion and should not have proceeded until that motion was ruled on by the court. As to the deposition, December 3 rd, 2013 Block sent Eide an objection letter stating she would not be appearing at the deposition scheduled December 6, 2013 citing RCW 5.68.010 (media shield) and First Amendment grounds a nd attorney-client protected communication. Media Shield states that any agency with subpoena power seeking deposition of

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a news reporter or media files must seek a subpoena from the court first. The WSBA in December 2013 had neither power nor authority to seek media files. Eide ignored RCW 5.68.010 and unilaterally held an ex-parte deposition on December 6, 2013. ELC 5.5(e)(2) states that " a timely objection suspends any duty as to respond to the subpoena until a ruling has been made." There was no ruling made. The duty is on the WSBA to get a Court order, not on the respondent lawyer.

3. On September 10, 2014 O 'Dell published a false statement of unprivileged communications in Findings of Fact, Conclusions of Law, on page 8, ll. 5-9, O 'Dell made the following false statement, " The Respondent had no intention of testifying in a deposition or answering interrogatories regarding the allegations she made against the Grievant and others" . O'Dell presumed to know the mind and thoughts of the Block, when in fa ct the Block was acting ethically and responsibly in protecting her media files, sources, and attorney-client protected communications, all permissible legal claims under RCW 4.24.510 and the First Amendment to the United State Constitution. The WSBA had no authority to access Block 's media (news) file files and the duty was on the WSBA to get a court order to overcome the law that protects such files. RCW 5.68.010. See also Republic of Kazakhstan v. DOES 1-100, 368 P. 3d 524 - Wash: Court of Appeals, 1st Div. 2016 192 Wash. App. 773 (Bloggers protected under Washington State's Media Shield laws. Court cannot issue a subpoena without a court order).

4. On Page 2, ll. 24-26, O 'Dell states the hearing continued without Block on the line. O'Dell falsely state s the respondent purposefully attempted to disrupt the hearing by discontinuing the call. There is no argument that the hearing continued without the respondent able to fully participate, which was improper, but the action that disrupted the hearing was that of the WSBA by excluding the respondent by way of muting the respondent and then by entirely disconnecting the respondent.

5. On Page 2, O 'Dell falsely asserts "the association had given her several options…" as

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it relates to Block's request for a reasonable accommodation at the July 21, 2014 hearing.

6. On Page 10, ll. 2-8, O 'Dell states "Respondent spent the next month responding to the Grievant with professional and personal attacks against him and his family. She was asked by the association to v erify her responses and refused to do so by feigning legal documents to deny further investigation. These actions caused serious harm to the legal system in general and to Mr. Pennington specifically. It is my opinion Respondent did actual harm to this Gr ievant…." These are false statements, and the WSBA had not charged Block with Pennington's grievance, only for objecting to the WSBA 's overbroad subpoena seeking the Gold Bar Reporter 's media files without a court order and in violation of the First Amendm ent to the United States ' Constitution. This was a false statement.

7. On Page 12, ll. 17-19, O 'Dell states " Respondent filed no supporting documents in defense of allegations set forth in the formal complaint." Block 's submitted over 1700 pages of Exhibits, certified delivered to O 'Dell in Spokane and a copy to the WSBA in Seattle. O 'Dell statements were false.

8. On Page 13, ll-12, " The Respondent continued to attempt to engage the Hearing Officer in exparte communication. Ex 86. In late May 2014 she began emailing the Hearing Officer with " evidence" or " exhibits". Block made no attempt to engage in ex-parte communications. On Saturday, May 24, 2014 Block submitted exhibits to both Eide and O 'Dell per Eide 's request. Block was not previously suppli ed any scheduling order. Regardless, there was no attempt at ex-parte communication as Block submitted evidence to both parties simultaneously.

9. On page 14, ll. 3-7 O 'Dell states, " She refused to respond to the allegations in the formal complaint, BF1 6. instead diverting her issues to the Grievant, Snohomish County Officials, WSBA, ODC staff, the Hearing Officer, the Chief Hearing Officer, and Gold Bar Officials."

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10. On page 14, ll. 19-21, O 'Dell stated " The Respondent has threatened Linda Eide…and Julie Shankland, assistant general counsel..." O'Dell's statement is a demonstration of acting with reckless disregard to the true statements Block made, which were that she intended to sue the WSBA, naming specific persons, not that Block ever threatene d to physically harm anyone.

11. O'Dell states in the July 21, 2014 hearing transcript, page 19 that Block's motion for a protective order was filed on May 28, 2014 and the motion was denied: Block 's motion was ignored and never ruled on. O 'Dell does not have the authority to rule on that motion and should not have proceeded until that motion was ruled on by the Court.

12. O 'Dell states in the July 21, 2014 hearing transcript, page 19, that she will issue a written decision in the form of Findings of Fac t, Conclusions of law 20 days after the hearing is concluded. She did not issue the Findings of Fact and Conclusions of Law until September 10, 2014--51 days later

NB: the original and subsequent bar complaints by " witness" John Pennington were entirely ba sed on the published content on the Gold Bar Reporter Blog, which is First Amendment protected Activity.

Content related to John Pennington was specific to him as a government official and his actions that caused him to be unfit to serve in that capac ity. O'Dell falsely states Pennington is a private citizen and separates him from government officials.

61. Alleged in Block vs WSBA C-15-2018RSM: Pennington filed at least six (6) bar complaints in 2013 over the course of 43 days about Block's First Amendment protected activity. The WSBA failed to list Pennington as a " Vexatious Grievant" and failed to enter an order restraining Pennington from filing grievances for engaging in a "frivolous [and] harassing course of conduct" as to "render the grievant's conduct abusive to the disciplinary system". See ELC5.1 In contrast, when another public employee, in this case an employee for the City of Gold Bar, filed a bar complaint against Block in 2010 also complaining about Block 's blog, the WSBA

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response was that Block's conduct was protected free speech which they neither condemned nor condoned. They further instructed Ms. Croshaw to take her complaint to the proper forum if she felt she had been defamed; the WSBA was not the proper forum. Block asserts Pe nnington has misused his influence in his formal capacities to alter the course of the WSBA.

62. On September 8th 2014, Sara DiVittorio when Joe Beavers asked for a lengthy public request, respondent reply not only within hours but provided docs as well. The public disclosure act requires the agency to treat each patron equally. This demonstrates that Beavers receives within hours, what it takes years for Block to receive. Also, Sara DiVittorio is and in a previous case was a RICO enterprise associate a nd should have not been taking part in the public disclosure process.

63. Alleged in Block vs WSBA C-15-2018RSM: September 2014 O 'Dell tells Paula Fowler Johnson that Anne Block will be disbarred; Abuse of Process.

O'Dell's client, Paula Fowler Johnson, contacted Block through her Gold Bar Reporter blog approximately September 2014. Prior to this contact, Block was unaware of Paula Fowler Johnson and her relationship with O 'Dell. Fowler Johnson related a conversation to Block that occurred between Fowler Johnson and Lin O 'Dell wherein Fowler Johnson was in her attorney, Richard Wallace 's office, with Lin O 'Dell. (After the contact from Fowler Johnson, Block obtained a statement from Paula Fowler Johnson through Block's investigators.) Fowler Johnson, who objects to O 'Dell being her guardian, made a statement to O 'Dell to the effect that O 'Dell could not be her guardian because she was a in a RICO suit. O 'Dell responded that Fowler Johnson need not concern herself with that as Anne Block will be disbarred.

64. Alleged in Block vs WSBA C-15-2018RSM: In September 2014, O'Dell continued to issue wire and mail threats, and used Block 's free speech statements against her by placing those statements (made only after Block was no longer a member) into her findin gs of fact to warrant disbarment. O'Dell also placed for the first time in the WSBA record a false statement and

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finding that Block lied about Pennington causing him harm. Since there was no such evidence in the WSBA record documenting that Block lied abo ut Pennington, Block objected noting that this not only violated Our U.S. Supreme Court's holdings Re the Discipline of Ruffalo but also violated Block's 14 th Amendment due process rights to be given notice and meaningful opportunity to respond. Block stand s by every article published, and the WSBA file contains no evidence in support of O'Dell's findings that Block lied about Pennington.

65. Alleged in Block vs WSBA C-15-2018RSM: In late 2014, Block learned from Snohomish County public phone records that o n May 8, 2014, at 1:29 PM, and at 2:35 PM, and 3:28 PM, Sean Reay made ex-parte contact with WSBA Disciplinary Counsel WSBA members at 206-733-5926. Reay is an employee of Snohomish County assigned to prosecute claims brought against the County not monit or WSBA complaints.

66. Alleged in Block vs WSBA C-15-2018RSM: Additional public phone records from Snohomish County also established that On May 13, 2014, at 1:40 Sean Reay called Kenyon Disend, a city attorney for Gold Bar and for the City of Duvall.

67. Alleged in Block vs WSBA C-15-2018RSM: On May 30, 2014, 1:00 PM Sean Reay called WSBA Linda Eide at 206-733-5902. This ex-parte contact provided no valid governmental purpose and was solely to conspire to harm Block solely based on Block's protected acti vities. There was no governmental purpose for a Snohomish County Prosecutor to be calling the WSBA lead counsel Eide or Alison Sato on Block 's case while using county resources and while on the county's payroll. Reay was acting outside his official duties as Snohomish County prosecutor.

68. Alleged in Block vs WSBA C-15-2018RSM: In June 2014, a blogger from Snohomish County contacted Block informing her that WSBA Eide was in fact a first relative to Senator Tracy Eide. Senator Tracy Eide is a personal fri end to Aaron Reardon and John Pennington.

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69. Alleged in Block vs WSBA C-15-2018RSM: In July 2014, the WSBA become subject to sunshine laws of Washington. Block sent the WSBA a public records request seeking all records relating to who assigned WSBA hear ing officers. Block received email communication between Chief Hearing Officer Joseph Nappi Jr. and Yakima attorney and WSBA hearing Officer David Thorner discussing how they would pre-decide cases prior to trial, just as they had inside a training sessio n about the Marjia Starwecski complaints. Two WSBA complaints filed against Starwecski were written by WSBA Board member G. Geoffrey Gibbs, but filed anonymously filed with his colleagues inside the WSBA ODC.

70. Alleged in Block vs WSBA C-15-2018RSM: Block is a person with documented major life impairment as defined by the Americans with Disabilities Act (ADA), requested a reasonable accommodation for the July 21, 2014 hearing which the WSBA ignored. Block filed an Equal Employment Opportunity Complaint (EEO) with the Seattle District Office. The EEO issued a right to sue letter, dated on September 25, 2015, which Block received by October 1, 2015.

71. Alleged in Block vs WSBA C-15-2018RSM: In late 2014, Block filed WSBA complaints against Lin O'Dell, Lind a Eide, and Sean Reay for ex-parte communication in violation of Washington Rules of Professional Conduct. WSBA assigns Ronald Schaps to investigate bar complaints Block filed against O 'Dell Eide and Reay. Schaps admits in letter that he did not investigate Block's WSBA complaints.

72. Alleged in Block vs WSBA C-15-2018RSM: Pennington defames Block and engages a Stratfor contractor to stalk Block, misuses County resources for personal reasons. In early April 2015, Block reviewed public records from Snohom ish County Dept. of Emergency Management (DEM) which included emails between John Pennington and Steve McLaughlin, between March 23, 2014 (immediately following the Oso Mudslide deaths) and July 29, 2014. Block had been actively engaged in blogging about Pennington's incompetence as Snohomish

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County's DEM and the recent deaths of the 43 Oso Mudslide victims as well as other exposes on Pennington. John Pennington, using county resources (county computers on county time) emailed Steve McLaughlin, a Snohomish County " vendor" per Snohomish County payment warrants, defaming Block stating as a matter of known fact, that Block is a " stalker", a "soon-to-be disbarred attorney" , and that Block also goes by the name " Michael Broaks" . Steve McLaughlin, of " Sound and S ee" is a Stratfor agent. Stratfor is a private company previously exposed as a private, global secret police force, based in Texas, that provides confidential intelligence services to large corporations and government agencies, has a web of informants, engages in payoffs, and payment laundering techniques.

73. Beginning in January 2015 and continuously until the present date, approximately 4 times a week, agents of AWC began stalking Anne Block by having cars following her 4 times a week and putting agents outside of her office. She took pictures several times and on one occasion was able to get a snapshot of the license plate number that was traced back to AWC.

74. Alleged in Block vs WSBA C-15-2018RSM: In March 2015, Block acting in capacity as a journa list began investigating the Penningtons involvement with the Duvall Children's Community Theater. Block had ample reason to believe that Pennington is responsible for the rape of a 5 year old child from Cowlitz County, and is raping his step-daughter (JH), Block requested access to records from the Duvall Community Theatre seeking to know if they ran criminal background checks on Hill-Pennington Pennington and John Pennington prior to allowing both access to children. In the middle of March 2015, acting o n personal legal advice from Snohomish County Prosecutors Mark Roe and Sean Reay, John Pennington and his wife Hill-Pennington Pennington field a false police report and lodged an intentionally false 911 complaint trying to cover up that PSI investigators while trying to serve a CR 45 subpoena learned that the Penningtons' were guilty of child endangerment leaving three minor children home alone. Although the City of Duvall police officers are under a mandate to report child

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neglect, the City of Duvall when requested for records relating to their mandated child protected services report admitted that no report was ever filed with Washington State Child Protected Services.

75. Alleged in Block vs WSBA C-15-2018RSM: March 2015, The Penningtons filed criminal complaints with the City of Duvall because I, as a licensed attorney in other districts, exercised my legal rights under CR 45 subpoena power to depose Hill-Pennington in a public records case filed seeking access to public records Hill-Pennington continu e to withhold and possess under RCW 42.56. In the middle of March 2015, Duvall police officer Lori Batiot advised the Penningtons to Petition for a Restraining order based solely on First Amendment protected free speech and news reporting of Block.

76. Alleged in Block vs WSBA C-15-2018RSM: Pennington and Hill-Pennington retaliate for First Amendment Protected Speech; Pennington misuses county resources. Approximately March 2015, Block sent an email to the Duvall Community Theatre Board of Directors informing them John Pennington is a pedophile and has assaulted women and children. On March 19, 2015, in retaliation for this protect speech and true statements warning the public of the dangers Pennington posed, the Penningtons acting on legal advice given to them by, Duvall City police officer Lori Batiot, filed a Petition for Restraining Order King County attempting to silence Block. The sole evidence Hill-Pennington and Pennington submitted in support of their petition were altered copies of Block 's Gold Bar Reporter news publication. Judge Meyers dismissed the petition as a prior restraint on free speech. Records show Pennington was being paid by Snohomish County during the time he was in court.

77. Alleged in Block vs WSBA C-15-2018RSM: Pennington and Hill -Pennington retaliate for First Amendment protected speech on March 25, 2015. The City of Duvall declined to prosecute Penningtons' criminal complaints based on Block's First Amendment activity (the same evidence Penningtons' presented to Judge Meyers on March 19, 2015). Source: Public

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records Block received from the City of Duvall.

78. Alleged in Block vs WSBA C-15-2018RSM: In late March 2015, Block issued payment to retrieve over 150 pages of exhibits Hill-Pennington and Pennington filed with their Petition for Restraining Order. Block immediately noted that the exhibits were altered and included false statements alleging that Block was using anonymous emails and Twitter accounts. Hill-Pennington and Pennington knew that the Twitter and email addresses a ccounts belonged to real persons aside from Block including Krista Dashtestani and Brandia Taamu, because Krista Dashtestani physically served Hill-Pennington with a public records request and assisted in the in person deposition of Pennington, and persona lly met Michael Kenyon in court proceeding involving Hill-Pennington; and Brandia Taamu signs her Twitter and news reports. Hill-Pennington also openly bragged inside her Petition to Restrain Block's free speech rights that they shut down two of my Twitter accounts, and three of Brandia Taamu's Twitter accounts, but the Penningtons conveniently left out that they were using anonymous Twitter accounts themselves, including but not limited to "GodBarReporter" and " NsCrier". GodBarReporter is associated with emergency management and its only "followers" were that of emergency management agencies.

79. Alleged in Block vs WSBA C-15-2018RSM: On March 25, 2015 or soon thereafter, after attempts by Hill-Pennington and Pennington to have Block criminally prosecuted in Duvall were denied, and after King County Judge Meyers denied their petition to restrain the free speech in the form of a restraining order on March 19, 2015, Hill-Pennington filed the exact same criminal complaint in Gold Bar, with the exact same alte red documents, alleging once again that Block is cyberstalking the Pennington 's simply because the Pennington 's objection to Block's blogs. The Hill-Pennington criminal complaint then lands directly on the desk of Prosecutor Mark Roe who requests further information as is “NEEDED FOR TRIAL” from Sergeant Casey, a Snohomish County Deputy assigned to Gold Bar. Roe, at some point, refers the case to Mark

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Larson in King County although in an email from Roe to Larson, Roe states " Okay, here is the deal, the very gracious, Mark Larson, King Count CCD, has agreed to handle the AB cyberstalking. referral. He would like it mailed directly to him. I told him I don 't know if it is fileable or not, but have been told it may require some follow up investigating by SCSO." Roe goes on to state his personal vendetta against Block stating " I also explained the harassment his office can expect. We agreed that our office does not probably have an actual conflict, but that with AB's repeated attacks on me, almost constant techno l warfare against this county and our taxpayers and on-going litigation against both, it might be best that another county handle the criminal referral." Larson declines to prosecute the case stating there were no threats, thus no basis for the complaint. Hill-Pennington also falsely claims to Snohomish County Sheriff's Office that she cannot find work as a result of Block's news reports. FEMA contracts confirm that the Pennington's made over $150,000.00 with FEMA Emergency Management Institute (" EMI"). Over $35,000 was awarded to Hill-Pennington, personally, within two-months of her filing the criminal complaint. Hill-Pennington does not live in Snohomish County and the events she complained about occurred in the City of Duvall and yet her complaint has vi sited at least three jurisdictions, including Snohomish County. Public telephone records from Snohomish County Prosecutors Office document that the Pennington's had a direct line to both Reay and Roe.

80. Alleged in Block vs WSBA C-15-2018RSM: Defamation on March 19, 2015. Hill-Pennington and Pennington did knowingly make and/or publish false documents and false libelous, recorded statements inside King County, Washington State records, archived into digital on-line publications.

81. Alleged in Block vs WSBA C-15-2018RSM: Defamation On March 19, 2015, March 25, 2015, and April 1, 2015 Hill-Pennington did knowingly file false statements with the King County District Court, City of Duvall, and Snohomish County, respectively. Those false statements were unprivileged communications. They were also further re-published and

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disseminated, including by and through but not limited to, inside Snohomish County Prosecutor's office, The City of Edmonds, Zackor and Thomas, The City of Shoreline, and King County Public records. The falsities that Hill-Pennington stated and published, which continues as published public records today, that caused Block damages, although not all-inclusive, include the following knowingly false statements about Block:

(1) Block repeatedly contacted our children and our children's schools.

(2) Block places information about our [Hill-Pennington and Pennington 's] children 's schools and their [children's] photos online.

(3) States Block is delusional.

(4) States Block accused Hill-Pennin gton of poisoning the City 's water wells. (5) "…orgies and drug parties with my staff."

(6) "That anyone around us is part of a conspiracy to molest or hurt children."

(7) Block purchased a gun to protect herself.

(8) Block is "… sending men to talk to children in [her] home."

(9) Block used multiple on-line identities (that did not belong to Block, nor did Block use):

(10) [Block is] "… using 'Michael Broaks ' when contacting our child, family, and friends", and @snocoreporter twitter.

(11) Stated Block is "irrational" and "delusional".

82. Alleged in Block vs WSBA C-15-2018RSM: Defamation On April 12, 2015 Hill-Pennington did knowingly make the following defamatory statements about Block:

(1) Block has a "sexual obsession with [Hill-Pennington]"

83. Alleged in Block vs WSBA C-15-2018RSM: Threat on Block 's Life. April 2015, after the Penningtons failed three times to obtain a restraining order on Block 's First Amendment protected speech or have criminal charges filed against Block for the same, Block learned that

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John Pennington had " taken out a hit" on Block. Confidential Source, to be revealed in depositions or trial.

84. Alleged in Block vs WSBA C-15-2018RSM: On April 12, 2015, Duvall Police Officer Lori Batiot, called Block's partner's business phone leaving a threatening message stating that if Block did not call her back she would come over to her house in Gold Bar, located in Snohomish County. Since Duvall is located in King County, Block viewed this as an extortionist wire threat to harm Blo ck and a gross violation of Block's civil rights over matters protected by the First Amendment. As a result of Officer Batiot's wire threats,

85. On April 14, 2015, Block requested all employment files of Lori Batiot all communications sent or received by Lori Batiot. Block also request access to public records under RCW 42.56 involving the Penningtons, and Block. Public records reviewed in January 2016 show John Pennington and Lori Batiot are friends.

86. Shortly thereafter, Michael Kenyon was brought to defend the city regarding Lori Batiot. This allowed Kenyon to continue his extortionist threats by helping the city withhold records from the Block.

87. Alleged in Block vs WSBA C-15-2018 RSM: Defamation On May 4, 2015 Lori Batiot did knowingly publish false documents and false libelous, recorded statements inside King County, Washington State records, archived into digital on-line publications which have been further published and disseminated. The falsities that Batiot stated and published, whic h continues as published records, including public records, today, that caused Block damages, although not all-inclusive, include the following knowingly false statements about Block:

(1) That Block repeatedly, on multiple occasions, sent multiple men, to the Pennington residence "Block hired people…to go to the Penningtons residence as recently as…"

(2) That Block personally went to the Pennington home: " Ms. Block made face-to-face contact with the Pennington children at the door."

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(3) Block has mental health issues.

(4) That Block is unemployed.

(5) That Block is "stalking" Batiot.

(6) That Block 's partner's business cell number is, in fact, Block 's home number. Block alleges Batiot used the phone number on April 12, 2015 as a method to intimidate and h arass Block and Block's partner, after the City of Duvall decided to discontinue the investigation.

Duvall dismissed the Pennington's criminal complaint on March 25, 2015.

Block alleges these actions and false statements were in retaliation for Block 's exercise of First Amendment protected speech and in furtherance of the enterprise.

88. Alleged in Block vs WSBA C-15-2018RSM: False Statements in Public records on May 4, 2015, Lori Batiot did knowingly make the false statements into public and/or court records which were published and archived into digital on-line publications which have been further published and disseminated. Although not all-inclusive, the knowingly false statements include the following:

(1) In a King County Shoreline document, Batiot falsely states: Mr. Harrison stated " he would try to keep me from going to federal prison".

(2) "I also told Mr. Harrison very clearly that I found his and Ms. Block 's behavior very alarming."

(3) That she demanded he and Block make no further attempts t o directly contact me "or my family and that they were to stay away from my house, schools, and any other place that caused my family and I to be placed in fear of their harassment"

(4) That Batiot is " indigent" (as a Duvall Police Officer) thus unable to pay a filing fee for a restraining order.

(5) That Block "implied [Batiot] is a pedophile".

89. Alleged in Block vs WSBA C-15-2018RSM: Retaliation for Protected Free On May

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4, 2015, in retaliation for Block seeking public records about Batiot as they re late to Block following Batiot's telephone threats to Block, Officer Batiot went to Shoreline District Court seeking a restraining order against Block and seeking to have Block committed to a mental institution. Officer Batiot made several false statements to the court: She claimed the she, Officer Batiot, was indigent; that Block was unemployed; had a history of mental health issues; and that Block was born on June 16, 1967. According to a Duvall, Washington police report in May 2015, the Penningtons requested that the Duvall police department seek a restraining order "to get John in the clear..." Batiot's is the only officer who assisted the Penningtons.

90. Alleged in Block vs WSBA C-15-2018RSM: Retaliation for Protected Speech On May 24, 2015, after arriving at London Heathrow Airport, Block was fully body clothed searched in a very personal and penetrating manor. She was also illegally detained at Seattle Tacoma International Airport, by two Port Officers and one US Customs Officer, Curtis Chen. The search and detainments were caused and arranged by John Pennington 's unlawful use of his Homeland Security connections together with Officer Batiot, both of whom also contacted Cary Coblantz. The same day Pennington contacted Cary Coblantz, a tracker (flag) was placed on Block 's U.S. Passport falsely certifying that Block was wanted for "possible felony warrant with extradition back to the U.S." Block was served a partial copy of a temporary restraining order for Officer Batiot by U.S. Customs. Block learned these facts from public records retrieved from King County Sheriff's Office. Judge Smith, King County Shoreline Division denied Batiot's permanent restraining order and chastised Batiot for wrongly using government resources and paying for none.

91. Alleged in Block vs WSBA C-15-2018RSM: In May 2015, King County Sheriff's Officer Cary Coblantz received at least two phone calls from John Pennington, and immediately following the phone call, Coblantz received an email from the DOJ Interpol confirming what flight number Block and her partner were coming back to Seattle International Airport from

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London. After receiving Block's flight information from Pennington, Coblantz then placed a phone call to the Port of Seattle informing them what flight Block was on asking the Port of Seattle and US Customs officers to serve a civil order on Block. The Port of Seattle Officer Matuska, Tanga, and Gillebo elicited the assistance of US Customs Officer Curtis Chen to place a tacker on Block's passport. The Port of Seattle admitted via a public records request that it has never served a civil order on any other person ever except for Block. At relevant times, Pennington was being paid by Snohomish County. Coblatnz, Tanga, Gillebo, and Tuttle, were being paid by King County. Curtis Chen was being paid by U.S. federal government. Coblantz's emails retrieved from public records also documented that he was reading another news reporter's website claiming it to be Block's and then issued a public email to Port of Seattle police t hat Block was " anti-government". Tuttle told Block that he was an internal affairs investigator for the Port of Seattle. Block learned from Port of Seattle public records, in August 2015, that Tuttle was not an internal affairs investigator.

92. Alleged in Block vs WSBA C-15-2018RSM: Public records from the City of Shoreline confirmed that Coblantz not only conspired with Pennington and Batiot to have Block charged with "stalking" but he also conspired with City of Duvall Special Prosecutor, a Kenyon Disend contractor, Sullivan. Although Coblantz is assigned to the City of Shoreline, while Sullivan is assigned to Duvall, Sullivan, and Coblantz agree in public records to retaliate to have Block attempting to charge Block with felony criminal stalking and har assment charges. Block reviewed the evidence file from King County, City of Shoreline, and confirmed that the only evidence Batiot placed into the records were complaints against the Gold Bar Reporter's news reports. These same records confirmed that Batio t falsely restated what the Penningtons had disseminated to Gold Bar in 2009 that Block had been treated for mental health issues, was unemployed, and was born on June 16, 1967. Batiot and the Penningtons conspired together to have Block charged with stalking crimes between March 2015 to June 19, 2015. Their conspiracy

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failed and on September 21, 2015, the Gold Bar Reporter published "Duvall City attorney Sandra Sullivan (Meadowcraft) quashing criminal charges for political favors, EXPOSED" and "Michael Kenyon's Dirty Bag of Secrets Part II."

93. On June 19, 2015, Batiot also sought to have Block committed for a PSY evaluation simply for exposing via her news reports of Batiot's corrupt acts with the Penningtons and exposing her past drunk driving conviction and that she had been terminated for cause from two other police departments. Public records from the City of Brier, Whatcom County and Shoreline confirm that anytime someone would expose Batiot 's corrupt acts, she would be claim she was being "stalked".

94. On June 19, 2015, s Beavers, Hill-Pennington, and the Penningtons met at King County District (Shoreline Division) Court to further the efforts of the Enterprise to as the Penningtons had requested of Batiot 'get John in the clear." Beavers live in Sn ohomish County. Judge Smith denied their attempts to restrain Block and the Enterprise efforts to have Block arrested and committed for PSY evaluation. Judge Smith further stated to Batiot in open court "you utilized a lot of government resources to get M s. Block served but you paid for none. Don't you think that's a little unfair?" Although Judge Smith was speaking to Batiot, an onlooker stated "he (Judge Smith) was glaring at John Pennington."

95. Alleged in Block vs WSBA C-15-2018RSM: From public record s retrieved in August 2015, Reay assisted Hill-Pennington by her giving personal giving legal advice. Public records from King County Courts filed on March 19, 2015, also document that Hill-Pennington referred to Reay as her personal lawyer. Hill-Penningt on is a resident of Duvall, located in King County, while Reay serves as Snohomish County prosecutor. By acting as Hill-Pennington and Pennington's legal counsel, Reay acted as their personal counsel, outside the scope of his official duties as a Snohomish County prosecutor.

96. Alleged in Block vs WSBA C-15-2018RSM: On September 3, 2015, Roe violated

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Block's civil rights by disseminating an email letter, which included high ranking members of the Washington State Legislature, stating that he felt sorry for John Pennington, and then further lied stating that he never had communication with Pennington. On the same day, Block wrote Roe a response that she thought it was pretty strange for a county prosecutor to be writing a letter to Block, and mighty odd t hat he would feel sympathetic to a non-county resident who abuses women and children. At the time Roe contacted Block, he was being paid by Snohomish County taxpayers, and his email confirms that he used Snohomish County servers to disseminate the letter.

97. Alleged in Block vs WSBA C-15-2018RSM: In September 2015, a former Snohomish County Department of Information Services employee Pam Miller gave Block public records previously requested from Snohomish County but withheld, documenting that DiVittorio and Lewis tampered with public records Block requested. In late March 2014, Miller objected in a public email that Block was being treated differently than other requesters in violation of RCW 42.56, and further stated she witnessed Lewis tampering with fi les ready for Block to pick up. DiVittorio called an in-person meeting with Miller who stated that DiVittorio screamed at her stating "Do you realize the financial risk you have placed in the County in by writing this email?" Miller was subsequently fired immediately after blowing the whistle on DiVittorio and Lewis's tampering with public records as it relates solely to Block's records requests. By tampering with the public records, DiVittorio and Lewis ' actions violated the public records act and the publ ic trust causing injury to Block and the public.

98. Alleged in Block vs WSBA C-15-2018RSM: On September 25, 2015, Snohomish County Prosecutor Mark Roe telephoned Cowlitz County Sheriff's Office asking if Gold Bar Reporters were correct about Pennington b eing the prime suspect in the rape of 5 year old child, thus proving Block's news articles on Pennington were right on target. In 1993 when John Pennington was named as the only suspect in the rape of 5 year old girl, Michael Kenyon was the City attorney for Kelso. Today, Michael Kenyon owns one of the largest municipal law firms

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in Washington State. Clients include s City of Duvall and Gold Bar.

99. Alleged in Block vs WSBA C-15-2018RSM: On October 5, 2015, John Pennington was actively stalking Block at her place of business in Monroe, Washington, while being paid by Snohomish County. Block took a picture of Pennington from her office window.

100. Alleged in Block vs WSBA C-15-2018RSM: October 2015, Denial of Reasonable Accommodation. Block's doctor prov ided Block a letter dated October 1, 2015 plainly stating Block had major surgery scheduled for October 29, 2015 with an anticipated 6-8 week recovery period. The purpose of the surgery was an attempt to restore hearing. Block received the letter October 7, 2015 and the same day provided it to WSBA liaison, Julie Shankland, as previously directed by Shankland. October 8, 2015 Shankland "denied" Block's reasonable accommodation request, via email, as " unreasonable" without having engaged in " the good faith interactive process", and further claimed that Block must file a Motion for Reasonable Accommodation with the full Disciplinary Board despite no existence of a rule mandating such filings. As the WSBA refused to grant the accommodation in the weeks prior to the scheduled surgery, Block additionally filed a motion for a reasonable accommodation providing further medical documentation including a post-operative surgery picture and narcotic prescription information which impairs judgment and prohibits operating a vehicle. The Disciplinary Counsel Chair pro tem, Stephanie Bloomfield, in an open hearing, unilaterally--without a vote --denied Block's reasonable accommodation request in violation of General Rule 33, RCW 49.60, and the American 's with Disabilities Act overturning Washington State Supreme Court's holding in Re: DISCIPLINE of Sanai.

101. Alleged in Block vs WSBA C-15-2018RSM: On October 30, 2015, the WSBA Full Disciplinary Board members Sarah Andeen, Kevin Bank, Keith Mason Black, Kathryn Berger, Stephan ie Bloomfield, Michele Nina Carney, S. Nia Renei Cottrell, Marcia Damerow Fischer, Michael Jon Myers, Stephania Camp Denton, Marc Silverman, and William Earl Davis and ODC lead counsel Eide held an ex-parte hearing, violated the Open Public

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Meetings Act b y not voting in public, held an ex-parte hearing only after being notified that Block was disabled unable to attend, and the WSBA Full Board engaged in in ex-parte communication with the Hill-Pennington and Pennington during the public hearing. A long time open government news reporter videotaped the ex-parte proceedings documenting that the WSBA violated Block's rights to be accommodated under RCW 49.60 and GR 33.

102 Alleged in Block vs WSBA C-15-2018RSM: Pennington, WSBA Conspired, held ex-parte communic ations. On October 30, 2015, while being paid by Snohomish County, Pennington, met and conspired with the WSBA Full Disciplinary Board, Beavers, Ende, Sato, Eide, and Hill-Pennington at the WSBA Offices. A WSBA employee, who is believed to be Julie Shank land communicated with Pennington, carried a message from Pennington to Kevin Bank during a public hearing, relating to the WSBA's proceeding against Block. Shankland, Pennington, and Bank's ex-parte communication during a public hearing was captured on v ideo and posted to the Gold Bar Reporter's U Tube account and titled "WSBA Corruption caught on Camera."

103. Alleged in Block vs WSBA C-15-2018RSM: At the October 30, 2015 hearing Re Block, WSBA Full Disciplinary Board member Kevin Bank threatened the new s reporter videotaping the WSBA's ex-parte hearing against Block. Alison Sato also attempted to force the news camera-woman and intimidate the news reporter from the public hearing even though the Washington State Attorney General issued rule that all pub lic meetings can be legally videotaped. In October 2015, Block witnessed Pennington stalking her at her place of business located in Monroe, Washington. Block snapped a picture of Pennington with her iPhone.

104. Alleged in Block vs WSBA C-15-2018RSM: On N ovember 13, 2015, after denying Block's reasonable accommodation without engaging in good faith discussions, the WSBA Full Disciplinary Board adopted O'Dell September 2014 Findings of Fact, which

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included false information that Block, had lied against Pen nington. The WSBA's record does not support that Block lied about Pennington, nor has Pennington denied a single article written by the Gold Bar Reporters.

105. Alleged in Block vs WSBA C-15-2018RSM: On November 17, 2015, Pennington reported to Snohomish C ounty Emergency Command Center (EOC) signed onto the Gold Bar Reporter, shut down Block's Twitter account, while three people were killed in destructive wind storms - storms that caused Governor Jay Inslee to declare a state of emergency for Washington. Pennington was on county time and on the county payroll at the time.

106. Alleged in Block vs WSBA C-15-2018RSM: Public records reviewed in December 2015, obtained from the City of Gold Bar, document that Loen had a meeting at Gold Bar City Hall with Beavers during the first week of December 2013. Immediately following this meeting, Loen called Block strongly urging that she " must keep [her] WSBA license" and also stated, "you need to go to that deposition" . Block believes that Loen 's statement that Block m ust go to the deposition was the December 6, 2013 ex-parte deposition held by WSBA Lead Counsel Linda Eide. Soon thereafter, Loen sent Block an email stating "soon you will have a lot of public records". In late 2015, Block learned that Beavers acting on policy and custom as mayor for the City of Gold Bar used city resources to assist the WSBA by providing altered public records to a WSBA investigator. The City of Gold Bar has an ordinance that places public records request on a " priority list" which is a "first come, first served" basis. Block has public records requests submitted to Gold Bar since 2010, that remain unanswered and on the city 's priority list. There is no evidence that Beavers, acting as mayor for the City of Gold Bar, placed the WSBA on a priority list before providing WSBA access to public records. Gold Bar Ordinance 10-14 mandates anyone seeking access to public records be place on the priority list and be provided records accordingly.

107. Alleged in Block vs WSBA C-15-2018RSM: From Jun e 2013 to present, s

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continuously harass Block, attempt to extort her, physically threaten people who choose to associate with Block in a manner which effectively interferes with her right to conduct business as a news reporter and has extorted her right to practice law as a result her decision to report on corruption. The WSBA encourages other members of the community to treat Block as a pariah in the legal profession and allows members to commit violations against Block in violation of the rules of professional conduct against Block with impunity.

108. Alleged in Block vs WSBA C-15-2018RSM: From May 2014 to Present, and only after Block was no longer a member of the WSBA, Hill-Pennington, Kenyon, Pennington, Beavers, WSBA, Snohomish County, and Gibbs sign on to the Gold Bar Reporter on a near daily basis. The Gold Bar Reporter has a tracker on the website. s Bank, Roe, DiVittorio, Silverman, Berger, Nappi Jr. O'Dell and Eide are also frequent visitors.

109. Alleged in Block vs WSBA C-15-2018RSM: The Sherman Anti-trust actions taken by the WSBA are not reviewable by the Washington State Supreme Court, nor does the Washington State Supreme Court exercise supervisory control in this regard. The individual members, as well as the WSBA as a whole, are market p articipants which require close supervision by the bar.

110. Alleged in Block vs WSBA C-15-2018RSM: With respect to the violations by the WSBA, the individually named s, and other s, their criminal activities are outlined in the accompanying RICO statement and will be submitted within 30 days of this filing.

111. Alleged in Block vs WSBA C-15-2018RSM: The WSBA and its s' actions amount to due process violations in violation of the Fourteenth Amendment to the U.S. Constitution.

112. Alleged in Block vs WSB A C-15-2018RSM: With respect to the WSBA's infringement on Block's First Amendment rights without authority of law, such conduct is in violation of the First Amendment to the United States Constitution meant to punish and stifle free speech--free speech issues of which the WSBA and its memberss have no jurisdiction.

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113. Alleged in Block vs WSBA C-15-2018RSM: The collective actions of enterprise memberss retaliating against attorneys who oppose their criminal activities has prevented Block from obtaining meaningful representation in violation of the Sixth Amendment right to counsel.

114. Alleged in Block vs WSBA C-15-2018RSM: A true copy of the WSBA's ex-parte hearing against Block can be viewed at **Error! Reference source not found.**

115. Alleged in Block vs WSBA C-15-2018 RSM: As outlined in the accompanying RICO statement the bar targets discipline to minority groups, solo practitioners, opponents of the RICO enterprise, and attorneys from Snohomish County. 41% of all bar discipline comes out of Snohomish County, which is only one of Washington's 49 counties. The WSBA's selection procedures for discipline have an adverse impact on minority groups which cannot be justified in terms of business necessity. The result of this activity steers the market away from these groups and thus violates the Sherman Antitrust Act.

116. Alleged in Block vs WSBA C-15-2018 RSM: On September 25, 2015, the EEOC issued a right to sue letter under the ADA. This suit is filed within 90 days of receiving the letter.

117. In October 2015, Block arrived at her office and noticed a man sitting in the hallway outside of her office. After she went inside, she started to hear slight noises outside. She went out another door and saw the same man standing outside her door, with a tape recorder running. When she confronted him he ran away. She chased him for about one half block. This occurred during during a time when AWC was stalking Block with cars whose license plates were later traced to AWC.

118. Alleged in Block vs WSBA C-15-2018 RSM: On November 25, 2015, the EEOC issued a right to sue letter under the ADA. This suit is filed within 90 days of receiving the letter.

119. Alleged in Block vs WSBA C- 15-2018 RSM: In December 2015, Supreme Court Clerk Carpenter, WSBA paralegal Sato, and WSBA lawyer Eide conspired to and did tamper with court records. On or about December 11, 2015 Block properly filed an appeal, as a matter

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of right, appealing the WSBA 's Office of Disciplinary Council 's ("ODC") recommendation for disbarment--a disbarment proceeding based solely on First Amendment protected free speech activity. The WSBA and the Washington State Supreme Court confirmed receipt of Block 's filings by USPS o vernight delivery and UPS overnight delivery, respectively, confirming timely receipt on December 11, 2015. On December 15, 2015, the Washington State Supreme Court cashed Block 's check for the filing fee for Block 's appeal as a matter of right. In her ap peal, Block placed a copy of the WSBA Disciplinary Board 's order adopting hearing officer Lin O'Dell's Findings of Fact and Conclusions of Law recommending disbarment. This was the order the disciplinary board used to recommend disbarment; they did not iss ue a separate order giving additional or different reasons. Carpenter acknowledged receipt of the Block appeal on December 15, 2015 and responds by letter to the WSBA and to Block on December 16, 2015 stating he did not know what the appeal was about and that the WSBA had not transferred the bar file to the Washington State Supreme Court. Carpenter removed Block 's exhibit, the ODC Order recommending disbarment. Carpenter also changed Block 's Appeal as a Matter of Right to a discretionary review thus allowi ng Carpenter to retain control over Block 's appeal. After Carpenter's letter was sent to and received by the WSBA, the WSBA then also claimed to not have the exhibit of the WSBA 's ODC's disbarment recommendation. In response to Carpenter 's December 15, 2015 letter, Alison Sato, a WSBA paralegal, mailed a letter to Ron Carpenter with a cc to Block stating that the WSBA had not received a copy of the Order either --their own document, which they created. Although the WSBA could have supplied the State Supreme Court and its clerk Ron Carpenter with a copy of the order they created, they did not. Instead they claimed not to have it. Neither Carpenter, nor Eide, both lawyers, and WSBA paralegal Alison Sato attested under oath to not having received the exhibit from Block; only Block attested under oath to having included it.

120. For about 8 weeks, in December 2015 and January 2016, Block struggled with

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pneumonia thus Block requested extended time to respond. Mid-January, 2016, Block responded to Carpenter's letter affirming everything was included in the appeal. However, in the alternative, Block requested to supplement the record. RAP rule 9.10 allows the record to be freely supplemented:

121. RAP Rule 9.10 If a party has made a good faith effort to provide tho se portions of the record required by Rule 9.2(b), the appellate court will not ordinarily dismiss a review proceeding or affirm, reverse, or modify a trial court decision or administrative adjudicative order certified for direct review by the superior co urt because of the failure of the party to provide the appellate court with a complete record of the proceedings below. If the record is not sufficiently complete to permit a decision on the merits of the issues presented for review, the appellate court may, on its own initiative or on the motion of a party (1) direct the transmittal of additional clerk's papers and exhibits or administrative records and exhibits certified by the administrative agency, or (2) correct, or direct the supplementation or correction of, the report of proceedings.

122. In March 2016, Christie Law Group, contracted by the Washington State Attorney General's office, caused taxpayers to be sanctioned over $1 million for participating in the destruction public records during the Oso m udslide litigation by the Honorable Judge Rogoff. Rogoff by clear and convincing evidence, held that Christie Law Group lawyer Mark Jobsen did intentionally withhold records to evade discovery. As a result, Block filed a WSBA complaint against Mark Jobe n following Judge Rogoff 's Order stating that Christie Law Group 's lawyer's actions were “deliberate”. This was followed by a bar complaint filed by John Scannell where he accused the attorney general, Bob Ferguson of failing to supervise the attorneys for the ninth month period they committed the fraud upon the court. As of today, the WSBA has failed to investigate or sanction Christie Law Group or its attorney, Mark Jobsen. The Office of Disciplinary Counsel refused to file against the attorney general claiming that Ferguson did know of the fraud even though he was their direct supervisor and the case was the largest tort claim in

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Washington State history,. By refusing to investigate agency attorneys and/or sanction Ferguson, the WSBA committed wire fraud by not producing honest services as well as Sherman Anti-Trust violations because the Washington State Supreme Court does not supervise this investigation

123. On April 29, 2016, Washington State Supreme Court Clerk Ron Carpenter rules against Block, denying her motion to supplement the records even though the Washington RAP freely allows supplementation of the record. Block appealed the clerk 's Order to the full Washington State Supreme Court. Justice Barbara Madsen unilaterally denied Block 's appeal. For the first time in Washington State Bar history, the State Supreme Court denied oral arguments on disbarment--disbarment based solely on free speech.

124. On May 31, 2016, the disbarment recommendation should have been on the State Supreme Court motion calendar to be heard by the full court. Instead, Justice Madsen placed in before a committee of five, which she chaired. This was in spite rules that mandate oral argument before the entire board whenever a disbarment or suspension is at issue. Members, who by their philosophy based on past decisions would have been sympathetic to Block were not put on the committee, which was hand picked by Madsen. On July 7, 2016, Justice Madsen and challenger John Scannell, Block 's attorney, appeared before The Strang er Board vying for The Stranger 's endorsement at which time John Scannell publicly challenged Barbara Madsen 's attack on free speech specific to the Block disbarment case and Scannell attacked Madsen for her role in the WSBA's regulation of newspapers; th e disbarment of Block arose from Block 's journalism activities and her online newspaper. Madsen denied having any knowledge as to who Anne Block was. The very next day, on July 8, 2016, Madsen signed the order based upon the vote of a five person committee of which she was chairman, not allowing Block's appeal.

125. May-June 2016 Block made a public records request ("PRR") of Snohomish County for records sent or received by Vermont Bar Association that relate to Anne Block. The County turned over some email communication between Tempski and Kennedy documenting that Tempski interfered with Block 's Vermont Bar License, but silently withheld other email

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communication in violation of the Public Records Act (“ PRA”) RCW 42.56. The County provided three installme nts in response to Block 's PRR for the Vermont Bar communications. None of the installments included communications from Washington to Vermont documenting the interference with Block's Vermont bar license. Block received some of the silently withheld records by Snohomish County directly from Kennedy in January 2017. These emails were silently withheld from Snohomish County in violation of the PRA and in violation of Block 's civil rights. The emails showed that Tempski was not acting as a prosecutor as he attacked Block's Vermont bar license as well as Block's federal bar license.

126. In July 2016, Anne Block, her partner Noel Frederick, and Chuck Lie, former Gold Bar Council Member, were having dinner at La Hacienda in Gold Bar. During the course of dinner, Chuck Lie asked Anne Block if she understood why the Washington State Attorney General's Office settled so cheaply a public records suit, filed by Susan Forbes, then represented in the suit by Block. Chuck Lie confirmed that Sara DiVittorio and Mikol Tempski worked with Snohomish County Deputy Prosecutor Sean Reay to remove records from both the Department of Corrections and from Snohomish County--these were copies of the same records that had been wrongfully disseminated by Crystal Hill to both agenci es. Both DiVittorio and Tempski worked for the AG 's office at the Department of Corrections (“ DOC”) in public records and then both were moved, at separate times, to Snohomish County Prosecutor 's office. Both DiVittorio and Tempski in their capacities at the AG's office and Snohomish County Prosecutor's office worked on cases involving the same public records sought by Forbes, as Block 's client, and by Block as an individual. Chuck Lie stated the records disseminated by Hill-Pennington to the DOC and to Snohomish County were “ Block's mental health records” . Although Block has never been treated for mental health, Hill-Pennington was wrongfully in possession of the “ Block mental health records”; Hill-Pennington wrongfully distributed the “ Block mental health records” to the DOC and Snohomish Couty; and, DiVittorio, Tempski, and Reay together wrongfully removed

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the records. There are HIPPA fines for each wrongful distribution of health records.

127. In July 2016, a student at Pierce College in Tacoma, Washingt on contacted Block complaining that Pierce College had just hired John Pennington as the new director of the Emergency Management Program. The student complained that Pennington had no syllabus for his classes, was never around, was elusive, never respond ed to his emails, and was unqualified for the job. As a result, Block, acting as a journalist, contacted Pierce College seeking access to public records under RCW 42.56. Pennington 's solution to Block 's request for public records regarding himself was to file criminal complaints against Block August-September 2016 with the City of Lakewood 's Prosecutor 's Office. The Lakewood prosecutor declined Pennington 's request to prosecute Block on the basis that Block 's activities were first amendment protected activity.

128. On August 24, 2016, Ragonesi and Butler, of KBM, entered a notice of appearance in a public records case Block filed against Gold Bar. Block v Gold Bar 16-2-20042-7. They did so without having entered into a contract or formal agreement with the City of Gold Bar. Not until two months later, on October 4, 2016, does Gold Bar Council approve the City entering into a contract with KBM. However, no specific contract was presented to the Council or the Public, nor was a specific contract approved by the Council per the October 4, 2016 minutes **Error! Reference source not found.**. There was no contract included with the October 4, 2016 agenda **Error! Reference source not found.**. Additionally, although Block has requested a copy of the contract, neither AWC, nor Gold Bar has supplied a contract. The City of Gold Bar, a municipal government, must have contracts in place. RCW 39.30.020

129. On June 27 2016, Block sent the following public records request to Snohomish County Public Records Officer:

> Pursuant to RCW 42.56, please provide all email communication sent by or received by Michael Kennedy. Limit your search to only topic of Anne Blo ck and/or the Vermont Bar.

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> To provide the fullest assistance to the requester, I am asking that you forward all responsive records to me at this email address. Also, I am requesting that all records be provided in native format with metadata. O 'Neil V. Shoreline. I will accept nothing less.
>
> "Public record" includes "any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state, county, o r local agency regardless of physical form or characteristics." RCW 42.56.010(2).
>
> "'Writing' means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation including, bu t not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diske ttes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated." RCW 42.56.010(3).
>
> This request specifically includes -and you are specifically directed to obtain, preserve in native for mat, and produce -any records that exist on any computers, hard drives, portable phones, jump drives, BlackBerries, iPhone, Kindle, IPad, or other devices, or

130. Throughout the summer of 2016, RICO Madsen, in conjunction with other WSBA officials, sough t to hoodwink the public and the membership of the Washington State Bar Association into changing its name to the Washington State Bar. The change was allegedly proposed as a benign change " to more accurately reflect the dual nature of the Bar 's function as both a regulatory agency and professional association as well as to align with the names of most unified Bars nationwide." In fact, the proposal had nothing to do with this. The reason the change was made was in response to Block's suits pending in the court of appeals, which pointed out, as an association under Washington law, the members were individually responsible for the debts of the organization which would include the judges in the United States District Court Western District of Washington. T hus, the name change was actually an attempt to allow the Enterprise have its allied federal judges in the Western District fix Block 's cases even though they had a conflict of interest. Alternatively or in addition to, the proposal was to pass the liability from RICO and Sherman Anti-trust violations, that could result in liability in the billions of dollars, from the membership of the WSBA onto the taxpayers.

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131. In September of 2016, the WSBA Board of Governors, in response to a petition from its rank and file, rejected the proposal,. Nevertheless, the fact that the attempt was made is a violation of the duty of honest services under the federal wire fraud statutes, making it was a predicate act under RICO.

132. In September 2016, Block filed a motion to disqualify Butler and Ragonesi from the case because there existed no identifiable contract between KBM and Gold Bar and because there was a conflict of interest because KBM represented Aaron Reardon, Joe Beavers, Crystal Hill-Pennington--who are not c ity employees. RPC 6.1 does not allow for pro bono legal services of this nature. RPC 1.7 does not allow for conflicts of interest. Block lost the motion and received sanctions because she never received responses and countermotions from Ragonesi so she c ould respond to them. The reason for this is that Ragonesi refused to use the King County Superior Court email system which would verify that Block actually received the documents because Block is a member of the system. Judges who are friendly to the enterprise tolerate such behavior because they realize there is little hope of getting such misbehavior overturned in the appellate system because they can issue findings of fact in a manner that will prevent an effective appeal.

133. In September 2016, John Pennington filed a Petition for Restraining Order in Pierce County. The purpose of the restraining order was to prevent Block from conducting discovery, and to frame her for jail time in retaliation for her reporting in the Gold Bar Reporter and for other first amendment protected speech. The petition only complained of Block 's right to seek access to public records, file fraud complaints with the US Department of Education (which the DOE agreed with Block) that Pennington had labeled himself with two de grees falsely claiming status of a Bachelor 's Degree and Master 's Degree from accredited universities, a Washington State Public Disclosure Complaint that Block filed alleging correctly that Pennington now a state of Washington employee was also moonlighti ng in violation of Washington State ethics laws performing two jobs, one with FEMA and one with Pierce College.

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134. After filing the petition, John Pennington appeared at Pierce County District Court falsely claiming that his wife Crystal Hill Penningt on was not convicted of bank fraud. He also wrongfully denied being a pedophile, wife beater and wrongfully denied any resposibility for the deaths of 43 people in the Oso mudslides. Pierce County DENIED John Pennington's request for a temporary restraining order and further suggested to Pennington that he not pursue a restraining order. Pennington and Hill Pennington ignored the Court 's suggestions, so the Court told Penningtons that they must serve Block. Since Block was out of the country, Pennington s decided to enlist the assistance of Duvall Washington City attorney and Kenyon Disend employee Rachel Turpin.

135. On October 27, 2016, Pennington filed and forged court records in Pierce County concerning Block in his pursuit to get a restraining order a gainst Block: Next, Pennington filed seven times for restraining orders against Block in Pierce County District Court. All requests have been denied by Pierce County judges. During the course of Pennington's third attempt to get a restraining order agains t Block in Pierce County, he filed forged records with the court. Relying on the forged records, the Court issued a very broad restraining order that was vacated for fraud sometime in November 2016. The Judge asked Pennington in open court if Block had been served and Pennington answered in the affirmative when Block had in fact not been served. The return of service form filed with the court had been altered from not served to " SERVED". The altered record included Line 2 's check box and line indicating se rvice had been attempted, but not perfected had been whited out. Line 4 was filled-in with a false date and time of perfected service with hand writing different from the rest of the form completed by Deputy Casey. Line 4 was also in blue ink, where the r est of the form was completed in black. Snohomish County Deputy Casey states he did not serve Block and confirmed the form he submitted had been altered. An internal affairs investigation in Snohomish County revealed that Snohomish County Sheriff's Office employees Tina Murphy and Dana Tappendorf were involved

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in the alteration of the document. Chris Leyda, Snohomish County employee, stated in an November 9, 2016 email to the Pierce County Presiding Judge Ross, in response to her demand for an explanation, that the document was altered transferring the attempted service date and time (Line 2) to fraudulent service date and time (Line 4) and that the Snohomish County Sheriff 's Office stamped the document "SERVED" and added fees charged to the document. Leyda states Line 3 was also filled in with " Anne Block" and two other boxes in line 3 were marked. While the Snohomish County Sheriff 's Office acknowledges these alterations occurred in their office, the Chris Leyda email states the document left their office without any whiteout [on Line 2]. Per this email, the whiteout portion of the altered document occurred after leaving Snohomish County. Pennington had access to the file in Pierce County after Judge Chen Weller 's bailiff handed it to him, which is on vid eo tape. The Videographer is a former AP journalist and independent film-maker, Christy Diemond, with Uninformed Consent that has been videotaping what she calls the government gang-stalking of Anne Block. Snohomish County confirmed that Pennington never paid for process of service. The Sheriff 's Office requires payment at the time service forms are given to them.

136. In October 2016, at the same time Pennington is filing forged records in Pierce County, Block had court ordered subpoenas for Duvall Publi c Records Officer Shelley Rowe 's (" Rowe") deposition and for Duvall Police Officer, and Pennington 's mistress, Lori Batiot 's deposition involving John Pennington and Crystal Hill-Pennington 's 2015 attempts to get restraining orders against Block. Approximately two days before the October 14, 2016 scheduled deposition of Rowe, Kenyon Disend attorney Rachel Turpin contacts Block via email after a long period of refusing to respond to Block via email, and attempts to trick Block into going to the Duvall Poli ce Department, using the bait of changing the deposition location for Rowe, for the purpose of conspiring to assist John Pennington to serve Block with a fraudulent restraining order which was already entered into the system in October prior to the October 27, 2016 hearing before Judge Chenweller could have

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decided whether to issue one. He did this for the purpose to make it appear as if Block were deposing witnesses in violation of a restraining order. Block learned through public records requested of and received from the Washington State Patrol that Pennington 's fraudulent restraining order had already been entered into the NCIC system prior to October 27, 2015. The records show an Access check had been run October 25, 2016 and at that time Pennington's fraudulent restraining order had already been entered into the system prior to the hearing. In early October 2016, Pennington put into the Pierce County District Court record that he was working with the Snohomish County Sheriff 's Office and the City of Duvall to get Block served at a deposition on an unrelated public records case.

137. In November 2016, soon after the Pierce County District Court vacated the restraining order for fraud, Pennington called Deputy Casey 's direct number leaving a voicemail demanding Casey serve Block the fraudulently obtained restraining order anyway.

138. About two days later, Pennington again called Deputy Casey leaving another voice message stating it was John Pennington calling, that he heard Deputy Casey filed a statement with the court, and that Pennington needed Casey to call him so they could get their stories straight. Block received a copy of this voice message in response to a public records request from Snohomish County.

139. On December 6, 2016, Lori Batiot was p laced on the Brady Cop list. She recommended by the City of Lake Forest and the City of Duvall and placed on the list by King County.

140. Early December 2016, John Pennington make perjures himself to the Pierce County District Court in his fourth attempt to get a restraining order against Block in retribution for her First Amendment protected activity. In early December 2016, John Pennington appears before Pierce County District Court Judge Steven Gregorich falsely stating he does not know where Block is and requests permission to serve Block via publication. John Pennington lied to the court when he stated he did not know Block 's whereabouts because both Pennington and his wife, Hill-Pennington, had been served in November 2016 with a Notice of Unavailability by Block in another case related to the

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constant restraining order attempts against Block in three forums, King County, Snohomish County, and Pierce County. The Notice of Unavailability stated that Block was unavailable and out of town from December 3, 2016 through January 7, 2017. Pennington not only knew the whereabouts of Block, but would also know that a notice by publication was unlikely to be seen by Block in her absence. Independent filmmaker Christy Diemond videotaped this hearing.

141. In Late December 2016, John Pennington again perjured himself and filed false instruments into the Pierce County District Court Record. Making another request of the Court to approve service of Block by publication, Pennington again falsely stated to the Court he did not know the whereabouts of Block withholding from the Court Block's Notice of Unavailability served on him in November 2016. Pennington's false statements to the Court claiming he did not know the whereabouts of Block resulted in the Court approving Pennington's request for service of Block by publication while Block was out of state and unlikely to see the publication.

142 Caroline Darrow ("Darrow") and Miguel Tempski ("Tempski") tampered with Public records. In January 2017, Block received public records of email communications between Snohomish County Prosecutor Mark Roe ("Roe") and Tempski wherein Mark Roe, in his official capacity as Snohomish County Prosecutor, directed his subordinate, Deputy Prosecuting Attorney Tempski, in his official capacity as deputy prosecuting attorney, to commit a felony in violation of RCW 42.56 by altering and destroying pubic records when he instructed Tempski to "delete this shit". Further, Block had previously directed Snohomish County to place a litigation hold relative to Block's records requests. Block had specifically requested records relating to the Vermont Bar and Anne Block. In November 2016, Block received from Darrow paper copy of a PDF record that was specifically requested in native format with metadata; Darrow tampered with this public record prior to releasing it. In January 2017, Darrow destroyed phone records of Peggy Fowler. Prior to this action, emails released via the PRA show that Darrow and Reay conspired to have WSBA officer, Elizabeth Turner, placed in Snohomish

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County Commissioners' Office as a pro tem, where Turner subsequently took action to restrict Block's right to depose former Gold Bar Mayor, Hill-Pennington, in June 2017.

143. On January 23, 2017 Pennington again appeared in Pierc e County District Court before Judge Gregorich seeking a restraining order against Block in retribution for her First Amendment protected activity. Block, ill with pneumonia, did not attend the hearing. Pennington filed a false instrument with court stat ing that the same court had previously issued a temporary restraining order against Block. Judge Gregorich scolded Pennington on the record making it very clear there was no restraining order issued against Block.

144. In January 2017, Block learns of evid ence proving Kenyon of Kenyon Disend committed fraud upon the court. In January 2017, Block learned from the Snohomish County Reporter, the existence of Redmond District Court audio recording from a May 2009 criminal proceeding against Pennington for assa ult. The audio recording shows that Sandra Meadowcraft was the attorney of record in the State v John E Pennington in Redmond District Court in May 2009 date; Meadowcraft was the special prosecutor in the case. In March 2016, Kenyon of Kenyon Disend committed fraud upon the U.S. District Court in Block v. WSBA when he filed motions falsely stating that Sandra Meadowcraft withdrew from the City of Duvall criminal case against John Pennington in February 2009 --three months prior to the date of the Redmond Dis trict Court proceeding and audio recording. The case against Pennington was for assaulting his now former wife Ann Laughlin, a Duval Council Member, in May 2008. At the time of the assault, Laughlin was 9 months pregnant and a sitting Duvall Council memb er. Pennington was charged by the City of Duvall in June 2008. Although Meadowcraft fought vigorously and successfully to stay on the case over the objections of Pennington during the summer of 2008, Meadowcraft failed to appear the day the trial started and the case was dismissed without prejudice. Kenyon 's fraud upon the court directly caused Block damage in Block v WSBA et al and amounted to wire fraud, as Kenyon and Soto uploaded their false filings inside PACER, thus predicate acts in violation of RICO.

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145. On February 3, 2017, Duvall Public Records Officer Shelley Rowe was deposed by Block in public records case Block v Duvall 16-2-07134-1. The public records Block sought related to Batiot, Pennington, and Hill-Pennington 's conspiracy to have Block confined to a mental institution and restrained from investigating corruption involving the trio as alleged earlier in this complaint, violating Block 's civil rights and in retribution for Block 's First Amendment protected activity. Rowe was placed under oath and when asked if she had any prior arrest records or had been convicted of a crime. Attorney Michael Kenyon ordered the deponent not to answer the question. Block noted during the deposition that Kenyon was not the attorney of record and had not entered a notice of appearance on behalf of the City of Duvall nor on behalf of Rowe. This violated basic rules of discovery and Michael Kenyon is a seasoned attorney with over 30 years of experience. All discovery is permissible that would likely lead to othe r discoverable information.

146. February 27, 2018, Bill Clem admitted to Block that litigation is out of his hands. On February 13 th, 2018 Bill Clem admitted when he attempted to negotiate with Block individually, AWC through Raganasi threatened to cancel his policy, and have Block sanctioned, even though Block is not a Washington attorney and was acting pro se. This is extortion under both state and federal law, denial of honest service under mail and wire fraud statutes in federal law, and thus predicate acts under RICO.

147. Between March - June 2017, Peggy Fowler, a paralegal inside Snohomish County Prosecutor's office working along with Deputy Prosecuting Attorney Sean Reay, WSBA Officer Elizabeth Turner, and Snohomish County Public Records Officer Caroline Darrow, conspired together and committed predicate acts under RICO when they conspired to fix a case against Block, committed fraud on the court, perverted justice, thwarted delivery of honest legal services, and destroyed phone records to hide t heir crimes which were also public records: Block had issued a subpoena signed by a judge for the deposition of Hill-Pennington. Block filed a motion

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to compel Hill-Pennington to be deposed. Records show that paralegal Peggy Fowler, who is also Hill-Pennington's aunt, emailed Deputy Prosecuting Attorney Sean Reay suggesting he arrange for WSBA Officer Elizabeth Turner to be assigned as Commissioner Pro Tem to hear and rule on the motion to compel against Block Block in favor of Fowler's niece and RICO Hill-Pennington. Subsequently, Caroline Darrow destroyed the phone records related to the same.

148. In August 2017, the City of Duvall released email communication from Snohomish County Prosecutor Sean Reay to City of Duvall 's public records officer Rowe. S ean Reay is a RICO and Snohomish County Prosecutor. Reay had engaged in assisting the Penningtons ' in King County with trying to get a restraining order against Block 's Gold Bar Reporter news reports. Reay had no authority to assist a non-county resident with attempting to restrain Block. Reay was not acting in his official capacity as a Snohomish County prosecutor but as an investigator trying to get Block charged with harassment in King County, City of Duvall. Public records reveal that Reay was actively helping the Penningtons retrieve police reports in Duvall in late March 2016. Even though these records were readily available in April 2016 when Block requested them, the City of Duvall and Snohomish County withheld these records until late 2017 so Bloc k could not use the records to support her civil rights suits against Duvall, Hill Pennington, Pennington, and Batiot.

149. In September 2017, AWC finally issues documents responsive to June 2009 request involving Karl Majerle. This was a silent withholdi ng, violation of Public Disclosure Act, and predicate act under RICO for denial of honest services.

150. In late September, 2017, Block for the first time learned, after receiving records from Snohomish County that emails show Reay seeking Penningtons police reports from the City of Duvall in another county. He learned on March 25, 2015, the City of Duvall Special Prosecutor had dismissed the Penningtons criminal complaint against Block because her blogs were protected free speech.

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151. Instead of notify ing Judge Martinez in Block v WSBA et al that Batiot had lied to the Court that she was just doing her job in April 2015 when she made a write threat to come and arrest Block if she did not return her phone call about Penningtons criminal complaint, Sean Reay and Adam Cornell met with Mark Roe in an attempt to have her prosecuted anyway. They solicited Mark Larson of the King County prosecutor 's office to have Block charged with cyberstalking even though one judge and another prosecutor had already decided that Block could not be prosecuted. Larson refused, again telling them that Block 's blogs were protected speech.

152. Christie Law Group, Thomas Miller, committed fraud upon the court in Block v WSBA et al. Thomas Miller has a duty to inform the Court wh en a client makes a false declaration to the Court. As of today, Thomas Miller has made no such ERRATA to the Court as it relates to Batiot 's false statement filed electronically in Block v WSBA et al. Fraud is a predicate act in violation of RICO.

153. On November 6, 2017, Bonnie Jones, who had been installed as the Public Disclosure officer of Gold Bar, admitted in a deposition that she was shredding documents in Gold Bar in spite of the fact that Block had put a litigation hold on them. This is extort ion under state and federal law, a denial of honest services under the federal wire fraud statutes, and thus a predicate act under RICO.

154. In November 2017, Block snaps a picture of a car following her, The license plate was tracked to AWC.

155. In late December 2017, Block reviewed public records received from Duvall as they relate to Batiot and learned that Batiot not only lied during official investigations in 2016, but had also destroyed public records knowing Block had a litigation hold in place t o preserve all records in native format with metadata until Block v WSBA et al had been litigated. That litigation hold had been put in place in April 2015 following Batiot 's wire threat to arrest Block weeks after she

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knew Penningtons' criminal complaint had been dismissed..

156. In public email communication, Batiot admitted to destroying records after receiving a litigation hold to preserve all records in native format with metadata by Block in April 2015 (following Batiot 's wire threat to arrest Block w eeks after she knew Penningtons ' criminal complaint had been dismissed). Attorney Thomas Miller of the Christie Law Group, representing the City of Duvall, was cc 'd in on the email communication between Batiot and the City of Duvall where she admits to d estroying public records after a litigation hold had been in place. Miller never notified the Court that Batiot had destroyed public records in Block v WSBA et al and public records document that Miller knew Batiot had committed a felony in Washington by destroying evidence and injury to public record.

157. In 2017, when others who knew Block attempted to negotiate settlements with government agencies, they were told that by attorney Jeffrey Meyers them the case would not settle because AWC knew Anne Block knew them and they would " not let Anne Block win." Jeffrey Meyers primarily represents only AWC.

158. In addition, when Block requested public records from Duvall concerning their investigation, they withheld relevant documents in order to cover for Bati ot's crimes. Block learned of the withheld documents when she received them from Lake Forest after making a public disclosure request from them.

159. While at the same time, Block is trying access public records being withheld by Duvall, Block is also f iling suit against Gold Bar for access to WSBA complaints former clerk Penny Brenton admitted the former Mayor Joe Beavers ordered her to write. In Block Gold Bar, Snohomish County Superior Court Case No. 15-2-06148-6. Block made a request in January 2011, seeking all records sent to or received by Penny Brenton in native format with metadata." Instead of complying with Block's request, the City stalled the release of records created a month after Block requested the records, and made its first release in May 2015. The release was in

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PDF format, not in native format, had the metadata stripped, documented that Beavers created the files in March 2011, refused to provide metadata, so Block objected. The City ignored Block 's objections for two more years, pro viding only a hand full of emails released twice on CD over the next two years, and then when Block tried to depose former Mayors Hill Pennington and Beavers in early 2016, Soto moved for Summary Judgment.. This after Soto was already listed as a RICO in Block v WSBA et al. Soto never had her clients sign conflict statements as required by RPC 1.7. On March 19, 2016, the Honorable Snohomish County Superior Court Judge Wynne held that the City of Gold Bar violated Block 's rights to access public records, a nd that five years was not reasonable and violates Hobbs v Wash. State Auditor. Following Judge Wynne's holding in Block 's favor, on March 31, 2016, the City released via email 12 separate email releases with 585 pages of scanned PDF files of emails not pr ovided as requested in native format with metadata. Block objected again, citing O 'Neil v Shoreline, but this time, Kenyon 's solution was to have Bonnie Jones commit fraud upon the court. According to Denise Beaston June 2017, Kenyon had a three hour meeting with Jones, Beaston, and came up with a game plan to refuse to accommodate Block 's RCW 49.60 request to have all records emailed to her. Instead, now the City would only release records on a CD and force Block, who had requested a reasonable accommodation under RCW 49.60 (have records emailed as Block suffers from three major life impairments, breathing, walking, and seeing) which often confines her to the bed for 12-18 weeks of the year with severe pneumonia. Emails from Ragonesi to s Reay, Soto, McMahon, and Tempski, document that Ragonesi used Block 's disability to flood Block with motions when she knew Block struggling with pneumonia. These Emails from Snohomish County were requested in February 2016, but withheld until 2018.

160. In February 2 018, Snohomish County Deputy Prosecuting Attorney Mark Roe 's direction, Deputy Prosecuting Attorney Andrew Alsdorf and Deputy Prosecuting Attorney Sean Reay conspired with Public Defender Jason Schwartz (“Schwartz”) to committed fraud upon the

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court by conspiring to harm a Washington and by making misrepresentations of material fact to the court by accusing Block of practicing law without a license for acting as a process server for Lori Shavlik on February 1, 2017 in Washington State v Jerry Bogart. Ro e, Reay, Alsdorf, and Schwartz's actions committing fraud upon the court, and doing so in part by electronic means, in violation of the Hobbs Act (making threats against Block relative to falsely accusing her of practicing law without a license), are predicate acts under RICO.

161. Bonnie Jones, another RICO , admitted in an email obtained just before the filing of this complaint in the ninth circuit, that all of the City 's documents were being turned over to Jill Beavers. This would allow Joe Beaver, who no longer holds any position with Gold Bar, to decide which documents which should be turned over as part of public disclosure and which ones would be withheld and/or destroyed, This constitutes extortion under state and federal law, denial of honest services under federal law, and thus a predicate act under RICO.

162. AWC is a private, non-profit corporation that is tax exempt under IRs 501 (c) (4). It was created by voluntary action of city representatives in 1933 in response to the repeal of Prohibition and the need to "present a united front on liquor control legislation." Today AWC serves the broader purpose of providing support and serving the various needs of cities and towns in Washington state. While AWC's membership is voluntary and has varie d some over the years, today all 281 the cities and towns in Washington are members. A separate and distinct class of membership is available to private entities and individuals who may join AWC as "associate members," through which they can market themsel ves to the AWC's cities and towns; however, associate members do not serve on the AWC board of directors or otherwise set policy for A WC.

163. Unlike the Association of Washington Counties, AWC was not created by statute; however, the legislature has rep eatedly recognized AWC's role as the organization representing the interests of cities in multiple explicit statutory references. For instance, under RCW

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35.34.120 cities are required to transmit their adopted budgets to AWC. See also RCW 35.34.060. Under RCW 35.34.031 accounting standards for cities adopted by the state auditor must be done after consultation with AWC. The same consultation with AWC is required under RCW 5.76.030. Under RCW 35.78.020, the legislature allocates to AWC the appointment of certain members of the state street design standards committee. Under RCW 35.102.040, the legislature required the cities to work through AWC to develop a model business and occupation tax ordinance. Under RCW 36.110.030, AWC selects a member of the statewi de jail industries board of directors to represent the cities. All told, there are more than 50 references to AWC in the RCW and the WAC.

164. Under these laws the AWC is responsible for legislating mandatory statewide model ordinances and policy, as well as either directly appointing or selecting members for appointment to dozens of policy groups and State boards concerned with a broad range of virtually every aspect of State and municipal government, from mandatory model B&O tax ordinances, transportation, fire services, solid waste facilities, environmental and development policies, law enforcement, road construction, design standards, and freight mobility, to such matters as survey monuments and sex offender treatment centers, Significantly, the AWC oc cupies a position on par with the State Auditor with respect to receipt of city budgets. See also RCW 35.76.040, RCW 35A.33.040, RCW 35A.33.075 RCW 35.34.060, RCW 35.34.120,130 RCW 38.52.530. Considering all of the recognition by the legislature of AWC, it is clear that the legislature recognizes AWC as the de facto representative of Washington's cities and towns.

165. With these state granted benefits the AWC has been able to achieve a monopoly in the area of insurance for state and municipal governmental agencies, but because they are a private non-profit, they are not a government or state agency. While the state has granted them some state functions, the state does not supervise these functions. As a corporation they are not entitled to any immunities under the Washington State constitution. Washington 's constitution is

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unique among the 50 states in this regard

166. As described in the complaint and this statement, AWC has misused its monopoly powers to control and corrupt the legal system in Washingto n state with respect to suits against governmental agencies. It alternately uses bribery and extortion to unfairly win cases. As such it is a criminal enterprise under RICO and an unlawful monopoly under Washington 's Constitution and under Sherman Anti-Trust Act.

Allegations involving Lin O'Dell and Paula Fowler

167. In September, 2016, Block learns of new evidence of Lin O 'Dell's theft and fraud: Block learned that the Washington State Certified Professional Guardian Board (" CPGB") cited Lin O'Dell in September 2016 for using her convicted killer husband for professional services on her vulnerable adult client trust account and allowing the killer direct access to the clients. On July 26, 2012, Spokane Superior Court filed a complaint with the CPGB a gainst attorney Lin O'Dell, who is also a WSBA Hearing Officer. In January 28, 2013, six months after the CPGB received the Spokane Superior Court complaint, the CPGB opened a grievance against Lin O'Dell.

168. There were a total of four Grievance number s assigned by the CPGB representing multiple complaints against O'Dell. The clients were identified by the CPGB as " C.C.", "P.F.J", "P.F." and "M.J".

169. Paula Fowler (Fowler), one of the grievants, is the beneficiary of a trust estate. Fowler has been determined to not be an incapacitated person after she was finally able to gain her freedom from Lin O'Dell's control and oppression. This client complains about many things, including O'Dell's "husband", convicted killer, Mark Plivilech.

170. Relevant to Block, the WSBA, through its chief hearing officer, Joseph Nappi, knowingly assigned a hearing officer, that Nappi knew was aware of being investigated for fraud, abuse, and theft. The WSBA was aware of the grievances, and the Spokane Superior Court

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ordered investigation into O 'Dell prior to appointing O 'Dell as WSBA Hearing Officer in the malicious disbarment proceedings against Block. The WSBA has representatives on the CPGB, that otherwise is a board that has lawyers, judges, and/or commissioners. O'Dell was notified in February 2013 of the Spokane Superior Court complaint and failed to disclose this to Block.

171. The following is a list of the issues involving misconduct of Lin O 'Dell that involved Paula Fowler..

Issue 1, Failure to supply confl ict statements by Bruce Pruit -Hamm, Lin O 'Dell, Jessica Bodey, Karen Vache ' during the creation of guardianship and the period of time leading up to Fowler's mother's death in 2011. Then, through a series of transactions, control of this estate was transferred to her brother Rex, who had both an alcohol and drug problem, and was a convicted felon who had been imprisoned 6 months in Arizona.

On August 8, 2006, Fowler went to Bruce Pruitt -Hamm for the purpose of obtaining a divorce from her husband Mark Fowler. On August 10, 2006, he was already contacting an Idaho attorney Pamela Massey, who was an Idaho attorney for Fowler 's brother Rex Shank. He was also in contact with the Wytychak Elder Law Firm, which was later paid over $16,000 for managing an Idaho trust in Fowler's name name.

On August 29, 2006, Fowler 's brother Rex petitioned the Idaho court, through Pamela Massey, to have him made guardian of the estate of Fowler's mother. This was not a coincidence.

Rex was appointed as a temporary guardian only on September 5, 2007 in Idaho Case No. CV-06-6619 and

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immediately paid $1,152.40 for legal services rendered by Bruce Pruitt -Hamm in Fowler 's divorce case. There was never any discussion nor a conflict statement signed concerning the actual conflict of interest of her mother's guardianship being used to pay this fee. Also, there was no discussion about how Rex Shank could make such a payment, when his temporary letters explicitly stated his powers: "allowed only such access to alleged ward's assets as is nece ssary to provide for the alleged Ward's necessities of Life." (Emphasis added).

Shortly thereafter, on October 1, 2006, without explaining to Fowler the reason and possible implications and without obtaining a conflict waiver, Pruitt -Hamm petitioned the cou rt to have Fowler put in a guardianship. Although he claims he did this as an " officer of the court", there was no written explanation of the actual or potential conflict of interest this posed for Fowler's interests, especially that of putting Fowler's brother in control of their mother's finances instead of Fowler. Soon, the court had appointed Karen Vache ' as a GAL who filed a new guardianship action, where Jessica Bodey was appointed as GAL. Then Bodey and Vache ' recommended that Lin O'Dell be appointed.

At first Fowler was suspicious of the fact that all three of these attorneys were working together in the same office and voiced those concerns to Bodey about this. Bodey claimed that this was no cause for concern because there was no conflict just becau se three attorneys knew of each other and worked at the same location.

What was not explained to Fowler was that Lin O 'Dell and Karen Vache ' were business partners in a law firm called " Advance Mediation Service, LLC" and would therefore share profits. Thi s was not disclosed to the court either. This raises the issue as to whether the

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unnecessary second guardianship action was instituted to hide the conflict that existed between Vache' and O'Dell.

By January of 2007, Fowler had changed her mind and decided to try and save her marriage. She also made it clear that she did not agree with assessment by Pamela Ridgway, a psychologist who prepared a report recommending guardianship. In preparing her report to the court, GAL Bodey confirmed that she had consulted other doctors before making her recommendation including Dr. Bot and doctors who had evaluated me for possible social security benefits. What she did not disclose to the court is that these three other doctors did not recommend a guardianship for Paula Fowler.

In March of 2007, Fowler reluctantly agreed to the creation of a guardianship, against the recommendation of her counsel at the time, because of assurances by all the other attorneys, Pruitt-Hamm, O'Dell, Vache', and Bodey, that the guardianship was designed to help her manage her assets and obtain her fair share of the estate.

Had Fowler been aware of the full nature of the entangling conflicts of interests and alliances that had been formed to put control of the estate in the hands of her convicted felon, alcoholic brother, she would have never gone along with it.

At some point in time after Lin O'Dell became guardian, it was decided to reinstitute the divorce proceedings and obtain another no-contact order against Fowler's ex-husband, Mark Fowler.

After Fowler's mother died, Lin O'Dell became trustee of the trust created to receive Fowler's inheritance. Lin O'Dell was also a Washington limited guardian of her estate as well as a limited guardian of her person. The creation of these legal entities was made because Fowler supposedly was easily manipulated financially and therefore O'Dell had a fiduciary duty to preserve Fowler's portion of the estate and protect her interests. There was no discussion of there being a potential conflict of interest or actual conflict of interest of representing both Fowler in

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the divorce, and representing the Washington guardianship and the Idaho trust, nor were any conflict statements signed. Eventually, it was the failure to adequately deal with these conflicts of interest that led to the problems that followed.

Issue #2: Failure to supply conflict statements by Wallace, Cusack, and O 'Dell during the formation of a TEDRA agreement and a RICO enterprise.

One of the first orders of business was for the attorneys to reco mmend to Fowler the formation of a TEDRA agreement. This again was portrayed to Fowler as something that was done to help her and help manage her estate. What was not told to her was that this agreement was flawed from the very beginning as it had a funda mental conflict of interest that was not explained to her, and that it was based upon a will and trust agreement that were no longer valid. First, it was arranged that Fowler would be represented by Mary Cusack, but she was not told that she was law partne rs with Richard Wallace, who represented Fowler 's mother during the drafting of the second codicil and the second amendment to the Norma Shanks Living trust. Since Wallace would be expected to represent her mother 's interest, this represented a potential conflict of interest and should have had a conflict statement according to In re Marshall 160 Wn.2d 317.

In addition, according to the first amendment to the trust and the first codicil upon which the Tedra agreement was based, Fowler was to be favored over her brother in the fact that she would inherit her mother's home in Whitefish, Montana. In 2015, this home was assessed at over $800,000.

Since Richard Wallace represented her mother, his failure to disclose the conflict of interest represents an actual c onflict of interest with respect to his law partner, because by representing the wishes of Fowler 's mother, it conflicted with Fowler 's interests irrespective of whether she intended to reduce her role in the estate or not. Thus Wallace and Cusack were in violation of the rules of professional conduct under the RPC as written, or under the more

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restrictive terms of Marshall id.

It was clear, that prior to the TEDRA agreement in 2008, Fowler was favored over her brother. She had been named power of attorney, and her ex-husband James Evans was personal representative for the first codicil of her mother 's will. Since the TEDRA agreement was signed, Richard Wallace has refused to release the second amended trust agreement and the second codicil even though he h as released all the other wills and trust agreements. Likewise with O'Dell, who was appointed by the courts to protect Fowler 's interests, allegedly because she was easily manipulated by men (which would include of course, her brother.) Wallace claimed he lost them… and O 'Dell also refused to produce them even though she obviously saw them. Since these documents should have been the ones the Tedra agreement replaced, the fact that both attorneys refuse to produce them is inexcusable. If they continue to ref use to produce these documents and other documents that are missing, the court should consider it spoliation, and read all inferences against both of them.

Issue #3: Conversion of horses, paintings, dogs and other items. This issue involves Fowler's ownership of some horses and other items. In August, 2010, Jimmy Smith who worked for Lin O'Dell, talked Fowler into having two horses "wintered" by some farm in Spokane Valley. Fowler was skeptical of the need for it because she had already wintered the horses the previous year. On October 20, 2010, she checked into a local hospital for severe depression. At that time two of her dogs had escaped, but the rest were still in the pen. After she wanted to go home, Jimmy Smith and a counselor were insistent that she stay longer, and in return for Fowler staying longer, Jimmy Smith agreed to go take care of the dogs and safeguard her belongings. Some of these included some valuable paintings that were painted by Norma Shank and given to Fowler. Instead of safeguarding the dogs, they were let free, and Smith hired a neighbor to look for them. However, instead of putting her in contact with the man who was supposed to retrieve them, Smith refused to give the phone number, and as a result, the man was unable to retrieve

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them. Later when Fowler got out for a brief period, she was able to retrieve one who was a wolf. However, when Fowler was sent to another rehab center, Lin O'Dell gave the wolf away to an outfit that was supposedly a wolf sanctuary. When Fowler returned to h er house, it had been ransacked and all the valuable paintings were missing. Later, Jimmy Smith tried to get Fowler to sign papers to give up legal title of the horses. When she refused, she never got an explanation as to what happened to the horses. In la ter conversations with other people in the town, they said they were told by Lin O 'Dell to shoot the dogs if they came across them. Fowler never saw the horses, dogs, paintings ever since. When she asked about the horses, she was told to forget about it as it is "ancient history". Although there is no statute of limitations on a bar complaint, the Washington State Bar Association has refused on numerous occasions to even investigate the misconduct listed in this complaint.

In her response to the court, O 'Dell disclaims any responsibility, claiming that the horses were “rescued”, but does not say by who, or under what authority they were transferred to a new owner. She claims that the property was separate property, which would be consistent with her having Jimmy Smith asking for a release that was never given. From her report, she obviously knows what happened to the horses, but does not say who or how they were transferred. She does not explain why the horses were “ rescued”, when Jimmy Smith had been tasked with wintering them. When called to task over the rest of the stolen property by the Stevens County Superior Court, she had the audacity to claim that it was Fowler 's fault that everything was stolen, even though she was paying caregivers such as Jimmy Sm ith to take care of it, while being paid in amounts that the court characterized as highly excessive.

Issue #4: Improper accounting and conversion of automobile. On July 12, 2011, a check was written by Rex Shank, from Wells Fargo account No. 426340535, (Fo wler's deceased mother's guardianship account), for $7,432 to Paula Fowler. This check was deposited into USB7452 which is Fowler 's guardianship account that is under Lin O 'Dell control. Three days

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later, on July 15, 2011, Lin O 'Dell wrote a check from he r guardianship account USB7452, ck #2273 for $7000 To “Bomben Family Trust” which Lin O'Dell endorsed as “Lin O'Dell Trustee”.

According to Mr. Craig Bomben, son of Angelo Bomben, this check which involves an apparent conflict of interest between two trust s that are run by Lin O 'Dell. Lin O'Dell, had been appointed guardian for Craig's father, Angelo Bomben, on or about July 20, 2010 in case No.10-4-00009-9. Around the end of June 2011, his family discovered money missing from the family trust and traced the shortfall to his guardian, Lin O'Dell.

According to Craig Bomben, the family demanded Lin O'Dell pay back the $7,000 which they believe she had stolen or they were going to the police and file charges and have her disbarred. According to Craig, the Bombe n family gave Lin O 'Dell 10 days to have the money put back into the account. There were no receipts, and no invoices for this transaction stating what it was for. There was no conflict statement in writing, signed by either members of the Bomben family t rust or by Fowler showing approval of a transaction in spite of a conflict of interest or possible conflict of interest in the future between the two trusts. While at one point, O'Dell told Joseph Valente, a Stevens County court appointed investigator, the check was for payment of a car, there was no appraisals showing who owned the car and what it was appraised at.

Fowler has never signed a waiver for the conflict of interest between the two guardianship cases and was never counseled as to the advisability of seeking advice from another counsel.

In July of 2013, DMV records show the registered owners were the Guardianship of Paula Fowler and the Guardianship of Ricky Ott. It was registered that way until March of 2016. Fowler was never told that she co-owned the car with the Guardianship of Ricky Ray Ott or why it was registered that way. She never signed a conflict statement advising her of the co-ownership with Ricky Ray Ott. Lin O 'Dell violated RCW 11.92.185 which deals with concealed or embezzled property. She apparently stole from one guardianship account (Angelo Bomben), and

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when caught, converted funds from Fowler's guardianship account to repay the "Bomben Family Trust". In doing so, Lin O 'Dell violated RCW 11.92.040(b): " A guardian must provide identification of all income sources. A guardian must list all expenditures made during the accounting period by categories." Lin O 'Dell did not identify the $7,432 check from Fowler 's deceased mother's guardianship account. Lin O'Dell did not list the disbursement of $7,000 to the "Bomben Family Trust" , her former client. Lin O 'Dell also violated the Rules of Professional Conduct 1.7 and 1.8 which deal with self dealing and conflicts of interest.

When Stevens County Superior Court asked for an explanation for t his transaction, there was no satisfactory response. Eventually she was cited for the conflict of interest, but O 'Dell never disclosed the improper registration or the allegations of the Bombens. It was only after Fowler retained a private investigator that the rest of information has come to light.

Issue #5, Retaliation and extortion for reporting improper accounting. In March of 2013, Fowler had written to the Stevens County Superior Court asking that Lin O 'Dell be removed as guardian due her misconduct a s a guardian. She waited for months for Stevens County Court to do something. On or about August 6, of that year she was at her computer and learned for the first time that a hearing had been scheduled at the very hour she was on her computer. She got on the phone and immediately informed the court and they decided to reschedule in September. She later learned that Lin O'Dell was at the hearing and was supposed to have notified Fowler of the hearing. Then, on September 14, 2013, Lin O 'Dell and Mark Pliveli ch showed up at Fowler 's house. Fowler 's ex-husband, James Evans(Evans) was there, and Mark Plivelich told him personally, how much he would like to own Fowler 's home---apparently, he considered the property part of "The Trust". Lin O'Dell and Mark Plivelich, both were confessing and bragging that they had arranged through the local Northport citizens to have Fowler's dogs killed.

Later Evans witnessed Lin made threats to me that she had intentions of cutting off her TEDRA funds, getting rid of her dogs, cha nge the locks and sell Fowler 's house in her absence.

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She was insisting that Fowler leave the state immediately and not attend the continued hearing as a result. She claimed that Onsight-Insight, Fowler 's Idaho guardian was insisting that she leave immediately because of a probation requirement, even though earlier Fowler had been given discretion in setting the report date. It appears that O 'Dell conspired with Onsight-Insight to prevent her from attending the hearing in retaliation for reporting her. As will be shown later, this was an attempt to cover up double booking O 'Dell was starting to engage in because Fowler 's grievance, caught her in the midst of a fraud.

In doing so, Lin O'Dell violated RCW 9A.56.130 which is extortion in the second degree. She also violated the duty to provide honest services that each guardian is expected to follow, whih makes it wire fraud and a predicate act under RICO. As a result of Lin O 'Dell's threats, a hearing could not be held on her misconduct as a guardian until December 31, 2013.

Issue #6. Improper accounting and record keeping.

A March 26, 2016, e-mail from the Stevens County Superior Court confirms the type of accounting Lin O'Dell used as a certified guardian of the estate.

Lin O 'Dell submitted a box full of " documents" and financial records to support her budget and accounting reports. Some documents were bundled together, nothing labeled or otherwise identified. When the Review Board was unable to match up figures from documents submitted, the Court appointed I nvestigator/Attorney Joseph Valente as a court appointed investigator.

Lin O'Dell violated RCW 11.92.040: Duties of a guardian or limited guardian in general: Lin O'Dell violated RPC 1.15A: Safeguarding Property

Issue #7 Improper Accounting, possible conversion, lack of candor to the court.

These violations are based on the following events: On November 21, 2013, Judge Monasmith signed an " Order to Show Cause" calling for Joseph Valente to investigate possible guardianship violations in Fowler's case. On the basis of this investigation, Lin O 'Dell was cited

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for 13 violations. According to a statement from Joseph Valente report: “ Up until Judge Monasmith had “Order To Show Cause”, Lin O'Dell has done whatever she wanted without any regard to the authority of the Court.” Within days, December 12, 2013 Lin O 'Dell submitted “Amended” yearly accountings. Through recently discovered accounting records, submitted April 5, 2016 (SUB127), the Stevens County Court Clerk organized the files and records and prepared Exhibit List for the Court of Appeals case No. 32979-8 on April 5th, 2016 (Sub 127). Fowler learned of these records shortly thereafter. Fowler compared those records which bank records she independently obtained from US Bank and found out that Lin O 'Dell's am ended accounting submitted into court file is misleading and not accurate. The records from US Bank account USB7452 (guardianship account) shows the actual Income and Disbursements which are one-hundred percent different than what Lin O 'Dell submitted. Fow ler has records to show the difference in what Lin O 'Dell submitted to the courts and what the USB7452 show: 3/6/2011 to 3/5/2012 Lin O 'Dell Amended accounting: Income $0 Disbursements $99,129.76. (Fowler has only have 9-months March, April and May missing) USB7452 (guardianship account) 9-months: Income $94,220.35, Disbursements $93,718.03. 3/6/2012 to 3/5/2013 Lin O 'Dell Amended accounting: Income $.35, 3/6/2012 to 3/5/2013 guardianship account USB7452 confirms: Income $142,718.19, Disbursements $120,038. 45. 3/6/2013 to 11/30/2013 Lin O 'Dell Amended accounting: $0.00, Disbursements $.0.00 Guardianship account USB7452 confirms: Income $66,000.00, Disbursements $114,402.13. Lin O 'Dell violated RPC 3.3: Lin O 'Dell has never given Fowler receipts or invoices f or anything----Lin O 'Dell just makes statements (full of misrepresentations) and has continually refused to give Fowler proof of where her funds have been disbursed to under her control. Fowler has e-mails from April 1, 2015 asking Lin O 'Dell for accounting records and proof of her estate assets. Lin O 'Dell has continually given the same response: “I am not going to spend additional funds for records you have already been given.” Although Fowler and her Idaho attorneys have asked many times----To this day, Lin O'Dell has

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not given Fowler supporting documents to confirm income and or disbursements when she has had total control of fowler 's money. Yet, Lin O 'Dell was paying herself thousands of dollars monthly for being a Washington limited guardian of estate and for trustee fees which the Steven County Superior Court ruled were, in many cases, highly excessive. Within days of Joseph Valente being appointed to investigate, Lin O'Dell 12/10/2013 filed a declaration on 12/10/2013: SUB #78, (page 7 line 9-10) she admitted "I did not send Paula her financial statements because I was scared of her safety." and (page 8 line 5-6) " As I stated in court, I did not send Paula copies of the 2012 and 2013 annual report."

Also, according to Valente 's report, O 'Dell had a doub le booking system of accounting making it impossible to follow the money trail. She would enter income and assets into the trust account while simultaneously entering into the same identical information into the guardianship account, even though under Was hington law they were two separate entities. The money was never withdrawn or deposited in the trust account leading the investigator to speculate that she was anticipating criticism from the court for maintaining the guardianship when it was duplicating a nd charging fees for work that was already being accomplished in the redundant Idaho guardianship. Her final accounting for the guardianship account claimed that she was not charging anything in fees for the guardianship. However, in spite of these assuran ces, records from the trust account show she actually paid herself $3,623.75 in guardianship fees without court approval as required. Lin O'Dell violated RPC 4.1: Truthfulness in Statements to Others In the course of representing a client shall not knowingly (a) Make a false statement of material fact to a third person.

The following standards of the American Bar Association Standards for Imposing Lawyer Sanctions (" ABA Standards") are presumptively applicable to this case. ABA Guideline Standards 6.1 False Statements, Fraud, and Misrepresentation. 6.1 is generally applicable to case involving conduct that is prejudicial to the administration of justice or that involves dishonesty,

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fraud, deceit or misrepresentation to a court. Disbarment is generally approp riate when a lawyer engages in conduct intended to deceive a court or make false statement, submits a false document or improperly withholds material information and causes injury or potentially serious injury to a party. Given the damages to the system an d ongoing misrepresenting the facts to the court, the presumptive standard for the attorney who misled the court is disbarment 6.11 Disbarment is generally appropriate when a lawyer, with the intent to deceive the court, makes false statement, submits a fa lse document, or improperly withholds material information, and causes serious or potentially serious injury to a party, or causes a significant or potentially significant adverse effect on the legal proceeding,

ABA Guidelines Standards 4.1 Failure to Pres erve the Clients Property. Absent aggravating or mitigating circumstances, upon application of the factors set out in 3.0, the following sanctions are generally appropriate in cases involving the failure to preserve client 's property: 4.11 Disbarment is g enerally appropriate when a lawyer knowingly converts client property and causes injury or potential injury to a client. Issue #8 Violation of guardianship rules, extortion, and formation of a RICO enterprise. EXHIBIT 3 is a September 13, 2016 the CPG Board Agreement regarding discipline and stipulated findings against Lin O'Dell. Lin O'Dell was cited on twelve violations of the Standard of Practice Regulations: 401.1, 401.3, 401.5, 404.1, 404.3, 404.4, 409.1, 411.1, 411.3,---former SOP 401.15, 401.16, RCW 11.92.043 (3), and disciplinary regulation 514.4. This, report revealed new information never disclosed to the WSBA: Lin O'Dell admitted Mark Plivelich was her husband and used him to perform work on Fowler's case. As seen above, Lin O'Dell has used Mark Plivelich services and paid him as a care-manger to be her enforcer to intimidate and make threats to her clients. She was and currently is still am afraid of Lin O 'Dell's and Mark Plivelich 's threats. Spokane County property records confirm: Lin O 'Dell was guardian for another client, Harry Highland, she purchased it for $15,000 when it had been assessed at $240,000 and lived in her past clients home in Cheney,

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WA. I have been afraid, because of Mark Plivelich 's and Lin O 'Dell's threats, that she would do the same to me.

Issue #9: Improper accounting and conversion of assets prior to and during probate of Norma Shanks. Fowler have never been given an inventory list of assets her mother had at time of death, which included: the original copy of her mother 's life insurance, whose cash value on January 23, 2002 was $190,471.24. There was another life insurance policy that was cashed out in 2009, while Fowler 's mother was under guardianship. Fowler has never been shown the amount of disbursement and to what acco unt the life insurance was deposited. Her mother 's house in Post Falls was sold, December 8, 2011 for $106,250.00. When asked about the proceeds she was told there were so many deductions that she may have gotten between $7,500 and $10,000---never given an y proof----just Lin O'Dell making a statement never supported by any evidence.. Within the last few weeks through Fowler's Idaho attorneys Fowler discovered several bank transactions at the time of Norma Shank death (2 out of 9 bank accounts) Fowler's attorneys have discovered 103K missing that should have been deposited into Fowler's account upon death of her mother---Lin O'Dell explanation----There was a loss in the market value - no supporting evidence--- just Lin O'Dell making a statement.

Fowler has the Idaho Guardianship/Conservatorship accounting from Norma Shank Case No. CV-06- 6619, which yearly she was receiving gifts from Norma Shank Trust, being deposited directly into either Lin O'Dell personal account or USB7452 guardianship account much of it after the letters of guardianship had expired and had not been renewed.

Issue #10 - Commingling funds from client trust accounts to personal account of attorney

According to guardianship accounting 3/2007 to 3/2008) which was filed with the court on March 2 1, 1008, on page 4, Lin O'Dell made a statement "I deposited the entire yearly trust

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deposit into my account because Paula was calling me daily wanting more money." (Emphasis added). Violated RPC 1.15 (c) A lawyer must hold property of clients and third p ersons separate from the lawyer's own property.

Issue #11 - Improper accounting prior to probate, conversion, conspiracy, formation of RICO enterprise, bribery. Fowler had requested from Lin O'Dell confirmation for payment $250,000 Rex Shank had borrowed f rom her mother, Norma Shank to purchase one-half of the Hunters Restaurant in Post Falls, this transaction was done just months before he filed for guardianship/conservatorship of Norma Shank, with a estate worth millions. Lin O'Dell has refused to furnish Fowler with any financial documents regarding the payment status of the loan Rex Shank had between their mother, Norma Shank and Fowler. As to the $250,000 lent to her brother, after being given only $1000 of the payments that were promised, there was ne ver any explanation why the payment stopped or what happened to the other $3000 per month he was supposed to have been paying. Lin O'Dell now claims she has no records because Rex controlled the estate. She also gives the same excuse for the failure to account for the life insurance policies. However, she is a Washington practicing attorney who established a guardianship specifically because Fowler was easily manipulated by men, which presumably would include her brother Rex. At a minimum she should have ma de inquiries and obtained records to show Fowler was not being taken advantage of. Her failure to produce these records is inexcusable, and, like before, the court should consider the refusal to turn these records over as spoliation.

Issue #12 - Refusal to turn over records.

E-mails confirm Fowler has asked Lin O'Dell for years to sign a release authorization directing Les Anderson, CPA, Post Falls, Idaho to release financial records. Mr. Anderson was her mother's CPA for years and through her death. These d ocuments would prove the assets my

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mother held at the time of her death. Lin O'Dell has refused usually claiming she has no authority to control Mr. Anderson because Rex was conservator/guardian and Wells Fargo/trustee of that trust not her.

However, she i s a practicing Washington attorney who had a fiduciary responsibility to preserve the estate. She cannot have it both ways. If she in fact did not have direct access to Anderson's records, then why did she not use her skills as an attorney to force their release, as she had a right to preserve the estate of the guardianship?

In refusing to do so, Lin O'Dell violated RPC 1.15A: Safeguarding Property.

Issue #13, apparent conversion of funds.

Lin O'Dell declaration SUB 78, submitted December 10, 2013 into cour t record case contained several false statements including, page 4 line 24-25, where O'Dell stated "Every time the (trust) disbursed money to Paula as a gift they needed to transfer equal amount to Rex Shank." This statement is another misrepresentation t o the court, showing a complete lack of candor. Idaho conservatorship accounting 10/2007 through 10/2008 listed that Rex Shank was gifted $199,427.69----Paula Fowler gifted $24,200-- As her guardian, Lin O'Dell had a duty to protect all assets---these larg e trust funds being disbursed were not Rex Shank funds they were their mother's and Lin O'Dell, as guardian of estate, had a duty to look into these transactions.

On April 18, 2011 (one-month prior to Norma Shank death 5/30/2011) Idaho Judge Clark Peterson called a Status Conference to address issues why the $73,000 gifted to Rex Shank and $43,000 gifted was Paula Fowler from the Norma Shank Trust (without court approval). Attorney Pamela Massey had same comment Lin O'Dell stated in her declaration. "Rex Sh ank gifted yearly amounts between himself and his sister Paula Fowler. Gifting will remain at $13,000 per person limit per year." Never explained was why these amounts were unequal. Also unexplained is why the TEDRA Agreement called for Paula to receive $20 00.00 per month, yet the accounting records show that Paula never received anywhere near this amount.

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Also unexplained is why Idaho Judge Clark Peterson was allowed to sit on the case, when he had received at least $5000 from Fowler 's guardianship account without court approval when he represented Fowler 's ex-husband Mark Fowler in criminal charges in 2008. Lin O'Dell violated RPC 3.3 (a) A lawyer shall not: (1) make a false statement of fact or law to a court or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;

Recently discovered accounting records submitted to Stevens Court, by Lin O'Dell in an unorganized box. The court clerk attempted to organize the box. Exhibits submitted for the Court of Appeals use shows several unexplained transactions:

8/31/2012 ATM SAVING WITHDRAWAL $ 8,649.37,

11/14/2012 ATM SAVING WITHDRAWALS, $2604.25

12/31/2012 ATM WITHDRAWAL 1,177.56

Total of $12,431.56 CASH taken by Lin O'Dell No-Receipts or Invoices.

USB7452 guardianship account confirmed: 2/6/2012 Customer

Withdrawal $1,000,

2/21/2012 ck#2405 CASH $500,

9/13/2013 Customer Withdrawal $500. This has all the appearances of unlawful conversion of property and if so, Lin O'Dell violated RCW 11.92.185: Concealed or Embezzled property.

Issue #15 - Misrepresentations as to the scope of her authority.

Lin O'Dell has continued to make misrepresentations to the courts. July 26, 2016 letter from Lin O 'Dell Attorney Katherine Coyle confirms, Lin O 'Dell is telling Fowler 's Attorney t o correct the TEDRA document to show Lin O 'Dell was appointed Full Guardian of the Estate. When Fowler's attorney requested the order of Lin O'Dell appointment of full Guardian of Estate---- Lin O 'Dell changed Attorneys. O 'Dell eventually loses Appeal No. 32979-8-lll against Fowler and attorney Joseph Valente.

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In this regard, O 'Dell has been joined in this misrepresentation by Cusack, who likewise made the misrepresentation to Washington courts that O 'Dell was a full instead of limited guardian.

One of the things O'Dell was cited for in the Stevens County action was for continually misrepresenting the scope of her guardianship to others, including the court, and misusing her limited authority to take actions that exceeded her authority. Incredibly, even aft er being sanctioned by the court and losing on the appeal, she continues to misrepresent the scope of her authority, so she can again perform a fraud on the court.

Issue #16 - Failure to supervise and conduct background checks for her staff:

Lin O'Dell violated RPC 5.3: failure to supervise subordinates

Lin O 'Dell on 10/18/2013 signed a blank guardianship check----gave it to her felon husband---top of check has Mark Plivelich driver 's license number, PLIVEMD475LB, ex 6/2/2017.. Lin O'Dell has violated RPC 5.3 (b

With regard to her husband, Lin O'Dell violated RPC 4.1 Truthfulness in Statements to Others: Lin O'Dell made a statement in the CPG Discipline and Stipulated Finding, she had employed Mark Plivelich for about a year. The Guardianship account, USB7452 confirmed she had paid Mark Plivelich or his business starting 7/15/2011 through 10/18/2013 this appears to be 2-years and 3-months. Checks from Fowler 's USB7452 guardianship account, written by Lin O'Dell to "Felon" Mark Plivelich and "Complete Estate Services include:

Mark Plivelich 7/15/2011 $135.04,

Mark Plivelich 5/19/2012 $885.96,

"Complete Estate Services" 7/1/2012 82.22, "Complete Estate Services" 7/12/2012 115.00 "Complete Estate Services" 7/30/2012 "Complete Estate Services" $312.75, "Complete Estate Services" 4/19/2013 $1,443.15, 10/18/2013 blank check written by Lin O'Dell /Mark Plivelich driver's License top of check $107.02.

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Fowler was never made aware of the fact that Mark Plivelich was her husband, nor that she had formed a partnership wi th her husband to form Complete Estate services. Fowler was never informed of his felony conviction for manslaughter.

When questioned by the guardianship board on her hiring of her husband which was forbidden under Washington law because of his felony conviction, she simply stated that because the conviction was over 30 years old, she thought it didn't count.

Yet court records confirmed that her husband was convicted for shooting a friend in the head at point blank range with his gun. He was only convicte d of manslaughter because he claimed to the court at the time he was drunk and didn 't know what he was doing. As stated above, O 'Dell uses her husband as an enforcer for her enterprise, so his conviction is highly relevant, no matter how long ago it happened.

The ABA recommended sanction for the above conduct, which by Washington law is the presumptive sanction, is disbarment.

Issue 17 Lin O'Dell NEVER filed a petition to present accounting receipts, investments, expenditures before closing Guardian of Esta te. According to RCW 11.92.053: Settlement of estate upon termination. Within ninety days, unless the court orders a different deadline for good cause, after the termination of a guardianship for any reason, the guardian or limited guardian of the estate shall petition the court for an order settling his or her account as filed.

172. Although there were multiple complaints filed against O 'Dell in her capacity as a Professional Guardian, including one from Spokane Superior Court, the Washington State Professional Guardian Board moved very slowly, ultimately only issuing a letter of reprimand against O'Dell, but only after Block --who had many times raised the issue of O 'Dell's veracity-- was disbarred two months prior. Eventually the Washington State Guardiansh ip Board stopped their investigation when O'Dell resigned her guardianship cases in lieu of further discipline.

173. Paula Fowler began filing her bar complaints against Lynn O 'Dell with a complaint

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filed on 3-16-2013 with a generalized complaint that was similar to the one she gave to Stevens Court that was enough to trigger a broad investigation by the Stevens County Superior Court ending in the aforementioned sanctions. Shortly thereafter the WSBA stated it would dismiss the grievance without any investigation. This was

174. On October 7, 2015 the WSBA refused to investigate four separate grievance by Fowler each of which had probable cause and likely would have led to conviction. It was alleged in Block vs WSBA C-15-2018RSM that the dismissal of thes e grievances were predicate acts under RICO.

175. On October 12, 2017 Andrew Carrigan dismissed two more grievances against O'Dell involving 1) Social Security fraud by O 'Dell by setting up and attempting to wrongfully collect social security benefits for Fowler and 2) 12 false statements submitted to the CPG board. Although Fowler provided extensive documentation which at a minimum was probable cause to open an investigation on issues that had not been raised with the bar before, and likely lead to conviction, and involved grievances that had not been raised with the bar before, Carrigan refused to even investigate.

176. On February 4, 2018 Fowler filed a complaint with extensive documentation including the 17 issues in this complaint, most of which ha d not been brought to the attention of the bar before. Carrigan refused to investigate.

177. Carrigan refused to investigate these grievances in return for O 'Dell's fraudulent conviction that are described in this Rico statement. These two actions by Car rigan each constituted a denial of honest services wire and mail fraud federal law, and bribery under state and federal law, which are therefore predicate acts under RICO.

178. On February 6, 2017, an Idaho court in Kootenai County removed Lin O 'Dell as trustee of Paul Fower's trut after allegations of breaching ethical. She was permanently removed prior to trial following out of court settlement..

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179. WSBA lawyers on the Guardian Board --while the grievance of O 'Dell was open-- had a duty to report to the bar. RPC 8.3

180. In January 2017, Batiot was paid $10,000 by the City of Duvall at the behest of RICO s Michael Kenyon, Rachel Turpin, as well as City manager Michael Morton. This payment was made to obtain perjured testimony in Block v. WSBA and Bl ock v. Duvall in King County Superior Court. This constitutes bribery under state and federal law and violation of the duty to produce honest services under the federal mail and wire fraud statutes and thus is a predicate act under RICO.

181. In November 2017. Block received responsive record to her February, 2012 request concerning John Pennington.

182. On November 20 th, 2017, Ragonesi and De Soto met with Block 's federal witness Brandia Tamuu in an attempt to get negative information on Block. On or about November 24, 2017, Raganasi and others, in order to induce Tamuu to provide negative information on Block, committed computer trespass and wire fraud by having Tamuu 's criminal record and a warrant removed from the state Access database. This d atabase is used by law enforcement to enforce warrants, to learn about criminal histories s of witnesses and suspects when they investigate law violations and otherwise perform law enforcement duties. Block learned of this through credible witnesses, and p ublic disclosure records obtained before and after the database was altered. These actions constitute obstruction of justice and are predicate acts under RICO.

183. In early December, 2017, Duvall issues records that were in response to Block 's February, 2012 public disclosure request. These records were silently withheld and put Duvall in violation of the Public Disclosure Act.

184. On February 20 th 2018, Duvall issues, in response to a January 9 th 2018 request, records that were responsive to the Apri l 2015 Public Disclosure Request that were in Batiot 's file.

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185. On February 27th 2018, Block finally receives an old email from Gold Bar that had been silently withheld from the February 2014 request from Gold Bar concerning Crystal Hill.

186. Just before filing of this petition, petitioner obtained an email, where on March 24th 2016, whereby a clerk of Judge Jones gave unsolicited legal advice to Sean Reay, without sending a copy to me.

187. On April 23rd, 2017, Crystal Hill defamed Block and committed abuse of process by claiming Block had wrongfully accused her of being convicted of bank fraud. She also committed perjury by claiming that she had not been arrested. Block has received public disclosure from Snohomish County showing that in 2009, Sno homish County ran a check on the state's ACCESS database showing she was convicted and arrested. Since that time, person or persons unknown have wrongfully deleted the data from the database..

188. On October 14, 2017, it was decided by the United States District Court, Western District of Washington that Judge Martinez should not rule on Block's request to be excused from jury duty, because of her concerns about him. Another district court judge granted Block 's request to be excused.

189. In April, 2018 , Beavers defamed the Block at a public Gold Bar City Council meeting by claiming that all of Block 's lawsuits had been dismissed. There are still two original actions pending in the ninth circuit, and a public disclosure case in Snohomish County where a superior court has already ruled that Gold Bar wrongfully withheld documents and she is awaiting a decision as to damages.

ALLEGATIONS INVOLVING WILLIAM SCHEIDLER

1. Circa 1996. Scheidler is retired due to disability since 1996; Scheidler's disability is not disputed.

2. Scheidler is entitled to a " retired persons" property tax adjustment under Article 7, Section 10.

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3. Circa 1998, Scheidler, intending to apply for his Article 7, Section 10 property tax adjustment rights, obtained the application and inst ructions from Kitsap County Assessor Carol Belas. Belas is tasked, by law, with providing these documents to Scheidler. See RCW 84.36.385(6)

> "…each local assessor is hereby directed to publicize the qualifications and manner of making claims under RCW 84.36.381 through 84.36.389…"

4. Belas did not provided the " qualifications" as mandated by .385(6) because the instructions disseminated by Belas do not reflect the law as written, nor by following Belas 's home-grown procedures would result in the calculated value for "disposable income" intended by RCW 84.36.383(5).

5. Scheidler notified Belas, via emails, that the materials she provided did not represent the controlling laws these materials were intended to represent. Belas is defrauding Scheidler and those similarly situated as the materials provided are a material misrepresentation intended to be relied upon to deprive people of their constitutional rights.

6. Circa 1998, Scheidler found Attorney Scott Ellerby, who agreed with Scheidler and represented Scheidler in that earlier challenge of the Assessor's fraud. Ellerby felt there were due process violations, violations of the ADA and privacy violations all caused by the Assessor 's misrepresentations.

7. On or about November 16, 1998. Ellerby, after collecting legal fees from Scheidler in excess of $2000, over a period of about 8 months in preparation for Scheidler 's administrative case, was threatened with his Bar license unless he withdrew as Scheidler's lawyer. This political threat to Ellerby implicates the WA State Bar, who controls Ellerby's law license as the leverage Kitsap County's Prosecutor, Cassandra Noble, WSBA#12390, used to a political end - NOT a legal outcome. It constituted extortion under federal and state law and thus a predicate a ct under RICO

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8. On or about Nov 17, 1998, Ellerby succumbed to the threat and withdrew on the very eve of the administrative appeal hearing under the political threat of Cassandra Noble**.** ***Appendix 2*** Set of Exhibits that document "perjury," "subornation of perjury," fraud," violations of rules of professional conduct 8.3 and 8.4.

9. Circa Feb. 1999. This 'political tactic' by Noble sabotaged that earlier administrative challenge of the Assessor's fraud as no other lawyer dared risk their law license in taking on the case given the political tactic by Noble against Ellerby. As a direct consequence in being rendered powerless, Scheidler was denied his rightful Tax exemption, Feb 1999 and the assessor continued defrauding retired people.

10. Scheidler, alr eady in poor health, made worse by the tactics used by WSBA associates, unable to find a lawyer to help, precluded any attempt to move that case forward or deal with Ellerby's unethical, abrupt and unconscionable withdrawal at that critical point in time.

11. It is a custom and practice for WSBA to retaliate against individuals who expose government corruption. See this RICO statement re the WSBA 's retaliation against Anne Block and her law license for exposing Snohomish County 's's Director of Emergency Services, John Pennington, who is likely responsible, at least in part, for the 43 deaths from a landslide in Oso, WA. See RICO statement concerning retaliation against Schaffer for exposing corrupt judge. See RICO statement concerning John Scannell for e xposing WSBA violations by AG for blowing $17 million on Beckman case.

12. It is custom and practice for the WSBA to arbitrarily enforce conflict of interest charges in favor of lawyers who represent the government and for defense attorneys who represent the insurance companies and against attorneys who sue the government. See RICO statement where WSBA devised new case law to prosecute Marshall and Scannell for not having a written conflict statement on a potential conflict of interest, but looks the oth er way when confronted with actual conflicts of interest involving Chief Hearing Examiner Danielson and in

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the Matthew Little cases whose conflicts benefitted the government.

13. This is a significant " insurance matter." Insurance companies are usually li nked, either directly or indirectly, to the Bar 's case-fixing schemes. These case-fixing schemes are intended to reduce insurance liability and Anne Block 's reporting was unfavorable to that goal. See RICO Statement for bias toward AWC.

14. Clearly the Assessor's fraud would have major implications to insurance payouts and premiums if ever resolved against the Assessor.

15. The WSBA 's's discipline system is at the vortex in the breakdown in the rule of law in WA.

16. Circa July 2008, Scheidler regain ed physical and emotional strength to revisit the "fraud" being perpetrated upon retired and disabled people and the " political power" in how lawyers are forced from a case or too scared to take a " political" case by the WSBA "s leverage on their bar license as the Ellerby withdrawal scheme shows.

17. Circa July 2008, Scheidler, intending to apply once again for his Article 7, Section 10 property tax adjustment rights, obtained the application and instructions from Kitsap County Assessor James Avery, via the mail and wires (Internet).

18. Scheidler 's applications would cover taxes payable in 2007, 2008, 2009 and 2010. This time frame encompasses the 10-year period note by 18 U.S.C. 1961(5). Feb 1999 was the first predicate act by assessor Belas and Bar associates Noble and Ellerby, in hiding the assessor's fraud by their concocted scheme to render Scheidler powerless against the fraud.

19. Circa 2008, Avery, just as his predecessor Carol Belas, did not provided the "qualifications" as mandated by .385(6) because the instructions disseminated by Avery, over the wires and through the mail, do not reflect the law as written, nor by following Avery 's home-grown procedures would result in the calculated value for "disposable income" intended by RCW 84.36.383(5). Avery is defrauding Scheidler and those similarly situated. The materials Avery

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provides are a material misrepresentation intended to be relied upon to deprive people of their constitutional rights. This fraud is a predicate act under 18 U.S. Code § 13 41 - Frauds and Swindles and is a RICO violation.

RCW 84.36.383(5), states in pertinent part,

"… plus all of the following items **to the extent they are not included in or have been deducted from adjusted gross income**; (a) Capital gains, other than gain excluded from income under section 121 of the federal internal revenue code to the extent it is reinvested in a new principal residence;"

20. James Avery's version of this section of statute noted above states this,

"If your return **included any deductions for the following items or if any of these items were not included in your adjusted gross income, they must be reported on your application for purposes of this exemption program … Capital gains (cannot offset with losses).**"

Appendix 3, Avery's 2008 Application included for the courts convenience.

21. The application obtained from the assessor, ***on its face*** , misstates (contradicts) the law in how to calculate 'disposable income'. Scheidler at once discussed with James Avery, via email, about the unlawful instructions and how Avery's instructions, if followed as written, would lead to an incorrect determination of disposable income and a consequent improper property tax adjustment.

22. Avery refused to correct his 'misrepresentations' and that Sheidler would need to comply with his version of the law or suffer an automatic denial of the constitutional right.

23. There is a " privacy" violation embedded within Avery 's fraud - the demand to provide the assessor federal tax documents that would not occur under the statutory requirement. Avery has no authority to audit federal tax forms and schedules as he does under his fraudulent

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scheme. The Legislature made clear in RCW 84.36.383, first sentence,"Disposable income" means adjusted gross income **as defined in the federal internal revenue code**,"

24. Avery demanded Scheidler provide tax forms which he then " edited" to arrive at his own notion of "adjusted gross income". See Board of Equalization decisions re 11-507 to 11-510. Avery's demand for tax forms is an act of extortion under the Hobbs act and a predicate act under RICO

25. Furthermore the application requires applicants sign the application under penalty of perjury that the information collected by the application is truthful - a conundrum without a solution given the facially faulty instructions.

26. Circa 2008, over a period of a few months, Scheidler, via email, notified the Department of Revenue (DOR), including DOR 's director, Harold Smith, informing them that Kitsap County was misleading applic ants in the determination of income. [documented by the record]

27. The DOR, including Harold Smith, in email responses, said the program is administered at the local level despite being a government entity and public official obligated by the WA Constitu tion specifically requiring the DOR and Harold Smith to " protect and maintain Scheidler's rights" and tasked specifically by the Legislature in RCW 84.36.385(6)
"(6) The department (DOR) … is hereby directed to publicize the qualifications and manner of making claims under RCW 84.36.381 through 84.36.389…"

In RCW 84.08.020, in order to advise county and local officers, the DOR ***shall***:

> (1) Confer with, advise and direct assessors, boards of equalization, county boards of commissioners, county treasurers, county auditors and all other county and township officers as to their duties under the law and statutes of the state, relating to taxation, and direct what proceedings, actions or prosecutions shall be instituted to support the law relating to the penalties, liabilities and punishment of public officers, persons, and officers or agents of corporations for failure or neglect to comply with the provisions of the statutes governing the return, assessment and

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> taxation of property, and the collection of taxes, and cause complaint to be made against any of such public officers in the proper county for their removal from office for official misconduct or neglect of duty. In the execution of these powers and duties the said department or any member thereof may call upon prosecuting attorneys or the attorney general, who shall assist in the commencement and prosecution for penalties and forfeiture, liabilities and punishments for violations of the laws of the state in respect to the assessment and taxation of property.

28. Scheidler has been denied his constitutional and statutory protections by the DOR and Harold Smith, and has been denied this forum to have his grievance addressed.

29. Harold Smith in doing nothing has aided and abetted Avery 's fraud and committed official misconduct, a gross misdemeanor under RCW 42.20.

30. Circa September 2008, Scheidler contacted the WA State Attorney General [AGO] via a citizen complaint submitted via the AGO web site. Scheidler made the same argument to the AGO as made earli er to both Avery and the DOR including Harold Smith. These correspondences are part of the public record.

31. The Attorney General, whose staff attorneys are members of the WSBA, is the government agency that oversees the DOR, did nothing to protect and maintain Scheidler's rights, nor require the DOR and James Avery perform their statutory duty.

32. Scheidler has now been denied by the AGO -the protections the AGO must insure under the Washington Constitution. Scheidler has been denied this forum to ha ve his grievance addressed. AGO aided and abetted Avery's fraud as they have the power to remedy the grievance.

33. Circa 2008, Scheidler contacted his elected representatives, via email. Senator Derek Kilmer, whose focus at the time was on balancing th e State's budget (correcting a scheme in which unlawful taxes are collected would obviously make Kilmer 's job more difficult)… . he forwarded the email from Scheidler to the DOR for their response.

34. The DOR refused to respond.

35. Senator Derek Kil mer did nothing more to protect and maintain Scheidler 's rights.

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Scheidler is denied this forum to have his grievance addressed. Kilmer, who is obligated to protect and maintain Scheidler's rights aids and abets in Avery's fraud.

36. Representative Jan A ngel provided further evidence of the fraud by providing a Department of Revenue handout that specifically instructs county assessors in how to respond to applicants who question the contradictory instructions.

37. The 'DOR's handout' noted above incorr ectly states the pertinent statutory language of .383(5) by using these words,

"plus all of the following **to the extend they were included in or deducted from adjusted gross income**……(a) Capital gains, other than gain excluded from income under section 121 of the federal internal revenue code to the extent it is reinvested in a new principal residence;…"

38. This language on its face misstates (contradicts) the controlling law and misdirects anyone who relies upon the DOR's instructions.

39. The DOR, by this handout, implicates the DOR in " directing the enterprise" not just aiding and abetting all Washington Assessor 's in deceiving all Washington State retired individuals from accurate information regarding their Article 7 Section 10 rights.

40. Repr esentative Jan Angel did nothing more to protect Scheidler 's individual rights; Scheidler is denied this forum to have his grievance addressed. Angel, whose obligation is to 'protect and maintain' Scheidler's rights, aids and abets in Avery's fraud.

41. Circa from 2008-2013. Scheidler, being in poor health and needing assistance to ease the added physical strain of taking on " city hall', contacted lawyers for their help. All of those contacted who took the time to listen to Scheidler 's facts agreed with Scheidler that the instructions provided by James Avery, Kitsap 's Assessor, did not accurately quote the law and could lead to an erroneous tax adjustment or the complete denial of the constitutional benefit. David Jurca, Cynthia (Masa) Hall, MBA, Jeffrey Stier, Melody Retallak, and Catherine Clark.

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42. Circa 2008, Attorney David Jurca will testify that the legal challenge to Avery's fraud upon citizens is “unwinnable” due to ***political reasons*** regardless of the law.

43. The testimony of David Jurca that “politics” is at play and not the rule of law, is substantiated by Scheidler 's inability to retain and obtain representation by every lawyer contacted despite the lawyer 's sworn oath to never reject the cause of the oppressed. See RCW 2.48.210. Clerly when “politics” and “ legal tactics” are obstructing Scheidler 's ability to obtain counsel, it is state sanctioned OPPRESSION.

44. The evidence will show that the WSBA is the “ political facilitator” in depriving Scheidler of his statutorily required legal repre sentation by its 'plenary powers ' used as a “political sword” and by dismissing grievances against the lawyers who betray their oath to “never reject the cause of the oppressed”. The WSBA has thus established an unlawful custom to exempt lawyers from taking cases the law requires them to take. This 'unchecked political power' enriches those lawyers who are allowed to evade the law that mandates they rescue the oppressed. This aids and abets government oppression and makes citizens the play-toys of the WSBA and those protected by the WSBA.

45. The documented testimony of David Jurca, WSBA grievance #12-00015, that “politics” is at play and not the rule of law, is further substantiated by Scheidler 's earlier experience with Kitsap Assessor Carol Belas, Ca ssandra Noble and Scott Ellerby - who was forced off Scheidler's case.

46. Schiedler contends that enhanced penalties were applied for exercising constitutional and statutory rights to process which is also a denial of due process. Due process principles prohibit prosecutorial vindictiveness.

See generally *Blackledge v. Perry* , 417 U.S. 21 (1974 and *United States v. Goodwin* , 457 U.S. 368 , 372-85, 102 S.Ct. 2485, 73 L.Ed. 2d 74 (1982). Prosecutorial vindictiveness occurs when "the government acts against a in response to the 's prior exercise of constitutional or statutory

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rights." See also *United States v. Meyer*, 810 F.2d 1242, 1245 28 (D.C. Cir. 1987).

47. Scheidler was " sanctioned" in the aggregate more than $248,000, under rules the courts establish, interpret and apply, for his attempts to hold WSBA lawyers - Ellerby, and WSBA judge Hull, to the law; punished in pursuit of his right of redress and constitutional right to a fair hearing before an " impartial decision maker". The beneficiaries of this "sanction" is the insurer who foots the bill to defend Scott Ellerby and Ellerby 's counsel Jeffrey Downer. It is blatant financial fraud accomplished because the WSBA doesn't hold lawyers to the law.

48. On or about July 30, 2008, with respect to Scott Ell erby's earlier role (about 9 years earlier) Scheidler learned, via emails on or around 2008 from Ellerby and Ellerby's superior Larry Mills, that the entire " withdrawal scenario" concocted in 1998 was untrue - a fraud instituted by Ellerby and Noble to ac complish a political end - save Kitsap 's fraud from being exposed and keep legal fees that Scheidler would need for future representation. On that date, Larry Mills of Mills, Meyers, Swartling claimed that the he had ordered Ellerby to withdraw..

49. Sho rtly thereafter Scheidler instituted a WSBA grievance #08-01646, against Ellerby, for the concocted story to withdrawal due to the political pressure of Cassandra Noble so as to help "cover" the fraud upon retired and disabled people from their Article 7, Sec 10 rights..

50. Circa Nov 2008 and Dec 25, 2008 respectively. The WSBA assigned the grievance against Ellerby to Zachary Mosner, of the WA State Attorney General 's (AGO) office who dismissed the grievance on December 15, 2008. An appeal was made to a disciplinary board review committee

51. Circa March 2009, The Review Committee, Thomas Cena, WSBA #3469, dismissed the grievance with the caveat, ***"should there be a judicial finding of impropriety the grievance may be reopened" … this shifts the Bar reg ulatory functions to citizens and taxpayers - to obtain a " judicial finding.". Appendix 2 at Ex 11.*** This shifting of the investigation to the judicial branch is a policy adopted to delay and impede investigations of attorney misconduct. It

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exists in writt en and unwritten form and has never been reviewed by the Washington State Supreme court. Since it occurs during the investigation stage neither the Disciplinary Board nor Mosner have immunity as Mosner serves as an investigator and the review committee as his supervisor. This impeding furthers the protection racket scheme of the s who extort money from attorneys in the form of excessive dues, in return for protection from their clients. This constitutes extortion under the Hobbs Act and bribery and there fore are predicate acts under RICO

52. Zachary Mosner, of the AGO, has a " conflict of interest" investigating the grievance against Ellerby as Scheidler petitioned the WA State Attorney General about the very case Ellerby was hired to prosecute. Said another way … Ellerby faced a grievance from Scheidler for withdrawing, or faced a grievance from Cassandra Noble if he didn 't withdraw. And Scheidler lost and Ellerby had his political protection in this " conflicted" system of regulation that characterizes the WSBA.

53. Furthermore the Department of Revenue and the AG work hand-in-glove in the administration of WA Tax laws. ***Id RCW 84.08.020***. Zachary Mosner is one of the architects and enforcers of the state's scheme to defraud retired people of their Art 7, Sec 10 rights.

54. On or about March 18, 2009. Scheidler, recognizing the conflict in the WA State Bar disciplinary scheme, and in order to obtain a ***"judicial finding of impropriety,"*** as the caveat of the WSBA stated in dismissing the grievance against Ellerby, filed a lawsuit against Ellerby in Kitsap County Superior Court. This is Kitsap County cause #09-2-00660-3 and is offered as proof in support of the " political scheme" to hide all challenges of the fraud against Article 7, Section 10 applicants a nd to punish, in retribution, anyone who challenges the powers at play - including Scheidler who challenged Ellerby.

55. A jury was demanded to address the "negligence and fraud" charges against Ellerby.

56. On or about Jan 28, 2011, Kitsap Superior Court Judge Russell Hartman, WSBA

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#7104, presiding, dismissed case 09-2-00660-3 without allowing a jury trial, under his self-claimed authority, and imposed sanctions upon Scheidler, under his self-claimed authority, in the amount over $132,000 for bringing the lawsuit against Eller by payable to Ellerby, who schemed with Cassandra Noble to withdraw from Scheidler's case.

57. Judge Hartman acted SOLELY under the rules judges establish, enforce, interpret and administers - there are NO " procedural safeguards" in Washington in monitoring the way courts use the rules they make. This creates the very "partial" tribunal denounced in *Goldberg v. Kelly*, 397 U.S. 254 (1970)

58. In this case Judge Russell Hartman, a WSBA associate, acted as " fact finder and decision maker under his claim to do so via CR 11 and CR 56" on a case in which Ellerby, another WSBA associate, is a party. Hartman violates RULE 2.11, which states,

Disqualification

(A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality* might reasonably be questioned,

59. More seriously, Kitsap County Superior Court Judge Russell Hartman, a colleague of Ellerby via his WSBA association with Ellerby, is disqualified under law, RCW 2.28.030 disqualification due to common interests in the " legal enterprise". Hartman has determined his own compliance with RCW 2.28.030 and there are no "procedural safeguards" to monitor judges deciding their own conduct under the laws that apply to them.

60. Clearly Hartman's ruling to impose more than $132,000 in sanctions was to extract political retribution for bringing a case against Ellerby, and to " chill Scheidler's" due process rights and keep "Kitsap's fraud" from public view and save the "balance sheets" of insurance co.

61. The appeal process is no different - it is all a Bar orchestrated act as the Bar holds all the cards and in this way the Bar increases its power over citizens without ever being accountable to a "jury" since the Bar has established an administrative rule to deny a jury.

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62. When the fox gets to guard the hens for its own consumption, the Sherman Anti Trust Act is violated.

63. On or about, November 20, 2008 . Scheidler, in pursuing Avery 's fraud, without any other alternative, having all forums for a redress of grievances foreclosed and denied legal assistance, filed, pro se, a declaratory/injunctive cause of action in Kitsap Superior Court, Karlynn Haberly presiding, asking the court to determine the validity of James Avery's home-grown calculation scheme. This is cause number 08-2-02882-0 and is incorporated in Dkt 1, Complaint page 9, Exhibit A8.

64. On or about December 11, 2008. Avery, through Kitsap 's prosecuting attorney, , Alan Miles, filed a motion to dismiss Scheidler 's declaratory/Injunctive comp laint arguing that Scheidler did not have standing to challenge the Assessor's erroneous application until he actually completes the application and then utilize the speedy administrative remedies that would be available under the administrative procedure act [APA].

65. On or about January 2, 2008, Haberly dismissed Scheidler's declaratory-injunctive complaint on the basis that Scheidler had an adequate and speedy administrative remedy once he completed the application. This is an absurd legal position as Scheidler contends there is no lawful application to complete. Haberly ignored that issue.

66. Clearly Judge Haberly is making a " political" decision to aid and abet in Avery 's fraud and to impose a huge burden on Scheidler in taking the " long road" rath er than simply order 68by taking part in the fraud as it would affect County revenue.

67. Scheidler has now been denied this judicial forum to have his grievance addressed.

68. On or about Jan 23, 2009, Lawyers Catherine Clark and Melody Retallak agreed the dismissal of Scheidler 's declaratory case was improper as the " application was a fraud" and appealed Judge Haberly's ruling.

69. The Court of Appeals II, comprised of Bar associates, affirmed Haberly 's dismissal

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based in Alan Miles ' assertion that Sc heidler " failed to exhaust" the adequate, speedy administrative remedies that are available on May 18, 2010. In oral argument one of the judges on the panel said the application could be signed under duress. That is a curious statement by a judge when signing such a document under duress is a Class C Felony.

70. Scheidler, to date, has been denied all forums in which to have his grievance redressed by " procedural obstructions, fraud upon the courts, fraud in the courts, and through official misconduct" by s who are 'unaccountable' under the protections of the Bar.

71. On or about June 10 2010, Scheidler, without any other option, and under duress, provided private income information to the Assessor's staff who used it to compute Scheidler's disposable income. Avery used his homegrown calculation scheme as opposed to controlling law to intentionally miscalculate Scheidler 's qualifications for his constitutional tax adjustment. The Assessor's results are in the record, Dkt 1, Complaint and Scheidler 's appl ication signed under duress is noted in cause 12-2-02161-1 [dkt 1, Complaint, page 8, w/Exhibit A3 attached thereto].

72. Scheidler was forced to sign these applications under duress as none were " true". Scheidler provided a written statement for the dur ess, which is noted as Exhibit A4 in the list of exhibits provided to the BOTA and is in the record and referenced in cause 12-2-02161-1 [dkt 1, Complaint at III, EX A4, w/Exhibit A4, attached thereto]. ***Appendix 5*** , letter of duress, is attached for the court's convenience.

73. Scheidler, being forced to sign "under duress" so he must become a victim of a fraud depriving Scheidler of his Art. 7 sec10 rights is a violation of Scheidler 's due process rights and is a Class C Felony under RCW 9A.60.030 and unde r the Hobbs Act, Obtaining a signature by deception or duress as a means to impose an unlawful tax.

a. A person is guilty of obtaining a signature by deception or duress if by deception or duress and with intent to defraud or deprive he or she causes ano ther person to sign or execute a written instrument.

b. Obtaining a signature by deception or duress is a class C felony

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74. Avery's action of demanding an illegal act by Scheidler under the threat of imposing higher taxes than the State is entitled to collect is extortion under the Hobbs act and a predicate act under RICO

75. All s involved to this point in Scheidler's ordeal have aided and abetted in this class C felony, which is extortion under the Hobbs Act. The Hobbs Act defines " extortion" as the "obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or ***under color of official right*** " (emphasis added) and is a predicate RICO violation of 18 U.S.C. § 1951. s are all culpable un der RCW 9A.76 Rendering criminal assistance and other state and federal statutes imposing culpability.

76. Scheidler 's applications were all miscalculated by the assessor. As a consequence Scheidler's Article 7, Section 10 rights were improperly denied a nd an unlawful tax imposed and collected by Kitsap County.

77. Circa 2010-2011, Scheidler proceeded to appeal the assessor 's fraud -- via the long ago argued 'adequate and speedy administrative remedy' as portrayed to Superior court and to the Court of Appeals by Miles, Avery and Haberly.

78. Circa July 2011, Scheidler first had to argue to the Kitsap County Board of Equalization [KCBoE] cause 462-10 to 465-10. See RCW 84.36.385(5) - applicants appeal rights.

79. The KCBoE did nothing. Rather the KCB oE ignored the central issue of the fraud - the Assessors application scheme and ignored the " letter of duress". Docket 15-2, page 2, filed 12/13/12… this forum was unavailable to Scheidler to address his grievance as the Board itself intimated it lack jurisdiction to address Avery's fraud.

80. Scheidler filed his appeal of the KCBOE decision on August 18, 2011 to the Board of Tax Appeals.(BoTA)

81. Following the rejection by the Kitsap County Board of Equalization, attempted to

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obtain counsel in order to proceed with his appeal. In spite of being told by numerous counsel that his arguments were correct, all attorneys who also members of the Washington State Bar Association refused to take his case because of political considerations rather than strength of the argument.

82. Felice Congalton, 305-494-2463WSBA review official and RICO enterprise member, dismissed 100% of grievances filed by Scheidler. Her actions were in support of the RICO enterprise developed policy of dismssing 96% of the approxima te 3000 grievances filed each year, even though the prosecution rate in other states is much higher, usually around 30% of grievances filed. This policy, of steering business away from anti-government attorneys, and favoring government attorneys has never been approved by the Washington State Supreme Court. It is in furtherance of the protection racket scheme run by the RICO enterprise and constitutes bribery and extortion, which are predicate acts under RICO. This included grievances filed against lawyer s for " LYING, PERJURY, SUBORNATION OF PERJURY, FAILURE TO REPORT JUDGES AND OTHER LAWYERS FOR THEIR VIOLATIONS AS THEIR ETHICAL DUTIES DEMAND"… which is a 'green light ' for lawyers to use these "corrupt practices" as tactics to commit crimes, include those crimes noted as RICO crimes in 18 U.S.C. 1961, against their opponent without consequence.

> Offer of Proof: Grievances filed with the WA State Bar against lawyers for breach of RCW 2.48.210 - their duty to rescue the "oppressed" and to conduct themselves with "truth and honor", and abide by the rules of professional conduct 8.3 and 8.4 (ie. Reporting violations and engaging in violations of RCW 2.48.180(6) or by implication a violation of RCW 18.130.180(7), which constitutes a gross misdemeanor violation per RCW 42.20). One hundred percent of these grievances were dismissed sua sponte and again after objection by Felice Congalton and thereafter the Review Committee .
> Each grievance dismissed was for the lawyer's financial gain - whether directly or by being relieved of their constitutional and statutory duty to rescue the "oppressed."
> Grievance were filed related to trying to obtain counsel against the Assessor and his "fraudulent application," The Law provides for Scheidler to obtain this

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representation, (RCW 2.48.210), but no lawyer would honor their oath as mandated by the law and Rule 8.4(k):
12-00015 (filed Feb 12, 2012;dismissed by Congalton March 1, 2012), 12-00018 (filed Feb 12, 2012;dismissed by Congalton March 1, 2012); 12-00037(filed Feb 12, 2012;dismissed by Congalton March 1, 2012); 12-00038 (filed Feb 12, 2012;dismissed by Congalton March 1, 2012); 12-00039 (filed Feb 12, 2012;dismissed by Congalton March 1, 2012); 12-00045 (filed Feb 12, 2012;dismissed by Congalton March 1, 2012); 12-00101(filed Feb 12, 2012;dismissed by Congalton March 1, 2012); 12-00102(filed Feb 12, 2012;dismissed by Congalton March 1, 2012); 12-00151(filed Feb 12, 2012;dismissed by Congalton March 1, 2012); 12-00258(filed Feb 22, 2012;dismissed by Congalton March 15, 2012), 12-00259 (filed Feb 22, 2012;dismissed by Congalton March 15, 2012), 12-00264(filed Feb 22, 2012;dismissed by Congalton March 15, 2012), 12-00280 (filed Feb 22, 2012;dismissed by Congalton March 15, 2012); 12-00285 (filed Feb 22, 2012;dismissed by Congalton March 15, 2012), 12-00286(filed Feb 22, 2012;dismissed by Congalton March 15, 2012), 12-00287(filed Feb 22, 2012;dismissed by Congalton March 15, 2012); 12-00288(filed Feb 22, 2012;dismissed by Congalton March 15, 2012); 12-00290(filed Feb 22, 2012;dismissed by Congalton March 15, 2012); 12-00455, 12-00493*(filed April 25, 2012;dismissed by review committe 2012), 12-00533, 12-00536*(Jeff Steir), 12-00650*(filed April 10, 2012;dismissed by review committee), 12-00698*(filed April 11, 2012;dismissed by review committee), 12-00721* (filed April 13, 2012;dismissed by review committee), 13-00546,

[*] denotes grievances dismissed by review committee with the caveat “upon a judicial finding of impropriety the grievance may be reopened.”

Grievances against lawyers for violation of RPC 8.4 misconduct, RPC 3.3 Candor towards the tribunal, RPC 3.4 Obstructing access.

13-02125, 13-02309, 14-00061, 14-00096, 14-00713, 08-01646

83 . On or about August 14 2012, in the second course of the 'speedy and adequate remedy' of the APA, RCW 34.05, propounded by s, Scheidler argued the fraud to the BoTA cause 11-507 to 510. Scheidler also sought the assistance of counsel due to disability, which Kay Slonim, as chair of the BoTA, denied.

84. RICO Avery/Miles, in answer to Scheidler's BoTA appeal on August 31, 2012 argued that the BoTA did not have jurisdiction and demanded the BoTA dismiss Scheidler's appeal.

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********This is a reversal of the legal position Avery and Miles argued in cause 08-2-02882-0 - for declaratory/injunctive relief, which Judge Haberly dismissed based in s' claim there was a "speedy and adequate administrative remedy". *********

85. On or about Sept. 6, 2012. Kay Slonim, chair of the Board of Tax Appeals, dismissed Scheidler's appeal for lack of jurisdiction. See BoTA Order, signed by Kay Slonim, page 1, Docket 15-6.

86. Further, Kay Slonim, despite statutory mandates, limited her involvement to "whether the Assessor properly calculated disposable income" . (document 15-6, page 8, Filed 12/13/12). An absurd analysis when the method used by the Assessor is wrong.

87. The questions before Ms. Slonim and BoTA are whether the Assessor has " misstated the law" that forced Scheidler to sign his application under duress - a Class C felony, as well as extortion under the Hobbs act and a predicate act under RICO.

88. Slonim knowingly presents false statements when she said, ruling page 3, ¶ 4, (EX A28), " Here William Scheidler filed a Declaration under penalty of perjury. The declaration, however, set forth no facts that contradict the facts material to the interpretation and application of RCW 84.36.383(5)." When in fact Scheidler refuted the claims of Alan Miles and James Avery. Scheidler had submitted a list of 27 exhibits, including the reasons for sig ning under duress, and performed the lawful calculation under controlling law showing the variation between Avery's scheme and the law, that is the same issue here, and discussed in Scheidler 's 30-page declaration, which he signed under penalty of perjury August 14, 2012 on page 30. Slonim and the BoTA never addressed these facts, the law and the differences between the law and the differences between Scheidler's's lawful calculations and s Miles and Avery 's sham calculations so as to claim - Scheidler did n't provide facts! This dishonest act was in furtherence of the enterprises extortion racket scheme and therefore a predicate act under RICO

89. Slonim 's disrespect for the rule of law, denial of Scheidler 's right of petition and

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issuing a false report are violations of RCW 9A.72; RCW 34.05.461(4), (8)(a); RCW 42.20.040 - a gross misdemeanor, and predicate acts of obstruction of justice.

90. Scheidler has now been denied the very forum - the Admin. Procedure Act -- Avery/Miles/Haberly had claimed, 2-year s earlier, was the only "adequate and speedy remedy" available to address Scheidler's grievances. The core of Scheidler 's grievances have not been addressed - Avery's fraud and being forced to sign under duress -- but rather covered up - and it is Bar lawyers orchestrating the entire fraud and obstructing justice.

91. Scheidler, over the course of three years has been denied every forum for a redress of grievance. s have obstructed Scheidler 's 1st amendment rights and his WA Article 1, Section 4 rights to have matters of public importance heard and addressed.

92. On or about Sept 6, 2012, Scheidler, now being deprived of the APA which proved s Miles, Avery, Haberly perpetrated a 'fraud on the court ' in obtaining a dismissal of Scheidler 's earlier declar atory claim, filed a CR 59/60 motion (relief from judgment) in Kitsap Superior Court, to reinstate his earlier declaratory/injunctive action, cause 08-2-02882-0.

93. Haberly, who now has rendered criminal assistance in forcing Scheidler file his Article 7, Section 10 application 'under duress' - a class C felony, presided over this motion to decide her own conduct.

94. Scheidler argued all possible forums proved futile, INCLUDING the APA forum Avery, Miles, Haberly claimed, years earlier, as the only 'speedy and adequate' forum; everything Avery, Miles and Haberly claimed under their constitutional, and statutory obligations to uphold the US and WA constitutions, to conduct themselves with 'truth and honor,' to abide by rules of professional conduct, proved all to be a "fraud upon the court and fraud in the court" as all forums for a redress of Scheidler's grievances have been foreclosed by these RICO members.

95. Despite the self-evident truth in Scheidler's circumstances of being denied a forum - the APA, to plead his grievance, Judge Haberly denied Scheidler due process by dismissing the

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motion with prejudice, Scheidler's CR 60 motion to reinstate cause 08-2-02882-0 and sanctioned Scheidler well over $600. Scheidler's subsequent motion for reconsideration was stricken under a bogus local court rule 59. [Note: LCRs must not conflict with the Supreme Court's Civil CR 59, which Kitsap's Local rule does. See Dkt 1, Complaint at page 15, Sec. IV, Exhibit A30 attached thereto.] Washington's statutory sch eme which first requires taxpayers to file an appeal, then denies them the right to appeal further denies taxpayers in general the right to due process.

96. Scheidler has once more been denied a forum to have his grievances addressed -- and SANCTIONED, again, seeking a forum for a redress of grievances. Associates of the WSBA are the ONLY people violating Scheidler's rights.

97. October 2, 2012, within 30 days of the BoTA decision, after four years in seeking a forum for a redress of grievance Scheidler files cause 12-2-02161-1 under both his administrative appeal rights, if applicable, -- RCW 34.05.530, and or in the alternative under RCW 34.05.534 citing violations of State and Federal Constitutions, State and Federal laws... including 42 USC 1981, 1983, 1985. Dkt 1, Complaint.

98. The defendants in that suit did not answer.

99. October 23, 2012, Scheidler files his 1st amended complaint, incorporating all that is contained in his original complaint, (incorporation by reference in pleadings is governed by CR 10(c)) and adding causes of action under RCW 7.56 (prosecution by information), additional Federal and State constitutional provisions, and federal and state statutory provisions. Dkt 1, Complaint and Amended Complaint.

100, February 5, 2015, Scheidler instituted a RECALL petition for the RECALL of Stephen J. Holman, WSBA #8451, for malfeasance, misfeasance, violation of his oath of office and violations of WA Constitutional provisions. The RECALL of Stephen J. Holman, by Scheidler, is by constitutional right granted by Article 1. Sec 33.

101. The underlying matter for which Scheidler instituted the RECALL of Stephen

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Holman had to do with Stephen Holman's refusal to allow Scheidler to file "criminal charges" against David Ponzoha for Ponzoha's 7 gross misdemeanor violations of law. Scheidler is entitled to file criminal charges under the Criminal rules for Courts of Limited Jurisdiction rule 2.1(c).

102. February 25, 2015, The Kitsap County Prosecutor, through Alan Miles, WSBA #26961, per RCW 29A.56.130, filed the mandatory "ballot synopsis" and offered a "memorandum of law" with the Kitsap County Superior Court. Case # 15-2-00342-1. The Kitsap County Prosecutor, through Alexis T. Foster, WSBA #37032, also filed a "Notice of Appearance" on behalf of Stephen J. Holman and paid to the Superior Court a filing fee of $240 although the statutory language of RCW 29A.56.140, explicitly states,

"Within fifteen days after receiving the petition, the superior court shall have conducted a hearing on and shall have determined, without cost to any party,

103. March 4, 2015, Scheidler filed a "Reply and Motion to Strike" to the Miles' "Memorandum of Law" as a 'mischaracterization' of the Constitutional language of Article 1, Sec 33, and unlawfully interferes with Scheidler's right of RECALL. Alan Miles' "Memorandum" added words to the Constitutional language and added "definitions" to the terms "malfeasance, misfeasance", which by common law doctrine have only their common language (dictionary) definitions.

104. March 6, 2015, Stephen J. Holman, through Alexis T. Foster, filed his "Memorandum" in which Holman sought "sanctions" against Scheidler under CR 11 for institution a RECALL petition.

105. March 9, 2015, Scheidler filed a "Special Motion to Strike" Holman's "CR 11" sanction demand as a SLAPP against Scheidler's constitutional rights. See RCW 4.24.525(4). Scheidler also filed an "Objection" to the "ballot synopsis" prepared by Alan Miles.

106. March 10, 2015, a hearing on these motions and on the "RECALL" petition was conducted by visiting Judge Frank Cuthbertson, WSBA #23418. All matters were taken under

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advisement, including the “SLAPP” motion.

107. March 12, 2015, Judge Cuthbertson issued his “Order” to “DISMISS” Scheidler's “RECALL” petition as failing to meet the 'definitions' of “malfeasance misfeasance” as Alan Miles “defined” those terms. Additionally Cuthbertson claimed that Stephen J. Holman had “discretion” as to charge or not charge David Ponzoha with the 7 counts of Gross Misdemeanor violations.

108. Judge Cuthbertson ruled to “deny” Holman's CR 11 Sanction request.
March 19, 2015, Scheidler filed his “Notice of Appeal” with the Kitsap Superior Court, per RCW 29A.56.270. Appeal #914702.

109. March 25, 2015, Clerk for the Washington State Supreme Court, Susan Carlson, WSBA # 12165, in a letter to Scheidler, demanded Scheidler pay a 'filing fee' of $290, or the Appeal will be dismissed.

110. March 30, 2015. Scheidler filed an “Objection” to Carlson's demand by stating that no such fee is required of him for the appeal in citing RCW 29A.56.140, supra. Scheidler also noted in his “objection” that the Legislature imposed a duty upon the Supreme Court by RCW 29A.56.270, which states,

111. “Appellate review of a decision of any superior court shall be begun and perfected within fifteen days after its decision in a recall election case and shall be considered an emergency matter of public concern by the supreme court, and heard and determined within thirty days after the decision of the superior court.”

112. In fact, if a fee is required, the “local government entity” SHALL pay the necessary expense of defending an elective officer of the local governmental agency, … which may include costs associated with an appeal”. See RCW 4.96.041.

113. Kitsap County did not pay the fee, nor did the County, through either prosecutor, Miles nor Foster, file any motions to amend the Supreme Court Clerk, Susan Carlson's, unlawful request that Scheidler pay the filing fee.

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114. April 10, 2015, Clerk of the Supreme Court, Susan Carlson, entered a ruling "Terminating the Appeal" for failure to pay a "filing fee."

115. May 19, 2015, Carlson issued the "Mandate" and disposed of the appeal.

116. The conduct described above constitutes a violation of Scheidler's due process right to an appeal; a violation of Scheidler's due process right to institute his RECALL rights under Article 1, sec 33; for which declaratory judgment is not a remedy; a violation of voters rights to "sign or not sign a recall petition", a gross misdemeanor violation under RCW 29A.84.220 Violations -- Corrupt practices -- Recall petitions.

> Every person is guilty of a gross misdemeanor, who:
>
> (1) For any consideration, compensation, gratuity, reward, or thing of value or promise thereof, signs or declines to sign any recall petition; or
>
> (2) Advertises in any newspaper, magazine or other periodical publication, or in any book, pamphlet, circular, or letter, or by means of any sign, signboard, bill, poster, handbill, or card, or in any manner whatsoever, that he or she will either for or without compensation or consideration circulate, solicit, procure, or obtain signatures upon, or influence or induce or attempt to influence or induce persons to sign or not to sign any recall petition or vote for or against any recall; or
>
> (3) For pay or any consideration, compensation, gratuity, reward, or thing of value or promise thereof, circulates, or solicits, procures, or obtains or attempts to procure or obtain signatures upon any recall petition; or
>
> (4) Pays or offers or promises to pay, or gives or offers or promises to give any consideration, compensation, gratuity, reward, or thing of value to any person to induce him or her to sign or not to sign, or to circulate or solicit, procure, or attempt to procure or obtain signatures upon any recall petition, or to vote for or against any recall; or
>
> (5) By any other corrupt means or practice or by threats or intimidation interferes with or attempts to interfere with the right of any legal voter to sign or not to sign any recall petition or to vote for or against any recall; or
>
> (6) Receives, accepts, handles, distributes, pays out, or gives away, directly or indirectly, any money, consideration, compensation, gratuity, reward, or thing of value contributed by or received from any person, firm, association, or corporation whose residence or principal office is, or the majority of whose stockholders are nonresidents of the state of Washington, for any service, work, or assistance of any kind done or rendered for the purpose of aiding in procuring signatures upon any recall petition or the adoption or rejection of any recall.

117. Additionally, the statistical data, see

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http://www.courtstatistics.org/~/media/Microsites/Files/CSP/NCSC_EWSC_WEB_NOV_25_14.ashx, exhibits anomalies that can only be explained by "case fixing"…. Despite a growing population and the "litigiousness of our society" circa 2008, the number of lawsuits began to trend down; and in WA the number of written cases in 2014 is lower than in 2007. Lawsuits involving insurance, financing and banking companies represent the lowest of any other category of litigation. See http://www.atg.wa.gov/top-consumer-complaints

118. In contrast, Consume Reports shows a RISE in the number of consumer complaints from 5000/mo in 2011, to over 20,000/mo in 2014 as a consequence of "financing and banking problems". http://files.consumerfinance.gov/f/201403_cfpb_consumer-response-annual-report-complaints.pdf

119. "Follow the money" and the "money" is in 'insurance, banking, real estate … With lawyers able to lie and mislead judge and jury without consequence, the money involved in case fixing is astounding.

120. This "money racket in case fixing" is big business and brings together a huge lobbying force to make rules and influence legislation. See The Federation of Defense and Corporate Counsel, headquartered in FL, whose board of directors are lawyers from "insurance companies" and "law firms who represent insurance companies". Ref: http://www.thefederation.org/process.cfm?PageID=1.

III. CAUSES OF ACTION

A. 42 USC § 1983 CAUSE OF ACTION

3a.1 The defendants' acts against plaintiff Scannell deprives him of rights secured by the First Amendment and the Fourteenth Amendment to the United States Constitution by persons who act under color of law. By requiring him to join or contribute to the WSBA as a precondition for practicing law or running for Supreme Court they have violated his right to disassocate from an organization he disagrees. While the plaintiffs are cognizant of past decisions

3a.2 The wrongful violations, acts, and omissions alleged herein have proximately and

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actually caused damages to Scannell for loss of earning capacity, out-of-pocket losses, impairment of personal and business reputation, personal humiliation and fear, and mental anguish and suffering in an amount to be proved at trial.

3a.3 The defendants have demonstrated that they intend to continue their wrongful conduct.

3a.4 The plaintiffs seek equitable relief in the form of a permanent injunction against the defendants including the WSBA and its members from interfering with Scannell's practice of law or attempts to obtain his law license by requiring membership or the payment of dues to the WSBA or setting any other preconditions such as showing loyalty to the bar or the criminal enterprise that controls it. .

3a.5 Plaintiffs alleges that the conduct of the WSBA was motivated by evil and malicious intent and/or that their conduct involves reckless or callous indifference to Scannell's constitutional rights and that this is a proper case for awarding him punitive damages.

B. SHERMAN ANTI-TRUST CAUSE OF ACTION

3b In furtherance of antitrust conspiracies, the defendants, primarily through its their control of the WSBA, produces, promotes and uses selection procedures in determining which attorneys get selected for discipline that has the effect of steering the market for attorney services away from solo practitioners, minorities, and political enemies of the enterprise and toward the services of large firms, prosecutors, defense attorneys and firms that are friendly to the corrupt aims of the RICO enterprise. The WSBA decides who or who do not become attorneys, and who gets disciplined. The primary design and effect of the conspiracy is to artificially restrain the pricing of legal services through anti-competitive means that results in the public obtaining unethical legal services at higher costs.

IV. DAMAGES

4. As a result of the actions of the defendant(s) as above alleged, the plaintiff has been

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damaged in an amount to be proven at trial.

V. PRAYER FOR RELIEF

Wherefore the plaintiff prays

5.1 That the pleadings conform to the proof at trial;

5.2 For injunctive relief against the defendants from enforcing Judge Lanese's void order and thus allowing plaintiff Scannell to remain on the ballot for position 2 of the Washington State Supreme Court.

5.3 For judgment against defendants in amounts to be proven at trial, plus interest from, together with plaintiff's taxable costs and disbursements, for statutory or reasonable attorney's fees as allowed, and any other relief which the court deems to be fair and equitable.

5.4. That all Washington federal judges be disqualified from hearing this case because they are all members of the Washington State Bar Association for relevant time periods, have formed a close relationship with its leadership and therefore indirect defendants in the case.

5.5. That the court award damages to Scannell for his denial of his civil rights.

5.6. That the Washington State Bar Association's actions be declared in violation of the Sherman anti-trust Act.

5. 7. That the Washington State Bar Association be broken up into several separate organizations and the plaintiff be allowed to form a bar association that can fairly compete with the new bar associations.

5. 8 That the court issue an injunction against the defendants from engaging in anti-competitive behavior.

5.9 That this court liberally construe the Sherman Anti-Trust Act and thereby find that the defendants have participated in anti-competitive behavior whose activities did affect interstate and foreign commerce.

5.10 Awarding the plaintiff compensatory damages and consequential damages, trebled as required by law, plus attorneys fees and costs, pursuant to Section 4 of the Clayton Act, 15

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U.S.C. §15(a) for the defendants violation of Section 1 of the Sherman Anti-Trust Act and such other and additional relief as is just and proper

5.11 That all defendants and all of their directors, officers, employees, agents, servants and all other persons in active concert or in participation with them, be enjoined temporarily during pendency of this action, and permanently thereafter, from associating with any association , or of other individuals associated in fact, who do engage in, or whose activities do affect, violate the Sherman antitrust Act and who deny the plaintiff his civil rights

5.12 That the plaintiff be awarded attorney fees and costs as allowed by law.

5.13 That plaintiff have such other and further relief as this Court deems just, proper, and equitable under the full range of relevant circumstances which have occasioned the instant action.

DATED this 10th day of August, 2018.

/S/
John Scannell,
Pro Se

[1] "An attorney has a cognizable due process right to be notified of the clear and specific charges and to be afforded an opportunity to anticipate, prepare, and present a defense." **In re Disciplinary Proceeding Against Romero**, 152 Wn.2d 124, 136-37, 94 P.3d 939 (2004).

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