

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

In the Matter of:

CALVITA J. FREDERICK,  
Attorney-Respondent,  
No. 6184001.

Commission No. 2026PR00008

COMPLAINT

Leah S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Scott Renfroe, pursuant to Supreme Court Rule 753(b), complains of Respondent, Calvita J. Frederick, who was licensed to practice law in the State of Illinois on January 6, 1983, and alleges that Respondent has engaged in the following conduct which subjects her to discipline pursuant to Supreme Court Rule 770:

COUNT I

*(Failure to Refund \$15,000 Unearned Fee – S. F.’s Dispute with School District)*

A. *Introduction*

1. Prior to September 10, 2024, three women, each a current or former employee of a school district located in Kankakee County (“the District”), developed concerns about what they considered to be the District’s discriminatory treatment of them. One of the women, whose initials are “S. F.,” was then a tenured Assistant Superintendent of Human Resources for the District and had worked for the District for approximately seven years without having been disciplined. Another of the women, whose initials are “G. W.,” was the former Superintendent of the District and claimed to have been the victim of racial discrimination and other issues that resulted in her constructive termination from that position. The third woman, whose initials are

FILED  
1/30/2026 11:22 AM  
ARDC Clerk

“O. S.,” claimed that she had not been hired by the District despite a prior offer of employment, and that the District’s decision not to complete the hiring process had been due to her race and other impermissible factors.

B. *Respondent’s Representation of the Women*

2. On September 10, 2024, S. F. received a letter from a District representative notifying her that she was being placed on paid administrative leave pending an investigation into her job performance. Because S. F. believed that she was the subject of employment discrimination, she began searching for an attorney to represent her in matters relating to her dispute with the District. As part of those efforts, S. F. discussed her situation with G. W., who later referred both S. F. and O. S. to Respondent.

3. On September 17, 2024, Respondent met with the three women, following which she agreed to represent S. F., O. S., and G. W. in matters relating to their disputes with the District, its then-Superintendent, and nine of its board members. Respondent agreed that her representation of the women would include either the pursuit of a negotiated settlement of the disputes or the pursuit of litigation on the women’s behalf if the disputes could not be resolved. In exchange for Respondent’s legal services, the women each agreed to pay Respondent an initial security retainer fee of \$15,000, against which Respondent agreed to bill at an hourly rate of \$350 for time spent in Respondent’s office, and \$400 an hour for time spent outside the office, including court appearances or participation at depositions or mediation sessions. Respondent and the women also agreed that Respondent would receive an additional contingent fee of 20% of any award or settlement she obtained for the women from the District.

4. S. F. paid Respondent the entire \$15,000 retainer fee in three payments: on September 17, 2024, she paid Respondent \$5,000; on September 27, 2024, S. F. paid Respondent

an additional \$2,000; and on October 18, 2024, S. F. paid Respondent the remaining \$8,000. G. W. paid Respondent \$1,000 at or around the time of the September 17, 2024, meeting, and paid Respondent an additional \$2,000 sometime thereafter. O. S. never paid Respondent anything toward her requested retainer fee.

5. On October 20, 2024, Respondent sent a three-page letter to the District's then-Superintendent outlining: the recent history of S. F.'s employment by the District; S. F.'s perception that she was being denied due process or a reasonable opportunity to respond to the District's September 10, 2024 letter; information concerning S. F.'s medical condition; and S.F.'s request to be placed on a medical leave of absence. In the letter, Respondent stated that she was "preparing to file charges with the Illinois Department of Human Rights, or other appropriate authority, required to exhaust our administrative remedies, prior to filing our lawsuit." Both times Respondent referred to S. F. by her full name in the letter, she misspelled her client's first name.

6. On Friday, November 29, 2024 (the day after Thanksgiving), the District's Superintendent contacted S. F. directly to notify her that S. F. was being directed to attend a meeting with the Superintendent the following Tuesday, December 3, 2024, at 3:30 in the afternoon. S. F. forwarded the Superintendent's message to Respondent shortly after she received it, and Respondent and S. F. later exchanged additional emails about the requested meeting. Respondent and S. F. later decided that neither S. F. nor Respondent would attend the December 3, 2024, meeting, and neither of them did so. On December 6, 2024, Respondent contacted the Superintendent to request that the meeting be rescheduled.

7. Respondent did not meet again with S. F. during the period between October 18, 2024 (when S. F. made the final payment of the retainer fee) and December 6, 2024 (when Respondent sent the email message to the Superintendent asking to reschedule the meeting).

8. In early January 2025, Respondent contacted S. F. and G. W. to advise them that Respondent would no longer represent the women in matters relating to their disputes with the District. At the time of her decision to withdraw from representing the women, the primary actions Respondent had taken were to send a letter notifying the District of her involvement in pursuing the women's claims and requesting that the meeting with S. F. be rescheduled. Respondent had not negotiated a settlement of their claims, nor had she submitted a complaint to the Illinois Department of Human Rights or any other agency on their behalf, nor had she filed a civil complaint against the District, its Superintendent, or any of the District's board members.

9. Between January 8, 2025, and March 19, 2025, S. F. sent at least ten emails to Respondent. In most of those messages, S.F. requested an itemization of the time Respondent claimed to have spent on S. F.'s dispute with the District and a refund of any unused portion of the \$15,000 retainer fee S. F. had paid her. Although Respondent at various times stated that she would prepare an itemization of the time she spent on the matter and issue a refund of the unearned portion of the fee, as of March 25, 2025, when S. F. submitted a complaint about Respondent's conduct to the Administrator, Respondent had not done so.

10. As of January 19, 2026, the date the members of Panel C of the ARDC's Inquiry Board voted to file this complaint against Respondent, Respondent had not refunded to S. F any portion of the \$15,000 retainer fee. The services Respondent provided to S. F. during the approximately 90 days between October 18, 2024 (when S. F. paid the final installment of the \$15,000 retainer fee), and early January, 2025 (when Respondent notified S. F. that she would no

longer represent her in matters relating to her dispute with the District) do not justify Respondent's continued retention of the entire retainer fee in light of the time Respondent expended on the matter, the lack of results she obtained, the amount customarily charged in the Chicago metropolitan area for similar work, or any other factors.

C. *Conclusions of Misconduct*

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

- a. collecting an unreasonable fee, by conduct including charging S. F. \$15,000 for less than three months of legal representation that did not result in the resolution of S. F.'s claims, the filing of a civil complaint or administrative charge, or any meetings with representatives of the District, in violation of Rule 1.5(a) of the Illinois Rules of Professional Conduct; and
- b. failing to provide an itemized statement of services or to refund an unearned fee following the termination of her professional relationship with S. F., by conduct including failing to account for her services or to return any portion of the \$15,000 fee that Respondent received from S.F., in violation of Rule 1.16(d) of the Illinois Rules of Professional Conduct (2010).

COUNT II

*(Lack of Diligence and Failure to Refund Unearned Fee – C. E.'s Dispute with Fire Department)*

12. On November 30, 2021, a woman with the initials "C. E." retired from her position with the Chicago Fire Department. Because C.E. felt that she had been improperly forced to retire, she began seeking legal representation in connection with a potential age discrimination employment claim and was referred to Respondent. At Respondent's request, C.E. met with Respondent at a Panera restaurant in Chicago sometime the following month.

13. As of November 2021, pursuant to both the Illinois Human Rights Act [775 ILCS 5/7A-102(A)(1)] and the Federal Age Discrimination Act [29 U.S.C. § 626(d)(1)(B)], an employee had 300 days from the date of an act of alleged discrimination to file a claim with the

Illinois Department of Human Rights (IDHR) and the United States Equal Employment Opportunity Commission (EEOC), respectively. As a result, C.E. had until no later than September 26, 2022 (300 days after her retirement), to file any claims relating to her former employment with the Chicago Fire Department.

14. On February 4, 2022, Respondent agreed to represent C. E. in matters relating to her claims against the City of Chicago. At that time, C. E. gave Respondent a cashier's check in the amount of \$10,000 as an initial security retainer, against which Respondent agreed to bill at an hourly rate. At Respondent's request, C. E. had that initial check (which had been made payable to "Calvita J. Frederick's Law Group") voided and had a second check for \$10,000 reissued that was made payable to Respondent individually. C. E. gave that second cashier's check to Respondent on February 4, 2022, and Respondent later negotiated that check and used its proceeds for her own business or personal purposes.

15. Over the next 20 months, Respondent and C. E. met six times, and Respondent told C. E. that she planned to pursue C. E.'s claim but was then busy with other professional and personal responsibilities. When C. E. offered to give Respondent a binder of printed documents relating to her employment claim, Respondent declined to accept them, saying it was "a bad time" for her to read those materials. C. E. later offered the materials to Respondent in an electronic format, but Respondent again refused to accept them.

16. As of September 26, 2022, Respondent had not filed any claims on C. E.'s behalf with either the IDHR or the EEOC, and C. E.'s claims became time-barred.

17. In September 2023, Respondent and C. E. again met at the Panera restaurant, and C. E. asked Respondent if there was an upcoming filing deadline that would affect her case. Respondent then asked C. E. for an additional \$5,000, saying that Respondent's retainer fee for

similar cases had increased from \$10,000 to \$15,000. C. E. declined to pay Respondent any additional funds and asked Respondent to stop work on her case and return any unearned fees from her initial \$10,000 payment.

18. Between February 4, 2022 (when Respondent agreed to represent C. E. in matters relating to the end of her employment), and September 2023 (when the professional relationship ended and C. E. asked Respondent to return any unearned fees), Respondent had not negotiated a settlement of C.E.'s claims against the City of Chicago, nor had she submitted a complaint to the Illinois Department of Human Rights or any other agency on their behalf, nor had she filed a civil complaint for damages against the City.

19. As of January 20, 2026, the date the members of Panel C of the ARDC's Inquiry Board voted to file this complaint against Respondent, Respondent had not refunded to C. E. any portion of the \$10,000 retainer fee. The services Respondent provided to C. E.. during the approximately 20 months between February 4, 2022 (when C. E. paid Respondent the \$10,000 retainer fee), and September 2023 (when C. E. discharged Respondent and asked for the return of any unearned fees) do not justify Respondent's continued retention of the entire retainer fee in light of the time Respondent expended on the matter, the lack of results she obtained, the amount customarily charged in the Chicago metropolitan area for similar work, or any other factors. On January 28, 2026, after this complaint was voted, Respondent gave C. E. a cashier's check for \$9,500.

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

- a. failing to act with reasonable diligence and promptness in representing a client, by conduct including failing to timely file a claim before the IDHR or the EEOC or to take any action to otherwise resolve C. E.'s claims against the City on behalf of C.E.,

in violation of Rule 1.3 of the Illinois Rules of Professional Conduct (2010);

- b. failing to reasonably consult with her client about the means by which the client's objectives are to be accomplished, keep the client reasonably informed about the status of their matter, or promptly comply with reasonable requests for information, by conduct including failing to inform C. E. that she had not taken timely action to pursue her age discrimination claims in response to C. E.'s request for information about the status of her matter and any upcoming deadlines, in violation of Rules 1.4(a)(2), 1.4(a)(3), and 1.4(a)(4) of the Illinois Rules of Professional Conduct (2010);
- c. collecting an unreasonable fee, by conduct including charging C. E. \$10,000 for legal representation that did not result in the resolution of C. E.'s claims or the filing of a civil complaint or administrative charge, in violation of Rule 1.5(a) of the Illinois Rules of Professional Conduct; and
- d. failing to provide an itemized statement of services or to refund an unearned fee, by conduct including failing to account for his services or to return any portion of the \$10,000 fee that Respondent received from C.E., in violation of Rule 1.16(d) of the Illinois Rules of Professional Conduct (2010).

### COUNT III

*(Lack of Competence, False Statements About a Judge, and Disobeying Pretrial Rulings)*

#### A. *Introduction and Background*

21. Prior to 2022, Respondent agreed to represent a man with the initials "M. O." in matters relating to his disputes with the City of Chicago ("the City") and three officials of the City's Department of Water Management. As discussed more specifically below, in a civil rights action she filed in the federal district court in Chicago on M. O.'s behalf, Respondent: did not participate with attorneys for the City in the preparation of a joint pretrial order, in violation of a local rule; initially advised the court that she would not file any motions *in limine* but then filed twenty such motions after the date they were due; made knowingly false or reckless statements concerning the qualifications or integrity of the Honorable Gary Feinerman, who presided over

M. O.’s case; filed a frivolous lawsuit against Judge Feinerman; and repeatedly attempted to offer evidence at trial that she knew had been determined to be inadmissible by Judge Feinerman.

22. As a result of Respondent’s conduct at trial, Judge Feinerman granted the City’s third request for a mistrial, then, on December 30, 2022, entered a 41-page memorandum opinion and order that: granted the City’s request that he dismiss M. O.’s case with prejudice; reprimanded Respondent; and referred Respondent to the federal court’s Executive Committee for discipline. The Executive Committee for the United States District Court for the Northern District of Illinois later determined to suspend Respondent from its general and trial bars for at least one year.

B. *The Pretrial Proceedings*

23. Respondent filed M. O.’s case against the City and the other defendants in 2017. Between 2017 and 2022, the parties engaged in discovery and motion practice, including the defendants’ request for summary judgment. In ruling on the summary judgment motion, Judge Feinerman determined that M. O.’s claim that he had been the victim of retaliation should be dismissed.

24. Judge Feinerman set trial in M. O.’s case to begin on September 23, 2022, and had set various other deadlines for the filing of motions *in limine* and for the filing of an agreed pretrial order. Although the deadline for filing motions *in limine* had passed four weeks earlier, and Respondent had advised counsel for the defendants that she did not intend to file any motions *in limine*, on August 31, 2022, Respondent filed a motion for leave to file twenty motions *in limine, instanter*. Judge Feinerman later denied the request.

25. Judge Feinerman had also ordered the parties to file a joint pretrial order in M. O.’s case on August 31, 2022, and Local Rule 16.1 of the United States District Court for the Northern District of Illinois required that counsel for the parties collaborate on the preparation of the pretrial order. Rather than collaborating with counsel for the defendants, at 11:00 p.m. on August 31, 2022 (the date the order was due), Respondent advised opposing counsel that she preferred “to wait until the Court has ruled on the MILs [motions *in limine*] before completing the preparation of the Joint Pre-Trial [*sic*] Order.” Counsel for the defendants then timely filed a unilateral pretrial order. Respondent filed pretrial orders on September 1 and 7, 2022, after the deadline imposed by Judge Feinerman.

26. At the final pretrial conference in M. O.’s case on September 7, 2022, Judge Feinerman ordered that as a result of Respondent’s failure to collaborate with defense counsel on the final pretrial order, M. O. would be limited at trial to using exhibits that had been identified in the defendants’ final pretrial order or had been the subject of their motions *in limine*, and that M. O. could call only witnesses whose names were included on the defendants’ witness list. During the pretrial conference, Respondent argued that judges could set cases for a ruling and later continue those cases, but that if she asked for more time she would “get ripped a new butthole.”

C. *Respondent’s False Statements About the Judge’s Qualifications or Integrity*

27. On September 15, 2022, which was eight days after the final pretrial conference and eight days before the scheduled start of the trial, Respondent filed a lengthy motion asking Judge Feinerman to take judicial notice of twenty proposed exhibits, and to rule on the request “as soon as practicable but not later than Tuesday, September 20, 2022,” noting that “the Court cannot expect [M. O.] to sit idle while his due process right to a fair and impartial trial is

systematically, slowly, irreparably, and pragmatically being eroded to advance the Defendants' goal that [M. O.] goes to trial with the case the defendants have envisioned and want."

28. On September 16, 2022, Judge Feinerman entered an order in M. O.'s case that granted in part and denied in part the defendants' motions *in limine*. In his rulings on the defendants' motions *in limine*, Judge Feinerman determined that references to certain newspaper articles that referenced photographs of a noose that had allegedly been displayed in City vehicles, as well as references to reports by the City's Office of Inspector General, had to be previewed with the court outside of the jury's presence. Judge Feinerman also ruled that M. O. was precluded from offering lay testimony suggesting that his experience at work caused or exacerbated complex medical conditions like high blood pressure or diabetes.

29. On September 19, 2022 (the Monday of the week the trial was scheduled to start), Respondent filed a motion to stay M. O.'s case pending a ruling on a declaratory judgment case. Respondent planned to file accusing Judge Feinerman of violating M. O.'s due process rights, stating, in part, that Judge Feinerman had: made "rulings that blatantly violated [M. O.'s] due process rights[;]" that it had "become the norm in this litigation [for Judge Feinerman ] unfortunately, [to] grant [the defendants'] wishes"; and that she had been unable to file the declaratory judgment action because she had been "constantly forced to respond to speculative assaults which do nothing but distract [M. O.] from fighting for his legal and constitutional rights in what has now become a blatant effort at providing procedural pretexts to this Court which can then use them as a vehicle to issue rulings that violate [M. O.'s] due process...." Judge Feinerman denied the motion to stay during a hearing the following day.

30. On September 22, 2022 (the day before the trial was set to begin), Respondent moved for an emergency injunction to stay M. O.'s case pending the outcome of the declaratory

judgment case Respondent still had not filed. In the motion to stay, Respondent stated that M. O. had “simply [been] exercising his God-given right to fight to get back what he has been deprived of: evidence that has been improperly included [sic] and continues to be improperly excluded, a fair and impartial arbiter and a fair and impartial trial.” The motion also stated that Judge Feinerman had “no rights to keep [M. O.’s] case hostage to his illegal rulings and no rights to cripple it as he has already done” with previous rulings and future expected rulings, including an anticipated ruling regarding proposed jury instructions that Respondent said demonstrated Judge Feinerman’s “intention to rule against the law....” Respondent also alleged that Judge Feinerman was “personally prejudiced and biased against” her; that Judge Feinerman “has lost the ability to remain objective and rational in the face of ongoing events”; that Judge Feinerman “does not hesitate to use his power to retaliate against an attorney of record who clearly explained how her client’s due process rights are being violated”; and that Judge Feinerman had issued rulings “that are in conflict with the law” and which Judge Feinerman “knows that Defendants’ arguments were in conflict with the law, [but that] he still continues to signal his intention to rule against the law.” (emphasis in original)

31. Respondent’s statements concerning Judge Feinerman in the September 22, 2022 motion to stay, described in paragraph 30, above, related to Judge Feinerman’s qualifications or integrity, in that they accused Judge Feinerman of being biased and prejudiced and of intentionally making rulings that he knew were contrary to the law.

32. Respondent’s statements concerning Judge Feinerman’s qualifications or integrity were false or were made with reckless disregard to their truth or falsity and were based on nothing other than Respondent’s disagreement with several of Judge Feinerman’s rulings in M. O.’s case.

D. *Respondent's Conduct Results in a Mistrial*

33. The trial in M. O.'s case began before a jury on the afternoon of Friday, September 23, 2022. During her opening statement before the jury, Respondent referenced M. O.'s retaliation claim (which had not survived the defendants' motion for summary judgment) when she told the jury “[T]his case is about discrimination based on race, harassment, and retaliation that [M. O.] suffered.” Judge Feinerman sustained defense counsel's objection to the statement.

34. Later in her opening statement, Respondent told the jury that “[M. O.] will tell you that the racism, the harassment, was palpable. At one point, [M. O.] even saw a photo of a noose...” Respondent's statement drew an immediate objection from the defense, because Respondent's client had not seen a photograph of a noose in his workplace, and because Respondent had not previewed her reference to the articles mentioning a purported noose in a City vehicle prior to mentioning the issue before the jury, as was required by Judge Feinerman's ruling on defense motion *in limine* on that issue. Judge Feinerman then concluded Respondent's opening statement. Over the ensuing weekend, defense counsel filed a written motion for a mistrial, which Judge Feinerman denied.

35. After the trial resumed, during Respondent's direct examination of her client M. O., she asked him why he had sued the City. M. O. testified about a “culture of hatred that's in the workplace of the Water Department had to be put on notice that the hatred is so deep.” Respondent then asked what M. O. was referring to when he used the word “notice,” and M. O. began to refer to the City's Office of Inspector General, which Judge Feinerman had previously ruled needed to be previewed before being mentioned in the jury's presence. Defense counsel

objected to the testimony and moved for a mistrial. Judge Feinerman sustained the objection and directed the jury to disregard the reference to the Inspector General.

36. Later in Respondent's direct examination of M. O., she asked her client about the effect his work condition had on his health, and M. O. testified that his work had increased his stress levels and tension, kept him in prayer, and "really shot my blood pressure up." Defense counsel objected and again moved for a mistrial. Judge Feinerman sustained the objection, directing the jury to disregard M. O.'s testimony about his blood pressure but also that it "may consider the testimony about stress level, tension, and keeping him in prayer."

37. As Respondent's examination of M. O. continued, M. O.'s testimony referenced Judge Feinerman's earlier rulings on the various motions *in limine* when he stated that there were things he could not testify about or was forbidden from saying.

38. Following a discussion with counsel the following morning, Judge Feinerman determined to grant the defendants' requests for a mistrial after concluding that Respondent's violations of his rulings on the motions *in limine*, as well as her reference to a claim that had been dismissed, had been too much for a curative instruction to the jury to fix.

E. *The Case is Dismissed and Respondent Sues Judge Feinerman*

39. Counsel for the defendants later moved to dismiss M. O.'s case for want of prosecution, and Judge Feinerman also issued an order requiring Respondent to show cause why he should not exercise his inherent authority to dismiss the case, sanction Respondent, and refer her to the federal court's Executive Committee for discipline. On October 12, 2022, which was one day before her response to Judge Feinerman's order was due, Respondent, purportedly on behalf of M. O., filed an 86-page complaint for declaratory judgment in the federal district court in Chicago against Judge Feinerman, the City of Chicago's Water Department, and three of her

opposing attorneys from the 2022 lawsuit. The declaratory judgment complaint contained over 1,000 pages of attached exhibits and alleged that the City and its attorneys conspired to commit fraud by referring to an incident involving M. O. in their opening statements, and that Judge Feinerman had abused his discretion in various evidentiary rulings.

40. On December 30, 2022, Judge Feinerman issued a 41-page memorandum opinion and order that dismissed M. O.’s 2022 lawsuit against the City with prejudice, reprimanded Respondent, and referred her to the federal court’s Executive Committee for a determination of whether she should be disciplined.

41. On January 3, 2023, the Honorable Thomas Durkin, to whom the declaratory judgment case had been assigned, entered an order *sua sponte* that dismissed the case without prejudice for lack of subject matter jurisdiction, since Judge Feinerman’s dismissal of M. O.’s earlier case meant there was no realistic threat of further harm to M. O. and he therefore lacked standing to bring the declaratory judgment action.

42. On January 31, 2023, Respondent filed a motion in the declaratory judgment case seeking to alter or amend Judge Durkin’s dismissal order, accusing Judge Durkin of making “manifest errors of both facts and law,” and stating that “Judge Feinerman or someone on his behalf suggested to this Court that the Court no longer had jurisdiction on the declaratory action....”

43. Judge Durkin summarily denied Respondent’s request, denied having spoken to Judge Feinerman about M. O.’s earlier case, and held that he could not grant declaratory relief since Judge Feinerman was no longer assigned to M. O.’s prior case (having since retired from the federal bench) and that the appropriate avenue to challenge prior rulings in M. O.’s case would have been by filing an appeal.

44. On February 2, 2023, the individual City defendants filed a request that Respondent be sanctioned for filing the declaratory judgment action against them. After the issue was briefed, Judge Durkin on June 22, 2023 issued a 24-page memorandum opinion and order that found that by filing the complaint Respondent had “unnecessarily multiplied” proceedings, and that the claims Respondent sought to assert had no legal basis and that she was aware of that fact, or “upon minimal legal research” should have been aware of that fact. Judge Durkin noted that federal district court judges do not have appellate jurisdiction over each other, and that M. O. could not have qualified for the relief sought in the complaint Respondent filed. Judge Durkin found that Respondent was liable to the City defendants for their reasonable costs and attorney fees incurred in responding to the complaint and referred Respondent to the Executive Committee for further action.

F. *Respondent is Suspended by the Executive Committee*

45. After having issued two rules to show cause to respondent and considering her responses, on November 20, 2023, the Executive Committee of the United States District Court for the Northern District of Illinois entered an order that found Respondent had violated Rules 1.1, 3.1, 3.2 and 3.5 of the Illinois Rules of Professional Conduct, and suspended Respondent until further order of the Court. The Executive Committee also ordered that prior to seeking readmission to the Court’s general bar, Respondent would be required to complete a trial practice course, complete webinars offered by the ARDC on civility and professionalism and mindfulness, complete a continuing legal education course on appellate practice, serve as a second chair on at least five trials, and attend monthly meetings of the Lawyers’ Assistance Program for at least one year. The Executive Committee reinstated Respondent to the federal court’s general bar on April 30, 2025.

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

- a. failing to provide competent representation to a client, by conduct including failing to participate in drafting the joint pretrial memorandum in M. O.'s case, filing untimely motions *in limine*, and presenting argument and witness testimony in such a way as to result in a mistrial and the dismissal of her client's case, all in violation of Rule 1.1 of the Illinois Rules of Professional Conduct (2010);
- b. bringing a proceeding (the declaratory judgment action before Judge Durkin) where there was no basis for doing so that was not frivolous, in violation of Rule 3.1 of the Illinois Rules of Professional Conduct (2010);
- c. failing to make reasonable efforts to expedite litigation consistent with the interests of the client, by conduct including not expediting litigation in M. O.'s case by not participating in drafting an agreed pretrial order and filing untimely motions *in limine*, in violation of Rule 3.2 of the Illinois Rules of Professional Conduct (2010);
- d. knowingly disobeying an obligation under a tribunal, by conduct including presenting argument and eliciting testimony that violated Judge Feinerman's rulings on the defendants' motions *in limine*, in violation of Rule 3.4(c) of the Illinois Rules of Professional Conduct (2010);
- e. engaging in conduct intended to disrupt a tribunal, by conduct including violating Judge Feinerman's pretrial rulings, in violation of Rule 3.5(d) of the Illinois Rules of Professional Conduct (2010); and
- f. made statements that she knew to be false, or which were made with reckless disregard for their truth or falsity, concerning Judge Feinerman's qualifications or integrity, by conduct including accusing Judge Feinerman of making illegal rulings, of being prejudiced and attempting to retaliate against her, and that he had lost the ability to be objective, and of intentionally violating M. O.'s due process rights, all in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct.

COUNT IV  
*(False Statements About Judge Seeger's Qualifications or Integrity)*

47. Beginning in 2021, Respondent represented a woman with the initials "E.P." in federal claims against the University of Illinois at Chicago School of Medicine. The case was originally assigned to the Honorable Robert M. Dow, Jr., and later reassigned to the Honorable Steven C. Seeger.

48. While E. P.'s case was assigned to Judge Dow, he determined that the complaint prepared by Respondent was legally deficient and he granted Respondent leave to file an amended complaint. Respondent later requested leave to do so, counsel for the defendants responded, and on December 20, 2023, Judge Seeger entered an order that denied Respondent's motion with prejudice and entered judgment in favor of the defendants.

49. Respondent later filed a motion on E. P.'s behalf to alter or amend the December 20, 2023 judgment. In that motion, Respondent stated that in entering judgment against her client, Judge Seeger had likely not actually prepared the order dismissing the case and had relied on his clerk to prepare it; that he "was mistaken and/or deliberately chose to disregard the evidence in the record"; that the dismissal order was "saturated with manifest errors of facts and law and will may well *[sic]* be reversed on appeal"; that Judge Seeger had not done any research on the issues in the case before entering judgment; and that he had "launched an underserved *[sic]* attack on [E. P.] for simply following the law in the matters at hand."

50. In the motion, Respondent also wrote that "[a]ny litigant, including Plaintiff is entitled to a presiding officer who knows the law that governs the proceeding before the Court." Respondent went on to state that:

It goes without saying that the problem of a Court that lacks working knowledge of the law that governs the cases the Court presides over is even more acute when that Court denies with prejudice a Plaintiff's Motion for Leave to File an

Amended Complaint while at the same time the Order denying the Leave shows a disconcerting lack of familiarity with the governing law as well as disregard for the Court's need to educate itself in the law before launching in *[sic]* baseless attacks against a litigant.

If this Court had just even taken the time to carefully read Judge Dow's Order, or the Amended Complaint and the footnotes, for that matter, the reason for the inclusion of the individual defendants would have become apparent.

But apparently for whatever reason, the Court did not. Instead, the record shows that this Court summarily skimmed through the filings of the case to cherry pick-in the shortest time possible-whatever would have been useful to put together an Order against Plaintiff with a minimum appearance of legality.

51. Respondent's statements concerning Judge Seeger related to his qualifications or integrity, in that they accused him of being deliberately choosing to disregard evidence, that he had not understood the issues in the case or done any research and had instead relied exclusively on a clerk before entering an order he had not read, and that he had been biased against E. P. and "launched an underserved *[sic]* attack" upon her.

52. Respondent's statements concerning Judge Seeger's qualifications or integrity were false or were made with reckless disregard to their truth or falsity and were based on nothing other than Respondent's disagreement with Judge Seeger's decision to deny with prejudice Respondent's request to file an amended complaint.

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

- a. made statements that she knew to be false, or which were made with reckless disregard for their truth or falsity, concerning Judge Seeger's qualifications or integrity, by conduct including accusing Judge Seeger of having entered an order without having read it, without understanding the applicable law or conducting any research, with knowingly disregarding evidence, and with launching an attack on E. P., in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct.

COUNT V  
*(Failure to Appear for Trial and Neglect of Related Appeal)*

54. Respondent represented a man with the initials “F. A.” in matters relating to a 2017 lawsuit in the Circuit Court of Cook County alleging that F. A. and his spouse (“S. A.” who had separate counsel) violated the Chicago Residential Landlord and Tenant Ordinance, the Security Deposit Return Act, and multiple warranties of habitability.

55. The lawsuit related to the plaintiff’s tenancy in a residential building, which began in 2012. The plaintiff alleged that the monthly rental for the unit was \$900, that he paid his landlords a security deposit of \$1,350 (150% of the monthly rent), that there were various problems with the unit that caused the plaintiff to withhold rent, and that he resided in the unit until July 7, 2016, when he moved out and requested the return of his security deposit. Respondent entered her appearance in the case in 2019, at which time F. A. had yet to file an answer to the plaintiff’s complaint.

56. After obtaining two extensions of time to respond to the complaint, Respondent filed a response containing a counterclaim and affirmative defenses. The trial court later ruled that the Chicago Residential Landlord and Tenant Ordinance did not apply to the case because at least one of the defendants was an owner and occupier of the premises where the plaintiff rented an apartment, but that the plaintiff could proceed with his claim for the return of the security deposit. The plaintiff later filed an amended complaint to add counts alleging breaches of a warranty of habitability.

57. Disputes arose between the parties over various issues, including F. A.’s responses to discovery requests, his appearance at a deposition, and his failure to answer the plaintiff’s amended complaint, and counsel for the plaintiff filed a motion for a default judgment against F. A. On November 3, 2021, the court set an in-person trial for March 21, 2022, and

counsel for the plaintiff served Respondent and F. A. with a notice, pursuant to Illinois Supreme Court Rule 237, requiring F. A. to personally appear at the trial. The weekend before the trial was scheduled to start, Respondent notified opposing counsel by email that she was ill and that a doctor had ordered her to be on a “work restriction.” Respondent did not file a motion to continue the trial date.

58. Neither Respondent nor F. A. appeared for trial on March 21, 2022, and the court proceeded in their absence, entering a default judgment against F. A. in the amount of \$81,470.50 (\$72,097.50 of which was the plaintiff’s attorney’s fees). The court also dismissed co-defendant S. A. from the lawsuit without prejudice. On June 9, 2022, the court entered an order that denied Respondent’s motion to vacate the March 21, 2022, judgment order.

59. On July 8, 2022, Respondent filed a notice of appeal of the March 21, 2022, and June 9, 2022, orders in the Illinois Appellate Court for the First District. Pursuant to Illinois Supreme Court Rule 326, Respondent was required to file the record on appeal within 63 days of filing the notice of appeal, which would have been September 9, 2022.

60. As of March 9, 2023, Respondent had not filed the record on appeal, and on that date she filed a motion to file the record on appeal, *instanter*. Respondent had not previously asked the appellate court to extend the deadline for the filing of the record on appeal. The appellate court granted the motion to file the record, *instanter*, on March 13, 2023, and on March 17, 2023, after counsel for the plaintiff and S. A. objected to the request, allowed the late filing to stand.

61. The appellate court issued its decision in the appeal on December 13, 2023. The court declined to reach the merits of the appeal because of what it termed the “extraordinarily late filing of the record on appeal,” concluding that Rule 323 “has the force of law and is binding

upon both the court and the litigant.” Accordingly, a majority of the appellate panel determined that its March 13, 2023 order allowing Respondent’s request to file the record on appeal, *instanter*, had been “ineffective to serve as an extension to cure the extraordinary filing delay,” and concluded that “[t]hough the failure to timely file a record does not deprive us of jurisdiction, it is well within our discretion to decline to consider the merits of an appeal where the appellant has flagrantly violated our supreme court rules.” The third member of the appellate panel concurred in the decision to dismiss the appeal due to the lack of compliance with the supreme court rules.

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

- a. failing to act with reasonable diligence and promptness in representing a client, by conduct including failing to appear at trial or timely file the record on appeal, resulting in both the judgment against her client and the dismissal of the subsequent appeal, in violation of Rule 1.3 of the Illinois Rules of Professional Conduct (2010).

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

Respectfully submitted,

Lea Gutierrez, Administrator  
Attorney Registration and  
Disciplinary Commission

By: /s/ Scott Renfroe  
Scott Renfroe

Scott Renfroe  
Counsel for Administrator  
130 East Randolph Drive, #1500  
Chicago, Illinois 60601  
Telephone: (312) 540-5211  
Email: [srenfroe@iardc.org](mailto:srenfroe@iardc.org)  
Email: [ARDCeService@iardc.org](mailto:ARDCeService@iardc.org)

4924-5271-7628, v. 1