

1 response.
 2 The very interesting thing about this
 3 letter is that most of the other letters that go to
 4 the Disciplinary Office have a stamp that it was
 5 received. This one has no Received stamp. So I
 6 don't know whether Mr. Widman picked this up
 7 personally and bypassed the normal procedures.
 8 But clearly, as I quoted in the motion,
 9 that second paragraph makes now crystal clear that
 10 Judge Vanzi did not want any of this material used,
 11 opposed to exactly 180 degrees what Mr. Widman said
 12 to this panel yesterday. And he got this letter,
 13 and it was supplied to me.
 14 There's a limit to how much I can go over
 15 in a weekend when I get this stuff. And I've been
 16 working since we came here yesterday morning. I was
 17 here at 8:00, and I was still working last night at
 18 11:30.
 19 And this letter is, within its four
 20 corners, a violation of the ethics, a violation of
 21 this man's candor to this panel and his candor to me
 22 and my right to a fair hearing before this panel.
 23 Yesterday the Chair ruled -- or the panel
 24 ruled that it was my fault because Mr. Widman didn't
 25 understand what this letter meant. And the Chair

1 from an Ivy League school. But Mr. Eastham, you
 2 said and we overheard yesterday that you whispered
 3 to the Chairman, you know, "Let's deny these motions
 4 and get to the evidence. Let's move along."
 5 That's not the way this works. I know the
 6 three of you are volunteers. I'm not a volunteer
 7 here. This is my life, and all I get is doors
 8 slammed in my face. Well, if this is an adversary
 9 proceeding, so is contempt. I'm not going to go do
 10 this man's job before the District Court. I'm going
 11 to go to the District Court and say that whoever did
 12 this should be held in contempt, and that's the way
 13 it works.
 14 Now after saying all that, you can make a
 15 determination that the prosecutorial misconduct of
 16 the office of Disciplinary Counsel merits sanctions,
 17 and the sanctions are very simple. You just say
 18 that you are dismissing this case because of
 19 prosecutorial misconduct that denied me due process,
 20 and all of this goes away. It should go away.
 21 He didn't do a decent investigation. We
 22 have all of these lawyers doing all of these things,
 23 and still you saw my client here yesterday with
 24 \$2,000 a month. And no one is talking about what is
 25 the effect of this on me? What's the effect on my

1 said to me, "Why don't you go to court to get it
 2 cleared?" I read again last night that these are
 3 adversary proceedings.
 4 And Mr. Chairman, with great respect, you
 5 are a very intelligent and brilliant man, but I have
 6 to tell you that from this side of the podium, I
 7 have two prosecutors here, Mr. Widman and yourself,
 8 Mr. Chairman. Because no matter what motion I
 9 bring, if there is a way for this court to rule in
 10 favor of the prosecution, of the Discipline Office,
 11 it seems to find it. Now that may just be my
 12 impression, and I may have that impression in many
 13 other cases.
 14 But goodness gracious, you said to me that
 15 I should have brought this motion six months ago, a
 16 year ago. I asked him for discovery politely with a
 17 letter. I get no response that's in evidence. And
 18 when I find something that is a smoking gun, I have
 19 to bring this motion, and you have to make a finding
 20 that Mr. Widman misled you yesterday. And if he's
 21 going to get up and say he just forgot, that means
 22 there's no penalty. There has to be a penalty here.
 23 I am dying here.
 24 I mean we overheard -- and I say this with
 25 respect, too, because Mr. Eastham is a brilliant man

1 client? But everybody is piling on, and it's wrong.
 2 I mean the Chair issued the order on
 3 discovery that I didn't ask for it correctly,
 4 without any citations, without any hint of what the
 5 reasoning was after I laid it all out. I have to
 6 live with the order, but it's effectively a denial
 7 of due process.
 8 And this letter is a smoking gun. And if
 9 we don't think it's a smoking gun, then let him do
 10 whatever he wants. I'm sorry. I'm so exasperated,
 11 members of the panel, and I don't know what else to
 12 do. I only know the Constitution as I was taught it
 13 and how I practiced it for 30 years. And boy, if
 14 these seats were reversed and I didn't give
 15 Mr. Widman this letter from the judge, I think I
 16 would be in jail.
 17 He doesn't care. He talks to the
 18 arbitrator in the Anaya matter. That's in this
 19 record, too. I showed you all the proof. Nothing
 20 happens. I did it through federal judges. It's too
 21 late. You can bring another case. I don't have
 22 time to bring another case against this man. I
 23 don't have time for this at all. I want to practice
 24 law and do well for my clients, and all they want to
 25 do is say, "You're too successful. Get the hell