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United States District Court
Western District of Washington

R. Grundstein Esq.
1655 Cadys Falls Road
Morrisville VT /05661
802-851-1120/rgrunds@pshift.com

No. CV12-0569 RSL

v.

Washington State Bar Association
et al.

Chief Justice B. Madsen/Chair, Board for Judicial Administration
Justices Stephens, Gonzalez, Wiggins, Chambers, Johnson, Owens, Fairhurst.
Johnson
WA Supreme Court
P.O. 40929
Olympia, WA 98504-0929

Declaration of Witness J.B. Holcomb

44 I declare under penalty of perjury and Washington State law that the foregoing is
45 true:
46
47 1. I am a member of the Washington State Bar Association, #1695. The Bar Association
48 is either unwilling or because of bias and prejudice to enforce its Rules of Professional
49 Conduct against members of major law firms and never has. **This Declaration sets forth**
50 **my research on this latter issue.**

51 2. In 2008 I conducted research about the lawyer disciplinary cases which have been
52 appealed to the Washington State Supreme Court. Between the first reported case and the
53 end date of my study in 2008, there had been 208 cases filed and decided. **Of this 208,**
54 **207 were lawyers in sole professional practice. The one case that was not a lawyer in**
55 **sole practice was a lawyer in a 3 person partnership. Not one case was decided**
56 **wherein the lawyer was in a major law firm.**

57 3. I also mention anecdotal information that Bar Disciplinary Counsel has never done
58 an internal investigation of a major law firm member. "Internal" refers to a dialogue
59 limited to participation by members of the WSBA Disciplinary Counsel.

60 3. It is difficult to do research on the issue of the number and name of those who have
61 appealed to the Court. There is no one single Reporter which contains this information. I
62 had to spend hours checking and cross-checking existing reporters, first to obtain case
63 names and, then secondly, to read said cases. **The Bar would not provide this**
64 **information to me upon my request.** It appears the WA Supreme Court has had
65 jurisdiction to review lawyer appeals beginning in the early 1940's.
66

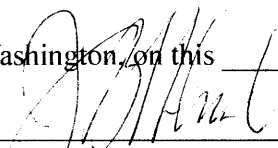
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Signed at Bainbridge Island, Washington, on this 19th day of Feb, 2012.



James Byron Holcomb