

**HEARING BOARD, ILLINOIS ATTORNEY
REGISTRATION AND DISCIPLINARY COMMISSION**

In the Matter of:)
MICHAEL P. COGHLAN,)
Retired Attorney 12/21/23)
)
Attorney-Respondent,)
Former ARDC No. 6185266.)
)

Commission No. 2024PR00057
DeKalb Co. 2021-L-45
Il Sup Ct _____ MR 898
ILND 17-cv-50307

Notice of Filing – Proof of Service

NOTICE OF FILING TO: ARDC Attorney Rory Quinn RQuinn@iardc.org ARDC Clerk mthome@iardc.org, and ARDCeService@iardc.org

PLEASE TAKE NOTICE that on January 23, 2025, an electronic copy of Respondent Coghlan’s ANSWER AND DEFENSES were submitted to the Clerk of the Attorney Registration and Disciplinary Commission in Chicago, Illinois for filing. On that same date, copies were served via e-mail on ARDC attorney Quinn at RQuinn@iardc.org.

Respectfully submitted

/s/ Michael P. Coghlan, Respondent,

The undersigned, and Respondent, hereby certifies, pursuant to Illinois Code of Civil Procedure, 735-ILCS-5/109, that the Respondent served copies of the Notice of Filing, Proof of Service, Answer, and DEFENSES on the individual on the forgoing Notice of Filing, sent via e-mail on January 23, 2025. Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

Respectfully submitted,

/s/ Michael P. Coghlan, Respondent

Michael P. Coghlan, SRL
Retired attorney 12/21/23
1203 S. 2nd St., DeKalb, IL 60115
815-501-4116, myipllc10@gmail.com

FILED
1/23/2025 11:31 PM
ARDC Clerk

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

In the Matter of:)	
)	
MICHAEL P. COGHLAN)	Commission No. 2024PR00057
)	Justice Theis Order _____ MR 898
Retired Attorney – Respondent,)	DeKalb Co No 2021-L-45
Former ARDC No. 6185266)	ILND 17-cv-50307

ANSWER AND OBJECTION – FILED PURSUANT TO ARDC ORDER 01/10/25

Michael Coghlan, retired attorney and Self-Represented Litigant, timely files his third Answer to the ARDC Complaint.

OBJECTION: This third Answer registers an objection to the ARDC’s prosecution of this Complaint. The ARDC’s 1/10/25 Order struck Respondent’s second Verified Answer, which Answer was properly filed on November 12, 2024, in full compliance with the ARDC Rules, Illinois Code of Civil Procedure, and the Illinois Supreme Court Rules. This third Answer complies with the Hearing Board’s Orders dated 1/10/25, 10/1/24, 10/29/24 and 11/1/24. This third Answer fully complies with the issues raised in the Administrator’s 10/1/24 Motions to Strike, ARDC Rules including 231, 233 (specific answers or reason), 235, 236 and Rule 273, Illinois Rules of Evidence including 201 (judicial notice) and 406 (habit), the Illinois Code of Civil Procedure including 735 ILCS 5/2-610, 605, 606, 612, and 613, and the Illinois Supreme Court Rules including Rules 191 and 216. Respondent objects because there is no legal or factual basis to strike the Answers.

OBJECTION: The ARDC Order 1/10/25 states the following bases for striking Mr. Coghlan’s second Verified Answer: “improper lengthy narratives” ... “a diagram with photographs” ... “and extraneous statements and allegations” Respondent Coghlan objects to the 1/10/25 Order because “lengthy narratives” are not a reason to strike the Answer.

Rule 233 requires:

Respondent Coghlan’s third Answer, Defenses, per ARDC Order 1/10/25 Striking
Respondent’s 1st and 2nd Verified Answers - Commission No. 2024PR00057 - Pg 1 of 59

RULE 233 Answer to **be Specific** The answer shall specifically admit or deny each allegation of the complaint. Every allegation not specifically denied is deemed admitted unless the answer **states the reason** the respondent is unable to make a specific denial.”

Respondent objects because the ARDC Complaint combines false allegations, groundless charges, and an “inartful” pleading structure. “Inartful” is defined as follows:

INARTFUL: “statements or actions that are clumsily executed or poorly communicated, potentially leading to misunderstandings or negative public perception.” (politicaldictionary.com)

OBJECTION: The INARTFUL and compound ARDC allegations are identified and quoted in the first, second, and third Answers. Respondent Coghlan objects to the 1/10/25 ARDC Order because the INARTFUL allegations require the “lengthy narratives,” to respond specifically to compound and ambiguous allegations.

OBJECTION: The INARTFUL ARDC allegations also require the “diagram with photographs” to respond clearly and specifically to compound and ambiguous allegations.

OBJECTION: The INARTFUL ARDC allegations require the “extraneous statements and allegations” to respond clearly and specifically to compound and ambiguous allegations.

The Rules and laws do not prohibit the “lengthy narratives” in Respondent Coghlan’s 82-page Verified Answer filed 11/12/24. In fact, Respondent’s “specific” answers are required by the laws cited herein.

The 11/12/24 Answers were not “extraneous.” Furthermore, no “extraneous” statements were quoted by the ARDC. Nevertheless, the ARDC struck the Answer without identifying a single example of an “extraneous statement.”

OBJECTION: The ARDC Order violates RPC 8.4(g). Rule 8.4(g) prohibits the ARDC from filing this Complaint 2024PR00057 to gain an advantage in the ongoing civil case. The ARDC charges are clearly redundant. Moreover, the ARDC Complaint was filed 8 months after Mr. Coghlan’s retirement. This ARDC

prosecution serves no valid purpose. The ARDC Complaint and Order 1/10/25 constitute unnecessary litigation that is intended solely to harass, intimidate, increase costs, interfere with the civil litigation, and retaliate for reports of judicial misconduct ([124-3] in ILND 17-cv-50307, the 2/24/23 Counterclaim Diagram in DeKalb 2021-L-45, the 4/7/23 Rule 219 Motion to Dismiss Affidavit, the 1/12/24 report of judicial misconduct to the US Marshal's Service, and the Diagram on page 60 of the 11/12/24 Verified Answer in ARDC 2024PR00057.

OBJECTION: Respondent objects because Respondent's reasons exceed 25 words.

For example, the ARDC Complaint alleges at Par 15:

"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."

This ARDC allegation exceeds 25 words. It also includes factual claims which Mr. Coghlan disputes. Mr. Coghlan, can NEITHER ADMIT NOR DENY Par 15. Mr. Coghlan's 11/12/24 Answer gave the following reason why he could NEITHER ADMIT NOR DENY par 15, stating:

RESPONDENT'S (STRICKEN) ANSWER: "**NEITHER ADMIT NOR DENY** that "Judge Pallmeyer granted" the motion to dismiss because the September 5, 2019, Order follows-through on Judge Johnston's prior threats to make false findings possibly in retaliation for Respondent reporting Hinshaw. The circular findings, and contradictory findings on page 14 of the Order, indicate that Judge Pallmeyer may not have authored the entire September 5, 2019, Order."

Mr. Coghlan's 64-word "reason" is specific and succinct. Mr. Coghlan required 64 words to explain his reason for Par 15. Yet the ARDC now limits his explanation to 25-words. Respondent questions whether Judge Pallmeyer solely authored the Dismissal Order. Mr. Coghlan questions whether the wording in the Dismissal Order is contradictory and circular because of Judge Johnston's threats to Mr. Coghlan (shown in [75], [122], [123], [124-3], [126], [128], [143], [144], [152], [157], [88], and [89-2]).

OBJECTION: The Hearing Board's concealment of Mr. Coghlan's Diagram is part of an ongoing pattern. The ARDC Guzman investigation concealed and omitted judicial misconduct documents identified in Mr. Coghlan's 35-page response. The ARDC Quinn Sworn Statement transcript initially concealed and omitted Mr. Coghlan's 243-page judicial misconduct report. The ARDC Hearing Board concealed Mr. Coghlan's 1-page Diagram listing names and documents of possible judicial misconduct.

OBJECTION: The ARDC Order striking Mr. Coghlan's second Verified answer and judicial misconduct Diagram is part of the ARDC pattern of omitting and concealing reports of judicial misconduct. Respondent Coghlan therefore OBJECTS to the ARDC Order striking his second Verified Answer.

ANSWERS AS REQUIRED BY ARDC ORDER 1/10/25

RESPONDENT'S ANSWER TO COUNT I:

DENY. Respondent denies making false or reckless statements about the qualifications or integrity of a judge.

DENY. Respondent denies filing frivolous pleadings in ILND 17-cv-50307.

ARDC Par 1 COMPLAINT: "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 Schools 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."

RESPONDENT'S ANSWER:

DENY.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC COMPLAINT: "On October 4, 2017, Respondent filed a lawsuit on behalf of J.M."

RESPONDENT COGHLAN'S ANSWER:

DENY. Case NDIL 17-cv-50307 was not filed on behalf of J.M. See previous Answer.

Investigation continues.

ARDC COMPLAINT: "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")."

RESPONDENT COGHLAN'S ANSWER:

DENY. The case was not titled "John Doe." The case was not titled "John Doe et al." Case 17-cv-50307 was docketed in federal court.

ARDC COMPLAINT: "The case was assigned to Judge Frederick Kapala."

RESPONDENT COGHLAN'S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 2. COMPLAINT: "At all times relevant to this complaint, 28 USC S 636(b)(1)(A) provided in relevant part that "a judge may designate a magistrate 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."

RESPONDENT COGHLAN'S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC COMPLAINT: "The District Matter was assigned to Judge Iain Johnston as the Magistrate."

RESPONDENT COGHLAN'S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

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

RESPONDENT’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 4 COMPLAINT: “On January 22, 2018, the defendants filed a motion to dismiss the complaint.”

RESPONDENT’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

DENY that “defendants filed a motion” because the interests of some of the Defendants were not represented by attorney Lester. For example, school board member Jeff Hallgren asked Mason Properties (per Doc [144]) to file the lawsuit in order to force the Board to conduct a residency investigation.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC COMPLAINT: “At a hearing on January 23, 2018, Respondent made an oral motion to amend the Complaint.”

RESPONDENT’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC COMPLAINT: “At the same hearing, Judge Johnston granted Respondent’s motion to amend...”

RESPONDENT’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC COMPLAINT: “At the same hearing, Judge Johnston ... stayed discovery pending Respondent’s filing of an amended complaint.”

RESPONDENT’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 5, COMPLAINT: “At the January 23, 2018, hearing, Respondent also informed the court that he had filed a Freedom of Information Act Request (“FOIA”).

RESPONDENT’S ANSWER:

ADMIT. Investigation continues.

ARDC COMPLAINT: “Judge Johnston informed Respondent that appeals of FOIA responses should be handled by the Illinois Attorney General...”

RESPONDENT’S ANSWER:

NEITHE

R ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC COMPLAINT: “Judge Johnston informed Respondent that ... FOIA requests are not discovery.”

RESPONDENT'S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 6. COMPLAINT: "From February 5, 2018, through June 21, 2018, Respondent send four FOIA requests to District 428."

RESPONDENT'S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 7. COMPLAINT: "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 judgment 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 current conflict of interest."

RESPONDENT'S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 8. COMPLAINT: "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."

RESPONDENT'S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC COMPLAINT: “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.”

RESPONDENT’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 9. COMPLAINT: “At the same hearing (July 24, 2018), 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.”

RESPONDENT’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 10. COMPLAINT: “On July 31, 2018, Respondent filed a first amended complaint.

RESPONDENT’S ANSWER:

ADMIT.

Investigation continues.

ARDC Par 11. COMPLAINT: On August 16, 2018, Respondent withdrew the six motions that he had filed on July 17, 2018.”

RESPONDENT’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 12. COMPLAINT: “On September 10, 2018, District 428 filed a motion to dismiss the amended complaint.”

RESPONDENT’S ANSWER:

ADMIT.

Investigation continues.

ARDC Par 13. COMPLAINT: “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 ex-parte communication about procedures for circumventing Fed. R. Civ. P. 15,” and Respondent again quoted the August 16th exchange as proof.”

RESPONDENT’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 14. COMPLAINT: “On May 5, 2019, the District Matter was reassigned from Judge Kapala to District Court Judge Rebecca Pallmeyer.”

RESPONDENT’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 15. COMPLAINT: “On September 5, 2019, Judge Pallmeyer granted District 428’s motion to dismiss.”

RESPONDENT’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC COMPLAINT: “Judge Pallmeyer found that there were plain, adequate, and complete state remedies, and therefore the principle of comity barred plaintiff’s claims.

RESPONDENT’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 16. COMPLAINT: “On October 9, 2019, J.M. discharged Respondent as his attorney for the District Matter.

RESPONDENT’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 17. COMPLAINT: “On February 25, 2020, Keith Foster (“Foster”) of the firm Foster, Buick, Conklin, Lundgren & Gottschalk (“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.”

RESPONDENT’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

DENY that the Foster Buick letter informed Mr. Coghlan that Foster Buick law firm had been “retained (solely) by J.M.”

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

DENY that Foster Buick fought [144] all claims by District 428 for fees because Foster Buick "gave-up" Respondent's insurance policy by omitting Respondent's facts and law in [144] and the 2/25/20 Foster letter after Respondent withdrew from the case.

DENY that J.M. intended to fight fee claims by District 428 because Mason Properties made a deal. Mason Properties paid \$136,476.60 and received a court order from Judge Johnston worth three times that amount. Judge Johnston's Fee Order [157] was supposedly worth \$455,000 to Mason Properties.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 18. COMPLAINT: "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.'"

RESPONDENT'S ANSWER:

DENY.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

DENY that Respondent knew the alleged statements were false.

DENY that the ARDC allegations lacked factual support.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 19. COMPLAINT: “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” 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.”

RESPONDENT COGHLAN’S ANSWER:

DENY the allegation as stated by the ARDC Complaint.

DENY that the statements attributed to the Respondent are/were false.

DENY that the statements attributed to Respondent were made with reckless disregard of the truth.

DENY that the “Judge Johnston ‘knows the school is wrong’” statements attributed to the Respondent had no objectively reasonable factual basis.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

DENY that the “cook the books” statements attributed to the Respondent had no objectively reasonable factual basis.

DENY that the “knows the school is wrong” statements attributed to the Respondent had no objectively reasonable factual basis.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 20. COMPLAINT: “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.”

RESPONDENT COGHLAN’S ANSWER:

Respondent Coghlan’s third Answer, Defenses, per ARDC Order 1/10/25 Striking Respondent’s 1st and 2nd Verified Answers - Commission No. 2024PR00057 - Pg 14 of 59

DENY.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

DENY that the statements attributed to Respondent Coghlan were/are false.

DENY that the statements attributed to Respondent Coghlan are/were not supported by credible, documented evidence.

DENY that Respondent Coghlan was not required to report such information pursuant to RPC 8.3, 3.3, and LR83.58.3.

DENY that the statements attributed to Respondent Coghlan were made with reckless disregard of the facts.

Investigation continues.

ARDC COMPLAINT: "When Respondent made the statements, he had no objectively reasonable factual basis to support such statements."

RESPONDENT COGHLAN'S ANSWER:

DENY.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

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

RESPONDENT COGHLAN'S ANSWER:

ADMIT.

Investigation continues.

Respondent Coghlan's third Answer, Defenses, per ARDC Order 1/10/25 Striking Respondent's 1st and 2nd Verified Answers - Commission No. 2024PR00057 - Pg 15 of 59

ARDC Par 22. COMPLAINT: “On March 29, 2021, the court granted District 428’s petition for fees finding: “[Respondent’s] attempt to litigate state taxation issues 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.”

RESPONDENT COGHLAN’S ANSWER:

NEITHER ADMIT NOR DENY the reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 23. COMPLAINT: “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).”

RESPONDENT COGHLAN’S ANSWER:

DENY.

DENY that Mr. Coghlan engaged in misconduct.

DENY that case 17-cv-50307 was brought when there was no basis in law.

DENY that any issues were asserted by Respondent Coghlan in 17-cv-50307 without a basis in law.

DENY that any issues were asserted by Respondent Coghlan in 17-cv-50307 without a basis in fact.

DENY that any frivolous issues were asserted by Respondent Coghlan in 17-cv-50307.

DENY that motions [39], [41], [43], [45], [47], and/or any other motion or pleading filed by Respondent Coghlan is/was frivolous or lacked legal and/or factual support.

DENY any violation by Respondent Coghlan of RPC 3.1, Meritorious Claims and Contentions.

DENY that Respondent Coghlan made any statement that Mr. Coghlan knows to be false.

DENY that Mr. Coghlan made a statement with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

DENY any act of dishonesty by Mr. Coghlan.

DENY any act or statement of fraud by Mr. Coghlan.

DENY any act or statement of deceit by Mr. Coghlan.

DENY any act or statement of misrepresentation by Mr. Coghlan.

DENY any false statements in letters by Mr. Coghlan.

DENY any false statements in emails by Mr. Coghlan.

DENY making false statements as alleged in paragraphs 13 and 18 of the ARDC Complaint.

DENY any violation of RPC 8.4(c) by Mr. Coghlan.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC 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)

RESPONDENT COGHLAN'S ANSWER:

Respondent Coghlan's third Answer, Defenses, per ARDC Order 1/10/25 Striking Respondent's 1st and 2nd Verified Answers - Commission No. 2024PR00057 - Pg 17 of 59

DENY.

DENY any false statements by Mr. Coghlan.

DENY any reckless statements by Mr. Coghlan.

DENY any false or reckless statements by Mr. Coghlan regarding the qualifications of a judge.

DENY any false or reckless statements by Mr. Coghlan about the integrity of a judge.

DENY any false or reckless statements by Mr. Coghlan about the conduct of a judge.

DENY any false or reckless by statements by Mr. Coghlan that were prejudicial to the administration of justice.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 24. COMPLAINT: "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.

RESPONDENT COGHLAN'S ANSWER:

DENY.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC COMPLAINT: "The clerk of the circuit court docketed the case as J.M. v Michael P. Coghlan, case number 21-L-45."

RESPONDENT COGHLAN'S ANSWER:

ADMIT.

Investigation continues.

ARDC COMPLAINT: “The case was assigned to Judge Bradley Waller.”

RESPONDENT COGHLAN’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 25. COMPLAINT: “On June 25, 2021, Respondent filed a motion requesting substitution of Judge Waller.

RESPONDENT COGHLAN’S ANSWER:

ADMIT.

Investigation continues.

ARDC COMPLAINT: “On August 2, 2012, Respondent’s substitution motion was granted, and the matter was reassigned to Judge Joseph Voiland.”

RESPONDENT COGHLAN’S ANSWER:

ADMIT.

Investigation continues.

ARDC Par 26. COMPLAINT: “On January 28, 2022, Respondent filed a motion to dismiss based on 735 ILCS 5/2-619.”

ANSWER:

ADMIT that Mr. Coghlan filed a 619 motion in 2021-L-45.

Investigation continues.

ARDC COMPLAINT: “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 canceled checks.”

RESPONDENT COGHLAN’S ANSWER:

ADMIT that Mr. Coghlan attached exhibits to the 619 Motion to Dismiss in 2021-L-45.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC COMPLAINT: “Respondent also attached an affidavit stating the facts in the motion were based on personal knowledge.”

RESPONDENT COGHLAN’S ANSWER:

ADMIT that Mr. Coghlan provided an affidavit, including his personal knowledge.

Investigation continues.

ARDC Par 27. COMPLAINT: “On March 21, 2022, Judge Voiland denied Respondent’s 619 motion to dismiss.”

RESPONDENT COGHLAN’S ANSWER:

ADMIT that Judge Voiland denied Mr. Coghlan’s 619 motion to dismiss.

Investigation continues.

ARDC Par 28. COMPLAINT: “On April 18, 2022, Respondent filed two motions to dismiss and a motion for bill of particulars.

RESPONDENT COGHLAN’S ANSWER:

ADMIT that Mr. Coghlan filed motions to dismiss and a motion for bill of particulars.

Investigation continues.

ARDC COMPLAINT: “The first motion to dismiss alleged that the complaint was not filed within the statute of limitations...”

RESPONDENT COGHLAN’S ANSWER:

ADMIT that Mr. Coghlan filed a Motion to Dismiss alleging Gooch/Mason violations of the Statute of Limitations.

Investigation continues.

ARDC COMPLAINT: “... the second motion to dismiss was titled Supreme Court Rule 191.”

RESPONDENT COGHLAN’S ANSWER:

ADMIT that Mr. Coghlan filed a motion to dismiss, in part, for Mason’s failure to comply with SCR 191. Mr. Coghlan’s Rule 191 motion to dismiss also incorporated dismissal authority analogous to SCR 137 and 219(c)(v), as stated in Mr. Coghlan’s pleadings thereto.

Investigation continues.

ARDC Par 29. COMPLAINT: “On April 20, 2022, Respondent filed his answers, defenses, and a counterclaim to J.M.’s complaint.”

RESPONDENT COGHLAN’S ANSWER:

ADMIT that Mr. Coghlan filed answers, defenses, and counterclaims to the Gooch/Mason complaint.

Investigation continues.

ARDC Par 30. COMPLAINT: “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.”

RESPONDENT COGHLAN'S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

DENY that Mason/Gooch filed a Response to a Motion to Dismiss prior to the time Judge Voiland denied Mr. Coghlan's Motion.

Investigation continues.

ARDC COMPLAINT: "J.M. also filed a motion to strike Respondent's affidavit supporting Respondent's motion to dismiss on the statute of limitations grounds."

RESPONDENT COGHLAN'S ANSWER:

ADMIT.

Investigation continues.

ARDC COMPLAINT: "J.M. attached an affidavit in support of his motion to strike Respondent's affidavit."

RESPONDENT COGHLAN'S ANSWER:

ADMIT that J.M. signed and affidavit dated 7/1/22.

Investigation continues.

ARDC Par 31. COMPLAINT: "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 COGHLAN'S ANSWER:

ADMIT that Mr. Coghlan filed responses and replies to Mason / Mason Properties' pleadings.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC COMPLAINT: "Respondent also filed a "reply affidavit" and attached exhibits to his affidavit."

RESPONDENT COGHLAN'S ANSWER:

ADMIT that Mr. Coghlan filed an affidavit and exhibits, at times, in case No. 2021-L-45.
Investigation continues.

ARDC COMPLAINT: "Respondent's attachments included, among other things, a police report of an incident involving J.M.,"

RESPONDENT COGHLAN'S ANSWER:

ADMIT.

Investigation continues.

ARDC COMPLAINT: "Respondent's attachments included ... a State Police Firearm Disposition Record for J.M...."

RESPONDENT COGHLAN'S ANSWER:

ADMIT.

Investigation continues.

ARDC COMPLAINT: "Respondent's attachments also included ... 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..."

RESPONDENT COGHLAN'S ANSWER.

ADMIT.

Respondent Coghlan's third Answer, Defenses, per ARDC Order 1/10/25 Striking Respondent's 1st and 2nd Verified Answers - Commission No. 2024PR00057 - Pg 23 of 59

Investigation continues.

ARDC COMPLAINT: “Respondent’s attachments included ... transcripts...

RESPONDENT COGHLAN’S ANSWER:

ADMIT.

Investigation continues.

ARDC COMPLAINT: Respondent’s attachments included ... a screenshot of a website entitled “Corruptionpedia” discussing Hinshaw and Culbertson.”

RESPONDENT COGHLAN’S ANSWER:

ADMIT that the Corruptionpedia screenshot was attached by Mr. Coghlan.

NEITHER ADMIT NOR DENY the reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 32. COMPLAINT: “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.”

RESPONDENT COGHLAN’S ANSWER:

DENY.

ARDC Par 33. COMPLAINT: “Respondent handwrote notes purporting to be quotes from J.M. in the margins of his attachments.”

RESPONDENT COGHLAN’S ANSWER:

ADMIT.

ARDC COMPLAINT: “Respondent’s notes included the following: [J.M.]: Fixes for favors rather than cash in envelopes.”

RESPONDENT COGHLAN’S ANSWER:

ADMIT.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

Investigation continues.

ARDC COMPLAINT: “Respondent’s notes included the following: [J.M.]: “I told the judge five times that this had to be done before Aug 15th cost of millions of dollars.

RESPONDENT COGHLAN’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC COMPLAINT: “Respondent’s notes included the following: [J.M.]: The next day order looks like a fix.”

RESPONDENT COGHLAN’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC COMPLAINT: “Respondent’s notes included the following: [J.M.]: The judge blocked my injunction without a hearing. The fix was in.”

RESPONDENT COGHLAN’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC COMPLAINT: "Respondent's notes included the following: [J.M.]: It cost \$6.6MM to delay 1 day after school starts this was no accident. The fix was in."

RESPONDENT COGHLAN'S ANSWER:

NEITHER ADMIT NOR DENY the reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 34. COMPLAINT: "Respondent handwritten notes in the margins of the October 29, 2018, transcript of proceedings before Judge Johnston."

RESPONDENT COGHLAN'S ANSWER:

DENY.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 35. COMPLAINT: "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."

RESPONDENT COGHLAN'S ANSWER:

DENY.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

DENY that Mr. Coghlan knew the statements were false.

DENY that the statements were false.

DENY that Mr. Coghlan's statements were made with reckless disregard of the truth and documentary basis.

DENY that Mr. Coghlan lacked an objectively reasonable factual basis for the statements relating to whether Judge Johnston was "blocking 8.3 reporting" and/or whether Judge Johnston was "testifying falsely."

ARDC Par 36. COMPLAINT: "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."

RESPONDENT COGHLAN'S ANSWER.

DENY. This Answer incorporates Mr. Coghlan's Answer to paragraph 35.

Investigation continues.

ARDC Par 37. COMPLAINT: "On August 11, 2021, the J.M. Matter was transferred from Judge Voiland to Judge Stephanie Klein."

RESPONDENT COGHLAN'S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

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

RESPONDENT COGHLAN'S ANSWER:

Respondent Coghlan's third Answer, Defenses, per ARDC Order 1/10/25 Striking Respondent's 1st and 2nd Verified Answers - Commission No. 2024PR00057 - Pg 27 of 59

DENY.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 39. COMPLAINT: "On October 26, 2022, Judge Klein denied Respondent's motions to dismiss and the motion for bill of particulars."

RESPONDENT'S ANSWER:

ADMIT.

Investigation continues.

ARDC Par 40. COMPLAINT: "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 Extrajudicial Rejection of Defendant Coghlan's Written Arguments Submitted to the Court 9/12/22."

RESPONDENT COGHLAN'S ANSWER:

ADMIT.

ARDC Par 41. COMPLAINT: "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.'"

RESPONDENT COGHLAN'S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 42. COMPLAINT: "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."

RESPONDENT COGHLAN'S ANSWER:

DENY.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 43. COMPLAINT: "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.

RESPONDENT COGHLAN'S ANSWER:

DENY.

ARDC Par 44. COMPLAINT: "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 [citations omitted]...

RESPONDENT COGHLAN'S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ADMIT sending an email with attachments to Keith L. Foster.

ARDC Par 45. COMPLAINT: "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."

RESPONDENT COGHLAN'S ANSWER:

DENY.

NEITHER ADMIT NOR DENY. The reasons that the Respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 46. COMPLAINT: "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.

RESPONDENT COGHLAN'S ANSWER.

DENY.

ARDC Par 47. COMPLAINT: “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.

RESPONDENT COGHLAN’S ANSWER:

DENY.

ARDC Par 48. COMPLAINT: “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.”

RESPONDENT COGHLAN’S ANSWER.

DENY that “Respondent repeated his allegations contained in the January 18, 2023, email...”

ADMIT that Mr. Coghlan’s confidential allegations in the January 17, 2023, email to attorney Foster were substantially, but not exactly, repeated in Mr. Coghlan’s January 25, 2023, Motion for Leave to Add Parties and Counterclaims. The actual pleadings stand as Mr. Coghlan’s Answer to ARDC Complaint paragraph 48.

Investigation continues.

ARDC Par 49. COMPLAINT: “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”).

RESPONDENT COGHLAN’S ANSWER.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 50. COMPLAINT: “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.”

RESPONDENT COGHLAN’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ADMIT that ARDC attorney Guzman sent an email to Mr. Coghlan asking for a written response to attorney Lundgren’s request for an investigation.

Investigation continues.

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

RESPONDEDNT COGHLAN’S ANSWER:

ADMIT that Mr. Coghlan had email communications with ARDC attorney Guzman.

ADMIT that attorney Guzman confirmed the due date for Mr. Coghlan’s response.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 52. COMPLAINT: “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 Voiland, Judge Klein, and Guzman of conspiring to violate federal and state law.

RESPONDENT COGHLAN'S ANSWER:

DENY.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

DENY that the CLAIMS/COMPLAINT AGAINST – MASON PROPERTIERS was filed against "J.M. Properties." It was filed against "Mason Properties," not J.M. individually. Respondent Coghlan's 2/24/23 pleading, attachments, and 18 USC 2, 3, and 4 are incorporated into this Answer to the ARDC allegations in paragraph 52.

Investigation continues.

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

RESPONDENT COOGLAN'S ANSWER:

DENY.

ARDC Par 54. COMPLAINT: "Respondent's statement that Judge Johnston, Judge Pallmeyer, the Executive Committee of Judges, Judge Voiland 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 Voiland and Judge Klein conspired to violate federal and state law."

RESPONDENT COGHLAN'S ANSWER:

DENY.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

DENY that the 2/24/23 allegations lacked an objectively reasonable factual basis.

Respondent Coghlan's third Answer, Defenses, per ARDC Order 1/10/25 Striking Respondent's 1st and 2nd Verified Answers - Commission No. 2024PR00057 - Pg 33 of 59

DENY that the 2/24/23 allegations were made with reckless disregard for the truth.

DENY that the 2/24/23 allegations were false.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 55. COMPLAINT: "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."

RESPONDENT COGHLAN'S ANSWER:

DENY that Mr. Coghlan knew his 2/24/23 pleadings were false.

DENY that Mr. Coghlan's 2/24/23 pleadings were made with reckless disregard of the truth.

DENY that Mr. Coghlan's 2/24/23 pleadings were false.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

DENY that Mr. Coghlan made the statements as alleged in paragraph 52.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 56. COMPLAINT: "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 Minutes allowed the falsification of the findings that form the basis of the same Insurance Fraud claim of [J.M.] Properties for \$450,000."

RESPONDENT COGHLAN'S ANSWER:

ADMIT that Mr. Coghlan filed Claims on 2/24/23.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 57. COMPLAINT: "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."

RESPONDENT COGHLAN'S ANSWER.

DENY.

Mr. Coghlan hereby incorporates his Answers to paragraphs 52-53 for his Answer to paragraph 57. Mr. Coghlan Answers paragraph 57 by incorporating the full pleading and attachments filed 2/24/23.

Investigation continues.

ARDC Par 58. COMPLAINT: "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."

RESPONDENT COGHLAN'S ANSWER:

DENY.

DENY that the allegations made 2/24/23 were false.

DENY that Mr. Coghlan knew the allegations made 2/24/23 were false.

DENY that Mr. Coghlan's pleadings were made with reckless disregard for the truth.

DENY that Mr. Coghlan's 2/24/23 pleadings had no objectively reasonable factual basis.

Incorporate the Answers to #s 52-53 above as part of the Answer to par 58.

Investigation continues.

ARDC Par 59. COMPLAINT: "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."

RESPONDENT COGHLAN'S ANSWER:

DENY.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 60. COMPLAINT: "On March 14, 2023, Judge Klein entered the "agreed order" that had been prepared by Pioli, and which amended the briefing schedule."

RESPONDENT COGHLAN'S ANSWER:

DENY

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 61. COMPLAINT: "On April 8, 2023, Respondent sent an email to Elizabeth Morris, an Assistant Illinois Attorney General, 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 March Buick facilitated the eFileIL block because her husband's law firm, Foster Buick, is withholding evidence of Insurance Fraud and legal malpractice."

RESPONDENT COGHLAN'S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 62. COMPLAINT: "Respondent's statement that it was 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" 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."

RESPONDENT COGHLAN'S ANSWER:

DENY that Mr. Coghlan's made the statements as alleged in ARDC paragraph 61-62.

DENY that Mr. Coghlan's statements are false.

DENY that Mr. Coghlan's statements lacked an objectively reasonable factual basis.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 63. COMPLAINT: "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."

RESPONDENT COGNLAN'S ANSWER:

DENY.

DENY that the ARDC alleged statements were false.

DENY that Mr. Coghlan knew his statements were false.

DENY that Mr. Coghlan lacked an objectively reasonable factual basis to support his statements to AAG Morris.

Investigation continues.

ARDC Par 64. COMPLAINT: “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 are 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.”

RESPONDENT COGHLAN’S ANSWER

DENY.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 65. COMPLAINT: “Respondent’s statement that Foster was in Judge Klein’s chambers, was false or made with reckless disregard of the truth, because Respondent had not objectively reasonable factual basis for the statement that Foster was in Judge Klein’s chambers.”

RESPONDENT COGHLAN’S ANSWER:

DENY. See Answer to #64.

Investigation continues.

ARDC Par 66. COMPLAINT: “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.

RESPONDENT COGHLAN'S ANSWER:

DENY that Mr. Coghlan said that "Foster was in Judge Klein's chambers."

DENY that the 6/22/23 transcript says what the ARDC falsely alleged. This Answer incorporates the Answers from 64-65 above.

Investigation continues.

ARDC Par 67. COMPLAINT: "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 judges who were prosecuted as 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. v Murphy case that I cited in February in this court file. I cited the Greylord case of U.S. v Murphy and U.S. v 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 your rejected. That gives the appearance of impropriety. That's only part of the evidence."

RESPONDENT COGHLAN'S ANSWER:

DENY the impression that Mr. Coghlan initiated the Greylord conversation.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 68. COMPLAINT: "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."

RESPONDENT CONLAN'S ANSWER:

DENY.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

DENY that Mr. Coghlan's statements were false.

DENY that Mr. Coghlan's statements were made with reckless disregard for the truth.

DENY that Mr. Coghlan had no objectively reasonable factual basis for the statement that Judge Klein was engaged in conduct similar to the Judges prosecuted in Operation Greylord.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

ARDC Par 69. COMPLAINT: "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."

RESPONDENT COGHLAN'S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

DENY that Mr. Coghlan "knew his representations were false."

DENY that Mr. Coghlan's representations were made with reckless disregard of the truth.

DENY that Mr. Coghlan's statements had no objectively reasonable factual basis.

Investigation continues.

ARDC Par 70. COMPLAINT: “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 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 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”

RESPONDENT COGHLAN’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 71. COMPLAINT: “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.”

RESPONDENT COGHLAN’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

DENY that Mr. Coghlan knew the statements were false.

DENY that the statements were false.

DENY that the statements were made with reckless disregard for the truth,

DENY that Mr. Coghlan had no objectively reasonable factual basis for the statements.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 72. COMPLAINT: “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.”

RESPONDENT COGHLAN’S ANSWER:

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

DENY that Mr. Coghlan’s statements recklessly disregarded the truth.

DENY that Mr. Coghlan’s statements had no objectively reasonable factual basis.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

DENY that Mr. Coghlan’s statements were made with reckless disregard for the truth.

DENY that Mr. Coghlan had no objectively reasonable factual basis for his statements.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ADMIT that Mr. Coghlan stated that “the evidence” (pg 11 lines 19-20), gave the “appearance of impropriety” (pg 12, lines 5-6) and “That’s only part of the evidence” (pg 12, line 6) in answer to Judge Klein’s unnoticed questions asking about Operation Greylord cases compared to Judge Klein’s actions.

ADMIT that Mr. Coghlan said that Judge Klein’s actions provided “evidence” of the “appearance of impropriety” of Judge Klein’s specific actions, and that the specific actions listed by Mr. Coghlan were “only part of the evidence.”

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent’s prior Answers (incorporated herein).

ARDC Par 73. COMPLAINT: “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 Voiland, 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); 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 Voiland, 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 conduct involving dishonesty, fraud, deceit, or misrepresentation by conduct including making false statements in pleadings and in open court outlined in paragraphs 31 through 70 above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).”

RESPONDENT COGHLAN’S ANSWER:

DENY.

DENY that the “conduct described” constitutes misconduct.

DENY that Respondent Coghlan has engaged in any misconduct.

DENY that Mr. Coghlan had no lawful purpose in reporting judicial misconduct and attorney misconduct.

DENY that Mr. Coghlan intended solely to embarrass judges and lawyers.

DENY that Mr. Coghlan intended to delay legal proceedings.

DENY that Mr. Coghlan intended to burden a third person.

DENY that Mr. Coghlan intended to 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 Voiland, Judge Klein, and Guzman by conduct relating to the ARDC’s allegations in par 31-70.

DENY any violation of RPC 4.4(a)

DENY that Mr. Coghlan made any statements known to be false.

DENY that Mr. Coghlan made any statements with reckless disregard as to the truth or falsity concerning the qualifications or integrity of a judge.

DENY that Mr. Coghlan knowingly made any false statements that Judge Johnston conspired to violate federal and state law.

DENY that Mr. Coghlan knowingly made any false statements that Judge Pallmeyer conspired to violate federal and state law.

DENY that Mr. Coghlan knowingly made any false statements that the Executive Committee of Judges conspired to violate federal and state law.

DENY that Mr. Coghlan stated that Judge Klein was engaged in similar conduct to the judges prosecuted in operation Greylord.

DENY that Mr. Coghlan violated RPC 8.2(a).

DENY that Mr. Coghlan knowingly committed any acts of dishonesty by knowingly making false pleadings and/or statement in open court as outlined in ARDC pars 31-70.

DENY that Mr. Coghlan knowingly committed any acts of fraud by knowingly making false pleadings and/or statement in open court as outlined in ARDC pars 31-70.

DENY that Mr. Coghlan knowingly committed any acts of deceit by making knowingly false pleadings and/or statement in open court as outlined in ARDC pars 31-70.

DENY that Mr. Coghlan knowingly made any misrepresentation by knowingly making false pleadings and/or statement in open court as outlined in ARDC pars 31-70.

DENY that Mr. Coghlan’s pleadings, court statements, RPC 8.3 reports of alleged judicial misconduct, reports of alleged attorney misconduct, and reporting evidence Mason Properties’ possible Insurance Fraud have no lawful purpose.

DENY that Mr. Coghlan’s reports to Foster Buick and Hinshaw law firms, improperly embarrassed, delayed, or burdened the judges, lawyers, or Mason Properties.

DENY that Mr. Coghlan’s statements were false or unsupported.

DENY that Mr. Coghlan knew his statements were false or unsupported.

DENY that Mr. Coghlan disregarded the truth in making his statements.

DENY that Mr. Coghlan made a false or unsupported statement that Judge Johnston was “blocking 8.3 reporting,”

DENY that Mr. Coghlan made a false or unsupported statement that Judge Johnston was “testifying falsely,”

DENY that Mr. Coghlan made any false or unsupported statements regarding Judges Johnston, Pallmeyer, Voiland, Klien, Executive Committee, and/or Federal Court clerks.

DENY that Mr. Coghlan made any false or unsupported statements regarding attorneys Lester, Hinshaw, Foster, Lundgren, Gooch, Morris, Quinn, and/or Guzman.

DENY that Mr. Coghlan made statements that were dishonest, fraudulent, deceitful, or misrepresented.

DENY that Mr. Coghlan’s RPC 8.3 reports of evidence of judicial misconduct, attorney misconduct, and/or insurance fraud by Mason Properties violated RPC 4.4(a), 8.2(a), 8.4(c) or any other Rule of Professional conduct.

Mr. Coghlan incorporates the Answer and Diagram from Answer to par 52.

NEITHER ADMIT NOR DENY. The reasons the respondent is unable to make a specific denial are explicitly stated in Respondent's prior Answers (incorporated herein).

RULE 231 COMPLIANCE: Michael P. Coghlan. I was admitted to practice law in Illinois (1983), Northern District of Illinois (1985), and the 7th Circuit Court of Appeals (2021). My Illinois ARDC number was 6185266. I retired 12/21/23. Michael P. Coghlan has not received any other professional license or certificate.

Respectfully submitted,
/s/ Michael Coghlan

Michael P. Coghlan, SRL
Retired attorney 12/21/23
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**BEFORE THE HEARING BOARD OF THE
ILLINOIS ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION**

In the Matter of:)	
)	
MICHAEL P. COGHLAN)	Commission No. 2024PR00057
)	Justice Theis Order _____ MR 898
Retired Attorney – Respondent,)	DeKalb Co No 2021-L-45
Former ARDC No. 6185266)	ILND 17-cv-50307

RESPONDENT COGHLAN’S DEFENSES

Respondent Coghlan does not accept as true the allegations in the ARDC Complaint filed 8/29/24 because the ARDC charges are false, based on admissible evidence, and/or contradicted by genuine evidence the records.

735 ILCS 5/2-613 states:

“... defenses ... (d) any defenses which by other affirmative matter seeks to avoid the legal effect of or defeat the cause of action set forth in the complaint, ... and any ground or defense, whether affirmative or not, which if not expressly stated in the pleading, would be likely to take the opposite party by surprise, must be plainly set forth in the answer ...” 735 ILCS 5/2-613 of the Illinois Code of Civil Procedure.

Further legal authority authorizing non-affirmative (negating) defenses:

NEGATING DEFENSES: “If, for example, a defendant pleads a negating defense, his or her answer must contain plausible factual allegations in support of the negating defense ... If a defendant pleads plausible factual allegations in support of a negating defense, then the court will conclude that the pleading states a "sufficient" defense under [Rule 12\(f\)](#).

NEGATING DEFENSES CONTRADICT THE ARDC ELEMENTS: “A negating defense, also termed a negative defense, is one that denies or “directly contradict[s] elements of the plaintiff’s claim for relief.” 5 Wright & Miller § 1270.” *Jones v. Aberdeen Proving Ground Fed. Credit Union*, Civil Action ELH-21-1915, at *12 (D. Md. July 12, 2022).

NEGATING DEFENSE DISPROVES AN ELEMENT: An affirmative defense is different from a negating defense, which tends to disprove an element of the plaintiff’s or prosecutor’s case. *See FTC v. AMG Servs.*, 2014 WL 5454170, at *5

n.8 (D. Nev. Oct. 27, 2014) ("A negating defense, in contrast to an affirmative defense, 'tends to negate the existence of the elements' that the plaintiff must prove at trial.") (citing *Davis v. Allsbrooks*, [778 F.2d 168, 178](#) (4th Cir.1985)). Bricklayers Ins. & Welfare Fund Bricklayers Pension Fund v. P.P.L. Constr. Servs. Corp., 12-CV-3940 (DLI)(RML) (E.D.N.Y. Mar. 27, 2015)

These ARDC proceedings are based on underlying litigation in ILND 17-cv-50307 Mason v School and Dekalb Co, 2021-L-45 Mason v Cohan. The 8/29/24 ARDC Complaint focuses primarily on reports of judicial misconduct and reports of misconduct by attorneys, although the initial 2/1/23 ARDC complaint for investigation focused on legal malpractice issues and facts. DEFENSES to the ARDC Complaint are an integral part of the DEFENSES to the false legal malpractice case. DEFENSES to the ARDC Complaint include: RPC 8.4(g) unnecessary litigation, ILND LR83.58,3,4, Mandatory Reporting of Judicial Misconduct evidence, RPC 1.1 Competence, Canon 2 Allowing the Impression of Insider Law firms, Canon 3B (4) Retaliation in response to Reports of Judicial Misconduct.

DEFENSES

FIRST: LACK OF CAUSATION:

- a) The CAUSE of the alleged malpractice “damages” was primarily Foster Buick’s [144] concealment of the SCOTUS case of Brohl, and Foster Buick’s [144] concealment of the Prevailing Party admission in the 6/19/18 school board Minutes.
- b) The CAUSATION defense requires dismissal of the ARDC Complaint because Foster Buick caused the claimed malpractice. The 10/29/19 transcript in 17-cv-50307 shows Foster Buick as corporate counsel and substitute counsel for Plaintiff Mason. Foster Buick

lawyer, Tait Lundgren made the initial ARDC complaint for investigation on 2/1/23, but the RPC and facts were not disclosed in attorney Lundgren's complaint to the ARDC.

- c) James C. Mason was the Executive Officer for Mason Properties. Mr. Mason died in December of 2024.
- d) As corporation counsel, Foster Buick supervised, approved, and/or ratified the federal court jurisdiction, all pleadings, and all legal fees paid by Mason to Coghlan in the underlying case.
- e) As such, Foster Buick was the CAUSE of any damages claimed Plaintiff Mason (deceased), Mason's estate, and Mason Properties.

WHEREFORE, Respondent Michael Coghlan asks the ARDC to make findings consistent with the evidence and law, to dismiss the ARDC Complaint, and award Mr. Coghlan fees, costs and other damages supported by the record.

SECOND: INFORMED CONSENT:

- a) James Mason and Mason Properties gave INFORMED CONSENT to the filing of the underlying Federal court action, pleadings, and billing.
- b) Plaintiff Mason and Mason Properties were party to more than 100 litigation matters, Mason Properties and their corporate law firm Foster Buick directed and/or supervised the services of Mr. Coghlan. Mason Properties conferred with five other law firms throughout the underlying litigation by Mr. Coghlan. For approximately eight (8) years Mason Properties' Radio show format was based on legal lectures, functions of public officials, government functions, taxation, elections, and candidates for public office. Mason Properties hosts, guests, and callers included Mason Properties Sarah Whiting, Greg Davis,

Ashley Mason, and James Mason Plaintiff Mason directed, supervised, and verified Mr. Coghlan's legal services. Mason Properties was informed monthly in writing by Mr. Coghlan's detailed billing narratives of all legal services performed at Plaintiff Mason's direction.

- c) Thereafter, Plaintiff Mason asked other law firms about the reasonableness and necessity of Coghlan's legal work and billing rate.
- d) Plaintiff Mason paid for Mr. Coghlan's legal services monthly for the two-year period the underlying litigation was pending. Mason Properties directed, supervised, verified, and consented to the filing of the underlying action in federal court. Mason Properties consented to all pleadings filed by Coghlan in federal court. Mason falsified the ARDC investigation complaint by omitting documents listed in Mr. Coghlan's 35-page response.
- e) The ARDC Complaint should therefore be dismissed because Plaintiff Mason provided INFORMED CONSENT to all acts alleged in his 2/1/23 ARDC complaint for investigation.

WHEREFORE, Respondent asks this Court to make findings consistent with the evidence and law, to dismiss the ARDC Complaint, and award Mr. Coghlan fees, costs and other damages requested herein.

THIRD: NO DUTY

- a) No duty was owed to James C. Mason individually because he did not pay the property taxes for the underlying litigation. Nor did Mason individually pay Mr. Coghlan's legal fees, which form the basis of Mason's false ARDC complaint.

- b) Rather, Mason Properties paid all legal fees to Mr. Coghlan, and Mason Properties paid all property taxes involved in the underlying litigation.
- c) The lack of a duty to James C. Mason individually requires the dismissal of this ARDC Complaint.

WHEREFORE, Respondent asks the ARDC Hearing Board to make findings consistent with the evidence and law, to dismiss the ARDC Complaint, and award Mr. Coghlan fees, costs and other damages requested herein.

FOURTH: WAIVER.

- a) Mason waived the right to make a complaint to the ARDC because Mason failed and refused to provide notice [134] and [144] to Coghlan on the underlying case, as was required by court order [123] and LR 5.3.
- b) Mason refused to follow Coghlan's direction to include SCOTUS legal authority, Brohl, and the 6/19/18 Prevailing Pary School Board Minutes in Document [144] Fee Response filed by Plaintiff Mason after Coghlan was discharged as the attorney in the underlying case.
- c) Mason withdrew Mr. Coghlan's appeal [108], withdrew Mr. Coghlan's Motion to Reconsider [104], and waited until after the expiration of the appeal period to file Mason's false malpractice case in 21-L-45. The false malpractice case is ongoing litigation.

- d) Mason's waiver is the relinquishment or surrender of Mason's right or privilege to pursue the ARDC complaint. Mason had the right, advantage, and knowledge of the ability to file the same claims against Mr. Coghlan in 17-cv-50307 pursuant to D'jamoos, Herman, and Rose case authority.
- e) Mason thereby WAIVED the right to make the ARDC claims against Mr. Coghlan.

WHEREFORE, Respondent asks the Hearing Board to make findings consistent with the evidence and law, to dismiss the ARDC Complaint, and award Mr. Coghlan fees, costs and other damages requested herein.

FIFTH: JUDGMENTAL IMMUNITY DOCTRINE

- a) The ARDC Complaint charges Mr. Coghlan with decisions based on Mr. Coghlan's reasonable use of Coghlan's judgment in following RPC 8.3 and LR83.58.3,4 while litigating ILND 17-cv-50307 and DeKalb 2021-L-45.
- b) Judgmental Immunity eliminates the ARDC claims of ethics rules, legal malpractice, and/or breach of fiduciary duty for fees.
- c) The Court in the underlying School found that [101] the DeKalb School Residency Forms were acts of "information gathering" rather than "assessment, levy, and collection" under the Tax Injunction Act, thus confirming the validity of Mr. Coghlan's legal judgment.
- d) Judgmental Immunity applies to Mr. Coghlan's reporting of Judicial Misconduct under LR83.58.3,4. Judgmental Immunity also validates Mr. Coghlan's pleading of the School Residency Forms as part of the "information gathering process" outside the Tax Injunction Act, thereby allowing federal court jurisdiction.

e) Based on the Judgmental Immunity Doctrine, Mr. Coghlan is immune from Mason's complaint to the ARDC and absolved of all claims on the ARDC Complaint.

WHEREFORE, Respondent asks this Hearing Board to make findings consistent with the evidence and law, to dismiss the ARDC Complaint, and award Mr. Coghlan fees, costs and other damages requested herein.

SIXTH: JUDICIAL ERROR.

- a) Mason acknowledged Judicial Error in the [101] dismissal order and the [157] fee order. See 9/16/19 email from Mason Properties CFO Greg Davis and the "judicial cahoots" email stating that Judge Pallmeyer made an error in a tax function interpreted by Mason Properties C.P.A., Greg Davis. See the SCOTUS case of *Direct Marketing v Brohl* [88].
- b) See *Crestwood v Turner*, 164 P.3d 1247, 1255 (Utah 2007) and Texas Supreme Court decision in *Stanfield v. Neubaum*. 494 S.W.3d 90 (Tex. 2016) support the Defense of Judicial Error.
- c) Mr. Coghlan raised and preserved all legal and factual considerations in an appropriate procedural manner including [104], [108], [116], [123], [126], [129], [138], [143], and [149]. The court committed judicial errors in [101] and [157] per [88] and [89-2].
- d) The Judicial Errors in [101] and [157] therefore eliminate the CAUSATION element against Mr. Coghlan, and the ARDC Complaint should therefore be dismissed.

WHEREFORE, Respondent asks the Hearing Board to make findings consistent with the evidence and law, to dismiss the ARDC Complaint, and award Mr. Coghlan fees, costs and other damages requested herein.

SEVENTH: 2-YEAR LIMITATIONS EXPIRED.

- a) Under 735 ILCS 13-214.3(b) Mason Properties knew of its alleged malpractice and fiduciary claims pursuant to the January 23, 2018, transcript emailed to Mason Properties and Sarah Whiting, Company Manager outside the Statute of Limitations.
- b) An action against an attorney arising out of an act or omission in the performance of professional services must be commenced within 2 years from the time the person bringing the action knew or reasonably should have known of the injury for which damages are sought. Mason filed the false malpractice complaint after the limitations period expired.
- c) Mason's email to attorney Wolk in February of 2018, and payment of attorney Nahmod in September of 2018, conclusively confirmed that the legal malpractice action was filed outside the 2- year limitations period.

WHEREFORE, Respondent asks this Court to make findings consistent with the evidence and law, to dismiss the ARDC Complaint, and award Mr. Coghlan fees, costs and other damages requested herein.

EIGHTH: UNCLEAN HANDS.

- a) Mason concealed the SCOTUS case of Brohl and the 6/19/18 Prevailing Party Board Minutes from Mason's Fee Response in [144].
- b) Mason's omission of law [88] and facts [89-2] in Document [144] were necessary for the judicial error findings in Judge Johnston's fee order [157].
- c) Mason's omissions of law and facts in [144] also concealed allegations of attorney misconduct in [134].

- d) Judge Johnston's erroneous findings in [157] incorrectly blamed Mr. Coghlan for the omissions of Mason Properties.
- e) Mason Properties appears to have traded \$136k for an Order worth three times the amount (\$455,000) paid by Mason Properties.
- f) Unclean Hands of Mason Properties due to the [144] omissions require the dismissal of the ARDC Complaint.

WHEREFORE, Respondent asks the Hearing Board to make findings consistent with the evidence and law, to dismiss the ARDC Complaint, and award Mr. Coghlan fees, costs and other damages requested herein.

NINTH: FAILURE TO MITIGATE

- a) Mason failed to mitigate his supposed damages of \$136k in fee order [157] by failing to appeal the [157] ruling. See [104] [108] [134].
- b) Mason failed to mitigate its supposed damages for legal fees when Mason retained federal jurisdiction attorney, Carl Buck to review and approve Mason's initial Complaint filed 10/4/17 in Federal court in the underlying case, ILND 17-cv-50307.
- c) The harm claimed by Mason could have been avoided by reasonable efforts to correct federal court jurisdiction, correct legal work, and correct legal fees by consulting Foster Buick as Mason Properties' corporate counsel.
- d) Mason did not make reasonable efforts such as requesting a review by corporate attorneys, Foster Buick.

WHEREFORE, Respondent asks the Hearing Board to make findings consistent with the evidence and law, to dismiss the ARDC Complaint, and award Mr. Coghlan fees, costs and other damages requested herein.

TENTH: MISCONDUCT TO OBTAIN AN ADVANTAGE IN A CIVIL MATTER

- a) Rule 8.4 – Misconduct says that it is professional misconduct for a lawyer to: ...
(g) present, participate in presenting, or threaten to present criminal or professional disciplinary charges to obtain an advantage in a civil matter.
- b) The 19-page ARDC Complaint 8/29/24 resulted in an unfair advantage in a civil matter based on the same facts. The civil matter is DeKalb case 2021-L-45.
- c) The ARDC Complaint facts are based on two litigation matters based on the same facts; ILND 17-cv-50307 and DeKalb 2021-L-45.
- d) The ARDC Complaint was filed eight (8) months after the Respondent retired. Thus, the ARDC Complaint does not serve the purpose of protecting the public. Mr. Coghlan has not served the public for more than a year.
- e) The ARDC Complaint should be dismissed because Mason and ARDC lawyers presented, participated, and threatened to present professional disciplinary charges against Mr. Coghlan to obtain advantage in violation of RPC 8.4(g).

ELEVENTH: MANDATORY REPORTING OF MISCONDUCT EVIDENCE LR83.58.3,4

- a) The United States District Court, Northern District Of Illinois Local Rules mandate reporting of judicial misconduct evidence.
- b) LR83.58.3. Reporting Professional Misconduct states” (a) A lawyer possessing knowledge not otherwise protected as a confidence by these rules or by law that another lawyer has committed a violation of LR83.58.4(a)(3) or (a)(4) shall report such knowledge to a tribunal or other authority empowered to investigate or act upon such violation.
- c) On 7/10/18 Mr. Coghlan received the Hinshaw whistleblower emails alleging that Hinshaw lawyer, Tom Lester falsified a \$6.6 million dollar report of data used for reporting Federal funding.
- d) Mr. Coghlan also possessed knowledge [62], [64], [75], [124-3] not otherwise protected as a confidence by these rules or by law that a judge, Iain D. Johnston has committed a violation of the Code of Judicial Conduct which raises a question as to the judge’s fitness for office shall inform the appropriate authority.
- e) Upon proper request of a tribunal or other authority empowered to investigate or act upon the conduct of lawyers or judges, a lawyer possessing information not otherwise protected as a confidence by these rules or by law concerning another lawyer or a judge shall reveal fully such information. On 8/25/23 Judge Stephanie Klein ordered Mr. Coghlan to provide the evidence of judicial misconduct. In compliance, Mr. Coghlan prepared the 243-page judicial misconduct report and delivered it to the US Marshal on 1/12/24.
- f) *Committee Comment for LR83.58.3,4 states that.* Self-regulation of the legal profession requires that members of the profession initiate disciplinary investigation when they know of a violation of the rules of professional conduct. Lawyers have a similar obligation with

respect to judicial misconduct. An apparently isolated violation may indicate a pattern of misconduct that only a disciplinary investigation can uncover. Reporting a violation is especially important where the victim is unlikely to discover the offense.

- g) Mr. Coghlan was obligated by LR83.58.3,4 to report the evidence in the 243-page judicial misconduct report dated 1/12/24.
- h) Mr. Coghlan was obligated by LR83.58.3,4 to prepare the diagrams (page 60 of the 11/12/24 Verified Answer) showing a pattern of judicial misconduct.
- i) The public is the victim of judicial misconduct where judges retaliate against honest lawyers who comply with LR83.58.3,4 to report judicial misconduct.

WHEREFORE, the ARDC Complaint should be dismissed because it alleges facts showing that Mr. Coghlan complied with LR83.58.3,4.

TWELFTH: COMPETENCE UNDER RPC 1.1

- a) RULE 1.1: COMPETENCE says that competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.
- b) Mr. Coghlan's Document [1] and deposition transcript and exhibits 8/9/24 show Federal jurisdiction under 42 USC 1983.
- c) Mr. Coghlan prosecuted hundreds of civil and criminal tax litigation matters.
- d) Mr. Coghlan thoroughly researched and prepared the 22-page Complaint [1] and 30-page Amended Complaint [61] in ILND 17-cv-50307.

- e) Based on Mr. Coghlan's legal work the opposing party complied with 20% of the injunctive relief and \$2.2 million dollars of monetary relief requested in the lawsuit file by Mr. Coghlan.
- f) Mr. Coghlan conferred with ethics counsel before confidentially reporting judicial misconduct in [124-3].

WHEREFORE, the ARDC Complaint should be dismissed based on Mr. Coghlan's Competence following LR83.58.3,4 mandatory reporting of misconduct.

Additional Defenses Reserved: Respondent Mr. Coghlan may rely on other and additional defenses if and when such defenses become known during the course of the ARDC proceedings and hereby reserves the right to amend his Answer and Defenses.

Respectfully submitted,

/s/ Michael P. Coghlan

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