

The Honorable Richard A. Jones

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

ANNE BLOCK, an individual
Plaintiff, ,

Plaintiff

vs.

SNOHOMISH COUNTY, et al

Defendants

Civil Case No. 2:14-cv-00235-RAJ

RICO STATEMENT

In this action, claims have been asserted under the Racketeer Influenced and Corrupt Organizations Act ("RICO"), 18 U.S.C. Section 1961. The plaintiff is requesting the right to file a RICO statement in this case as the actual policies of the Western District of Washington, is unclear as to whether detailed allegations should be made in the complaint or an accompanying RICO statement.

This Statement includes the facts plaintiff is relying upon to initiate this RICO complaint as a result of the "reasonable inquiry" required by Fed. R. Civ. P. 11. In particular, this Statement shall be in a form which uses the numbers and letters as set forth below, and shall state in detail and with specificity the following information.

1. State whether the alleged unlawful conduct is in violation of 18 U.S.C. Sections 1962(a), (b), (c), and or (d). The alleged unlawful activity is in violation of 18 U.S.C. Sections 1962 (a)(b), (c). and (d)

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4 2. List each defendant and state the alleged misconduct and basis of liability of each defendant.
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6 Defendant Joe Beavers was the Mayor of the City of Gold Bar from July 2009 to January
7 1, 2014, is a person who, individually and in concert and agreement with other persons, acted
8 under color of law to deprive Plaintiff of rights guaranteed by the United States constitution by
9 retaliating against her for exercising those rights. He conspired with others to retaliate against the
10 Plaintiff by running illegal background checks, illegally accessed medical records, spread
11 defamatory information, assaulted Ann Block, and prearrange the disbarment of the plaintiff by
12 fixing the legal proceedings against her. He also engaged in extortion by threatening the lives of
13 another City Councilman named Lie, if he did not go along with the activities of the Enterprise
14 and by threatening to spread false or defamatory information against Anne Block and wrongfully
15 taking away her bar license unless she stopped making public disclosure requests which exposed
16 misconduct of the defendants.

17 Beaver also misappropriated funds from the Gold Bar treasury, which was intended for
18 maintenance of the City of Gold Bar water and street funds and diverted to the use of the
19 Enterprise, in the form of "legal fees"

20 Defendant Florence Davi Martin is a council member for the City of Gold Bar. She is a
21 person who, individually and in concert and agreement with other persons, acted under color of
22 law to deprive Plaintiff of rights guaranteed by the United States constitution by retaliating
23 against her for exercising those rights. She conspired with others to retaliate against the Plaintiff
24 by encouraging and supporting physical threats of violence directed at the plaintiff. She also
25 worked with other council-persons in executive session to discuss ways they could close down
26 the Gold Bar reporters in violation of the First Amendment of the United States Constitution.

27 Defendant Crystal Pennington is a former mayor for the City of Gold Bar. She is a
28 person who individually and in concert and agreement with other persons, acted under color of

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4 law to deprive Plaintiff of rights guaranteed by the United States constitution by retaliating
5 against her for exercising those rights. She conspired with others to retaliate against the Plaintiff
6 by encouraging and supporting physical threats of violence directed at the plaintiff. Along with
7 her husband, John Pennington, she initiated ex parte contacts with the hearing officer to fix the
8 case against Block.

9 Defendant Christopher Michael Wright was at material times was either a member of the
10 City Council for the City of Gold Bar or a private citizen serving the interests of the enterprise.
11 He is a person who, individually and in concert and agreement with other persons, acted under
12 color of law to deprive Plaintiff of rights guaranteed by the United States constitution by
13 retaliating against her for exercising those rights. He conspired with others to retaliate against the
14 Plaintiff. He made physical threats of violence against Block and others, thus serving as an
15 enforcer for the enterprise.

16 Defendant John Pennington is the Director of the Snohomish County Department of
17 Emergency Management. He is a person who, individually and in concert and agreement with
18 other persons, acted under color of law to deprive Plaintiff of rights guaranteed by the United
19 States constitution by retaliating against her for exercising those rights. He conspired with others
20 to retaliate against the Plaintiff. He is currently the husband of Defendant Crystal Pennington, As
21 a reporter, the plaintiff wrote news articles which questioned his credentials to serve as director.
22 Pennington was solicited by other members of the enterprise to file phony bar complaints so the
23 enterprise could retaliate against Block.

24 Defendant Aaron Reardon was at some material times the County Executive for
25 Snohomish County and at others a private individual who worked for the RICO enterprise. He is
26 a person who, individually and in concert and agreement with other persons, acted under color of
27 law to deprive Plaintiff of rights guaranteed by the United States constitution by retaliating
28 against her for exercising those rights. He conspired with others to retaliate against the Plaintiff.

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4 As a reporter, Block wrote articles that documented how the defendant misused county money to
5 finance trips and provide lodgings and sex toys so that he could carry on illicit affairs. As a
6 result of the articles, Reardon had to resign and he used the enterprise to orchestrate a false flag
7 operation against Block, so that she could be wrongfully accused of bar violations.

8 Defendant Diana Rose was the employee and public records officer for Snohomish County's
9 Department of Emergency Management. She is a person who, individually and in concert and
10 agreement with other persons, acted under color of law to deprive Plaintiff of rights guaranteed
11 by the United States constitution by retaliating against her for exercising those rights. She
12 conspired with others to retaliate against the Plaintiff when she removed Snohomish County
13 records delivering them to Gold Bar in violations of RCW 40.16.010. She is the person who
14 relentlessly encourage her best friend Tamara Dutton to report Aaron Reardon for
15 misappropriation of public monies to fund his affairs to divert attention away from Reardon;
16 mistress Deanna Dawson. Rose went from a public records officer to Executive Emergency
17 Director of Emergency Management for the City of Marysville.

18 Defendant Kevin Hulten was and assistant to Snohomish County Executive Aaron
19 Reardon. He is a person who, individually and in concert and agreement with other persons,
20 acted under color of law to deprive Plaintiff of rights guaranteed by the United States
21 constitution by retaliating against her for exercising those rights. He conspired with others to
22 retaliate against the Plaintiff by leading a false flag operation against Block to organize wrongful
23 bar complaints to be filed against Block for exercising her constitutional rights; He also
24 conspired with Beavers, Reardon, and Rudicil in the drafting, posting and editing of the
25 Wikipedia attack piece. He also created Twitter accounts, email accounts, and Tumbler accounts
26 in Block's name to defame, harass and discredit Block's reporting on Snohomish County
27 corruption. He along with Rudicil created the Edmond Thomas LLC which was used to spread
28 anonymous disinformation about Block.

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4 Defendant Jon Rudicil was an employee of Snohomish County and also an assistant to
5 Snohomish County Executive Aaron Reardon. He is a person who, individually and in concert
6 and agreement with other persons, acted under color of law to deprive Plaintiff of rights
7 guaranteed by the United States constitution by retaliating against her for exercising those rights.
8 He conspired with others to retaliate against the Plaintiff by recruiting false bar complaints to be
9 filed against the plaintiff, He along with Hutton created the Edmond Thomas LLC which was
10 used to spread anonymous disinformation about Block.

11 Defendant Tamera Doherty was the employee and assistant Deputy to Snohomish County
12 Director of Emergency Management for defendant Snohomish County. She acted and lives
13 within the geographical and jurisdictional boundaries of this court. She is a person who,
14 individually and in concert and agreement with other persons, acted under color of law to
15 deprive Plaintiff of rights guaranteed by the United States constitution by retaliating against her
16 for exercising those rights. She conspired with others to retaliate against the Plaintiff by illegally
17 accessing law enforcement databases and confidential information relating to the same and
18 ordered it delivered to other members of the enterprise consisting of Reardan and other Gold Bar
19 defendants.

20 Christopher Schwartzen was an employee and assistant to Snohomish County Executive
21 Aaron Reardon.. He is a person who, individually and in concert and agreement with other
22 persons, acted under color of law to deprive Plaintiff of rights guaranteed by the United States
23 constitution by retaliating against her for exercising those rights. He conspired with others to
24 retaliate against the Plaintiff. He wrote defamatory articles and other articles in the Sky Valley
25 Chronicle which organized a campaign to file false bar complaints against the plaintiff in
26 retaliation for exercising her first amendment activities.

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28 Brian Perry was at some material times an employee and assistant to Snohomish County

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4 Executive Aaron Reardon.. He is a person who, individually and in concert and agreement with
5 other persons, acted under color of law to deprive Plaintiff of rights guaranteed by the United
6 States constitution by retaliating against her for exercising those rights. He conspired with others
7 to retaliate against the Plaintiff. He was responsible for timing when defamatory articles were
8 inserted into the Sky Valley Chronicle.

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10 3. List the alleged wrongdoers, other than the defendants listed above, and state the
11 alleged misconduct of each wrongdoer.

12 GEOFFREY GIBBS was at all material times employed as a Snohomish County
13 Commissioner. He acted and lives within he geographical boundaries of the Court. He is a
14 person who, individually and in concert and agreement with other persons, acted under color of
15 the law to deprive Plaintiff of rights guaranteed by the United States constitution by retaliating
16 against her for exercising those rights. He conspired with others to retaliate against the Plaintiff.
17 He is also a member of the RICO Enterprise by making exparte contact with the WSBA ODC as
18 it relates to Block's Gold Bar Reporter in September 2014. counsel.

19 SKY VALLEY CHRONICLE LLC is a Washington Limited Liability Company located
20 in Sultan, Washington, whose agents are public officials and employees employed by public
21 officials to control the message in Snohomish County, as a matter of policy, custom and usage of
22 the City of Gold Bar, and Snohomish County defendants John E. Pennington and Crystal Hill
23 Pennington, acted with the power conferred upon them by the City of Gold Bar, retaliated
24 collectively, in concert and in agreement with the other named defendants including Beavers
25 against the Plaintiff to wrongfully retaliate against and injure her for exercising her First
26 Amendment rights. This consisted of publishing untrue and defamatory attacks on plaintiff
27 Block and for organizing a campaign to wrongfully deprive Block of her law license.

28 RONALD FEJFAR was at all material times an employee of defendant Sky Valley
Chronicle. He is a person who, individually and in concert and agreement with other persons,

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4 acted under color of law to deprive Plaintiff of rights guaranteed by the United States
5 constitution by retaliating against her for exercising those rights. He conspired with defendants
6 John Pennington, Crystal Hill Pennington, and Joe Beavers to retaliate against the Plaintiff.

7 The WASHINGTON STATE BAR ASSOCIATION ("WSBA") is a private organization
8 existing under the laws of the State of Washington,. For purposes of this action the WSBA is a
9 "person." The Washington State Bar Association is an organization that has a long history of the
10 masquerading as a state agency that claims to protect the public against unethical attorneys
11 through a judicial or quasi-judicial process that is unbiased, neutral, and fair. In fact, the
12 organization has become beholden to the corrupt goals of the enterprise which is to allow
13 unethical activity of its members to flourish through the use of wire fraud, bribery, extortion,
14 intimidation and fear.

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16 LINDA EIDE was at all material times was an employee and disciplinary counsel of
17 defendant Washington State Bar Association. While investigating Block, she began insisting that
18 Block provide material that was covered by media shield act, and investigated complaints
19 regarding her news reporting rather than her ethical obligations as an attorney. Framed the
20 investigation in this fashion to aid the enterprise in wrongfully denying her bar license. Linda
21 Eide, extorted the democratic rights of Anne Block and others by orchestrating a bar violation
22 where Block was disbarred for obstruction for refusing to reveal her sources as a news reporter
23 and refusing , at the behest of public officials on whom Anne Block had reported corrupt
24 activities. She accused of Block making false accusations in news stories while acting as a
25 newspaper reporter, but Block's articles were correct.. Participated in numerous ex parte
26 contacts so she could prearrange Block's conviction's on alleged bar violations. Wrongfully
27 attempted to obtain the sources for Block's news stories even though Block's sources should
28 have protected under Washington media shield laws. The goal was in the words of another

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4 disciplinary counsel to send a message to other attorneys as to what would happen if you turned
5 to the legal system to try and fight the activities of the enterprise. Linda Eide, also headed the
6 prosecution of Grunstein, proceeded to charge and convict without jurisdiction, destroyed
7 evidence, and used falsified evidence to wrongfully convict Grundstein.
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9 LINDA O'DELL is a hearing officer of defendant Washington State Bar Association. At
10 some of the times mentioned in the complaint she was a Hearing Officer for the hearing of Ann
11 Block. She was preselected by enterprise member Joseph Nappi Jr., for the purpose of
12 convicting the plaintiff of wrongful bar complaints. O'Dell had no intention of holding a fair
13 hearing, and fact was chosen to guarantee a finding of guilt. O'Dell and her convicted killer
14 boyfriend Mark Plivilech set up a USPS post office box in Duvall, Washington to exchange
15 communication with Defendants John Pennington and Crystal Hill Pennington. John Pennington
16 and Crystal Hill Pennington reside in Duvall, Washington.

17 Linda O'Dell maintains her own RICO enterprise which depends on the cooperation of
18 the Defendant Washington State Bar Association and other enterprise members. She formed a
19 partnership with a convicted killer, who then constructed roofing for houses built on the OSO
20 mudslide site. Using the influence of Pennington, all building on the mudslide site were
21 wrongfully approved for construction by co-defendant Reardan and Snohomish County.

22 Linda O'Dell and her convicted killer boyfriend also had a business relationship with
23 Joseph Nappi, whereby she refers guardianships to Nappi's firm Ewing and Anderson in
24 Spokane when the vulnerable adult passes away.

25 DOUGLAS ENDE was at all material times an employee of defendant Washington State
26 Bar Association. Douglas Ende was the supervisor Linda Eide who approved of the wrongful
27 investigation of Ann Block. He refused to terminate the investigation or take Linda Eide off the
28 case was confronted with her conflicts of interest and improper investigation

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4 KENYON DISSEND, MARGARET KING, MICHAEL KENYON and ANN MARIE
5 SOTO were at all material times are contractors for defendant City of Gold Bar being sued as
6 members of the Enterprise.. Kenyon Dissend is law firm is accountable for the acts of defendants
7 King, Soto and Kenyon, who are all lawyers. Kenyon is also shareholder in that firm. These
8 defendants knowingly passed on illegally obtained information to the enterprise for the purpose
9 of blackmailing and extorting the democratic rights of Ann Block. King, Kenyon, Soto, wrote
10 deceptive and knowingly untrue bar complaints, trying to make it look like they were authored
11 by others.

12 RONALD SCHAPS was at all material times an employee (volunteer) of defendant
13 Washington State Bar Association. At some of the times mentioned in the complaint he was a
14 purported to Conflicts Review Officer. He was preselected by the Washington State Supreme
15 Court, for the purpose of dismissing the plaintiff legitimate bar complaints filed against Linda
16 Eide, Lin O'Dell and Joseph Nappi Jr. had no intention of conducting an investigation of
17 Plaintiff's legitimate bar complaints, and in fact was chosen to guarantee a non-finding of
18 prosecutorial misconduct. He refused to investigate plaintiff's complaints against Eide and
19 Nappi Jr, and O'Dell's complaints filed on June 6, July 24, September 11, and Septemeber 25,
20 2014 alleging exparte contacts, O'Dell and Plivilech setting up a post office box in defendant
21 Pennington's home city of Duvall, and O'Dell being cited in February 2014 by court appointed
22 investigator Valente for stealing from her client Paula Fowler ("nee Shank"). Plaintiff contacted
23 Schaps at the end of December 2014 asking if he had received a response from O'Dell as it
24 relates to plaintiff's complaints. Schaps said he had not made a single contact with O'Dell as ir
25 relates to Block's complaints. Schaps dismissed plaintiff complaints on December 31, 2014.

26 DOROTHY CROSHAW was at all material times a member of the Enterprise assisting
27 furtherance of defendants predicate acts. She is a person who, individually and in concert and
28 agreement with other defendants, acted under color of law to deprive Plaintiff of rights

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4 guaranteed by the United States constitution by retaliating against her for exercising those rights.
5 She also conspired with defendants Pennington, King, Hill, and Beavers, others to retaliate. She
6 orchestrated a physical assault on Block's supporters when they attempted to attend city council
7 meeting. After a public meeting in August 2012, Croshaw approached Godl bar Reporter Susan
8 Forbes with the recorder on asking Forbe what problem she had wth her (Croshaw) Forbes said
9 " You're conspiring to harm people" and Croshaw responded saying " You or Anne Block." On
10 January 16, 2013, she issued a thinly veiled threat to the media that Block would be murdered if
11 she showed up at a City Counsel meeting.

12 SETH FINE is an employee of the Washington State Bar Association and a member of
13 the Disciplinary Board of the Washington State Bar Association. He is member of the RICO
14 enterprise who unethically contacted the defendants for the purpose of filing bar complaints
15 against Block even though he was on the disciplinary board that was to hear the complaints. Fine
16 was also in charge of the Snohomish County Criminal Division in charge of quashing of the
17 criminal charges against Gold Bar's water boy Karl Marjerle in July 2008.

18 SEAN REAY is an employee and a prosecutor for Snohomish County who provided
19 illegally obtained information to other members for the purpose of blackmailing and extorting
20 the democratic rights of Block. He also wrongfully threaten the plaintiff with jailing which was
21 extortion and a predicate act under RICO.

22 Joseph Napi Jr is the Chief Hearing Officer for the Washington State Bar Association.
23 Napi continued the WSBA's practice of predeciding cases during ex parte contacts with the
24 disciplinary board and members of the Supreme Court instead the evidence presented at the
25 actual hearings. He and O'Dell have direct business relationships in which O'Dell acts the
26 guardian for vulnerable adults and upon their demise Nappi's law firm probates cases involving
27 O'Dell's clients, In Block's case he ensured a favorable result for the prosecution by appointing
28 a close associate, who herself should have been prosecuted for ethical lapses and who had a

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4 conflict of interest with respect to Block.

5 4. List the alleged victims and state how each victim was allegedly injured. The specific
6 victims for the complaint as presently written include were Ann Block, Chuck Lie, Elizabeth
7 Lazalla, Noel Frederick, Susan Forbes, and Joan Ammen. General victims include the members
8 of the Washington State Bar Association and the taxpayers of Washington, Snohomish County,
9 and Gold Bar.

10 As part of the blackmail extortion scheme, Block had defamatory and untrue information
11 published about her in various media, and was threatened with physical assault and murder. She
12 is also in the process of having her bar license wrongfully taken from her. She was wrongfully
13 threatened with arrest for attempting to depose Pennington in a civil action.

14 Chuck Lie and Elizabeth Lazalla were former City council-persons of Gold Bar who
15 were driven off the council with threatened assaults, actual assaults and stalking.

16 On July 17,2012, Susan Forbes was assaulted at a City Council meeting while Noel
17 Frederick was threatened.

18 On December 5, 2015, Defendant Wright filed a restraining order against the Gold bar
19 Reporters Ann Block, Susan Forbes, and Joan Ammen after Ammen contacted Wright about
20 why he resigned from the Gold Bar council. First Wright included Ammen in his restraining
21 order, but later crossed out Ammen's name and only named Block. At the time of Ammen
22 contacted Wright for comment, plaintiff was in Italy. Plaintiff countered Wright attack with
23 with a SLAPP .

24 5. Describe in detail the pattern of racketeering activity or collection of unlawful debts alleged
25 for each RICO claim. A description of the pattern of racketeering shall include the following
26 information:

- 27 a. List the alleged predicate acts and the specific statutes which were allegedly violated.
28 b. Provide the dates of the predicate acts, the participants in the predicate acts,

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4 and a description of the facts surrounding the predicate acts.

5 c. If the RICO claim is based on the predicate offense of wire fraud, mail fraud, or fraud in the
6 sale of securities, the "circumstances constituting fraud or mistake shall be stated with
7 particularity." Fed. R. Civ. P. 9(b). Identify the time, place and contents of the alleged
8 misrepresentations, and the identity of persons to whom and by whom the alleged
9 misrepresentations were made.

10 d. State whether there has been a criminal conviction for violation of the predicate acts.

11 e. State whether civil litigation has resulted in a judgment in regard to the predicate acts. Civil
12 litigation has resulted from the litigation when in Scannell v. WSBA, the case was dismissed on
13 the basis of prosecutorial and judicial immunity.

14 f. Describe how the predicate acts form a "pattern of racketeering activity."

15 g. State whether the alleged predicate acts relate to each other as part of a common plan. If so,
16 describe in detail.

17 Plaintiff Block is a civil rights advocate and a citizen of the City of Gold Bar and the
18 County of Snohomish. Plaintiff also has a blog called the "Gold Bar Reporter," which reports on
19 government and government officials in Snohomish County and Gold Bar. As early as 2008 and
20 continuing to the present day the Plaintiff learned of misfeasance, malfeasance, and corruption
21 within city and county government, and has attempted to exercise her rights guaranteed by the
22 speech and petition provisions of the First Amendment to the United States constitution to learn
23 and report on the ongoing activities of county and city officials up to the date of filing the
24 complaint.

25 Block is a former Washington State attorney harassed by defendants out of the practice of
26 law. Block asserts that the individually named defendants have, in bad faith, conspired to deprive
27 her of her vested right to practice law through a number of acts which led her to resign from the
28 bar. In addition, the individual defendants have conspired to form an enterprise with the purpose

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4 of dominating the WSBA and its disciplinary system so as to allow prosecutors, defense
5 attorneys, practitioners at large firms, and non-minority attorneys to practice unethically and
6 evade accountability for their misconduct. The Gold Bar defendants originally intended for the
7 enterprise to have a goal of covering up corruption but eventually led to a conspiracy to illegally
8 divert public funds away from the City to finance the defense of the enterprise in continuing their
9 predicate acts. The conspiracy will hereinafter be referred to as “the enterprise.”

10 The enterprise has, as one of its goals, to dominate the Washington State Bar Association
11 by punishing those who oppose the illegal goals of the enterprise. It does this through extortion
12 by harassing and punishing its enemies with disciplinary actions “to send a message” to those
13 that oppose their criminal activities.

14 As outlined in the complaint, Block attempted to exercise her constitutional rights,
15 including her right to shield the sources of newspaper articles she writes, her right to be free
16 from unlawful search and seizure, her right to free speech, her right be free of conduct
17 perpetrated by the WSBA in violation of the anti-trust laws, and her right of freedom of
18 association.

19 Block continues to face imminent loss of her constitutional rights as a consequence of the
20 actions of the defendants. The defendants have repeatedly threatened Block, her associates with
21 unconstitutional subpoenas and continue to threaten additional disciplinary actions against Block
22 even though she is not a member of the bar and not a member of the bar association. The
23 defendants have assaulted City Council members who are favorable to Block to force them out
24 of office and have repeatedly stalked and threatened Block with acts of physical violence and
25 murder. The defendants continuously harass her, in a manner which effectively interferes with
26 her right to conduct business as a news reporter and practice law if she chooses. The WSBA
27 encourages other members of the community to treat the plaintiff as a pariah in the legal
28 profession and allows them to commit violations of the rules of professional conduct against her

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4 with impunity. The WSBA's and Enterprise's actions constitute a de facto group boycott of
5 Block's professional activities. The anti-trust actions taken by the WSBA are not reviewable by
6 the Washington State Supreme Court, nor does the Washington State Supreme Court exercise
7 supervisory control in this regard.

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9 Plaintiff also reports on local news inside Snohomish County on a BlogSpot co-owner
10 with Gold Bar resident, called the "Gold Bar Reporter." As early as 2008 and continuing to the
11 present day the Plaintiff learned of misfeasance, malfeasance, and corruption within city and
12 county government, and has attempted to exercise her rights guaranteed by the speech and
13 petition provisions of the First Amendment to the United States constitution to learn and report
14 on the ongoing activities of county and city officials up to the date of filing this complaint.

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16 September 10th 2005, Mike Carter and Susan Kelleher write an article for the Seattle
17 Times detailing how defendant Pennington lacked credentials or work experience for his job as
18 director of Emergency Services. According to a GAO special agent Paul DeSaulniers,
19 Pennington graduated from college from a diploma mill called California Coast University, who
20 sold college diplomas at a flat rate. His only work experience was as a state legislator getting a
21 federal decision not to declare a mudslide area a disaster area overturned when he first lobbied
22 the FEMA director and then President Clinton, to the designation overturned.

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24 At the time, the competence of President Bush's appointees in FEMA was coming under
25 intense scrutiny because of the lack of federal response to Hurricane Katrina.

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27 On December 23, 2008, plaintiff Block complained about the lack of services from the
28 Mayor and the state in Gold Bar for removing snow from the roads. Her complaints generated a
hostile response from defendant Pennington, who told Block in an email that there was little he
could do because he did not have the power to get an emergency declared. Plaintiff Block went
over his head by writing to Chief Executive Reardan, complaining that Pennington didn't know
his job. Two days later on December 27th a declaration of emergency declaration was made.

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4 Plaintiff first began attempting to get information from the City of Gold Bar in
5 Snohomish County in December 2008 by filing petitions with the city known as Public Records
6 Requests. (“PR requests”) The initial PR requests occurred when Block learned from defendant
7 Crowshaw of information about alleged tampering of records concerning the safety of the city’s
8 water wells, and illegal use of the City’s petro card by Karl Marjerle a water employee who used
9 the card for his own use., According to Crowshaw, a “settlement” had been approved by then
10 Mayor Crystal Hill to compensate the employee for the termination of the employee’s job. This
11 settlement was made so that members of the enterprise would not have to publicly acknowledge
12 that it was condoning theft. An agreement was reached so that in exchange for \$10,000 and
13 unemployment benefits the enterprise would keep the theft of public money confidential even
14 though evidence of the theft was overwhelming. This constituted bribery and was thus a
15 predicate act under RICO.

16 For two months the City refused to comply with Block’s requests under the Public
17 Records Act (PRA) which requested records concerning the Marjerle incident.

18 In February 2009, Block hired Washington Coalition for Open Government attorney
19 William Crittenden to force disclosure of the records. Crittenden, on behalf of Block, also
20 requested “all records about how the City would respond to Block’s requests for public records.”
21 On 2/19/2009, Block v. Gold Bar was filed in Snohomish County Superior Court to enforce the
22 Public Disclosure Act when the City of Gold Bar refused to comply.

23 The early requests included requests for copies of electronic communications, including
24 e-mails and records relating to the tampering of the City’s water system. The City was not
25 equipped or organized to respond to such citizen requests. City e-mail traffic, for example,
26 existed in some instances only on the private cell phones, computers, Blackberries and such
27 owned by city officials, such as Mayor Hill and Gold Bar city council members. Other forms of
28 information existed in paper form only, and the city had no network among city computers or

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4 organization of information electronically stored on the various parts. Eventually, the City was
5 forced to hire an IT specialist and attorneys to gather city information from private devices
6 owned by its officials and to set up the city system for responding to citizen petitions for
7 information.

8 The city, the mayor and city council member defendants named above resisted and
9 stalled in response to the PR requests, and responses were tardy and incomplete, which spawned
10 additional PR requests, many of which are still outstanding. They agreed among themselves to
11 retaliate against the Plaintiff by defaming her and going after her bar license. These agreements
12 were made while the council was in executive session in the months immediately following the
13 Public Disclosure Requests. Witnesses to these meetings were the members of the City council
14 themselves and their staff. The exact form of the agreements will be supplemented later after
15 discovery is complete. Chuck Lay was made aware of many of the agreements when he became
16 a Council member in 2010.

17 The purpose of the retaliation was to send a message to other citizens as to what would
18 happen if they opposed corruption. This was extortion of the democratic rights of Block and
19 other citizens in Gold Bar and therefore a predicate act under RICO.

20 The following list of retaliatory acts, though not exhaustive, were typical of the
21 continuous and ongoing retaliatory actions of the defendants City of Gold Bar, and its Mayor and
22 City Council members and the RICO enterprise

23 Instead of complying with the agencies legal mandate pursuant to RCW 42.56, the
24 defendants Beavers, Hill, and Croshaw elicited the assistance of Snohomish County Executive
25 Aaron Reardon and John Pennington who then engaged in criminal conduct. According to
26 Executive Officer Rick Kammerer of Snohomish Department of Emergency Management,
27 Pennington used Snohomish County Sheriff's Officers Rodney Rochan and Kevin Prentiss to run
28 criminal backgrounds on citizens. Block's investigators, PSI, confirmed that several non-

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4 permissible background checks were ran on Block via a law enforcement data base titled
5 ACCESS; and in one case, Seattle FBI agent also ran an ACCESS check. The source of this
6 information in this paragraph were records obtained by Block under Public Disclosure act from
7 the Snohomish County Sheriff's office.

8 The Gold Bar defendants also found willing accomplices with the other WSBA
9 defendants who had already formed their own criminal enterprise that had similar goals.. The
10 other defendants had a similar goal of sending a message to attorneys who opposed corruption by
11 filing lawsuits. For example, in a case involving the lawyer discipline of Bradley Marshall
12 before the Washington State Supreme Court, in August of 2009, Scott Busby wrote on behalf of
13 the WSBA before the Washington State Supreme Court.

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

18 Mr. Marshall was not charged with filing a frivolous lawsuit as part of the disbarment
19 proceedings and his lawsuit was not the subject of discipline. This is clear intent on the part of
20 Mr. Busby and the Washington State Bar Association as a whole, to retaliate against Mr.
21 Marshall and others as well as submit an improper "Send a message" argument to the decision-
22 makers See *State v. Powell*, 62 Wn. App. 914, 816 P.2d 86 (1991), review denied, 118 Wn.2d
23 1013 (1992).

24 In March of 2009, Gold Bar's law firm Weed Gaafstra unlawfully received personal
25 identifying information regarding Block from RICO enterprise members Reay, Gibbs, and Fine,
26 which included a copy of non-conviction criminal history records. Weed Gaafstra attorney
27 Barbara Johnson disseminated a copy of Block's stolen file to defendant Crystal Hill Pennington.
28 Crystal Pennington then disseminated records via email to other members of the Gold Bar city
council and to defendant John E. Pennington. The purpose of disseminating the information was

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4 so that the Gold Bar City Council could eventually file bar complaints against the plaintiff. The
5 witnesses to this include all the members of the Gold Bar city Council and their staff. Sources for
6 the information in this paragraph are Chuck Lie and a deposition taken of

7 At the time, enterprise member Fine was on the Disciplinary Board of the WSBA. His
8 contact of a with potential bar complainant was a violation of the code of ethics required of all
9 members of the Disciplinary Board (ELC 2.3(k)). The purpose of disseminating the information
10 was to provide material so that the case could be fixed in advance. The purpose of fixing the
11 case was to send a message to all member of the bar as to what would happen to them if they
12 opposed the illicit goals of the enterprise. As such, the actions were extortion and therefore a
13 predicate act under RICO.

14 Also, enterprise member Gibbs was a member of the Board of Governors of the WSBA.
15 His participation in a potential disciplinary case was a violation of the Rules for Enforcement of
16 Lawyer Conduct (ELC 2.2b) (ELC 2.3(k)) required of all Board of Governor members. The
17 purpose of disseminating the information was to provide material so that the case could be fixed
18 in advance. The purpose of fixing the case was to send a message to all member of the bar as to
19 what would happen to them if they opposed the illicit goals of the enterprise. As such, the
20 actions were extortion and therefore a predicate act under RICO.

21 Meanwhile, the plaintiff learned that Mayor Crystal Hill was no longer a resident of Gold
22 Bar because she had moved in with fellow enterprise member Pennington. She confronted Hill
23 about the fact and told her she would have to resign as she was not a Gold Bar resident.
24 Residency is a requirement under a Gold Bar City Ordinance.

25 In March 2009, Defendant Gold Bar, Beavers, Hill, Croshaw, and defendant Snohomish
26 County and John Pennington conspired with defendant to illegally access and retrieve from the
27 Washington State Patrol and the Federal Bureau of Investigation Block's criminal history, and
28 the history of other persons exercising First Amendment rights, and to receive and disseminate

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4 the same. Though no actual criminal history existed, they disseminated the information
5 ambiguously as though it constituted criminal history.

6 In March 2009, defendant, Beavers, Hill, and Croshaw, conspired with Defendant John
7 Pennington and Tamara Doherty to illegally access and retrieve Block's mental health history.
8 Though they retrieved history for some other person, they characterized it as Block's and
9 disseminated it to Gold Bar City Council and resident Fonda Ellis claiming wrongfully allowing
10 Fonda Ellis to proclaim in an open public meeting that Block was a "certified lunatic". in
11 retaliation for Block's exercise of First Amendment rights. This was witnessed by Susan Forbes
12 and other citizens of Gold Bar.. The obtaining of this kind of information about Block served no
13 government function other than to harass, blackmail, and extort the democratic rights of plaintiff
14 Block. As such, it was an act of extortion under the Hobbs Act and a predicate act under RICO.

15 In April 2009, defendant and Gold Bar Mayor in April 2009, Crystal Hill (changed name
16 to Pennington in June 2010) hired Eastside Computers owner Michael Meyers to retrieve Email
17 communication sent from a blogger named Michael Brooks. Defendant Hill falsely claimed
18 Brooks was Block and cut and paste an email onto one of Block's header emails to make it
19 appear that Block sent the email. This act constituted forgery and extortion and therefore a
20 predicate act under RICO. The alteration done to the email was witnessed by the plaintiff Block

21 In May 2009, Hill then used defendant City of Gold Bar resources to write and file
22 criminal complaints against Block with the assistance of defendant John Pennington, The
23 purpose of the defamation was to punish Anne Block for exercising her first amendment rights.
24 Pennington used his friend Matthew Trafford to help process their criminal complaints against
25 Block. Snohomish County Prosecutor's Office reviewed Hill and Pennington's criminal
26 complaint and said "This is not cyber-stalking!" The Enterprise's efforts to have Block charged
27 with a crime failed. Even though it failed, it was done in furtherance of the enterprise's
28 blackmail and extortion scheme and therefore a predicate act under RICO. The source of this

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4 allegation are public disclosure requests of the plaintiff which showed the emails in question.

5 In May 2009, defendant Snohomish County's public records officer Diana Rose
6 physically removed county records delivering public records to the City of Gold causing injury
7 to public record/s. In December 2013, Block sent an email to defendant Rose asking for a copy
8 of the CD she stated under oath in deposition that she delivered to defendant City of Gold Bar
9 and Beavers, Rose responded by stating that she no longer had defendant county's CD and that
10 she just called defendant Beavers, located at the Gold Bar City Hall, and he has the only copy of
11 defendant Snohomish County records. On or about January 23, 2014, Block contacted
12 defendants City of Gold Bar and Loen, Loen stated that she does not have the CD Beavers had
13 on December 30, 2013 (his last day in office). The records on the CD according to Rose's
14 deposition statements contained Block's mental health records. The destruction of records was in
15 furtherance of the defendants extortion and blackmail scheme and therefore a predicate act under
16 RICO.

17 In early May 2009, Crystal Hill and John Pennington filed a police report claiming that
18 the email address Brooks was disseminating to was an email address of his six year daughter.
19 (In November 2013 Pennington's ex-wife Valerie Slocum wrote an affirmation to the Sno
20 County Sheriff's Officer stating that the email address Pennington claimed was that of their
21 daughter Grace was not her daughter's but was John Pennington's email address. Block filed a
22 criminal complaint against Pennington for filing a false report. Slocum offered Deputy Sheriff's
23 Officer Casey hundreds of email s between Pennington and herself. Deputy Casey refused to
24 accept Slocum's emails into the police report.

25 In June 2009, Gold Bar council member Richard Norris wrote to Joe Beavers and let him
26 know that he would be able to take over as Mayor.

27 In June 2009, Susan Forbes, an associate of Block, registered to run as a Gold Bar
28 council member against Chris Wright.

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4 In September 2009, Gold Bar Reporter published a story that that Chris Wright was a
5 convicted wife beater and had a long history of violence dating back to his days in the military.
6 The Snohomish Coutny Herald went with the story that Wright lied about his conviction when he
7 was confronted with it.

8 In July 2009, Defendant Gold Bar Mayor Joe Beavers (Beavers) stated to a Gold Bar
9 council member Chuck Lie “We’re going to get her Bar license for this. She crossed the line!”
10 The reason Joe Beavers was able to say this is that an agreement had already been made with
11 members of the enterprise, (including Fine and Gibbs) that the case would be fixed to disbar
12 Anne Block in retaliation for her public disclosure suit being litigated with the assistance of
13 Washington Coalition for Open Government Board Member William Crittenden. The Gold Bar
14 Reporter online news source did not start until August 2009.

15 In July 2009, with the assistance of the Enterprise defendants Croshaw’s, Beavers,
16 Pennington, and Hill, and non-Enterprise member and non-defendant Snohomish County’s Daily
17 Herald reporter Debra Smith issued a press release inferring that Block was anonymously
18 blogging in order to force Hill out of office. Block signed every article she writes.

19 In late July 2009, Snohomish County Daily Herald’s article reads “Gold Bar’s Mayor
20 Crystal Hill resigns citing harassment.” Hill’s resignation letter never stated any issues relating
21 to harassment; her resignation simply stated that she enjoyed working as Gold Bar’s Mayor.
22 There was no mention of her not being a resident of Gold Bar. However, through word of mouth
23 the enterprise members made it clear that the harassment was by the plaintiff. The predicate acts
24 by the Enterprise members were meant to damage Block’s standing within the legal community
25 and to send a message to the rest of the community as to what would happened if they opposed
26 the enterprises corrupt actions through public disclosure requests.

27 In July 2009, Beavers wrote to uncontested council member Rick Merritt stating don’t
28 worry about Mz. Block, outside forces will take care of her.

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4 In July 2009 during a Gold Bar council meeting, Gold Bar resident and partner to council
5 member Jay Prueher stood inside a public meeting shaking a bundle of documents in the air
6 stating “ she (Block) is a certified lunatic!” Susan Forbes was at the council meeting.

7 3.28 In August 2009, Defendant Beavers called non-Enterprise member and Gold Bar
8 council member Chuck Lie asking for a one on one meeting at the Dutch Cup in Sultan,
9 Washington. At the meeting he told Lie when discussing Block’s public records lawsuit against
10 the City “ that woman needs a hysterectomy, she’d be better off!”

11 3.29 At the same Dutch Cup meeting in August 2009, defendant Beavers also bragged to
12 Lie that he had Snohomish County Court’s in his pocket. Beavers was referring to his corrupt
13 association with Gibbs who was then acting as a commissioner

14 At the end of August 2009, The Gold Bar Reporter was formed by Susan Forbes and
15 Block. For the next three years the Gold Bar Reporter regularly reports on the lack of
16 qualifications of Pennington by both education and experience and as well as other misconduct.

17 In November 2009, Pennington states in a dissolution proceeding that he has no college
18 degree, even though publicly he had referred to his graduation from the diploma mill as a degree
19 in order to get the job as the Director of Emergency Services..

20 Council member Chuck Lie also stated that defendant Beavers was bragging to him that
21 he was a reporter for the Sky Valley Chronicle.

22 In January 2010, a new Gold Bar city council was seated. Chuck Lie, Rick Merritt and
23 Chris Wright replaced Richard Norris, Dorothy Croshaw, and Lonn Turner.

24 In April 2010, Gold Bar hired the law firm of Kenyon Disend to replace Weed &
25 Gaafstra.

26 In April of 2010, Reardan asks Pennington whether homes should be allowed to be built
27 on the Oso mudslide site. Pennington gives his approval. This approval was obtained under
28 public disclosure by Block.

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4 In May 2010, defendant Crystal Hill Pennington sent Washington Coalition for Open
5 Government President Toby Nixon an email stating that Block was an unemployed lawyer and
6 had been treated at a mental health facility. Block has never been treated at a mental health
7 facility or for mental health issues of any nature. The purpose of the letter was to damage the
8 reputation of Block within the legal profession so the enterprise could eliminate Block's exercise
9 of her civil rights through the defendants' extortion and blackmail scheme. As such, the writing
10 of this letter was extortion and therefore a predicate act under RICO.

11 Defendant City of Gold Bar's clerk Penny Brenton (Brenton) stated that in May 2010,
12 one month after Kenyon Dissend took over as the City's new law firm, defendant City of Gold
13 Bar's then Mayor Beavers ordered Brenton to write a Washington State Bar complaint against
14 Block. According to Brenton, she wrote the WSBA complaints after Beavers ordered her to write
15 them, but defendant Croshaw filed it with the WSBA falsely affirming under oath that she wrote
16 and had knowledge of the WSBA complaints. Croshaw's complaints further the acts of the
17 Enterprise and were made in direct retaliation for Block's commitment to open government and
18 as a result of Block's protected First Amendment activity. Since it was done in furtherance of the
19 enterprise's blackmail extortion scheme, it constituted extortion and a predicate act under RICO
20

21 May 2010 The City of Gold Bar and Defendants Crystal Pennington wrongly and
22 untruthfully misrepresented to the Washington Coalition for Open Government that Plaintiff is
23 an unemployed attorney who has been treated in a mental health facility
24

25 In October 2010 adopted Gold Bar Ordinance/ Resolution 10-14, which purported to
26 delegate unfettered, arbitrary and capricious power to the city public records official, defendant
27 Beavers in this case, to sort and delay public records requests he deemed "long." The city and
28 Beavers use the ordinance to promptly provide records to the mayor's friends, but to place other

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4 requests from Plaintiff and other Gold Bar open government supporters on indefinite hold. The
5 ordinance contains no standards to guide exercise of the discretion delegated and is an artifice to
6 justify the city's opposition to, and evasion of, Plaintiff's First Amendment rights, which still are
7 ignored and/or mostly unanswered as late as 2009. That city ordinance also arbitrarily restricts
8 city response time to "12 hours per month," at a time when: 1) water employees have stolen from
9 the city and been rewarded; 2) the city clerk stole from the city; 3) the city bank account was
10 "hacked" for more than \$400,000.00 dollars over a multi-month period; 4) the city has been
11 transferring money wrongfully from a dedicated "water fund" utility account to its general
12 account; 5) created a Storm Water Drain Fund to cover up the City's misappropriation of public
13 funds from the Street Water Fund to fund litigation since 2009; 6) city employees and officials
14 have used city vehicles and equipment for personal use; 7) the city budgeting process is
15 deliberately abused to cover and implement the malfeasance; 8.) city answered public records
16 request for friends without placing friends of city staff on city's priority list; 9.) defendants'
17 employees were using the Sky Valley Chronicle to write and post defamatory and untruthful
18 articles about Plaintiff; and 10.) the Mayor of Gold Bar, Crystal Hill, a non-lawyer, was writing
19 legal divorce papers on behalf of defendant John Pennington, and defendant county employee
20 Rick Kammerer, and using Snohomish County and Gold Bar servers and equipment to
21 accomplish the document preparation. Given the circumstances, placing a 12 hour monthly limit
22 on PR request responses is arbitrary and capricious, especially when combined with the arbitrary
23 powers to delay PR requests indefinitely, which the same ordinance also delegated to the mayor.
24 The ordinance constitutes official retaliation against the Plaintiff and other citizens exercising
25 First Amendment rights of speech and petition.
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27 In November 2010, Margaret King and Beavers telephoned federal administrative law
28 judge Marriana Warmee in San Francisco, at the Equal Employment Opportunity Commission,

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4 to complain of Block's first amendment activity as a Gold Bar Reporter. Block talked to Judge
5 Warmee with her paralegal as a witness to the conversation. The purpose of the phone call
6 served no useful governmental purpose than to interfere with Block's law practice as an attorney
7 in furtherance of the enterprise's blackmail and extortion scheme. As such, it was extortion and a
8 predicate act under RICO.

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10 In late November 2010, Beavers turned to council member Chuck Lie inside an open
11 public council meeting, turned off the microphone, and said "we have a new aggressive strategy;
12 we're going on the offense against Block." Gold Bar city council member Chuck Lie stated that
13 Gold Bar council discussed non-permissible topics inside Executive Session; Lie said "the city's
14 strategy was to "out money Block and when that didn't work Kenyon, King, and Beavers
15 changed tactics stating " the city's strategy is now to defame Block".

16
17 In February 2011, King and Beavers unilaterally without prior council approval filed a
18 Motion for Sanctions in violation of RCW which does not allow public monies to be used to file
19 Sanctions on Recalls. This was a continuing attempt to extort and blackmail the democratic
20 rights of the plaintiff, constitutes extortion, and is therefore a predicate act under RICO.

21
22 In July 2011, someone from Jay Inslee's group gave Aaron Reardon political rival Mike
23 Hope copies of records implicating Reardon in misuse of taxpayer monies to fund two affairs,
24 one with county employee Tamara Dutton and one with former Snohomish County employee
25 Deanna Dawson.

26
27 In late July 2011, after talking with Mike Hope on the telephone confirming where he
28 received the affair documents from Jay Inslee, Gold Bar Reporters published " Reardon misusing
taxpayer monies to fund his affairs" Inslee wanted Reardon gone because he announced that he
was planning to run for governor.

Immediately following the GBRs report on Reardon's misuse taxpayer monies to fund
his affairs, Reardon told Dutton that he destroyed public records and ordered her to destroy her

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4 records as well. Source of this allegation is Tamara Dutton.

5 Tamara Dutton stated that Reardon was after Block after the GBR broke the largest story
6 Snohomish County partly bringing Reardon down.

7 In August 2011, Beavers assaulted Chuck Lie while inside council chambers. Deputy
8 Martin witnessed Beavers jump in Chuck Lie's face, with spit coming out of his mouths,
9 violently shoving his finger in Chuck Lie's face. Lie told Beavers to back off but he did not for
10 several minutes. Deputy Martin approached Lie asking him if he wanted to file criminal
11 complaints against Beavers. Lie was afraid that doing so would only be throwing fuel on the
12 fire.

13 This was an assault and an intimidate Lie from exercising his democratic rights. As such
14 it constituted extortion and therefore a predicate act under RICO.

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17 In November 2011, Block came out of her house around (am attempting to go to work.
18 When she opened her car door she noticed Chris Wright sitting at the bottom of her driveway
19 with his car running. Wright glared at Block for a minute causing to enter her house for a video
20 camera. When she returned Wright peeled away. Within one week of Wright's coming to
21 Block's house, Block received her first telephone death threat. A call to the Snohomish County
22 PD was never returned.

23 Chuck Lie resigned citing abuse, threats, and assaults by Wright, Croshaw and Beavers,
24 in December 2012, after Beavers leaned screaming in his face and throw a copy of Block's tort
25 claim at this face while at the same time telling Lie " We can charge you with breaking executive
26 session!" This was a physical assault that was meant to intimidate Lie from exercising his
27 democratic rights in furtherance of the enterprise's blackmail and extortion scheme and as such,
28 was a predicate act under RICO.

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4 During early December 2011, during a regular council meeting, Beavers declared that
5 they were going to get sanctions against plaintiff for filing a Recall petition against him.

6 In late December 2011, Chuck Lie told Block and her partner that Beavers was coming
7 after them, defendants Beavers and King were trying to get defendant Wright to file WSBA
8 complaints against Block. Although Wright declined, he did stalk Gold Bar Reporters, Forbes
9 and Block at various public restaurants in Monroe that month which he admitted to when he filed
10 a declaration in an unrelated lawsuit in Snohomish County Superior Court.

11 In late December 2011, defendants King, Beavers, and Wright a notice of deposition with
12 Snohomish County Superior Court Commissioner Geoffrey Gibbs only after Blcok had filed a
13 notice of unavailability on the record while she was out of the state visiting her terminal father.
14 Although Gibbs was a personal friend to defendant Kenyon (King's employer in 2011), Gibbs
15 failed to disclose and recuse himself from Block's public records case

16 During the first week of January 2012, Susan Forbes and Block went into City Hall to
17 discuss an empty CD that the city provided in response to emails sent to or from Gold bar clerk
18 Penny Brenton. Beavers got agitated stomping and pacing back and forth, grabbed the CD out of
19 my hand, stormed away to the back council chambers, came back and threw the CDs at Block's
20 chest assaulting her. Forbes witnesses Beavers assault. This was an assault and an intimidate Lie
21 from exercising his democratic rights. As such it constituted extortion and therefore a predicate
22 act under RICO.

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24 Within hours, Block and Susan Forbes uploaded the records into MS Outlook and what
25 they discovered was the Beavers released hundreds of emails between Penny Brenton and
26 Kenyon Disend and Jeff Myers documenting that the City was illegally withholding public
27 records involving Snohomish County Director John Pennington. Beavers created a log titled "
28 disputed log" which included Pennington making racist comments about President Obama,

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4 Crystal Hill writing Penningtons divorce motions and appeals (unlawful practice of law because
5 Hill was not a lawyer) and Pennington and Hill passing Mug shots inside emails. As of today,
6 Beavers has refused to produce these records.

7 Beavers then posted a blog on the Sky Valley Chronicle critical Block's criminal
8 complaint that he assaulted Block.

9 In January 2012, Defendant King used defendant Gold Bar, Beavers, and Hill to write
10 and file WSBA Bar complaints with defendants WSBA and Linda Eide (Eide). King's WSBA
11 complaint were not to anyone else except Eide. With ongoing litigation, Eide had no other
12 options but to "defer" King's complaints until Block's public records suits were finalized.
13 Since 2010 to Present, the city published on its web site the names of citizens making PR
14 requests, designed to chill the exercise of First Amendment Rights within the city;
15 Since 2010 to Present, city publicly claimed that Plaintiff was responsible for the city's technical
16 and legal costs incurred by the city to retrieve scattered information and costs incurred by the
17 city to comply with state law regulating Public Records requests, an obligation that had existed,
18 but been neglected by the city, since 1972 when the state statute required compliance, and before
19 that pursuant to the First Amendment to the United States constitution.

20 In February 2012, at advice of counsel Greg Overstreet, Block filed an Anti-SLAPP
21 motion in response to Beavers Motion for Sanctions. Krese struck City's and my motions
22 claiming that allowing Sanctions to go forward would place a chilling effect on public
23 participation

24 ."

25 In February 5 2012, Aaron Reardon's right hand man Christopher M. Schwartzen's
26 Seattle Times friend Emily Heffner did a story on the Gold Bar Reporters. Defendant
27 Schwartzen is a former Seattle Times reporter who Reardon hired in March 2008 (six months
28 before the SVC started). In early January 2014, plaintiff retrieved records from King County's a

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4 Major Crimes Unit's investigation of Reardon and discovered that Schwartz communicated as
5 a Facebook friend to Seattle Times reporter Emily Heffner. Heffner's Facebook page was not
6 open to the public, only friends including Schwartz.

7 On February 5, 2012, Emily Heffner at the suggestion of Schwartz published a story
8 with half-truths, claiming that Block was lying about Chris Wright's criminal history and
9 publishing false stories, but correctly noted that Block broke the Reardon's misuse of taxpayer
10 resources story to fund his affairs. Some of this was obtained from King County crimes unit,
11 who seized Shcwatrzen's Computer.

12 On Feb 5, 2012, Seattle Times had to retract its story four times for failing to investigate
13 Gold Bar council member Chris Wright's criminal conviction history. To correct Heffner's story,
14 AP reporters were brought in. Witnessed by Ann Block.

15 According to DEM Officer Stephen Hagberg, Pennington and Hill were anonymously
16 blogging Block using county computers and telephones to harass Block on troll comments on the
17 Seattle Times Feb 5, 2012, article about the GBRs. Hagberg witnessed Pennington bragging how
18 he was going to get Block charged with a crime often and publicly in front of other DEM
19 employees.

20 Since February 6, 2012 to Present, defendants Beavers, Hill and Pennington contributed
21 to and posted over many defamatory, derogatory, untruthful and harmful articles about Block on
22 a blog spot titled the Sky Valley Chronicle City of Gold Bar and Snohomish County resources to
23 post blogs on an online blog spot at least partly controlled by defendants Aaron Reardon,
24 Christopher Schwarzen, John Pennington, Parry, Beavers, Denise Beaston, and Crystal
25 Pennington Hill. King County Major Crimes Unit files in the investigation of Executive Aaron
26 Reardon documented that Defendants Hulten, Reardon, Schwartz, and Parry were participants
27 in posting articles on the SVC. Ronald Fejfar is the SVC's agent. Fejfar gave Beaston, Beavers,
28 John and Crystal Pennington, and Parry access log in codes to post defamatory and untruthful

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4 articles about Plaintiff. A small sample of the articles are given in this RICO statement..

5 One day after the Seattle Times article, on Feb 6, 2012, the SVC started going after Block
6 in a very public way. Up until then, the only article that named her directly or indirectly was the
7 one article about Hill resigning citing harassment.

8 ...the SVC has ran over 132 defamatory and threatening articles either about Block or

9 On March 2012, defendants City of Gold Bar and Beavers wrongly filed a lien against a
10 residence (Homestead) owned by Block and her partner Noel Frederick. When Block contacted
11 Beavers asking to see judicial notice which mandates Homestead exemptions, Beavers and
12 Snohomish County remove the lien. Defendants City of Gold Bar and Beavers and Loen have
13 refused to release public records relating to Block's request in this regard since March 2012.

14 In April 2012, Beavers publicly stated to another city council member that "I have no use
15 for non-Christians like Block

16 In May, 2012, defendants Hulten and Rudicill established a company called Thomas and
17 French. Although it advertised itself as a family business, on one of its web sites shortly
18 thereafter, there did not appear to be any business begin transacted except to print defamatory
19 information about the political rivals of defendant Reardan, which included the plaintiff Block.

20 June 18, 2012, Plaintiff Block deposed Diana Rose and learned for the first time that
21 Rose had supplied Gold Bar with mental health records in an effort to defame her in May of
22 2009. Block learned later that summer from Chuck Lee of the enterprises efforts to defame with
23 her bar application. Although the records were obtained in executive session, they were not a
24 proper subject of executive session, and the confidentiality had been waived by the enterprise
25 members when they released the records to Gold Bar resident Fonda Ellis for use in a public
26 meeting in 2009. When Block asked who ordered her to do this she said defendant Tamara
27 Doherty.

28 July 2012, Beavers uses city monies and city attorney Margaret King and Ann Marie

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4 Soto to write and support a ballot levy question to raise taxes to create a separate litigation fund.
5 PDC complaints were filed against Beavers after the county turned over public records
6 documenting that Beavers wrote the Levy (metadata confirmed) question using taxpayer
7 resources in violation of PDC laws which prohibit the use of taxpayer resources to write or file
8 Ballot questions.

9 In July 2012, attempting to get support for his tax levy to fund litigation, Beavers sends
10 out a press release that the City is considering dis-incorporation as a result of having to comply
11 with the RCW 42.56

12 Defendant Snohomish County processed the criminal complaints filed by Block, Forbes
13 and Frederick, and Snohomish County Sheriff's Officer Deputy Casey first wrote that this was
14 assault, but two months later amend his police report to say he meant to say this was not assault.
15 In July 2012, Beavers issues a press release stating that the City is complicating filing
16 bankruptcy because of Block's PRR requests. ABC, Reuters, Herald, and King 5 pick up the
17 story and Beavers holds a town hall style meeting in violation of Gold Bar's Ordinance.

18 On July 17 2012, at the Town hall style meeting council member Lonnn Turner threatens
19 Noel Frederick (Frederick) and Susan Forbes (Forbes) who were present and Block who was not
20 present " You better stop or pack up and leave!" Turner jumped at Frederick in a threatening
21 manner and said "it better stop! Frederick said "Lonnn, I don't have any records suits against the
22 City1"

23 In the middle a person asked who are these people and Croshaw appeared to orchestrate a
24 preplanned attack violence by shouting out " There's two of them in the audience!" Immediately
25 following Croshaw uttering these words, a friend of Croshaw's Thomas Shoenwald (extensive
26 criminal convictions for beating up women) physically pushed assault GBR Susan Forbes while
27 she running a video camera.. Criminal complaints followed but were not followed up on when
28 Snohomish County Sheriff's Officer Deputy Casey changed his mind after first claiming it was

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4 an assault The assault in this case was orchestrated by Crowshaw, and was in furtherance of the
5 enterprises scheme of blackmail and extortion to eliminate the democratic rights of the plaintiff
6 in violation of the Hobbs act and therefore a predicate act under RICO.
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8 On August 10, 2012, The City of Gold Bar, through its mayor Defendant Beavers,
9 conspired with Defendants Pennington, Reardon, Hulten and Rudicil to post an “attack piece”
10 against Plaintiff on Wikipedia, the on-line encyclopedia. Though Wikipedia immediately
11 withdrew the “hit piece” Mayor defendant Beavers disseminated a copy of the article to multiple
12 persons, including Gold Bar council member Bob Strom, who then called council member
13 Chuck Lie, untruthfully claiming it to be embraced by Wikipedia. The article falsely blamed
14 Block for the City’s financial failures including its failure to supply road maintenance and
15 snowplowing services. They falsely claim that Block did not appear at court proceedings using
16 excuses, when in fact the reasons given were permissible under the American’s with Disabilities
17 Act (ADA) used as reasons for appearing by phone.. The article falsely claims that Block said
18 there were tracking devices and or had pictures of them..
19

20 On September 8, 2012 the Sky Valley Chronicle referred to the plaintiff as some “in-the-
21 shadows coward”, a “snake in the grass”, as “a punk with no fire in the belly and no heart for a
22 bare knuckle 12-rounder in the street” and a “scumbag” who is “deserving a special place in
23 hell.”
24

25 Defendants City of Gold Bar council members Christopher M. Wright and Florence Davi
26 Martin encouraged Pennington’s physical threats on the Sky Valley Chronicle Facebook page,
27 and through postings incited and encouraged ridicule of, threatened violence against the Plaintiff.
28 Defendant Martin even “liked” Pennington’s threats to harm Block and Frederick stating “keep
the great work”.

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4 In November 2012, Chris Wright waited for Gold Bar council member LaZella to exit the
5 council chambers after a heated council meeting, as Lazella entered and was sitting in her car,
6 Chris Wright ran up to her car stuck his head inside the window and within inches of her face
7 screamed “ I know how to deal with little woman like you!” Wright’s actions were an assault
8 designed to intimidate Lazella from exercising her democratic rights as a citizen. As such it was
9 in furtherance of the blackmail and extortion scheme of the defendants and a predicate act under
10 RICO.
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12 On November 30, 2012 and on December 2, 2012, the Sky Valley Chronicle published
13 articles stating that it was going to file federal cyberstalking charges against Anne Block. There
14 is no federal law on cyberstalking and no charges were filed.

15 On December 5, 2012, Defendant Pennington posted threats on the Sky Valley Chronicle
16 Facebook’s page to harm Block and her partner Noel Frederick Christmas gift of federal
17 cyberstalking charge promising Hellfire would rain upon her

18 On December 6, 2012, Block filed a criminal complaint against Pennington with
19 Defendant Snohomish County. Snohomish County assigned the complaint to a personal friend of
20 defendant on the Sky Valley Chronicle’s Facebook. Instead of Snohomish County’s Sheriff’s
21 Officer Kevin Prentiss (Prentiss) investigating Block’s criminal complaint, Prentiss simply
22 forwarded Plaintiff’s criminal complaint to Snohomish County Prosecutor Reay. Block’s
23 December 6, 2012, criminal complaint remains ignored.
24

25 Since February 6, 2012 to Present, defendants Fejfar, Pennington, Beavers, and Hill published
26 criminal harassing and false statements about Block on their BlogSpot titled “The Sky Valley
27 Chronicle.”
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January 13, 2013, Gold Bar council member Dorothy Croshaw made a thinly veiled

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4 murder threat in the Seattle Weekly stating “And Anne (Block) of course, never shows up,
5 because someone would kill her..” <http://www.seattleweekly.com/2013-01-16/news/gold-bar-s->
6 [mountain-meltdown/](http://www.seattleweekly.com/2013-01-16/news/gold-bar-s-mountain-meltdown/) This murder threat was an attempt to threaten Block if she used her
7 democratic rights, and therefore extortion and a predicate act under RICO.

8 In February 2013, Defendants’ City of Gold Bar and Beavers spread the malicious and
9 untruthful Wikipedia attack piece via email about Plaintiff to several of defendant Gold Bar
10 council members, past and present. Wikipedia monitoring managers removed the posting on
11 Block. Wikipedia monitoring managers dubbed the Wikipedia article as “attack piece.” (Wire
12 Fraud)

13 On or about February 7, 2013, the plaintiff reviewed via a public records response from
14 defendant City of Gold Bar which included a Wikipedia attack piece about her. Although the
15 Wikipedia attack piece included information that was not true, they disseminated the information
16 to council members ambiguously as though it constituted truth implying that the article had been
17 researched and approved by Wikipedia.

18 On February 14, 2013, the Snohomish County Daily Herald exposed Defendant
19 Snohomish County employees Rudicil and Hulten as two of the authors of the Wikipedia and
20 Twitter attack sites created using county resources. See
21 (<http://www.heraldnet.com/article/20130214/NEWS01/702149999>)

22 In early Feb 2013, Chuck Lie was grocery shopping at Albertson’s in Monroe, Joe
23 Beavers aggressively circled Lie, aggressively jumping within inches of his face saying “ have
24 you read any good emails lately!” Beavers actions constituted assault, aimed at preventing from
25 exercising his democratic rights. Since the action was taken in furtherance of the blackmail and
26 extortion scheme, it constituted extortion, a predicate act under RICO.

27 February 2013, LaZella resigns citing harassment, intimidation, aggressive behavior after
28 she talked to the GBR and Seattle Weekly stating that Hill was flashing her boobs at Bubbs

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4 Roadhouse in Sultan. <http://www.monroemonitor.com/2013/02/12/gold-bar-councilwoman-lazella-resigns/>
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6 In April 2012, Prosecutor Sean Reay threatened Block during a CR 26 conf. call asserting
7 that he would have Block arrested if she did not give up her fight to depose Pennington in a
8 public records suit. Paralegal Krista Dashtestani was present when Reay made this threat via a
9 CR 26 telephone call. Krista Dashtestani also wrote a declaration to the Court attesting to this
10 in fact in May 2013. This was not while acting as a prosecutor, but as a complaining witness and
11 therefore not subject to prosecutorial immunity. His allegations were untrue, were made at the
12 behest of the enterprise and therefore a predicate act under RICO. Agreement to do this
13 occurred between supplying the illegal information in 2009 and April 2013, the exact dates
14 which will be determined after discovery.

15 In April 2013, Block filed a tort claim upon the county for the harassment that was
16 documented by the Snohomish County Daily Herald's Feb 14, 2014 article titled "Reardon's
17 staff linked to harassment." In Block's tort claim she noted that Hulten and Rudicil did not act
18 alone, Pennington assisted them. Among the actions documented in the Herald article was the
19 writing of the Wikipedia piece which the King County Major Crimes Unit tracked down as being
20 authored by Hulten and Rudicil and further stated that the Snohomish County Daily Herald's
21 story was right on target.

22 On May 10, 2013, Block writes a story for the Gold Bar Reporter documenting how
23 Pennington was kicked out of a California Church. Before running with the story, Block double
24 checked 5 different sources and asked Pennington for his response before publishing.
25 Pennington never commented nor demanded a retraction.

26 In May 2013, Snohomish County Aaron Reardon Executive resigned partly as a result of
27 the Daily Herald's February 14, 2013 expose', and within one week of Reardon's resignation,
28 Snohomish County Executive John Lovick was appointed to fill Reardon's tenure through 2014

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5 Public records received from defendant Snohomish County documents that defendants
6 Reay and King wrote and filed WSBA complaints against Plaintiff, basis of the complaints was
7 Block's First Amendment activity. Defendant Pennington falsely certified that he wrote the
8 WSBA complaint, but public records later documented that Defendants Reay and King actually
9 wrote the WSBA complaints, Pennington simply signed it. Records received under public
10 disclosure show emails between King, Reay and Rose actually writing the complaints and
11 gathering documents in support.. Since the purpose of the complaint was not to allege serious
12 misconduct as an attorney, but to go after Block's activities as a reporter, it was not a proper
13 subject for a bar investigation

14 During the first week of July 2013, Block received a "tweet" for John and Crystal
15 Pennington saying "I can't wait to go to your disbarment hearing." After receiving this Tweet
16 from Hill Bock feared that the fix was in, so she started investigating WSBA lead counsel Linda
17 Eide. Block sent Linda Eide a letter asking her to disclose what her relationship to Pennington
18 was, Eide refused. Block then wrote WSBA head counsel Doug Ende explaining that Eide is a
19 close personal friend to Pennington, Commissioner Geoffrey Gibbs and Gold Bar city attorney
20 Michael Kenyon, and that she should have recused herself. Ende wrote Block back stating that
21 Eide stating that Block was wrong and Eide had no involvement with any of the parties Block
22 listed in her letter to defendant Ende.

23 Block learned that Linda Eide was close relative to Craig Eide, former King County
24 Judge and his wife Senator Tracey Eide.

25 Emails from Snohomish County confirm that John Pennington destroyed a file on his
26 Outlook box sent to and from Senator Tracy Eide immediately after Block requested public
27 records between Senator Eide and Pennington under the PRA.

28 Emails from Hulten, Reardon, Eide and Steve Hobbs documents that Senator Eide was

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4 having meetings with Reardon discussing a special project. The Herald article of Feb 14, 2014,
5 article confirms that Hulten's only function inside the county was to go after Reardon's political
6 foes.

7 In August 2013, Chuck Lie confirmed that consistently in Executive Session the main
8 topic of conversation was how to shut down the Gold Bar Reporters. Lie also confirmed that
9 Wright would call Block a "Boston Jew Bitch"

10 On September 9, 2013, the Sky Valley Chronicle published a solicitation, supposedly
11 from the newspaper, asking residents to file bar complaints in support of its bar complaints
12 against Anne Block. The Sky Vally Chronicle has not filed any bar complaints against Anne
13 Block

14 On September 10, 2013, Joseph Nappi Jr. sent an email to David Thorner, recruiting him
15 to train other hearing officers on how cases could be decided at training sessions instead of the
16 actual trial.

17 In September 2013, Chuck Lie Skyped Block while she was away in Italy to inform her
18 that the SVC had just posted threats for the public to file WSBA complaints against her WSBA
19 license. The SVC also solicited complaints from general public to file complaints against
20 Block's WSBA license and further stated that it was writing more complaints. The only one who
21 did was Pennington.

22 In Late September 2013, Pennington write a personal letter to WSBA Lead Counsel
23 Linda Eide basically asking if it was true that an investigator was going to meet up with him and
24 Hill. Block learned through public records that Pennington Hills meeting with the WSBA
25 occurred during county hours and on the county payroll (time sheets from Pennington confirmed
26 that the taxpayers paid for this).

27 In October 2013, using taxpayer resources and monies, attorneys Michael Kenyon, Ann
28 Marie Soto, and former Gold Bar city attorney Jeff Myers as well as defendant Joe Beavers and

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4 clerk Denise Beaston gathered with the WSBA investigator at City Hall to further the predicate
5 acts of the Enterprise. These acts violated Block's civil rights.

6 In November 2013, Block received a response from the Snohomish County Prosecutor's
7 Office for all records relating to the SVC. Sara Di Vittorio responded by sending Block four
8 partially redacted SVC posts two of which had been taken down, confirming that Pennington
9 was using electronic means to disseminate the SVC posts on county computers.

10 In early December 2013, Blocksent DEM PRR officer Diana Rose a records request
11 seeking a copy of the CD she stated during depositions that she delivered to Gold Bar. Rose
12 writes back saying Block just called Joe Beavers and he has a copy of the CD. " Block wrote
13 back saying " thank you Ms. Rose for documenting what records the City of Gold Bar has but
14 the Daines decision has been overturned which means the county must also produce a copy to
15 me. Rose shot back a nasty email saying " again I just called Mayor Beavers and he has a copy
16 waiting for you at City Hall!" Block contacted Beavers asking where the copy was that Rose
17 said I could pick up but he simply placed it on his priority list on December 30, 2013.

18 Defendant Loen stated to Block's partner Noel Frederick "The Sky Valley Chronicle's
19 purpose is clear, to defame, harass and discredit Anne Block" in the first week of December
20 2013.

21 In January 2014, King County Major Crimes unit provided Block with a copy of Kevin
22 Hulten's hard drive. Public records received show that Hulten, Reardon and Rudicil used a for
23 profit company titled Edmond Thomas LLC" to harass political opponents including Block.
24 Records show that Hulte and Rudicil were making trips to attorney Jack Connelly's Office while
25 on the County's payroll (and time) to go after Connelly's political foe Jeanne Darnielle. In fact,
26 Gold Bar Reporters found invoices in which the DNA was paying Hulten and Rudicil for their
27 campaign services. Edmond Thomas was not registered as a PAC nor is there any evidence that
28 Edmond Thomas paid tax.

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4 On January 1, 2014, Loen was sworn in as Mayor of Gold Bar. Block then requested a
5 copy of the CD from her and she responded by stating “ I called Joe and he said he gave you the
6 original copy.” Block said if Beavers did give her the original copy then she would have had to
7 sign the pick up sheet in Gold Bar city hall and Beavers would not have placed me on his
8 priority list his last day in office (Dec. 30, 2013).

9 An article of the Sky Valley Chronicle, dated February 17, 2014 falsely claims that Block
10 has a common law husband, is unemployed and has been held in contempt of court twice.

11 March 3, 2014, O’Dell is appointed by Nappi. Nappi has an undisclosed conflict of
12 interest because O’Dell routinely refers cases vulnerable adults who she serves as guardian
13 and/or trustee to a firm Nappi works for. She not disclose that an court appointed investigator
14 and special master to assist the court has concluded that O’Dell has exploited and taken funds
15 from an incapacitated person on February 19, 2014. The court eventually finds that O’Dell
16 failed her duties as established by statute or standards of practice adopted by the certified
17 professional guardian board. In addition public disclosures obtained by Block show that O’Dell
18 has exploited another vulnerable adult Harry Highland, when she paid 15,000 for the house
19 assessed at \$208,000.in Spokane County.

20 The WSBA has a long history of fixing cases in advance by paying the chief hearing
21 officer \$30,000 a year to pre-select judges to ensure conviction. This is the only primary duty
22 that the Chief Hearing Officer has over other hearing officers who are “volunteers”. She was
23 chosen for primarily two reasons. First, she owned a construction company that profited from
24 contracts that should have never been allowed because the construction took place on the Oso
25 mudslide site, which caused 47 people to perish. Since Pennington approved the permits, she
26 would be a natural ally of him.

27 Second, she also ran a partnership which allowed her to exploit vulnerable adults as a
28 guardian. On March 22, 2014, the OSO mudslide occurred killing 47 residents. At the time

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4 Pennington was on the east coast being paid by Snohomish when he was under contract for
5 FEMA Emergency Institute. He doesn't get back until March 24, 2014 according to public
6 records obtained by Block.

7 On March 25th, 2014, Block runs an article in the Gold Bar Reporter, reminding the
8 Public of the times she warned readers that Pennington was unqualified by experience and
9 education to run the Department of Emergency Services.

10 In April 2014, the O'Dell and Plivilech set up a PO Box in Sultan, Washington, to
11 communicated with defendant John and Crystal Pennington. Plivelich has never had any
12 business dealings outside of Spokane until Lin O'Dell was assigned as the hearing officer. This
13 was an illegal ex parte contact to further the enterprises scheme of protecting attorneys in the
14 WSBA from discipline while extorting political enemies such as Block so it could continue its
15 domination of the WSBA.

16 In April 2014, Block noticed that the SVC had posted that records were given to them as
17 "courtesy." Interesting since Noel Frederick, Joan Ammen, Susan Forbes, Chuck Lie and
18 plaintiff Block got placed on a priority list and then Gold Bar refused to answer the requests.
19 But the SVC gets public records as courtesy from Gold Bar. This violates Gold Bar Ordinance
20 10-14 (priority answers to public records requests submitting to Gold Bar).

21 In May 2014, after being criminally harassed out of the practice of law, at Block's
22 request, The Supreme Court signed her suspension notice.

23 In June 2014, after defendant Eide and O'Dell were caught having exparte contact about
24 Block while discovery was ongoing after Block requested telephone records from Eide. When
25 Block asked Eide as to why she had calls to O'Dell, Eide unlawfully claimed that they were
26 attorney client communication

27 In June 2014, Plaintiff Block noted defendant Pennington via CR 45 for deposition as it
28 relates to his WSBA complaint. Defendants Reay, Eide and O'Dell's telephone records

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4 document ex parte communication, and Reay's email communication to Eide documents that all
5 three Enterprise members worked together to deny Block's valid CR 45 subpoena for defendant
6 Pennington's testimony as it relates to the WSBA complaint filed by Snohomish County
7 Prosecutor's Reay and King which Pennington falsely certified that he filed. Defendant O'Dell,
8 Reay, and Eide refused to allow a valid subpoena to cover up their criminal conspiracy against
9 Block.

10 In July 2014, Block wrote a story "Kenyon's Dirty Bag of Secrets involving Kenyon
11 Disend involvement in a special prosecution of John Pennington for domestic violence at the
12 same time they were representing Gold Bar and the City of Duvall (where Pennington's ex-wife
13 Anne served as a council member) creating an obvious conflict of interest.

14 In late July 2014, Block went to Snohomish County to collect records. Reay lied stating
15 that she "accosted:" him, as he was coming off the elevator in the Administration building
16 where the Dept. of Information Services is not any where near where Reay was.
17 In fact, Reay never even saw Block as he got off the elevator (he was walking away) and no
18 words were exchanged.

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21 On July 21, 2014, defendants WSBA, Ende, Eide and O'Dell held a hearing supposedly
22 to try the plaintiff Block on a bar complaint charge. Also present were Enterprise members and
23 defendants Beavers, Hill, Loen, and Pennington. The plaintiff appeared by phone. After she
24 was allowed to give her opening statement, she was cut off from the proceeding by hearing
25 officer O'Dell. The rest of the hearing consisted of an illegal ex parte meeting between O'Dell,
26 Eide, Ende and potential grievants Beavers, Hill Loen, and Pennington. .

27 Block has two witnesses, Ed Hiske, and Tami Dutton who will testify that Block was
28 muted out of the hearing. Dutton filed a declaration attesting this issue. Block meets the

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4 definition of disabled under the American Disability Act and appeared by phone so she could use
5 special headsets to participate.

6 In October 2014, Block sent the County PRR seeking all WBSA complaints any
7 Prosecutor filed against other members of the WSBA. The County claims that no records exist.

8 As of December 15, 2014, defendants Fejfar, Beavers, Hill and Pennington acting in
9 concert to further the acts of the Enterprise have posted approximately 56 malicious and
10 intentionally false attack articles on the Sky Valley Chronicle. Emails from King County's Major
11 Crimes Unit's Investigation of Aaron Reardon document defendants, Reardon, Hulten, Parry and
12 Schwarzten posted articles so long as Reardon "approved" the Blog; emails from defendants,
13 Beavers, and Beaston also document that each were given a passcode by defendant Fejfar to
14 login and post articles using defendant Snohomish County and Gold Bar resources. Examples.

15 SVC LARRY DUM DROPS OUT OF GOLD BAR MAYORAL RACE Cites health
16 issues August 21, 2013 meta tags Anne Block, cyber-stalking

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18 Block has been described as possibly the "most despised" woman in the Sky
19 Valley by a man who claims to have been a victim of Block via alleged cyber
20 stalking and who chooses to remain anonymous for fear of more stalking.

21 In an interview with the Chronicle he said he found Block to be, "Perhaps the
22 most cunning, hateful and vicious individual I have ever run across...a stone cold
23 sociopath if you ask me. I believe she has the capacity to one day to become
24 dangerous to the physical well being of people she targets with all this hate talk
25 and lies. It's sheer snake venom that comes out of her mind and mouth." "This is
26 one sick freak," he added. The man said it was his understanding even a sitting
27 judge had filed a complaint against Block. The Sky Valley Chronicle is aware of a
28 group of people who are preparing to file criminal complaints of cyber stalking
do her bidding.

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4 Indeed the Chronicle - as well as current public officials and former public
5 officials with the city of Gold Bar as well as residents the Chronicle has
6 interviewed who claimed to have been stalked by Block.

7 The publication of these threats to file criminal complaints against Block and those
8 associated with Block were part of the extortion scheme and therefore predicate acts under
9 RICO. Block checked with Snohomish County Sheriff's Office and there were no criminal
10 complaints filed against her.

11 All of this was related to similar threats made in connection with the withdrawal from mayoral
12 race by Larry Dunn dated January 8, 2014.

13 One Snohomish County family has been terrorized for six years by a nutcase
14 using the PRA as a weapon of stalking, threats, intimidation and retaliation. The
15 stalker has never been arrested, never stood trial, never did a day in jail. It's all
16 legal and open season on your and your family thanks to the PRA.

17 Another Example, July 12, 2014, Block is "officially labeled as delusional"

18 Sky Valley Chronicle posted in September 2014 " It is yet another bizarre chapter in the
19 arguably strange life and antics of this Gold Bar woman which included, said the attorney in his
20 filing, Block showing up in a hallway near his office door at the Everett county building where
21 he works and verbally accosting him with what one eyewitness described as "a crazed look" on
22 Block's face.

23 On November 29, 2014, since this story was written the Wash. State Bar
24 Association initiated an investigation into Anne Block's behavior and then held a
25 public misconduct hearing for Block due to her alleged gross misconduct as an
26 attorney in this state. Prior to that hearing her law license in Washington State
27 was suspended by the WSBA. At the hearing, the WSBA's investigative counsel
28 concluded after examining quite a few pieces of evidence and talking to
witnesses, that Block did willfully engage in gross misconduct as an attorney -
including egregious actions that damaged a Snohomish County man, John
Pennington and his family - and recommended that Block be disbarred for her
misconduct.

No witness statement were entered into evidence in the WSBA hearing as it relates to Block,

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4 The WSBA refused to turn over a single record in discovery. And since O'Dell and Eide
5 engaged in ex parte communication in their efforts to estopp Block from deposing Pennington,
6 there were no witnesses to support any aspects of the WSBA's defamatory statements.

7 In that report the WSBA Hearing Examiner agreed with the WSBA's investigative
8 counsel that the Gold Bar woman should be disbarred for her misconduct which
9 included, the bar probe found, making (willfully) untruthful comments and
10 accusations as well as altering a document in order to derail the WSBA probe into
11 her misconduct. And the strange story of Block's outrageous and arguably often
12 bizarre behavior as an attorney, not to mention as a human being, do not end
13 there.

14 Since 2008 to Present, defendants, Linda Loen (Loen), Hill, Beavers, Dorothy Croshaw,
15 John Pennington, Crystal Pennington, Kevin Hulten, Diana Rose, Schwartzen, Rudicil, were sent
16 a litigation hold to protect all records from destruction or loss including records native
17 searchable format including metadata until Block's public records cases are litigated; defendants
18 failed to protect all records relating to Block from loss or destruction, even after receiving a
19 litigation hold from Block on February 18, 2014 (four days after the Herald exposed Reardon,
20 Rudicil and Hulten in its article " Reardon's staff linked to harassment" Hulten destroyed
21 evidence and public computers *files*, documented by the King County Major Crime files.
22 Defendant Hulten pled guilty to evidence tampering in this case, laughed at his pleas hearing in
23 this case in July 2014.

24 Since 2010 to December 2013, defendants City of Gold Bar, Beavers, Croshaw, Hill and
25 Wright held city council meetings in violation of Gold Bar Ordinance 2.04.020 which mandates
26 agendas and limits public comments. Instead the City held "Town Hall" style meetings, allowing
27 friends of the council and/or mayor to speak and shout and disrupt meetings freely from the
28 audience.

Defendant Snohomish County delegated its public records responsibilities to Defendant

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4 Aaron Reardon, who in turn designated public records officers for the County and its
5 departments, delegating to them the obligation to respond to public records requests. Defendants
6 John Pennington, Jon Rudicil and Kevin Hulten were Snohomish County employees under the
7 supervision of Snohomish County Deputy Director Gary Haackenson, and under direct authority
8 of Defendant Aaron Reardon during all material times. Plaintiff, after learning of Defendant John
9 Pennington's involvement with Gold Bar Mayor Crystal Pennington (nee Hill) regarding
10 personal legal work on government equipment and servers, filed public records requests with
11 Snohomish County and City of Gold Bar seeking copies of electronic communications between
12 Crystal Hill and between John Pennington. Additional PR requests followed incomplete
13 responses, and upon learning that Snohomish County Executive—Defendant Aaron Reardon---
14 was paying with taxpayer money for out of town trysts with two women. Petitions for recall of
15 elected Snohomish County and City of Gold Bar officials followed, including petitions against
16 Defendants Aaron Reardon and Joseph Beavers, Christopher M. Wright and Florence Davi
17 Martin.

18 Defendant City of Gold Bar refuses to allow public monitoring of its Finance Committee.
19 The Washington State Auditor in December 2013 issued findings against the city as a result of
20 making inter-loan fund transfers to fund litigation with no means to pay back its loans, and cited
21 the City's Finance Committee for failing to fulfil its duties of providing oversight to city's
22 expenditures. Defendant City's Finance Committee operates without public postings, allows city
23 officials only to appoint friends to hide their malfeasance of spending outside of the city's
24 budget, and has no Ordinance permitting such meetings

25 Lovick is currently serving as Executive, and defendants Pennington, and Parry serve at
26 the will (non-union employees) of Snohomish County Executive Lovick. In January 2015, Block
27 learned that defendant Schwartzen resigned from Snohomish County.

28 From 2010 to December 2013, the City of Gold Bar and defendants Beavers, and Martin

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4 used council meetings to publicly ridicule and defame Block's name. Gold Bar residents Susan
5 Forbes video tapes the meetings, and the dates of the defendants listed herein are as follows:

6 Defendant Gold Bar, Beavers, Wright, and Martin called Executive Sessions at which
7 time the City and its attorneys mainly discussed "shutting down the Gold Bar Reporters." Some
8 of these meetings were witnessed by council member and Plaintiff's witness Chuck Lie from
9 2010 until November 2012 (date Lie resigned citing physical threats to his life by defendants
10 Beavers and Wright).

11 Since 2008 to present, Defendant City of Gold Bar council member/s continue to use
12 private email addresses for government communication;

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14 If the plaintiff is allowed to include the additional defendants, the following information
15 would be added to this statement.

- 16 1. State whether the alleged unlawful conduct is in violation of 18 U.S.C. Sections
17 1962(a), (b), (c), and or (d). The alleged unlawful activity is in violation of 18 U.S.C. Sections
18 1962 (b), (c). and (d)
19 2. List each defendant and state the alleged misconduct and basis of liability of each defendant.

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21 Linda Eide, extorted the democratic rights of Anne Block and others by orchestrating a bar
22 violation where Block was disbarred for obstruction for refusing to reveal her sources as a news
23 reporter and refusing , at the behest of public officials on whom Anne Block had reported corrupt
24 activities. Made accusations of Block making false accusations while acting as a newspaper
25 reporter, but Block's accusations were correct.. Participated in numerous ex parte contacts
26 so she could prearrange Block's conviction's conviction. The goal was in in the words of
27 another disciplinary counsel "to send a message" to other attorneys as to what would happen if
28 you turned to the legal system to try and fight the activities of the enterprise. Linda Eide, headed

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4 the prosecution of Grunstein, proceeded to charge and convict without jurisdiction, destroyed
5 evidence.

6 The BOG defendants have been heavily criticized by the ABA for taking part in the
7 disciplinary process which represents a direct conflict of interest. The BOG continues to
8 maintain control over the disciplinary process by making illegal ex parte contacts with the
9 disciplinary board, the Supreme Court, and the disciplinary counsel's office so that discipline is
10 steered away from prosecutors, defense counsel, and large firms and directed toward solo
11 practitioners and minorities as well as political enemies of the enterprise. These political enemies
12 include a disproportionate amount of discipline directed at attorneys in Snohomish County where
13 Anne Block resides. 44% of all attorney discipline in Washington State is directed toward
14 Snohomish County attorneys even though Snohomish County is just a small fraction of the
15 population of Washington. Block learned this from making public disclosure requests in
16 December The reason for this is that prosecutors from Snohomish have dominated the
17 disciplinary process by using corrupt means to dominate key positions and used those positions
18 to further their own corrupt agenda.

19 The. Snohomish County and its prosecutors participate in the RICO enterprise by using
20 county equipment, employee time and resources to carry out the corrupt goals of the enterprise.
21 Snohomish County has dominated the activities of the Washington State Bar Association to an
22 inordinate degree so that 49% of all lawyer discipline is directed at attorneys in Snohomish
23 County. It accomplishes this by extorting the democratic rights of opponents of the RICO
24 enterprise.

25 3. List the alleged wrongdoers, other than the defendants listed above, and state the alleged
26 misconduct of each wrongdoer.

27 Christine Gregoire, through her agents, orchestrated the cover-up of the unethical activity in the
28 attorney general's office, so that she would not be held accountable for her own misconduct,

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4 when she ran for Governor.

5 Loretta Lamb, first chair on the Beckman case, who conspired with Gregoire to coverup the
6 unethical activities of both Gregoire and Lamb

7 Timothy L. Leachman wrongfully initiated the prosecution of Doug Schager by fabricating
8 charges so that Grant Anderson would not be held accountable for his unethical activities.

9 Grant Anderson sought and received the aid of the enterprise who failed to prosecute him for
10 unethical activities involving a client's trust account.

11 Bobbe Bridges enlisted the aid of the enterprise in avoiding drunk driving charges being brought
12 against her as a bar violation

13 Christine Grey, headed the prosecution of Douglas Schafer, covering for Grant Anderson, made
14 a retaliatory prosecution of Jeffery Poole, who was eventually disbarred

15 Linda Eide, headed the prosecution of Grunstein, proceeded to charge and convict without
16 jurisdiction, destroyed evidence.

17 Jonathan Burke, headed prosecution of Steve Eugster, prosecution in retaliation for free speech
18 right, conviction based upon hearsay testimony of incompetent dead person.

19 Henry Judson III is a Seattle attorney who exploited a conflict of interest against Evangeline
20 Zandt without giving written notice of the conflict to either the client or the court.

21 4. List the alleged victims and state how each victim was allegedly injured. The specific victims
22 were Doug Schafer, John Scannell, Paul King, Bradley Marshall, Robert Grundstein, Steve
23 Eugster, Karen Unger, and Alfoster Garrett. Evangeline Zandt, Michael Chiofar Gummo Bear,
24 Matthew Little. General victims include the members of the Washington State Bar Association
25 and the taxpayers of Washington. The individual attorneys have had their law practices
26 destroyed or severely hindered. Alfoster Garrett and Bradley Marshall have been victims of
27 racial discrimination practiced by the bar. Matthew Little has had his constitutional right to an
28 attorney taken away because of conduct of Kitsap Public Defenders Office. Evangeline Zandt

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4 may have lost over \$150,000 of money that should have been recovered for her. Michael
5 Chiofar Gummo Bear has been denied adequate representation. The members of the Washington
6 State Bar Association have been intimidated into giving up some of their democratic rights as
7 members of the Washington State Bar Association. The public has been damaged as the
8 Washington State Bar Association allows attorneys to practice in violation of the rules of
9 professional conduct.

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11 5. Describe in detail the pattern of racketeering activity or collection of unlawful debts alleged
12 for each RICO claim. A description of the pattern of racketeering shall include the following
13 information:

14 a. List the alleged predicate acts and the specific statutes which were allegedly violated.

15 b. Provide the dates of the predicate acts, the participants in the predicate acts,
16 and a description of the facts surrounding the predicate acts.

17 c. If the RICO claim is based on the predicate offense of wire fraud, mail fraud, or fraud in the
18 sale of securities, the "circumstances constituting fraud or mistake shall be stated with
19 particularity." Fed. R. Civ. P. 9(b). Identify the time, place and contents of the alleged
20 misrepresentations, and the identity of persons to whom and by whom the alleged
21 misrepresentations were made.

22 d. State whether there has been a criminal conviction for violation of the predicate acts.

23 e. State whether civil litigation has resulted in a judgment in regard to the predicate acts. Civil
24 litigation in Eugster, Marshall,

25 f. Describe how the predicate acts form a "pattern of racketeering activity."

26 g. State whether the alleged predicate acts relate to each other as part of a common plan. If so,
27 describe in detail.

28 1. The RICO defendants have organized an enterprise which has now dominates and

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4 controls Washington State Bar Association, preventing it from performing its functions as
5 intended by law. They have caused the WSBA to masquerade as a state agency that claims to
6 protect the public against unethical attorneys through a judicial or quasi-judicial process that is
7 unbiased, neutral, and fair. In fact, the organization has become beholden to the corrupt goals of
8 the enterprise which is to allow unethical activity of the enterprise through the use of wire fraud,
9 bribery, extortion, intimidation and fear.

10 2. The misrepresentations made by the defendants have been continual for the past 15
11 years. They have been constantly portrayed in press releases and on their web site WSBA.org.
12 The following, which is an excerpt from the website is typical of the chief misrepresentations.

13 All lawyers admitted to practice law in Washington are subject to lawyer
14 discipline.
15 The lawyer discipline system protects the public by holding lawyers accountable
16 for ethical misconduct.

17 3. In fact, the above misrepresentations are false as the enterprise, which now controls
18 the Washington State Bar Association does not hold all attorneys accountable to the Rules of
19 Professional Conduct or other ethical rules. The lawyer discipline system does not protect the
20 public. The system does not hold lawyers accountable for ethical misconduct.

21 4. The above representations are material to both the public and to attorneys in the
22 system as the public is entitled to a disciplinary system that polices ethical conduct, and other
23 attorneys need a system that makes sure that ethical attorneys are not taken advantage of by
24 unethical attorneys.

25 5. In making the above misrepresentations, the RICO defendants know the
26 representations are false. The defendants intended to induce reliance on the representations by
27 both the plaintiff, other attorneys, and the public. At all times relevant to this complaint, the
28 plaintiff was unaware that the representations by the defendants were false and relied upon their

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4 truth. The plaintiff had a right to rely on it and has suffered damages as a result.

5 4. In asserting their plenary control powers, the defendant Supreme Court justices hold
6 undisclosed private ex parte contacts with disciplinary counsel including defendant Busby, the
7 defendant Washington State Board of Governors, the Washington Disciplinary Board, even
8 when the disciplinary counsel acts an investigator which is a police function

9 5. They hold these ex parte meetings in private settings organized by the Washington
10 State Bar Association, not by the Washington State Supreme Court. Their scheme to allow
11 Washington attorneys have one of the least enforced disciplinary systems in the country is the
12 common plan.

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

22 7. These activities attracted the attention of the defendants who targeted Scannell's legal
23 practice for elimination because the embarrassment these suits were bringing to prosecutors and
24 to large firms who represented Scannell's opponents, who were supporters of the corrupt aims of
25 the enterprise.

26 8. In 1996 Doug Schafer attracted the attention of the enterprise when he filed a
27 complaint with the Washington State Bar Association against a corrupt judge, Grant Anderson,
28 who violated the Rules of Professional Conduct when he was an attorney by illegally milking the

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4 estate of an elderly client. The Enterprise refused to prosecute the judge, claiming there was no
5 wrongdoing.

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

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

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

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

26 13. In 2009 Pope was targeted for discipline when he was “temporarily” suspended for
27 three years because he raised a mental disability as a defense to some bar complaints.
28 Eventually he was given a reprimand in 2012, but the motive for the three year non-disciplinary

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4 suspension, was political because he a an opponent of Gregoire who is an avid supporter of the
5 enterprise.

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

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

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

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

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8 17. Paul Simmerley is an attorney who has been a harsh critic of the WSBA Office of
9 Disciplinary Counsel. He publicized the payment of sanctions in the Karen Unger case to the
10 rest of the membership. In March of 2007, the Bar audited his trust accounts retroactive to 2004.
11 Eight cases of his clients were involved in his disciplinary proceeding, but he had hundreds of
12 cases from other clients over a continuous 32 year legal career which were not. Further, Three of
13 those eight cases were among the top-five most successful he have ever had in his 32 year legal
14 career, successful results under a variety of very difficult circumstances for an incredibly low
15 fee. Where the attorney has cases for which he is being subjected to possible discipline as his
16 most successful in a 32 year career - was unprecedented for the typical disciplinary proceeding
17 where there is usually bad legal work by the attorney or over-billing or both.

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19 18. For five years, the Bar conducted an exhaustive, comprehensive audit of his Trust
20 Account and investigated his practice and contacted and interviewed all of his clients at least
21 since 2004 and exhaustively litigated these eight matters in the disciplinary proceeding. Yet,
22 despite all of that, he was ordered to refund money to only one client and that refund was
23 disputed – because the client had approved in writing his division of her case settlements
24 proceeds, thanked him profusely and cashed the check he sent her - and her case did not involve
25 any Trust Account issues. That case should have been a contract dispute, not a bar violation.
26 The money that was in his Trust Account went to the right place and that was done . Further, he
27 saw to it that the money went to the right place before the Bar Association became involved for
28 the first time in March of 2007. He did not have to be forced to do this. All of the above was
uncontroverted.

19. His billing rate was \$200 per hour which is well below the going rate for an attorney

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4 of his years in practice and experience. In addition, the total amount of his fees charged to his
5 clients, obviously the most meaningful figure to a client, has also been extremely reasonable. In
6 his 32 years of legal practice, in cases where the amount of fees charged by his opposition has
7 been disclosed, He was not aware of any case where my fees have exceeded my opposition's
8 fees None of this was of any concern to the WSBA..

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

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

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

26 23. Ms. Unger's reputation as a good defense counsel attracted the attention of the
27 Office of Disciplinary Counsel and the Enterprise, which is pro prosecutor. It brought charges
28 on February 12, 2012, which were so frivolous that the hearing officer who heard the case stated
in his decision that if he could award sanctions he would. Eventually the WSBA settled for over

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4 \$70,000 in sanctions which the membership of the WSBA had to pay.

5 22. In 2000, the plaintiff Scannell filed a grievance against Christine Gregoire, who at
6 the time of the filing of the complaint in this case, was the governor of the State of Washington.
7 In this grievance Scannell charged that Ms. Gregoire was negligent in supervising her
8 subordinate Janet Capps who failed to file a notice of appeal in a timely fashion, which cost the
9 taxpayers the right to have a \$17 million appeal heard. (See *Beckman v. State*, No. 25982-6-II
10 (Wash.App.Div.2 08/21/2000) (hereinafter referred to as the “Beckman case”. At the time, the
11 \$17 million judgment was the largest judgment in Washington’s history

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

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

24 25. These representations were false. In fact, Gregoire, and Loretta Lamb were
25 responsible for the waste of taxpayers moneys because of the disorganization in Gregoire’s
26 office (See court of appeals findings in the Beckman case). In fact, Gregoire’s office had failed
27 to file a timely appeal in a \$1.6 million just one year earlier. The disciplinary board and
28 disciplinary counsel office knew that their representations to the taxpayers was false, that the

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

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

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

18 27. Scannell filed more grievances against Ms. Gregoire on another case, unrelated to
19 the Beckman case, where she committed a similar violation. Ms. Gregoire requested and the
20 Disciplinary Board granted, an indefinite stay of the investigation of the grievance. The act of
21 granting an indefinite stay in the

22 28. At the time Scannell was filing the complaint, he was working for the Law Offices of
23 Paul H. King.

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

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

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

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

33. The disciplinary counsel then turned its attention on Paul King in retaliation for Mr. Scannell's filing of the Gregoire grievance. The Washington State Bar Association deviated from its standard practice of rarely performing more than a perfunctory investigation on bar

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4 complaints by investigating anything it could learn about the King firm. It first demanded trust
5 account records for his entire firm when it did not have adequate cause to do so. This was done
6 to “send a message” to Paul King that Scannell’s grievance threatened exposure of the
7 racketeering enterprise. As such it was a predicate offense under RICO as a classic extortion
8 scheme outlawed by the Hobbs Act..

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

14 35. John Scannell became an attorney in May of 2001.

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

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

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

39. Unknown to the racketeering enterprise, Paul King also pleaded guilty to a three year

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4 suspension in federal court part of which was reciprocal in nature. This was contained in a
5 sealed court file in United States District Court, Western District of Washington.

6 40. During the Marshall's career as an attorney, the defendants engaged in
7 institutionalized systematic racism in connection with the operation, control and structure of its
8 lawyer disciplinary system in Washington State. The pervasiveness of this discrimination can be
9 documented through factual and empirical studies which will confirm that African-American and
10 ethnic minorities are substantially more likely to be disciplined than Caucasian lawyers in
11 Washington State.

12 41. Each of the defendants have engaged in disparate treatment of African-American and
13 ethnic minorities through the use of facially neutral policies and practices that have a disparate
14 discriminatory impact on African-American and ethnic minority lawyers.

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

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

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

27 45. It is beyond dispute that African-American and other ethnic minorities have long
28 been victims of discriminatory treatment in public accommodations and have been deprived

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4 from equal opportunity in employment, education, housing and otherwise to participate in the
5 American dream, simply because of the color of their skin.

6 46. Defendants are aware that African-Americans and ethnic minorities have long been
7 unrepresented and/or under-represented in the legal system and are susceptible to disparity in
8 treatment due to racial discrimination. The defendants have utilized policies and procedures that
9 have adversely impacted African-American and ethnic minority lawyers.

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

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

24 37. On October 1, 2002, the Washington State Supreme Court defendants implemented
25 ELC 5.5.

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

28 39. The rule allows a disciplinary counsel to secretly issue a subpoena to anyone he

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4 wants, demanding testimony and records without notifying the target of an investigation notice.
5 Since the witness usually has no idea as to what is being investigated, he has no ability to object
6 to any of the questioning on the basis of relevancy.

7 40. The attorneys who the depositions are about, since they have no right to notice,
8 cannot object. Thus there is no limit to the scope of the questioning. There is no provisions for
9 filing for protective orders to limit the scope of questioning. It is the modern day equivalent to a
10 star chamber.

11 41. In 2003, the Washington State Bar Association recommended the discipline of Doug
12 Schafer

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

17 107. On April 4, 2003, defendant Danielson secretly negotiated a contract where he
18 would work for the Washington State Bar Association as the “Chief Hearing Officer.” Members
19 of the enterprise negotiated the contract to further their goal of domination of the legal
20 profession of Washington through corrupt means.

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

28 43. In 2003, plaintiff Scannell began representing Stacy Matthews and Paul Matthews

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4 over criminal charges that had been filed against both of them. Before his representation began
5 he verbally told both of them that there might be a potential problem of a conflict of interest
6 arising in the future. He stated that if that occurred, that he would have to withdraw
7 representation of both of them. Stacy Matthews and Paul Matthews knew this, but wanted
8 Scannell to represent them anyway. The reason for this was the criminal charges were being
9 initiated by Mr. Matthews former employer and they did not want the criminal charges to impact
10 the civil suit they had hired Scannell to file on their behalf.

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

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

25 46. The sentencing was presided over by Judge Comstock. At the hearing, there was
26 some concern expressed by the judge that a potential conflict of interest existed in the case and
27 wondered if it had been adequately explained to them by counsel. The judge asked each
28 defendant what his counsel had told them about the potential conflict. At the time, both

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4 defendants told the judge what the potential conflicts were and affirmed it had been explained to
5 them by counsel. After the discussion, the judge was satisfied there was no problem in the
6 acceptance of the pleas and ratified the agreement.

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8 110. In 2004, when one targeted attorney, Jeffery Poole, had his counsel attempt to
9 utilize the rules to file a protective order against an oppressive request, the disciplinary board
10 ruled on the motion by refusing to exercise their jurisdiction. *In re Disciplinary Proceeding*
11 *Against Poole*, No. 200, 193 P.3d 1064, 164 Wash.2d 710 (Wash. 10/09/2008). An agreement
12 was reached between Poole's counsel Kurt Bulmer, and disciplinary counsel, Christine Grey to
13 have the issue heard before defendant Alexander.

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

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

23 116. On January 14, 2005, WSBA hearing officer Tina Killian submitted her first known
24 employment application for a WSBA disciplinary counsel position. She then presided in *In re*
25 *Eric C. Hoort*, Pub. File No. 04-00037, without recusing herself or notifying respondent's
26 counsel in that case. Neither James Danielson, the WSBA's chief of hearing officers, the
27 WSBA's disciplinary counsels, nor anyone else at the WSBA took any action after learning of
28 this and did not remove her from the hearing officer list. The actions of making an ex parte
contact with a prosecutor and attempting to extract a "job" from the disciplinary counsel is

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4 attempted bribery and a predicate act under RICO. By not disclosing her ex parte contacts she
5 committed misrepresentation by omission, which is a violation of RPC 4.1. She used the mails
6 to commit her misrepresentation so that was mail fraud, a predicate offense under RICO.

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8 47. Also in 2005, members of the enterprise targeted Bradley Marshall for prosecution
9 for alleged violations of the RPC violations which led to a suspension on May 10, 2007. The
10 selection and prosecution of Marshall was racially motivated and an extortion attempt to prevent
11 Marshall from exercising his rights as a WSBA to prevent and fraud perpetuated by the
12 enterprise. During the prosecution of Marshall, attempts were made by the enterprise to bribe
13 the hearing officer. The charging and prosecution of Marshall in this fashion were predicate
14 acts under RICO.

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

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

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

119. The other subpoena was issued pursuant to WSBA file # 05-00873, which was

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4 related to a WSBA complaint filed against Scannell's client Paul King by King's client Kurt
5 Rahrig.

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

8 121. The documents subpoenaed would have included records covered by the attorney-
9 client privilege, arising from Scannell's representation of King. This included, e-mail
10 consultations regarding the drafting of legal documents and pleadings regarding how King
11 should respond to allegations of misconduct.

12 122. The documents subpoenaed would have included all electronic versions of drafts of
13 different pleadings made by Scannell and King

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

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

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

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

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

28 128. King was not notified of Scannell's deposition.

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

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

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

11 132. Scannell was not notified of the King depositions.

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

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

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

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

23 136. No notice was provided to Paul King nor plaintiff Scannell.

24 137. Neither King nor Scannell had any knowledge of the deposition.

25 138. Neither King nor Scannell attended the Maurin deposition.

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

28 140. Since Mark Maurin did not have counsel and did not possess knowledge as to what the

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4 investigation was about, he had no way of knowing what questions were privileged or when he
5 could object on the basis of privilege.

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

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

10 146. This motion was never ruled upon by the Disciplinary Board nor the Chief Hearing
11 Officer.

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

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

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

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

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

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

28 153. The Washington State Bar Association asserted that Scannell aided King in the

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4 unauthorized practice of law in a case in Federal Court in Virginia.

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

9 156. The WSBA asserted that Scannell assisted King in the practice of law, but it is
10 unclear whether or not Rahrig alleged that Scannell engaged in any misconduct. Scannell
11 maintained in his response that he was never consulted regarding the Rahrig matter. He
12 additionally maintains that he is not a partner of King, and did not associate on the case with
13 King. All parties agree that Scannell and Rahrig only met briefly on one or two occasions, that
14 Scannell never performed any legal services for Rahrig, and that Scannell never agreed to
15 represent Rahrig. However, even though alleged activity was before a tribunal in Virginia, the
16 plaintiff was subjected to the unconstitutional subpoena in Washington, in violation of
17 Washington's RPC 8.5(b).

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

27 158. Rahrig asserted that King engaged in the unauthorized practice of law by
28 participating in a case in Federal Court in Virginia while suspended from the State Bar

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4 Association in Washington. While Washington law requires bar complaints connected with a
5 court in another state be tried under the law of the state where the tribunal sits, the plaintiffs
6 refused to do so, as they wanted to use unconstitutional subpoena powers bestowed upon them
7 by their fellow co-conspirators of the enterprise on the Washington State Supreme Court. King
8 filed a protective order motion on November 21, 2005 challenging Washington's jurisdiction to
9 conduct the deposition.

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

14 160. On December 5, 2005, Tina Killian was appointed to preside over the Marshall's
15 disciplinary case in the *Rheubottom* matter. When she was appointed, she failed to disclose her
16 earlier job application committing misrepresentation by omission under RPC 4.1. Her
17 subsequent communications by mail were thus mail fraud, a predicate act under RICO.

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

22 162. The Chairman's decision to issue an order, contradicted the precedent established in
23 the Poole case, whereby the Chairman of the Disciplinary Board declined jurisdiction to rule pre-
24 charging deposition. The plaintiff was put in a "no win" situation, no matter how he chose to
25 exercise his rights, the defendants would change the rules so that plaintiff's would always be
26 "wrong" and "frivolous." Since Washington Court Rule 30 does not allow for enforcement of a
27 subpoena while a protective order is pending, as since both the Disciplinary Board and the
28 Washington State Supreme Court refuse to rule on the protective order, all actions taken against

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4 Scannell from this point in time forward are null and void as they are attempts to enforce a
5 subpoena for which a motion to terminate the deposition had not been ruled upon.

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

9 164. Acting on the “order” issued the previous year in WSBA cases # 05-00874 and #
10 05-00302, disciplinary counsel Busby attempted to reschedule the depositions of plaintiff
11 Scannell in a deposition notice dated April 20, 2006.

12 165. Busby rescheduled the Matthews’ deposition for May 11, 2006 in WSBA case #05-
13 0032. The Rahrig deposition was rescheduled for May 19, 2006 in case #05-00874.

14 166. On May 2, 2006, less than twenty days before the hearing for Bradley Marshall was
15 scheduled to start, the WSBA filed its First Amended Formal Complaint, adding three new
16 counts. On May 16, 2006, Ms. Killian allowed the WSBA’s filing of its First Amended Formal
17 Complaint.

18 167. Scannell attended the deposition on the Matthew’s grievance on May 11, 2006 and
19 answered all questions proposed to him.

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

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

28 170. On June 1, 2006, disciplinary counsel forwarded an order to Ms. Killian for

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4 signature. Within hours they learned of Tina Killian's application, but took no action. The
5 failure to notify Marshall was an act of misrepresentation by omission, a violation of RPC 4.1.
6 In all of her subsequent communications, her failure to mention the ex parte contact was
7 therefore mail fraud, and attempted bribery, both predicate offenses under RICO.

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

13 176. On June 20, 2006, disciplinary counsel informed Kurt Bulmer, Marshall's attorney,
14 of Tina Killian's application, but refused to disclose other relevant information. The failure to
15 disclose other relevant information was misrepresentation by omission, and a fraud upon the
16 court. This was a predicate offense under RICO. On June 22, 2006, a letter was sent to Killian
17 requesting she recuse herself. On June 26, 2006, Ms. Killian recused herself.

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

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

25 183. On August 10, 2006, James Danielson, appointed himself to preside over Mr.
26 Marshall's prosecution. However, when he appointed himself, he made no disclosures to
27 Marshall of his conflict of interest created by the payment of his salary by the WSBA and the
28 kickback of part of his salary to defendant Bastian, who was the president of the WSBA. He

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4 notified Marshall by mail committing an act of misrepresentation by omission under RPC 4.1
5 and mail fraud under RICO.

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

8 193. On December 14, 2006, Kurt Bulmer issued a subpoena to Tina Killian and the
9 WSBA requesting all documents regarding Killian's employment applications. The WSBA
10 moved to quash and opposed all discovery requests that could have revealed whether Danielson
11 provided training on the ethical propriety of hearing officers' efforts to obtain employment with
12 the WSBA, the WSBA's willingness to interview a hearing officer for the position of
13 disciplinary counsel while the hearing officer is presiding over an ongoing case, and what role
14 Killian's training, or lack thereof, had in her decision to not disclose her effort to obtain
15 employment with the WSBA while serving as a hearing officer. The WSBA opposed a request
16 to depose Killian. Danielson signed an order quashing the December 14, 2006 subpoena *deuces*
17 *tecum* and disallowed Killian's deposition. Other than some greatly redacted sheets of paper, all
18 discovery was disallowed by James Danielson.

19 194. During his prosecution of Marshall, Danielson identified with and was an advocate
20 for the WSBA, sending letters on WSBA letterhead, the same letterhead disciplinary counsel
21 used, issuing orders on WSBA pleading paper, the same pleading paper disciplinary counsel use,
22 and thanking witnesses on behalf of the WSBA, not on behalf of all parties. By appointing
23 himself as hearing officer, after all preemptory dismissals were used, by denying the deposition
24 of WSBA personnel and Killian and by precluding the discovery of other instances where Killian
25 served as hearing officer, through the issuance of a protective order, he in effect insulated
26 Killian, disciplinary counsel and the WSBA from the rigors of constitutional impartiality and
27 fairness. He also issued an order, directing the parties to not discuss Killian's actions with third
28 parties and his refusal to grant Marshall's motion to vacate Killian's order allowing the filing of

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4 the WSBA's First Amended Complaint and other orders, allowed the prejudicial effect of
5 Killian's conflict of interest and unconstitutional actions to go uncured. All of these actions
6 were an attempt to corrupt the legal process and were therefore predicate acts under RICO.

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

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

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

13 179. On July 5, 2006, Scannell again refused to testify because his client Paul King had
14 not been notified of the deposition. Under the rules that were in effect at that time, John
15 Scannell would have had to turn over attorney client information that had been subpoenaed
16 because he had no right to assert attorney client privilege under ELC 5.4. However, Mr. King
17 had a right to assert attorney client privilege if he had been notified of the deposition.

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

21 181. On July 20, 2006, King filed a motion for a protective order, this time complaining
22 that Scannell had not been given 5 days notice as a party to the deposition as required by ELC
23 5.5 and CR 30 in case # 05-0085480. On July 20, 2006, Busby attempted to take deposition of
24 Paul King in case # 05-00854.

25 182. Meanwhile, in August of 2006, the American Bar Association released another
26 critical report on Washington State's lawyer discipline system. It was criticized for allowing
27 having the WSBA play a dominant role in the disciplinary process recommended that the court
28 should distance the disciplinary process from the Washington State Bar Association. Among its

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4 criticisms were that the “ability of the disciplinary counsel’s office to operate with the
5 adjudicative function of the system was at risk”. The report cited the Board of Governors
6 supervisory control over the Disciplinary Board and the disciplinary counsel as examples of
7 improper political influence over the disciplinary process and criticized the WSBA for being the
8 grievant in many of the cases that came before the Board.

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10 184. On August 17, 2006, Gail McMonagle (McMonagle), a new chairperson of the
11 WSBA Disciplinary Board issued an “order” on behalf of the Washington State Bar Association
12 denying Scannell’s motions in case #05-00874.

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

15 187. King’s second motion for protective order was denied on September 20, 2006 by
16 McMonagle in case # 05-00854.

17 188. Scannell’s reconsideration motion was denied with another “order” from
18 McMonagle on September 21, 2006.

19 189. Both King and Scannell considered McMonagle’s order void because she acted
20 beyond her authority.

21 190. In addition Scannell refused to follow McMonagle’s order because it ordered
22 attorney client privileged documents produced before appeals could have been completed. On
23 October 16, 2006, John Scannell filed an action in King County Superior Court case # 06-2-
24 33100-1 SEA which sought a ruling on the validity of the subpoena.

25 191. Shortly thereafter, a copy was faxed to Scott Busby, one of the defendants.

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

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

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

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

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

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

14 200. Any similar argument by Scannell would have been futile.

15 201. On February 7, 2007, the Chairman of the Disciplinary Board denied King's motion
16 to vacate on the basis that two members were not considered a quorum in WSBA case # 05-
17 00854.

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

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

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

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

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

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

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

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

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

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

24 211. Also, on March 28, 2007, a meeting of the Discipline Committee Task Force #1 of
25 the Board of Governors was held. Defendant Supreme Court Justice Susan Owens was a
26 member of the committee, and was not present, but was notified of the results of the meeting by
27 e-mail. Also present was a representative of the Disciplinary Counsel's Office and members of
28 the Board of Governors. These were undisclosed ex parte contacts that attempted to fraudulently

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4 corrupt the legal process by influencing judges and members of the Disciplinary Board and as
5 such were predicate acts under RICO.

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

9 213. The decision by Danielson had nothing to do with evidence or based on any legal
10 principles. Instead it was a fraudulently issued decision whose sole purpose was to punish
11 Marshall for speaking out against the enterprise, to discriminate against him on the basis of his
12 race, and to serve as a warning to other attorneys what would happen to them if they did not
13 cooperate and pay homage to the protection racketeering enterprise. It was sent through the mail
14 and fraudulently portrayed as some kind of legitimate legal decision, even though the results
15 were predetermined by a corrupt judiciary who violated their own code of judicial conduct in
16 order to pressure the hearing examiner to do the dirty work of the enterprise. By fraudulently
17 issuing its corrupt decision without due process and in violation of the constitutional rights of the
18 Marshall and then using the mail system to accomplish its corrupt ends, defendant Danielson
19 committed a predicate act of mail fraud, and extortion under RICO.

20 214. The decision issued by Danielson included the use of a selection procedure, that has
21 an adverse impact on minorities. This selection procedure is to allow the WSBA act as a
22 complainant and be given unbridled discretion in conducting its prosecution including using ex
23 parte contacts and other illicit methods to influence judges, while extorting cooperation from
24 attorneys who do not pay homage to the enterprise. It has an adverse impact on minorities
25 without a legitimate business related purpose and therefore constitutes racial discrimination
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27 ¹ “An attorney has a cognizable due process right to be notified of the clear and specific charges and to be afforded
28 an opportunity to anticipate, prepare, and present a defense.” **In re Disciplinary Proceeding Against Romero**, 152
Wn.2d 124, 136-37, 94 P.3d 939 (2004).

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4 under Title VII. In addition, Marshall can demonstrate that the WSBA's actions constitute
5 disparate treatment compared to Caucasian attorneys with an intent to discriminate and therefore
6 also constitutes racial discrimination under Title VII. The act of using racial discriminatory acts
7 against Marshall also constituted an attempt to steer the market for attorneys against Afro-
8 American attorneys and sole practitioners.

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

14 216. For example on April 3, 2007, a meeting of the Discipline Committee Task Force
15 #1 of the Board of Governors were held. Defendant Supreme Court Justice Susan Owens was a
16 member of the committee, and was present. Also present was a representative of the
17 Disciplinary Counsel's Office and members of the Board of Governors. These were undisclosed
18 ex parte contacts that attempted to fraudulently corrupt the legal process by influencing judges
19 and members of the Disciplinary Board and as such were predicate acts under RICO.

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

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

219. On May 8, 2007, King was charged by disciplinary counsel, in part for objecting to

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4 his loss of attorney client privilege and for objecting to the subpoena.

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

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

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

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

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

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

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

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

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

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

20 231. He also did not disclose the substance of the conversations.

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

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

27 234. Scannell brought this motion for cause because the hearing officer was not
28 following ELC 10.12 for scheduling the hearing. The rule explicitly calls for motion to be filed

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4 before a hearing can be set, but Weshler attempted to set a hearing without a motion.

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

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

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

15 238. On that same date, defendant Danielson, as he had in the Marshall case, appointed
16 himself as a hearing officer.

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

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

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

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

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

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

12 246. They raised a number of other arguments, including the argument that the
13 defendants had failed to include Washington State Supreme Court members as defendants.

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

17 248. Scannell and King were denied by the King County Superior Court in case # 06-2-
18 33100-1 SEA for lack of jurisdiction on August 8, 2007. In his ruling King County Superior
19 Court presiding Judge Erlick at no point considered Scannell or King's arguments frivolous,
20 stating he understood their arguments and they were debatable, but nonetheless considered them
21 mistaken.

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23 250. On September 19, 2007, members of the Disciplinary Committee of the Board of
24 Governors, including Disciplinary Counsel Ende and Board of Governor members Bastian, Doug
25 Lawrence, Weldon, Mungia, and Littlewood met.

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

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4 252. King was not notified, nor were his arguments discussed.

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

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

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

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

28 257. The Disciplinary Board upheld the disbarment recommendation of Marshall on

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

14 258. Beginning on or about November 2008, the individual defendants again began
15 making undisclosed ex parte contacts, this time for the purpose of amending the ELC’s in
16 response to the report of the American Bar Association. The name of the committee was the
17 “ELC Drafting Task Force.” On November 20, 2008, defendant Carpenter, attended a meeting
18 with defendant Busby and disciplinary counsel Beitel, Disciplinary Board member Fine,
19 Defendant Danielson, and office of General Counsel Turner. Defendants Barbara Matson, Susan
20 J. Owen, Gerry L. Alexander, Charles W. Johnson, Richard B. Sanders, Tom Chambers, Mary E.
21 Fairhurst, James M. Johnson, and Debra L. Stephens sent a representative-agent to the meeting
22 named Sullins who would keep them abreast of what was going on. These were undisclosed ex
23 parte contacts that attempted to fraudulently corrupt the legal process by influencing judges and
24 members of the Disciplinary Board and as such were predicate acts under RICO.

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

28 260. On March 11, 2008, hearing officer David Martin Schoeggl refused King’s motion

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4 for a stay.

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

7 262. On March 21, 2008, the disciplinary chair denied plaintiff King's motion for
8 recusal.

9 263. On April 14, 2008, defendant Schoeggl denied motion for recusal.

10 264. On April 16, 2008, plaintiff King appealed denial of motions for recusal to full
11 board.

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

14 266. King's trial began on April 28, 2008.

15 267. On September 19, 2008, hearing officer Schoeggl recommended discipline in the
16 King case.

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

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

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

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

26 272. Scannell's trial began on December 1, 2008.

27 273. On December 16, 2008, defendant Busby filed more charges against Paul King.

28 274. On January 7, 2009, plaintiff Scannell filed an answer on behalf of King to the

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4 December 16, 2008 complaint.

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

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

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

12 278. On February 19, 2009, plaintiff King filed a timely notice of appeal to the
13 Washington State Supreme Court.

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

22 280. The King County Superior Court's decision in case # 06-2-33100-1 SEA to dismiss
23 Scannell and King's suit for lack of jurisdiction was upheld by the Washington State Court of
24 Appeals on April 10, 2009

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

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

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

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

23 285. In its decision the Washington State Supreme Court issued enhanced penalties for
24 King for challenging the misconduct of the Disciplinary Board and the hearing officer and
25 challenging the subpoenas in King County Superior Court.

26 286. On June 30, 2009, plaintiff King filed a timely motion for reconsideration,
27 authenticating the exhibits in question.

28 287. Defendant Carpenter never filed the motion for reconsideration in a timely fashion.

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

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

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

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

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

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

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

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

10 295. Mr. Marshall was not charged with filing a frivolous lawsuit as part of the
11 disbarment proceedings. This is clear intent on the part of Mr. Busby and the Washington State
12 Bar Association as a whole, to retaliate against Mr. Marshall and others as well as submit an
13 improper “Send a message” argument to the decision-makers. See *State v. Powell*, 62 Wn. App.
14 914, 816 P.2d 86 (1991), review denied, 118 Wn.2d 1013 (1992).

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

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

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

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

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

6 302. Seth Fine's memo of September 4, 2009 along with the ODC memo of June 26,
7 2009 were in direct contradiction to the representations the disciplinary counsel's office made in
8 the Scannell case. According to paragraph 76 of the Scannell charging complaint, his motion
9 allegation that there was no authority for the chairman to rule on a protective order was
10 "frivolous".

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

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

19 305. On September 29, 2009, Scannell filed a timely notice of appeal of the September
20 1, 2009 recommendation to discipline him.

21 306. The King County Superior Court's decision in case # 06-2-33100-1 SEA to dismiss
22 Scannell and King's suit for lack of jurisdiction was upheld by the Washington State Supreme
23 Court on September 30, 2009.

24 308. On October 5, 2009, plaintiff Scannell timely filed a notice of appeal to the
25 Washington State Supreme Court.

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

28 310. This mandate has yet to be acted upon.

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

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

10 314. At the hearing, Fairhurst refused to disqualify herself.

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

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

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

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

22 319. Furthermore defendants Fairhurst and Chambers were both past presidents of the
23 Washington State Bar Association, who was a party and complainant in the Scannell case.

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

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

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

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4 disqualify.

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

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

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

15 325. On November 30, 2009, Scannell brought motion for reconsideration which was
16 denied.

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

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

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4 RICO.

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

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

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

11 331. Washington State Supreme Court Clerk Carpenter refused to process the mandamus
12 and prohibition actions on March 1, 2010

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

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

26 334. Scannell filed an objection to the Clerk's Ruling on March 31, 2010 using RAP
27 17.7.

28 335. Carpenter refused to process objection on April 5, 2010.

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4 336. Any further efforts to appeal would be futile.

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

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

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

21 339. At this meeting, the Chairman of the Disciplinary Board, Seth Fine, proposed a new
22 ELC 5.5, which “would allow” an attorney to raise confidentiality concerns during an
23 investigative subpoena.

24 340. One purpose of this change would be to take “discipline for non-cooperation off the
25 table” where an attorney tried to raise confidentiality concerns.

26 341. This was an undisclosed ex parte contact over a material issue that was pending
27 before the Washington State Supreme Court in the Scannell and King cases. These were
28 attempts to fraudulently corrupt the legal process by influencing judges and members of the

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4 Disciplinary Board and as such were predicate acts under RICO.

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

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

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

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

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

23 347. On June 14, 2010, Plaintiff Scannell filed a Motion for Relief From Court Order or
24 Judgment.

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

27 349. On June 29, 2010, Carpenter dismissed motion Scannell's motion without
28 prejudice, pending filing of new motion.

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

6 352. On July 13, 2010, Plaintiff Scannell resubmitted Motion for Relief from Court
7 Order or Judgment.

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

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

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

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

18 358. Scannell was disciplined on September 9, 2010.

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

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

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

28 362. Since Scannell had attended the deposition there was no basis for finding him guilty

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4 of failing to cooperate in count 2 of the charges filed against him.

5 363. The court made findings that his lawsuit in King County Superior Court case #06-2-
6 33100-1 SEA was frivolous even though he was never charged with that as misconduct and it
7 was not a part of the record in his disciplinary appeal.

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

11 365. Scannell had not made a contract with Matthews.

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

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

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

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

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

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

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

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

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

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25 336. On April 8, 2010, defendant Carpenter, attended a meeting with defendant Busby
26 and Disciplinary counsel Beitel and Ende, Disciplinary Board member Fine and Shanklund,
27 Defendant Danielson, and office of General Counsel Turner. Defendants Barbara Matson, Susan
28 J. Owen, Gerry L. Alexander, Charles W. Johnson, Richard B. Sanders, Tom Chambers, Mary E.

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4 Fairhurst, James M. Johnson, and Debra L. Stephens sent a representative-agent to the meeting
5 named Sullins who would keep them informed of what was occurring at the meetings. These
6 were undisclosed ex parte contacts that attempted to fraudulently corrupt the legal process by
7 influencing judges and members of the Disciplinary Board and as such were predicate acts under
8 RICO.

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

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

17 339. At this meeting, the Chairman of the Disciplinary Board, Seth Fine, proposed a new
18 ELC 5.5, which “would allow” an attorney to raise confidentiality concerns during an
19 investigative subpoena.

20 340. One purpose of this change would be to take “discipline for non-cooperation off the
21 table” where an attorney tried to raise confidentiality concerns.

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

26 342. Scannell was contending he was being disciplined for non-cooperation, because he
27 tried to raise confidentiality concerns over attorney client privileged information for an attorney
28 he represented before the Disciplinary Board. That is, he was demanding that his client be
notified of the deposition because, under ELC 5.4, Scannell could not raise it for him. In the

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4 three years the Scannell case had been litigated, the disciplinary counsel had ignored this issue in
5 his briefing contending only that Scannell's arguments were frivolous.

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

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

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

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

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

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

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

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27 383. April 20, 2011, Matthew Little filed grievance against a Kitsap County defense attorneys
28 Stephen King(King) (WSBA file #1100661), Michael Raya (Raya)(WSBA file #1100664), Eric

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4 Fong (Fong)(WSBA file #11-00665), and prosecutor Gina Buskirk(Buskirk).

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

10 385. Complaints against Raya and Fong alleged violations of RPC 1.4(a)(b) because they
11 failed to disclose that his wife had stated in writings to the court that there was no domestic
12 violence or assault in the case, when she was the complaining witness.

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

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

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

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

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

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

10 392. On June 30, 2011, in response to grievance filed against LaCrosse, the WSBA told
11 Little that when he claims ineffective assistance of counsel, they do not investigate it unless there
12 is a judicial finding of impropriety.

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

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

18 395. On August 2, 2011, the WSBA dismissed the Tibbets grievance(WSBA file #11-
19 01454) and told Little that when he claims ineffective assistance of counsel, the WSBA does not
20 investigate it unless there is a judicial finding of impropriety.

21 396. On August 2, 2011, the WSBA dismissed the Jeniece Lacross grievance, telling him
22 that when charges ineffective assistance of counsel, the WSBA does not investigate it unless
23 there is a judicial finding of impropriety.

24 397. On August 3, 2011, Matthew Little filed grievances against defense attorney
25 Michelle Taylor(11-01309)

26 398. On August 5, 2011, the WSBA dismissed the grievance against Michelle A. Taylor
27 (11-01309), telling Little do not investigate it unless there is a judicial finding of impropriety.

28 399. On August 15, 2011, the disciplinary counsel's office dismissed Bear's grievances

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4 against Patrick Oishi (WSBA file #11-00921), claiming the prosecution was in good faith.

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

8 401. In the case of Davy, Little alleged violations of RPC 1.7(b)(2) (failure to get a written
9 waiver before representing a client against a former client), RPC 3.8(b), (engaging in
10 conversations with an unrepresented party without first informing him of right to counsel), RPC
11 3.8(a). (filing charge not supported by probable cause), all stemming from his representation of
12 the City of Bremerton in doubling Little's bail at a time when the court would not provide Little
13 a counsel in violation of his constitutional right to counsel in a criminal proceeding.

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

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

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

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

28 After hearing, Bar removed all Grundstein's evidence from the record. The evidence was entered

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4 over 80 pages of transcript and re-numbered by the Hearing Officer to suit her pre-existing
5 numbering system. This included 42 exculpatory exhibits and letters of recommendation. This
6 was in violation of RPCs 3.3, 3.4 and 3.8. It also violated the 6th amendment and Grundstein's
7 "Brady" rights. Bar obstructed justice and spoliated evidence to contrive the lies it needed. It also
8 enlisted a corrupt attorney named Ronald Meltzer who testified to one of the surprise Complaint
9 amendments. Bar sought to charge that a subpoena Grundstein issued under WA Civ. Rule 45 in
10 a pro se action on behalf of his geriatric mother was fraudulently obtained because "only an
11 active attorney can issue a subpoena". This was a fictitious offense. Any named party to a suit or
12 pro se attorney can issue a subpoena.

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

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

17 The following questions are answered as follows

18 6. Describe in detail the alleged enterprise for each RICO claim. A description of the
19 enterprise shall include the following information:

20 a. State the names of the individuals, partnerships, corporations, associations,
21 or other legal entities, which allegedly constitute the enterprise.

22 b. Describe the structure, purpose, function and course of conduct of the
23 enterprise.

24 c. State whether any defendants are employees, officers or directors of the
25 alleged enterprise.

26 d. State whether any defendants are associated with the alleged enterprise.

27 e. State whether plaintiff is alleging that the defendants are individuals or
28 entities separate from the alleged enterprise, or that the defendant is an

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4 enterprise itself, or member of the enterprise.

5 f. If any defendants are alleged to be the enterprise itself, or members of the
6 enterprise, explain whether such defendants are perpetrators, passive
7 instruments, or victims of the alleged racketeering activity.

8 The enterprise in this case is a rimmed hub and spoke conspiracy. The “hub” (core)
9 consisted of the WSBA Board of Governors, the disciplinary board, the various disciplinary
10 counsel and the defendants in this case. At various points in time, members of the hub would
11 make individualized agreements (spokes) with other members of the WSBA and the public to
12 further the illicit aims of the enterprise. The spokes would fluctuate throughout the last fifteen
13 years, but the goals of the enterprise, of which all participants were generally aware, remained
14 constant. The participants (both core and fluctuating) had an agreement to further goals of the
15 enterprise, which was to hoodwink the public into thinking that the WSBA was actually policing
16 the Rules of Professional Conduct instead of covering for the unethical acts of the enterprise.
17 The defendants and the other participants are named in the complaint and in this RICO statement
18 Some of the named defendants are employees. All listed disciplinary counsel are employees, as
19 well as the Chief Hearing Officerx Danielson and Nappi. The rest of the named RICO defendants
20 are members of the enterprise and therefore associated with it. The RICO defendants are
21 perpetrators of the enterprise while the other defendants are passive. While the Gold Bar
22 defendants started out as a separate enterprise, it has now merged with the WSBA enterprise to
23 comprise of one entity.

24 The enterprise has also taken over the government of Gold Bar by extorting the democratic
25 rights of those who oppose its corrupt policies.

26 7. State and describe in detail whether plaintiff is alleging that the pattern of racketeering activity
27 and the enterprise are separate or have merged into one entity. The pattern of racketeering
28 activity has essentially merged into one entity, which controls the disciplinary process of the

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4 Washington State Bar Association. While individual spokes (agreements with individual WSBA
5 members) may not have the effect of completely informing those members of the exact role the
6 spoke has in furthering the enterprise, most members who participate are fully knowledgeable as
7 to general goals of the enterprise.

8 8. Describe the alleged relationship between the activities of the enterprise and the pattern of
9 racketeering activity. Discuss how the racketeering activity differs from the usual and daily
10 activities of the enterprise, if at all. A major function of the WSBA (if not the most important,
11 certainly one of the most important) is to police its own members so that the public is assured
12 that unethical attorneys are held accountable for their actions. In this regard, the enterprise has
13 completely dominated the disciplinary process. The Gold Bar defendants have gained complete
14 control of the finances of the City of Gold Bar and have steered a major portion of its budget, to
15 finance their own defense in this case.

16 As far as the rest of the activities of the WSBA, which includes organizing CLE's and other
17 activities, such as giving bar exams, the enterprise does not dominate.

18 9. Describe what benefits, if any, the alleged enterprise receives from the alleged pattern of
19 racketeering. The benefits include the coerced cooperation of other members of the Washington
20 State Bar Association who have been denied their democratic rights of membership, the inflated
21 dues and the benefits of having inflated dues. The Gold Bar defendants receive free
22 representation to defend their corrupt activities, even though their criminal activities were done
23 outside the scope of their employment.

24 10. Describe the effect of the activities of the enterprise on interstate or foreign commerce. The
25 Enterprise affects interstate commerce in that Washington attorneys are often called upon to
26 represent clients who are from out of state or have suits that affect interstate commerce. By
27 directing the market toward large firms instead of solo practitioners and minorities, the enterprise
28 has artificially increased the price of legal services for these clients, which in turn increases the

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4 expenses for engaging in interstate commerce.

5 11. If the complaint alleges a violation of 18 U.S.C. Section 1962(a), provide the
6 following information:

7 a. State who received the income derived from the pattern of racketeering
8 activity or through the collection of unlawful debt The attorneys for the Gold Bar defendants..

9 b. Describe the use or investment of such income. The plaintiff will seek an amendment to
10 include diverting funds streets, parks a and storm water maintenance moneys to finance its
11 unnecessary defenses to Public Disclosure and RICO lawsuits..

12 12. If the complaint alleges a violation of 18 U.S.C. Section 1962(b), describe in detail
13 the acquisition or maintenance of any interest in or control of the alleged enterprise. The
14 enterprise has acquired complete political control of the WSBA by intimidating its opponents as
15 described above. The enterprise has also acquired complete political control of the government
16 of Gold Bar through misconduct as previously described and partial control of Snohomish
17 County through the misconduct as previously alleged. The enterprise also has extorted the
18 democratic rights of the membership of the WSBA and citizens of Snohomish County and Gold
19 Bar to maintain control. By misusing its power to discipline, and to extort concessions from the
20 citizenry of Snohomish County and Gold Bar the enterprise intimidates the membership into not
21 opposing the enterprise, thus ensuring that the enterprise controls the WSBA and the
22 governments of Snohomish County and Gold Bar.. This intimidation takes the form of "sending
23 a message" to the membership of the WSBA and citizens of Gold Bar and Snothomish County as
24 to what will happen if they oppose the enterprise.

25 13. If the complaint alleges a violation of 18 U.S.C. Section 1962(c), provide the
26 following information:

27 a. State who is employed by or associated with the enterprise.

28 b. State whether the same entity is both the liable "person" and the "enterprise"

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4 under Section 1962(c).

5 The Washington State Bar Association employs the disciplinary counsel defendants and the
6 Chief Hearing officer. The persons liable under Section 1962(c) do not include the enterprise.

7 14. If the complaint alleges a violation of 18 U.S.C. Section 1962(d), describe in detail
8 the alleged conspiracy. See above.

9 15. Describe the alleged injury to business or property. Plaintiff lost her business as an attorney
10 and her income as well as emotional damages and injury to her reputation.

11 16. Describe the direct causal relationship between the alleged injury and the violation
12 of the RICO statute. The defendants and the enterprise have orchestrated an attack on the
13 plaintiff's business through false accusations and a kangaroo court system maintained by the
14 WSBA where accusations are made on the basis of political affiliation with the enterprise as
15 opposed to actual attorney misconduct. Through threats of physical intimidation as well as
16 extortion, false accusations, and blackmail, the plaintiff has experienced severe emotional
17 distress

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19 17. List the damages sustained for which each defendant is allegedly liable. The defendants are
20 jointly and severally liable for all damages.

21 18. List all other federal causes of action, if any, and provide the relevant statute
22 numbers. See the complaint

23 19. List all pendent state claims, if any. See Complaint

24 20. Provide any additional information that plaintiff feels would be helpful to the Court

25 in processing the RICO claim." The City of Gold Bar is currently under intense scrutiny
26 by the state's auditor's office for not documenting its expenses properly, including the gas cards
27 which triggered the public disclosures in this lawsuit and her refusal to answer public records
28 requests submitted by plaintiff and others associated with plaintiff. By information and belief,

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the plaintiff alleges that the current mayor has resigned in anticipation of the negative findings to be made in the latest audit, which will be released in February of 2015. When the findings are released, the plaintiff anticipates of having to update her allegations of financial improprieties. .

Dated this 15th day of January, 2014


/s/ Anne Block