

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

In the Matter of:)	
)	
MICHAEL P. COGHLAN,)	Commission No. 2024PR00057
)	
Attorney-Respondent,)	
)	
No. 6185266.)	

COMPLAINT

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Rory P. Quinn, pursuant to Supreme Court Rule 753(b), complains of Respondent Michael P. Coghlan, who was licensed to practice law in Illinois on November 9, 1983, and alleges that Respondent has engaged in the following conduct which subjects Respondent to discipline pursuant to Supreme Court Rule 770:

COUNT I

(Making False and/or Reckless Statements About the Qualifications or Integrity of a Judge, and Filing Frivolous Pleadings, District Matter)

1. Beginning in 2016, Respondent and an individual with the initials J.M. (“J.M.”) agreed that Respondent would represent J.M. in a civil rights matter alleging that DeKalb School District No. 428 (“District 428”) allowed non-residents to enroll in school within the district and therefore violated the civil rights of the district’s taxpayers by requiring them to pay for the non-residents’ education. On October 4, 2017, Respondent filed a lawsuit on behalf of J.M. The case was docketed in the United States District Court for the Northern District of Illinois, Western Division, as *John Doe, et al. v. Community Unit School District No. 428, et al.*, case number 2017-CV-50307 (“District Matter”). The case was assigned to Judge Frederick Kapala.

FILED
8/29/2024 4:23 PM
ARDC Clerk

2. At all times relevant to this complaint, 28 U.S.C. § 636(b)(1)(A) provided in relevant part that “a judge may designate a magistrate judge to hear and determine any pretrial matter pending before the court, except a motion for injunctive relief, for judgment on the pleadings, for summary judgment ... to dismiss for failure to state a claim upon which relief can be granted, and to involuntarily dismiss an action.” The District Matter was assigned to Judge Iain Johnston as the Magistrate Judge.

3. On October 18, 2017, Thomas J. Lester (“Lester”) of the law firm Hinshaw and Culbertson, LLP, filed an appearance on behalf of District 428 and various other defendants in the District Matter.

4. On January 22, 2018, the defendants filed a motion to dismiss the complaint. At a hearing on January 23, 2018, Respondent made an oral motion to amend the Complaint. At the same hearing, Judge Johnston granted Respondent’s motion to amend and stayed discovery pending Respondent’s filing of an amended complaint.

5. At the January 23, 2018 hearing, Respondent also informed the court that he had filed a Freedom of Information Act Request (“FOIA”). Judge Johnston informed Respondent that appeals of FOIA responses should be handled by the Illinois Attorney General, and that FOIA requests are not discovery.

6. From February 5, 2018, through June 21, 2018, Respondent sent four FOIA requests to District 428.

7. On July 17, 2018, Respondent filed a series of motions including: a motion for sanctions under Federal Rule of Civil Procedure 37 alleging that District 428 failed to comply with his four FOIA requests, a motion for declaratory judgement on the validity of his FOIA requests, a motion for an injunction to require District 428 to provide the records he sought in his FOIA

request, a motion for limited depositions and interrogatories, and a motion to resolve conflicts which alleged that Lester had a concurrent conflict of interest.

8. On July 24, 2018, during a pre-hearing conference, Judge Johnston again informed Respondent that the correct venue for appeals of FOIA responses was the Illinois Attorney General's Office and not the federal courts. Judge Johnston also raised concerns that Respondent had not sufficiently investigated the law and facts prior to bringing his claims, was seeking a state court remedy in federal court, and did not have standing to allege a conflict of interest.

9. At the same hearing, the court suggested that Respondent voluntarily dismiss his case until he had all the information he needed or knew the proper venue for the matter.

10. On July 31, 2018, Respondent filed a first amended complaint.

11. On August 16, 2018, Respondent withdrew the six motions that he had filed on July 17, 2018. On the same day, Lester and Judge Johnston had the following exchange in court on the record with the Respondent present.

LESTER: I mean, does the Plaintiff intend to stand on this complaint, or are we going to do this – he is not a pro se plaintiff. I mean, we are not going to be going on five amended complaints here?

JUDGE JOHNSTON: I don't know that. Maybe we are because Rule 15 tells me we could be on five amended complaints, which there is a way around that.

LESTER: There is a limit. I mean, there is a way around it, yes.

JUDGE JOHNSTON: There is all kinds of – the rules are set up very carefully to address those things.

12. On September 10, 2018, District 428 filed a motion to dismiss the amended complaint.

13. On July 5, 2019, Respondent sent a letter attached to an email to Lester. Respondent titled the letter Rule 11 Sanctions Notice. In the letter, Respondent accused Lester of circumventing the Federal Rules of Procedure, and he quoted the August 16th exchange as proof. In the same letter, Respondent stated that Judge Johnston and Lester gave “the appearance of an out of court ex-parte communication about the procedures for circumventing Fed. R. Civ. P. 15,” and Respondent again quoted the August 16th exchange as proof.

14. On May 5, 2019, the District Matter was reassigned from Judge Kapala to District Court Judge Rebecca Pallmeyer.

15. On September 5, 2019, Judge Pallmeyer granted District 428’s motion to dismiss. Judge Pallmeyer found that there were plain, adequate, and complete state remedies, and therefore the principle of comity barred plaintiff’s claims.

16. On October 9, 2019, J.M. discharged Respondent as his attorney for the District Matter.

17. On February 25, 2020, Keith Foster (“Foster”) of the firm Foster, Buick, Conklin, Lundgren & Gottschalk, LLC (“Foster Buick”) sent a letter to Respondent. In the letter, Foster informed Respondent that Foster Buick had been retained by J.M. to facilitate J.M.’s exit from the District Matter. Foster also informed Respondent that, while J.M. intended to fight any claims by District 428 for fees, J.M. also planned to pursue recoupment of fees paid to Respondent for the District Matter and any amount of District 428’s fees ordered by the federal court. Foster asked Respondent to “please notify your insurance carrier immediately ... as we assume they will want to be, at a minimum, advised, and potentially even involved with the ongoing fee dispute in federal court.”

18. On May 29, 2020, Respondent sent an email to J.M. and Foster. Respondent attached pages of typed case notes to his email, and those notes, quoted from the August 16th prehearing, claimed that the delays in the case “makes it look like the judge knows the school is wrong, and that the school attorney tried to ‘cook the books.’”

19. Respondent’s statements that Judge Johnston “knows the school is wrong, and that the school attorney tried to ‘cook the books’” were false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statements that Judge Johnston “knows the school is wrong, and that the school attorney tried to ‘cook the books.’”

20. At the time Respondent made the statements in his email, described in paragraph 18 above, he knew his statements were false or made with reckless disregard of the truth. When Respondent made the statements, he had no objectively reasonable factual basis to support such statements.

21. On February 28, 2020, District 428 filed a petition for fees alleging that Respondent had filed frivolous pleadings in the District Matter.

22. On March 29, 2021, the court granted District 428’s petition for fees finding:

[Respondent’s] attempt to litigate state taxation issue in federal court was frivolous and without grounds from the outset.

This long history of jurisprudence should have alerted the plaintiffs before they ever filed suit that the doctrine of comity barred their claims from proceeding in a federal forum.

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

- a. bringing a proceeding or asserting an issue therein when there was no basis in law and fact for doing so that is not frivolous by filing case 17 C 50307 and filing the July 17, 2018 series of motions outlined in paragraph 7, in violation

of Rule 3.1 of the Illinois Rules of Professional Conduct (2010);

- b. making a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, adjudicatory officer or public officer, by conduct including the statements that Judge Johnston “knows the school is wrong, and that the school attorney tried to ‘cook the books.’”, in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010); and
- c. conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including making false statements in letters and emails outlined in paragraphs 13 and 18 above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

COUNT II

(False and/or Reckless Statements About the Qualifications or Integrity of a Judge, and Conduct Prejudicial to the Administration of Justice - J.M. Matter)

24. On May 12, 2021, attorney Thomas Gooch (“Gooch”) filed a complaint on behalf of J.M. against Respondent in the Circuit Court of DeKalb County alleging legal malpractice and excessive fees. The clerk of the circuit court docketed the case as *J.M. v. Michael P. Coghlan*, case number 21 L 45 (“The J.M. Matter”). The case was assigned to Judge Bradley Waller.

25. On June 25, 2021, Respondent filed a motion requesting substitution of Judge Waller. On August 2, 2021, Respondent’s substitution motion was granted, and the matter was reassigned to Judge Joseph Voiland.

26. On January 28, 2022, Respondent filed a motion to dismiss based on 735 ILCS 5/2-619. In support of his motion, Respondent attached seven exhibits that contained pages of case law, pages of filings from the District Matter, a tax form, a residency form, pages of filings from the J.M. Matter, pages of transcripts from the District Matter, and cancelled checks. Respondent also attached an affidavit stating the facts in the motion were based on his personal knowledge.

27. On March 21, 2022, Judge Voiland denied Respondent’s 619 motion to dismiss.

28. On April 18, 2022, Respondent filed two motions to dismiss and a motion for a bill of particulars. The first motion to dismiss alleged that the complaint was not filed within the statute of limitations, and the second motion to dismiss was titled Supreme Court Rule 191.

29. On April 20, 2022, Respondent filed his answer, defenses, and a counterclaim to J.M.'s complaint.

30. On July 1, 2022, J.M., through counsel, filed a response to Respondent's motion for a bill of particulars and the motion to dismiss based on Supreme Court Rule 191. J.M. also filed a motion to strike Respondent's affidavit supporting Respondent's motion to dismiss on the statute of limitations grounds. J.M. attached an affidavit in support of his motion to strike Respondent's affidavit.

31. On August 4, 2022, Respondent filed a reply to J.M.'s motion to strike and a response to J.M.'s motion to strike. Respondent also filed a "reply affidavit" and attached exhibits to his affidavit. Respondent's attachments included, among other things, a police report of an incident involving J.M., a State Police Firearm Disposition Record for J.M., a copy of a Facebook post from Hinshaw and Culbertson with a photo of Judge Mary Rowland and Judge Pallmeyer at a reception at Hinshaw and Culbertson, transcripts, and a screenshot of a website entitled "corruptionpedia" discussing Hinshaw and Culbertson.

32. Respondent's attachment of a police report involving J.M. and a State Police Firearm Disposition Record for J.M. served no purpose other than to embarrass, delay, or burden J.M.

33. Respondent handwrote notes purporting to be quotes from J.M. in the margins of his attachments. Respondent's notes included the following:

[J.M.]: Fixes for favors rather than cash in envelopes

[J.M.]: “I told the judge five times that this had to be done before Aug 15th cost of millions of dollars”

[J.M.]: The next day order looks like a fix.

[J.M.]: The judge blocked my injunction without a hearing. The fix was in

[J.M.]: It cost \$6.6MM to delay 1 day after school starts this was no accident. The fix was in.

34. Respondent handwrote notes in the margins of the October 29, 2018, transcript of proceedings before Judge Johnston. Respondent’s notes included the following:

Judge acknowledges exparte (extrajudicial) allegation?

appearance of exparte Hinshaw claims to know the judges extrajudicial reasons for 248 days of postponement?

Judge blocking 8.3 reporting?

Judge acting as prosecutor and blocking the correction of the judges misstated evidence?

Judge again misstates the exhibit – Judge “testifying” falsely, and asking a false premise in his prosecution rule violating 455?

False statement by the judge? (Inside Joke)

35. Respondent’s statements that Judge Johnston was “blocking 8.3 reporting” and was “testifying falsely” were false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statements that Judge Johnston was “blocking 8.3 reporting” or was “testifying falsely.”

36. At the time Respondent made the statements that Judge Johnston was “blocking 8.3 reporting” and was “testifying falsely,” he knew his statements were false. When Respondent made the statements, he had no objectively reasonable factual basis to support such statements.

37. On August 11, 2022, the J.M. matter was transferred from Judge Violand to Judge Stephanie Klein.

38. On September 12, 2022, Respondent's motions to dismiss and the motion for a bill of particulars were set for hearing. Prior to the hearing, Respondent attempted to file four "proposed orders" with the court. The court rejected Respondent's proposed orders.

39. On October 26, 2022, Judge Klein denied Respondent's motions to dismiss and the motion for a bill of particulars.

40. On November 28, 2022, Respondent filed a document entitled "Certificate of Service of Discovery, Affidavit and Objections to the Court's Sua Sponte Discovery Order 10/26/22 and Extra Judicial Rejection of Defendant Coghlan's Written Arguments submitted to the Court 9/12/22."

41. Respondent made the following statements in his November 28th pleading:

there is no other adequate remedy available to Coghlan because the record shows repeated defiance of the rules and laws by the judiciary in retaliation for Coghlan's mandatory reporting of criminal evidence pursuant to RPC 8.3 and *Himmel* the record shows a pattern of judicial misconduct, consistent with *US v Murphy* and said actions by the judiciary cannot be addressed by the usual appellate court process;

Judge Voiland's refusal to follow the statutory requirement to consider evidence under 301, and Judge Klein's refusal to allow Coghlan's written argument 9/12/22 to be filed in the official court file, are consistent with Judge Buick using extrajudicial influence to require her associate judges to defend her husband's law firm, Foster Buick, from insurance fraud and legal malpractice claims.

42. Respondent's statements that the judiciary repeatedly defied rules and laws to retaliate against him, that there was a pattern of judicial misconduct consistent with *US v. Murphy* and that Judge Buick used "extrajudicial influence to require her associate judges to defend her husband's law firm," were false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statements that the judiciary repeatedly defied rules and laws to retaliate against him, that there was a pattern of judicial misconduct consistent

with *US v. Murphy* and that Judge Buick used “extrajudicial influence to require her associate judges to defend her husband’s law firm.”

43. At the time Respondent made the statements in his pleading, described in paragraph 41 above, he knew his statements were false or made with reckless disregard of the truth. When Respondent made the statements, he had no objectively reasonable factual basis to support such statements.

44. On January 18, 2023, Respondent sent an email to Foster. In the email, Respondent stated: “[t]here’s a good chance that you, Foster Buick, and [J.M.] Properties will be added to [J.M.’s] litigation.” Respondent also made the following allegations:

On February 25, 2020 Keith L. Foster committed Insurance Fraud in that he knowingly sent a letter to Coghlan by mail and wire/email demanding and transmitting a false insurance claim for \$455,000.

Said omissions and concealments by Foster Buick aided and abetted, and attempted to cover-up and facilitate violations including 18 USC 1001 False Statements:

a) Hinshaw & Culbertson [sic] allegedly False Statements understating 900 residency documents for federal funding reports administered by the US Department of Education;

b) Judge Iain D. Johnston's allegedly False Statements omitting and concealing responses in his US Senate disclosure report filed by wire online at link [citation omitted] public and publicized for review by the American people, wherein Judge Iain D. Johnston failed to explain;

(i) allegations that Judge Johnston retaliated against Coghlan by unlawfully threatening Coghlan with Rule 11 sanctions for an unfiled document disclosing judicial misconduct and attorney misconduct, said disclosure being required by RPC 8.3 [citation omitted],

(ii) issues regarding Judge Johnston and 28 USC 455 Disqualification and whether Judge Johnston convened an unnoticed hearing with unsworn testimony and testified in his own defense to his personal knowledge then unlawfully threatened

Coghlan with sanctions in retaliation for Coghlan's disclosures of judicial misconduct and attorney misconduct [citation omitted]...

45. Respondent's statements that Judge Johnston "retaliated" against him and "unlawfully threatened" him were false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statements that Judge Johnston "retaliated" against him and "unlawfully threatened" him.

46. At the time Respondent made the statements in his email, described in paragraph 44 above, he knew his statements were false or made with reckless disregard of the truth. When Respondent made the statements, he had no objectively reasonable factual basis to support such statements.

47. Respondent's statements in his pleading, described in paragraph 44 above, were intended to embarrass, delay, or burden Foster, attorneys at Foster Buick, and attorneys at Hinshaw.

48. On January 25, 2023, Respondent filed a Motion for Leave to Add Parties and Counterclaims. Respondent repeated his allegations contained in his January 18, 2023, email that Foster Buick facilitated violations of state and federal law. Respondent also alleged Foster committed insurance fraud for sending the February 25th letter and for J.M. discharging Respondent's services.

49. On February 1, 2023, Tait Lundgren ("Lundgren"), an attorney with Foster Buick representing J.M. and Foster Buick, sent a request for investigation to the Attorney Registration and Disciplinary Commission ("ARDC").

50. On February 7, 2023, Myrrha Guzman ("Guzman"), intake counsel for the ARDC, sent Mr. Lundgren's request for investigation and a letter to Respondent. In the letter, Guzman

requested that Respondent “please send [her] a written response within fourteen days setting forth the material facts relating to the matters raised in the attached communication.”

51. On February 9, 2023, Respondent emailed Guzman. Respondent repeated his allegations against Judge Johnston and asked for confirmation of the due date for his response. On February 10, 2023, Guzman informed Respondent that his response was due on or before February 28, 2023.

52. On February 24, 2023, Respondent filed a pleading entitled “Claims/Complaint Against – J.M. Properties.” In the pleading, Respondent claimed that J.M., judges, and lawyers all worked in concert to pursue a \$450,000 fraudulent insurance claim against Respondent’s malpractice insurer. As exhibits, Respondent attached the February 25th letter from Foster and a diagram. In the diagram, Respondent accused Lester, Hinshaw, Judge Johnston, the Federal Court clerks, Judge Pallmeyer, the Executive Committee of Judges, J.M., J.M. Properties, Foster, Lundgren, Gooch, Judge Voilland, Judge Klein, and Guzman of conspiring to violate federal and state law.

53. Respondent’s diagram served no purpose other than to embarrass, delay, or burden Lester, Hinshaw, the Federal Court clerks, J.M., J.M. Properties, Foster, Lundgren, Gooch, and Guzman.

54. Respondent’s statement that Judge Johnston, Judge Pallmeyer, the Executive Committee of Judges, Judge Voilland and Judge Klein conspired to violate federal and state law was false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statement that Judge Johnston, Judge Pallmeyer, the executive committee of Judges, Judge Voilland and Judge Klein conspired to violate federal and state law.

55. At the time Respondent made the statements in his pleading, described in paragraph 52 above, he knew his statements were false or made with reckless disregard of the truth. When Respondent made the statements, he had no objectively reasonable factual basis to support such statements.

56. In the February 24th filing, Respondent made the following allegations against Judge Johnston:

[J.M.] Properties worked in concert with judges and lawyers to falsify the findings in Fee Order [citation omitted] in order [sic] pursue [J.M.] Properties' \$450,000 fraudulent insurance claim.

Specifically, [J.M.] Properties, Hinshaw & Culbertson, and Judge Johnston all glaringly omitted the critical US Supreme Court legal authority of Brohl [citation omitted], and glaringly omitted the critical admission of 'prevailing party' that was written explicitly in the school board minutes June 19, 2018 [citation omitted]. The omission of Brohl and the Minutes allowed the falsification of the findings that form the basis of the same Insurance Fraud claim of [J.M.] Properties for \$450,000

57. Respondent's statement that Judge Johnston "worked in concert" with J.M. and lawyers to "falsify findings" was false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statement that Judge Johnston "worked in concert" with J.M. and lawyers to "falsify findings."

58. At the time Respondent made the statements that Judge Johnston "worked in concert" with J.M. and lawyers to "falsify findings", he knew his statements were false or made with reckless disregard of the truth. When Respondent made the statements, he had no objectively reasonable factual basis to support such statements.

59. On March 2, 2023, Victor Pioli filed his appearance as additional counsel on behalf of J.M. and filed a motion to extend briefing schedules that had been set prior to his appearance.

60. On March 14, 2023, Judge Klein entered the “agreed order” that had been prepared by Pioli and which amended the briefing schedule.

61. On April 8, 2023, Respondent sent an email to Elizabeth Morris, an Assistant Illinois Attorney General. Respondent, amongst other things, stated the following:

On another issue, we didn’t discuss the elephant in the room-which is the documentation of the extrajudicial actions of judges, and the string of Rule violations by the judges and Foster Buick.

It is also possible that Judge Marcy Buick facilitated the eFileIL block because her husband’s law firm, Foster Buick, is withholding evidence of Insurance Fraud and legal malpractice.

62. Respondent’s statement that it was possible that “Judge Buick facilitated the eFileIL block because her husband’s law firm, Foster Buick, is withholding evidence of Insurance Fraud and legal malpractice” was false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statement that Judge Buick rejected his filings for an improper purpose.

63. At the time Respondent made the statement that it was possible that “Judge Buick facilitated the eFileIL block because her husband’s law firm, Foster Buick, is withholding evidence of Insurance Fraud and legal malpractice,” he knew his statements were false or made with reckless disregard of the truth. When Respondent made the statements, he had no objectively reasonable factual basis to support such statements.

64. On June 22, 2023, Respondent appeared before Judge Klein in relation to case 21 L 45 for a hearing on motions to dismiss. During the hearing, Judge Klein and Respondent had the following exchange:

RESPONDENT: At 1:25 p.m., five minutes before court started, I saw Attorney Keith Foster coming out of the area of Your Honor,

the Judge Stephanie Klein's chambers, and since he's basically accused of felony insurance fraud and legal malpractice, I would respectfully ask for disclosure before we proceed.

THE COURT: There was nobody in my chambers other than the bailiff who came to see me about signing some marriage for two weddings that I performed before this afternoon's court proceeding, neither of which involved any of the individuals who are present in this courtroom.

RESPONDENT: I know there are two doors there and two rooms. He was coming from the area of the second room which leads then into your chambers, and to my experience with those rooms, which has been a number of years, there is no reason for an attorney to be back there unless they're conferring with judicial staff.

THE COURT: There was no attorney back there, Mr. Coghlan.

RESPONDENT: I personally observed Mr. Foster come out at 1:25 p.m. today, right five minutes before court started, and I would ask that he be asked as well. This fits into the ex-parte situation

65. Respondent's statement that Foster was in Judge Klein's chambers, was false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statement that Foster was in Judge Klein's chambers.

66. At the time Respondent made the statements in court, described in paragraph 64 above, he knew his representations were false or made with reckless disregard of the truth. When Respondent made the statements, he had no objectively reasonable factual basis to support such statements.

67. On August 25, 2023, Respondent appeared in person before Judge Klein in relation to case 21 L 45 for a hearing on a motion to dismiss and Respondent's motion for default. During the hearing, Judge Klein and Respondent had the following exchange:

RESPONDENT: I am alleging things that are crimes because I know how to allege crimes and I was a witness for the FBI in Operation Greylord when Judge Sodini fixed 13 cases.

COURT: Mr. Coghlan, what does Operation Greylord have to do with this case?

RESPONDENT: Because it is part and parcel of the specific diagrams my observations and my knowledge of the gravity of the comparison between the delays that the Court allowed to occur, which then resulted in missing evidence...

COURT: Are you equating me to the judges who were prosecuted as a part of Operation Greylord, Mr. Coghlan?

RESPONDENT: Am I equating you to the judges that were prosecuted. I am equating, not I, but the evidence that is in this court file is the same type of evidence that is in the U.S. vs. Murphy case that I cited back in February in this court file. I cited the Greylord case of U.S. vs. Murphy and U.S. vs. LeFevour, and if Your Honor takes a look at the pattern of Your Honor's rulings with no findings and rejection of what you previously allowed on September 12th was my filing the proposed findings, which were very fact specific but negative to Judge Johnston, that's what you rejected. That gives an appearance of impropriety. That's only part of the evidence.

68. Respondent's statement that Judge Klein was engaged in conduct similar to the Judges prosecuted in Operation Greylord, was false or made with reckless disregard of the truth, because Respondent had had no objectively reasonable factual basis for the statement that Judge Klein was engaged in conduct similar to the Judges prosecuted in Operation Greylord.

69. At the time Respondent made the statement that Judge Klein was engaged in conduct similar to the Judges prosecuted in Operation Greylord, he knew his representations were false or made with reckless disregard of the truth. When Respondent made the statements, he had no objectively reasonable factual basis to support such statements.

70. At the same hearing, while Respondent was responding to questions from the court, Respondent made the following statements:

RESPONDENT: ...is with each hearing it appears that Your Honor is looking down and reading from a prewritten script and not

considering the specific evidence that is presented at the hearing or in a motion, and when it specifically says that Your Honor has taken everything into account, Your Honor's questions and rulings show that Your Honor has not taken everything into account.

That's why I cite the United States vs. Murphy, the LeFevour case and the specific ex-parte, extrajudicial, ultra vires acts which also makes Your Honor part and parcel of the three U.S. Marshals showing up at my door on July 14, 2023, which are incorporated in the affidavit that I have on file, I believe, on July 21, 2023.

COURT: As you stand here today, because you have accused me of being part of a criminal enterprise

RESPONDENT: The evidence accused you

71. Respondent's statement that Judge Klein was engaged in a criminal enterprise was false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statements that Judge Klein was engaged in a criminal enterprise.

72. At the time Respondent made the statement in court that Judge Klein was engaged in a criminal enterprise, he knew his representation was false or made with reckless disregard of the truth. When Respondent made the statements, he had no objectively reasonable factual basis to support such statements.

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

- a. using means that have no substantial purpose other than to embarrass, delay, or burden a third person, by engaging in conduct to embarrass, hinder, or burden the court, Lester, Hinshaw, Judge Johnston, the Federal Court clerks, Judge Pallmeyer, the Executive Committee of Judges, J.M., J.M. Properties, Foster, Lundgren, Gooch, Judge Voilland, Judge Klein, and Guzman, by conduct including the statements made by Respondent in pleadings and in open court outlined

in paragraphs 31 through 70 above, in violation of Rule 4.4(a) of the Illinois Rules of Professional Conduct (2010);

- b. making statements that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, adjudicatory officer or public officer, by conduct including stating that Judge Johnston was “blocking 8.3 reporting,” and “testifying falsely;” stating that Judge Johnston, Judge Pallmeyer, the Executive Committee of Judges, Judge Voilland, and Judge Klein conspired to violate federal and state law; and stating that Judge Klein was engaged in similar conduct to the judges prosecuted in operation Greylord; in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010); and
- c. conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including making false statements in pleadings and open court outlined in paragraphs 31 through 70 above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

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

Respectfully Submitted

Lea S. Gutierrez, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/ Rory P. Quinn
Rory P. Quinn

Rory P. Quinn
Counsel for the Administrator
One Prudential Plaza
130 East Randolph Drive, Suite 1500
Chicago, Illinois 60601-6219
Telephone: (312) 565-2600
E-mail: ARDCeService@iadc.org
E-mail: rquinn@iadc.org

4860-8160-8659, v. 1