PATRICK & MALONE
ASSOCIATES

February 25, 2021

***Via* email to: odcinfo@dcodc.org**

Hamilton P. Fox, III
Office of Disciplinary Counsel
District of Columbia Court of Appeals
515 5th Street, NW
Building A, Suite 117
Washington, DC 20001

In re: Ethics complaint to D.C. Bar Disciplinary Counsel re *Gohmert v Pence*

Julia Z. Haller, DC Bar No. 466921
Lawrence Joseph, DC Bar No. 464777
and Brandon Johnson DC Bar No. 491370

Dear Mr. Fox:

I bring this complaint as a longtime member of the D.C. Bar to seek sanctions against three members of the D.C. Bar, Julia Z. Haller, Lawrence Joseph, and Brandon Johnson, for presenting *Gohmert v. Pence*, a frivolous election-related lawsuit in the United State District Court for the Eastern District of Texas which they continued to pursue through an appeal to the Fifth Circuit Court of Appeals and a petition to the Supreme Court of the United States.

Attorneys Haller, Joseph, and Johnson's conduct in presenting[1] this lawsuit and pursuing it to the highest court in the United States seriously violated the District of Columbia Rules of Professional Conduct; specifically Rule 3.1 and 8.4(d). The presentation of the frivolous complaint has had and will continue to have a corrosive effect on the public view of the legal profession, the ethical use of the judicial system, and the integrity of United States election processes.

This conduct is appropriate for sanction here in the District of Columbia because Ms. Haller, Mr. Joseph, and Mr. Johnson listed themselves as D.C. Bar members and used District of Columbia addresses on the pleadings they presented. While their conduct is also sanctionable in the court where the proceeding was presented, that does not diminish the appropriateness of

[1] I use the term "presenting" to mean the same as that word in Rule 11(b) of the Federal and Superior Court Rules of Civil Procedure, which states "By presenting to the court a pleading, written motion, or other paper, including an electronic filing—whether by signing, filing, submitting, or later advocating it—an attorney or unrepresented party certifies…"

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sanctions here, as their offices and primary places of practice are in the District of Columbia. As I said in my companion complaint about the conduct of attorneys Haller and Johnson in presenting four other "Kraken" lawsuits, the D.C. Bar is uniquely appropriate to consider these ethical violations because it is the Bar at the seat of our national government. By presenting the Gohmert case, these attorneys attacked the very legitimacy and integrity of our national government and the 2020 presidential election.

I believe I am required by the Rules of Professional Conduct to bring this to your attention. Rule 8.3(a) says:

> A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects, shall inform the appropriate professional authority.

The lawsuit that is the focus of this complaint is *Gohmert v. Pence*, filed December 27, 2020 in the United States District Court for the Eastern District of Texas, Civil Action No. 6:20-cv-00660-JDK. The *Gohmert* Complaint was dismissed on January 1, 2021, and respondents presented an Appeal to the Fifth Circuit U.S. Court of Appeals, which was denied on January 2, 2021. Finally, their Petition to the Supreme Court was rejected by a one-sentence Order on January 7, 2021. While the case had a short lifespan in the court system, its negative effects have been profound and lingering.

I attach relevant pleadings signed by the respondents in the *Gohmert* case as follows:

- Gohmert Complaint, filed December 27, 2020, Exhibit 1, with "Exhibit A, Joint Resolution of the Arizona Legislature."
- Gohmert Emergency Motion for Injunction, filed December 27, 2020, Exhibit 2.
- Plaintiffs' Reply In Support of Emergency Motion for Expedited Declaratory Judgment and Emergency Injunctive Relief, filed January 1, 2021, Exhibit 3.
- Haller application to appear *pro hac vice*, filed on December 28, 2020, Exhibit 4.
- Joseph application to appear *pro hac vice*, filed on December 28, 2020, Exhibit 5.

Additional pleadings and orders of note, filed in response to the respondents' pleadings, are also attached for reference. Those pleadings are as follows:

- Brief of The U.S. House of Representatives as Amicus Curiae in Support of Dismissal, filed December 31, 2020, Exhibit 6.

- Motion of Alan Kennedy To Intervene as Presidential Elector, Brief In Support Of Motion To Intervene, And Opposition To Plaintiffs Louie Gohmert *et al. 's* Emergency Motion, filed December 31, 2020, Exhibit 7.

- Order of Dismissal, Honorable Jeremy D. Kernodle, United States District Judge, January 1, 2021, --- F.Supp.3d ----2021 WL 17141 (E.D. Tex. 2021), Exhibit 8.

- Fifth Circuit *Per Curiam* Opinion, affirming Judgment of District Court, January 2, 2021, 832 Fed.Appx. 349 (5th Cir. 2021), Exhibit 9.

- U.S. Supreme Court Order denying Application for Interim Relief, January 7, 2021--- S.Ct. ----, 2021 WL 56728 (2021), Exhibit 10.

Here is a screenshot of the portion of the signature box on the complaint with the three D.C. Bar members who are subjects of this ethics complaint:

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COUNSEL FOR PLAINTIFFS LOUIE GOHMERT, TYLER BOWYER, NANCY COTTLE, JAKE HOFFMAN, ANTHONY KERN, JAMES R. LAMON, SAM MOORHEAD, ROBERT MONTGOMERY, LORAINE PELLEGRINO, GREG SAFSTEN, KELLI WARD and MICHAEL WARD

Legal standard

District of Columbia Rule 3.1 was discussed authoritatively most recently by the D.C. Court of Appeals in *In re Pearson*, 228 A.3d 417 (D.C. 2020), in which the court observed at 423-24:

> Rule 3.1 provides that "[a] lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis in law and fact for doing so that is not frivolous, which includes a good-faith argument for an extension, modification, or reversal of existing law." In determining whether Rule 3.1 has been violated, "consideration should be given to the clarity or ambiguity of the law." In re Spikes, 881 A.2d 1118, 1125 (D.C. 2005). The "plausibility of the position taken[ ] and the complexity of the issue" are also relevant factors. Id. Ultimately, a position "is frivolous when it is wholly lacking in substance and not based upon even a faint hope of success on the legal merits." Id. (internal quotation marks omitted).
>
> [5]Attorneys have a continuing responsibility to make an "objective appraisal of the legal merits of a position," asking how a "reasonable attorney" would evaluate "whether a claim is truly meritless or merely weak." In re Yelverton, 105 A.3d 413, 425 (D.C. 2014). "The distinction between a weak claim and a frivolous or meritless one can be difficult to pinpoint, and in making that determination under the ethical rules we have relied on cases applying Superior Court Civil Rule 11 and our Rule 38." Id. at 424.

Superior Court Civil Rule 11, which is identical to Fed. R. Civ. P. 11, in relevant part states:

> (b) REPRESENTATIONS TO THE COURT. By presenting to the court a pleading, written motion, or other paper, including an electronic filing—whether by signing, filing, submitting, or later advocating it—an attorney or unrepresented party certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:
>
> (1) it is not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
>
> (2) the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;
>
> (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; ...

The legal standards of Rule 8.4(d) are also discussed in the *In re Pearson* case, where the court said at 426:

> Rule 8.4(d) states that "[i]t is professional misconduct for a lawyer to ... [e]ngage in conduct that seriously interferes with the administration of justice." A violation requires improper conduct that "bear[s] directly upon the judicial process ... with respect to an identifiable case or tribunal" and "taint[s] the judicial process in more than a de minimis way." See *In re Hopkins*, 677 A.2d 55, 59–61 (D.C. 1996). "[T]he purpose of Rule 8.4 is not to safeguard against harm to the client from the attorney's incompetence or failure to advocate. Rather it is to address the harm that results to the 'administration of justice' more generally." Yelverton, 105 A.3d at 427. Rule 8.4(d) seeks to protect both litigants and the courts from unnecessary "legal entanglement." *Id.*

Basis for sanctions by D.C. Bar

Attorneys Haller, Joseph, and Johnson, who used their D.C. Bar memberships to present and advocate the *Gohmert* case, violated Professional Conduct Rules 3.1 and 8.4(d) in multiple ways. As spelled out below, in bringing and pursuing this action, these attorneys violated all three requirements of Fed. R. Civ. P. 11(b) and thus Professional Conduct Rule 3.1:

- "not presented for any improper purpose;" Rule 11(b)(1);
- "the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;" Rule 11(b)(2);
- " the factual contentions have evidentiary support…" Rule 11(b)(3.)

Notably, Attorneys Haller and Johnson started their unethical post-election litigation with a series of Complaints presented in Arizona, Georgia,[2] Michigan and Wisconsin. Those four cases were variations of the notorious "Kraken" cases, whose lead plaintiff counsel was Sidney Powell, a member of the Texas Bar and not (apparently) subject to D.C. Bar discipline. See my companion complaint for details about their Kraken litigation. (In their *Gohmert* filings, attorneys Haller and Johnson listed their law firm as "Defending the Republic," an entity apparently controlled by Ms. Powell.)

The *Gohmert* case, presented in The United States District Court for the Eastern District of Texas, is different from the other four, but if anything, more frivolous and damaging to the judicial and election processes. It has a clear "improper purpose" no less bold than that behind the Kraken cases: to undermine the legitimacy of the 2020 presidential election process and to

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[2] Mr. Johnson appeared in three of the four cases but not Georgia. Ms. Haller appeared in all four.

overturn a fairly run election result. It was based on facts that had no evidentiary support, and its core legal argument, as explained in detail below, could not pass any test of good faith.

In the *Gohmert* case, D.C. Bar members, Attorneys Haller, Joseph, and Johnson, among the other attorneys who sponsored the complaint, alluded to "massive multi-state electoral fraud," *see Exhibit 1*, Complaint ¶ 5, but told the court that it need not decide such allegations. (Indeed, these allegations had already been rejected by dozens of courts around the country, a fact not revealed by the complaint.)

Rather, the attorneys asserted, the court need only decide a disputed issue of law, namely the alleged unconstitutionality of the Electoral Count Act enacted by Congress in 1887. In their complaint presented on December 27, 2020, they asserted that this 133-year-old statute should be held unconstitutional, and they asked the court to act on an "emergency" basis so its ruling could apply to the impending count of the electoral college votes in Congress ten days later, on January 6, 2021.

The United States District Court of the Eastern District of Texas dismissed the case on January 1, 2021 for lack of standing; but not before the lawsuit attracted two motions to intervene, an amicus brief from the U.S. House of Representatives, extensive media coverage, public interest, and widespread ridicule from election law experts for its ludicrous core contentions beyond the standing issue.

The key contention of the *Gohmert* case was this: In their complaint and their "emergency motion" papers, Attorneys Haller, Joseph, and Johnson, with their co-counsel, asked the federal court to not only strike down the Electoral Count Act, but to empower Vice President Mike Pence to exercise what the complaint called "his exclusive authority and sole discretion" (*Exhibit 1* Complaint ¶ 2 and prayer for relief ¶ 73-C) to choose between what were alleged to be competing slates of electors from what the complaint asserted were "contested states," and thus to decide on his own the winner of the presidential election or throw the contest into the House of Representatives where each state would have a single vote. *See also, Exhibit 2, Emergency Motion for Injunction*, at pp. 2, 7, 16, 18, 22 and 23; and *Exhibit 3, Plaintiffs' Reply in Support of Emergency Motion for Expedited Declaratory Judgment and Emergency Injunctive Relief*, at 4.

The lawsuit sought to overturn the votes of certified presidential electors by a series of false statements of fact and ludicrous arguments of law. Among other errors of important facts, the complaint asserted that on December 14, 2020, when the electors met in each state, "the State of Arizona (and several others) have appointed two competing slates of electors." *See Exhibit 1*, Complaint ¶ 4.

In fact, no state certified competing slates of electors. The complaint falsely asserted that in Arizona, the electors who joined Mr. Gohmert as plaintiffs in the case "have cast Arizona's electoral votes for President Donald J. Trump on December 14, 2020, at the Arizona State Capitol *with the permission and endorsement of the Arizona Legislature*, i.e., at the time, place,

and manner required under Arizona state law and the Electoral Count Act." (Emphasis added) Complaint ¶ 5. *See also* Complaint ¶ 20, which asserted that these electors had met and voted for Trump on December 14, 2020 "with the knowledge and permission of the Republican-majority Arizona Legislature." The Arizona legislature did no such thing. It was not even in session.

Here are screenshots of the *Gohmert* complaint ¶ ¶ 4, 5 and 20 with false factual assertions about the purported Arizona electors and the alleged actions of the Arizona Legislature:

> 4. This is not an abstract or hypothetical question, but a live "case or controversy" under Article III that is ripe for a declaratory judgment arising from the events of December 14, 2020, where the State of Arizona (and several others) have appointed two competing slates of electors.
>
> 5. Plaintiffs include the United States Representative for Texas' First Congressional District and the entire slate of Republican Presidential Electors for the State of Arizona. The Arizona Electors have cast Arizona's electoral votes for President Donald J. Trump on December 14, 2020, at the Arizona State Capitol with the permission and endorsement of the Arizona Legislature, *i.e.*, at the time, place, and manner required under Arizona state law and the Electoral Count Act. At the same time, Arizona's Governor and Secretary of State appointed a separate and competing slate of electors who cast Arizona's electoral votes for former Vice-President Joseph R. Biden, despite the evidence of massive multi-state electoral fraud committed on Biden's behalf that changed electoral results in Arizona and in other states such as Georgia, Michigan,

STATEMENT OF FACTS

20. The Plaintiffs include a United States Representative from Texas, the entire slate of Republican Presidential Electors for the State of Arizona as well as an outgoing and incoming member of the Arizona Legislature. On December 14, 2020, pursuant to the requirements of applicable state laws and the Electoral Count Act, the Arizona Electors, with the knowledge and permission of the Republican-majority Arizona Legislature, convened at the Arizona State Capitol, and cast Arizona's electoral votes for President Donald J. Trump and Vice President Michael R. Pence.[3] On the same date, the Republican Presidential Electors for the States of Georgia,[4]

In support of its falsehood that Arizona had appointed two competing sets of presidential electors, the complaint also falsely asserts that the Arizona legislature had passed a "joint resolution" that among other things, declared the 2020 presidential election "a failed election" and that purported to directly appoint a slate of Trump electors as the state's official electors. Gohmert complaint ¶ 25 and fn. 11. Here are screenshots:

25. On December 14, 2020, members of the Arizona Legislature passed a Joint Resolution in which they: (1) found that the 2020 General Election "was marred by irregularities so significant as to render it highly doubtful whether the certified result accurately represents the will of the voters:" (2) invoked the Arizona Legislature's authority under the Electors Clause and 5 U.S.C. § 2 to declare the 2020 General Election a failed election and to directly appoint Arizona's electors; (3) resolved that the Plaintiff Arizona Electors' "11 electoral votes be accepted for … Donald J. Trump or to have all electoral votes nullified completely until a full forensic audit can be conducted:" and (4) further resolved "that the United States Congress is not to consider a slate

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of electors from the State of Arizona until the Legislature deems the election to be final and all irregularities resolved."[11]

[11] *See* Ex. A, "A Joint Resolution of the 54th Legislature, State of Arizona, To The 116th Congress, Office of the President of the Senate Presiding," December 14, 2020 ("December 14, 2020 Joint Resolution").

Exhibit A to the complaint (attached hereto at the end of Exhibit 1) superficially looks like an official document with a seal of the state of Arizona prominently positioned at top. Here is a screenshot of the heading of the exhibit (the only exhibit attached to the complaint).

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A JOINT RESOLUTION OF THE 54TH LEGISLATURE,

STATE OF ARIZONA

In fact, it is a fake document. What the D.C. Bar members who presented this complaint and exhibit to the court neglected to mention is that the "54th Arizona Legislature" had adjourned "sine die" – i.e., ended -- on May 26, 2020 and the new 55th Legislature was not to convene until January 2021. Thus, it was a legal impossibility for the 54th Legislature to have done anything on December 14, 2020.

Close study of the complaint and its Exhibit A shows that the lawyers who presented the complaint knew they were trying to pull a fast one on the federal court in Texas where they brought this case. They inserted weasel words in their various references to the Arizona Legislature in an apparent effort to give them a fig leaf if caught. For example, paragraph 25 does not say "The legislature passed a joint resolution." Rather it says, "*members of* the legislature passed a joint resolution." (Emphasis added.) Presumably they will tell Disciplinary Counsel that they really meant "individual legislators proposed a joint resolution." But they were too sneaky to come even this close to the truth, because they also used the verb "passed," which loses all meaning if it does not indicate a majority decision of the body in question.

Bottom line is that nowhere in the complaint or Exhibit A do the D.C. Bar members reveal the truth, that:

- The legislature did nothing in December 2020,
- the three references in the complaint to actions by "the legislature" in December 2020 were all false and misleading,
- the "joint resolution" was a draft formulated out of session and never passed by any official body, and
- Arizona never had any competing slates of electors, but only the one certified by the state officials who followed Arizona law.

Beyond the false factual assertions, the complaint's legal arguments were boldly frivolous – and therefore its presentation by Attorneys Haller, Joseph, and Johnson violated Rule 3.1 (and Fed. R. Civ. P. 11) in at least the following ways. Taken together, this shows that these attorneys presented a case, as the D.C. standard for frivolousness states, "wholly lacking in substance and not based upon even a faint hope of success on the legal merits":

1. Plaintiff Gohmert, the Texas congressman, obviously lacked standing to complain about how another state's electoral votes were cast, and had no standing to assert an abstract interest in his own voting status in Congress, based on long Supreme Court precedent rejecting the standing of individual lawmakers to sue for such matters;

2. The Arizona plaintiffs as putative electors obviously lacked standing when they had not been elected by Arizona or otherwise authorized to act on behalf of Arizona as a slate of electors, and furthermore where the defendant they were suing was the vice president of the United States, not the Arizona governor and secretary of state who had certified the only true slate of electors;

3. The plaintiffs and their attorneys waited nearly a month after the Arizona Secretary of State had certified the election results on November 30, 2020 to present their case in federal court, a mere ten days before it would become moot by the January 6 proceeding in Congress;

4. They challenged on an "emergency" basis a statute that has been in force since 1887, with the only possible excuse for waiting so long in that they were pursuing other desperate legal challenges to the Arizona election result, all of which failed;

5. The Arizona state and federal courts had already rejected numerous legal challenges to the Arizona election result finding no fraud or other misconduct (as detailed in the House amicus brief at 6-7), yet these attorneys revealed none of that in this new complaint which they filed in a different state with no discernable connection to the Arizona election issues;

6. They asked the district judge to overturn a presidential electoral counting system in Congress in place since 1888 and that no previous Vice President had ever objected to;

7. They asked the trial court to turn over to Vice President Pence the sole task of determining how and whose electoral votes would be counted, with no rules to control his work and no way of reconciling the obvious conflicts of interest in having him decide the outcome of an election in which he was a candidate;

8. They argued an unprecedented and absurd interpretation of the Twelfth Amendment in contrast to the amendment's actual text, which assigns to the vice president, as President of the Senate, the sole task to "open all the certificates" of the states' electoral votes;

9. Their claim that Congress lacked authority to create procedures implementing the Twelfth Amendment via the Electoral Count Act totally ignored the Necessary and Proper Clause of the Constitution (Article I, Section 8, Clause 18).

10. As Vice President Pence argued in his motion to dismiss the complaint, the plaintiffs had sued the wrong person, because their complaint was not with Mr. Pence, but with the long-standing procedures of the House of Representatives and Senate for counting votes, or with Arizona state officials.

Two amicus/intervenors summarized the complaints utter lack of good faith as follows.

As Intervenor Defendant, Alan Kennedy, a duly elected Colorado presidential elector for the Biden Harris slate wrote in his Motion to Intervene:

> Neither the Constitution of the United States nor any provision of Electoral Count Act gives Defendant Pence substantive powers, much less "plenary authority" to count the votes of presidential electors in a way contrary to the votes of the presidential electors and the millions of voters who elected them (Docket No. 2, II(E)), nor do they give Defendant Pence "discretion" to overturn the results of the

> 2020 election by replacing electors with people who are not electors (Docket No. 2, II(D). Similarly, neither the Constitution nor Electoral Count Act offer any basis for claims by people who are not duly elected and certified presidential electors to replace duly elected and certified presidential electors solely because such non-electors were not elected, but would have liked to have been elected, resulting in their preferred candidates losing re-election. Plaintiffs' claims to the contrary find no support in the text of the cited constitutional provisions or the Electoral Count Act and are contrary to the whole point of holding elections. If President Trump could be re-elected simply by the Vice President exercising falsely claimed "discretion" (Docket No. 2, II(D)), there would be no point to hold elections. If an incumbent Vice President could keep his or her job that way, then votes of millions of people and votes of duly elected and certified electors would be meaningless, and our nation's most cherished principle -- "here, We the People rule" -- would be eviscerated.

See Exhibit 7, Kennedy Motion, at p. 5 (*emphasis added*).

And as the U.S. House of Representatives wrote in its amicus brief in support of dismissal of the *Gohmert* complaint and motion for emergency relief:

> Plaintiffs' motion should be denied and their complaint dismissed for multiple reasons.
>
> This Court has no jurisdiction over plaintiffs' claims because plaintiffs lack standing. Plaintiffs' delay in bringing their claims independently warrants dismissal based on the doctrine of laches. Their constitutional challenges have no merit. And the public interest and equities cut strongly against a first-of-its-kind injunction that would rewrite longstanding procedural rules for Congressional vote counting and create confusion just days before the required Joint Session.
>
> Setting aside Representative Gohmert's claims—for which he clearly lacks standing—
> this case is simply another attempt by defeated Arizona electoral nominees to overturn the results of the popular vote in their state. The Arizona plaintiffs have tried and failed to overturn the election in suits they presented in federal and state courts in Arizona. Thus, they now ask this Court in Texas to help them achieve what they failed to do in Arizona. This Court should reject plaintiffs' bid to overturn a cornerstone of our Nation's democratic processes.

See Exhibit 6, House Amicus Brief, at p. 2-3.

In summary the complaint presented by Attorneys Haller, Johnson, and Joseph had the wrong plaintiffs and the wrong defendant, was filed in the wrong venue, asserted as true key

facts that were false, used phony evidence, purported to have newly discovered a fatal flaw in a 133-year-old statute on the eve of its every-fourth-year exercise, sought to overturn a procedure used without dispute in all presidential elections for the past century and longer, and argued that the vice president as President of the Senate could pick his own winner of the presidential contest with his own unchecked discretion. It was filed and pursued as a political stunt, not as a serious lawsuit. Yet it had grave consequences, as a mob of rioters proved days later when they roamed the halls of the U.S. Capitol, shouting for the hanging of Mike Pence for failing to follow what this complaint said he could and should do.

Rule 8.4(d) Violation

As noted above, Rule 8.4(d) states that "[i]t is professional misconduct for a lawyer to ... [e]ngage in conduct that seriously interferes with the administration of justice." The rule focuses not on harm to any litigants but to the judicial process itself.

In presenting and pursuing the Gohmert case Ms. Haller, Mr. Joseph, and Mr. Johnson also violated Rule 8.4(d).

The very presentation of the allegations in a complaint filed in a United States District Court by Attorneys Haller, Joseph, and Johnson runs afoul of Rule 8.4(d). The presenting attorneys used the Courts to amplify frivolous and dangerous allegations that they understood or should have understood would do harm to the public view of the judicial process itself. This frivolous lawsuit was nothing less than an effort to use the courts of this country to attack and cannibalize the institutions that make this country a democracy and not an autocracy.

A direct line can be traced from this lawsuit to the mob attacks on the U.S. Capitol on January 6, 2021. The rioters asserted that Vice President Pence could have overturned the election, just as these attorneys asserted in their Gohmert case, and the rioters asserted that the election had been stolen, just as Ms. Haller and Mr. Johnson assert in the other four cases in which they appeared as members of the D.C. Bar.

In their *Gohmert* lawsuit applications to appear *pro hac vice*, Ms. Haller and Mr. Joseph signed an oath that stated:

> Application Oath:
>
> I, [Julia Zsuzsa Haller/Lawrence Joseph], do solemnly swear (or affirm) that the
>
> above information is true; that I will discharge the duties of attorney and counselor of this court faithfully;
>
> that I will demean myself uprightly under the law and the highest ethics of our profession;

and that I will support and defend the Constitution of the United States.

See Exhibits 4 and 5, Haller and Joseph Motions to Appear Pro Hac Vice. If this oath, required of all counsel seeking to be admitted *pro hac vice,* means anything, then Ms. Haller and Mr. Joseph violated their duty to support and defend the Constitution.

I respectfully request that the Office of Disciplinary Counsel investigate this matter, that the Board of Professional Responsibility hold one or more hearings as appropriate, and Julia Haller, Lawrence Joseph, and Brandon Johnson be sanctioned for these serious violations of the Rules of Professional Conduct.

Sincerely,

Patrick A. Malone

PAM:scc
Enclosures:
Exhibit 1. Gohmert Complaint
Exhibit 1A. Purported "Joint Resolution" of the Arizona Legislature
Exhibit 2. Gohmert Emergency Motion for Injunction
Exhibit 3. Plaintiffs' Reply In Support of Emergency Motion for Expedited Declaratory Judgment and Emergency Injunctive Relief
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