

U.S. District Court
Western District of Washington

In re:
Robert Grundstein
WSBA 20389

re: No. 10-00097

Declaration In Support of Injunction

Robert Grundstein declares under penalty of perjury and Washington State law that the foregoing is true:

I am an inactive member of the WA state bar. I have not practiced on a full time basis since I was a law clerk in 1987.

In February of 2008 I received a call in Vermont from a pleasant person named Doug Ende. He represented the WSBA and wanted to know about a criminal action filed against me in Ohio. The Bar received an anonymous letter from Cleveland which told of the filing. I said there was such an action, (07 CR 501796) which referenced events alleged to have happened in Cleveland, Ohio during **2003** when I proved I was not in Ohio. I said the case was subject to alibi and statute of limitations defenses. I also said I wanted the Bar to know about this because it was an opportunity to expose the massive corruption of Cuyahoga County. I encouraged him to stay in touch and gave him all my phone numbers.

Mr. Ende seemed satisfied to let the events in Ohio proceed without Bar action. Subsequent to this time, it was determined that a member of the Cuyahoga County Sheriff's office falsified testimony against me. I insisted on going to trial and made 10-11 trips to Ohio; 7-8 times for pre-trials and 3 times for trials. The trial was canceled after I arrived, each time.

The Ohio matter was eventually settled (extorted) for a fine of \$50.00/ no probation. That's less than a speeding ticket.

Two and a half years later (2 ½ years), I received notice from the Bar that a disciplinary charge was being pursued against me. I had several conversations with Bar representative Linda Eide, after which a Complaint was filed against me in November of 2010.

Bar Complaint referenced the Ohio case above. The Complaint referenced cases I brought to protect my newly widowed and incompetent mother and sisters, for no charge or fee. The Complaint also criticized my civil motion practice in OTHER STATES.

Bar Illegally Hid and Refused to Acknowledge Exculpatory Evidence Before Bar
Drafted It's Complaint, During Discovery, During Trial and After Trial

Bar contrived to exclude all Grundstein's exculpatory evidence which was part of his trial brief (EX 1-18 and A-M) and entered into the record BEFORE and during the hearing. (See CP pages 357 to 436.) The brief and list of exhibits were filed according to the rules and testimony was heard on all of them over 80 pages of

transcript. Only one exhibit was excluded after objection by Bar Counsel. This was a Law Review article about the **inapplicability of RPC 3.1** in Bar discipline which should have been admitted.

These records show Grundstein was not in Ohio during the times claimed by WSBA (CP pg. 382, lines 24-25 and pg 383, lines 1-11) and could not possibly have committed the offenses described in Counts I and II of it's Complaint. They show that Grundstein was subject to a vendetta by a judge who was removed from office under FBI investigation because Grundstein wrote an editorial (CP pg. 396, line 18) critical of the judge. The evidence shows that the judge enlisted the cooperation of the County Sheriff to falsify charges against Grundstein. **The County Sheriff was subsequently arrested, convicted and removed from office.** The evidence also shows that **a prosecutor in Grundstein's case was arrested, convicted and jailed** for case fixing and lying to federal agents.(Joe O'Malley. CP 411, 412, 415 lines 10-16)

Disciplinary counsel promised to deliver the original exhibits to the disciplinary board. (CP pg. 357, lines 4-5). WSBA also suggested a numerical sequence for the exhibits prior to testimony. (CP pg. 357, lines 8-9.). The hearing officer also referred to them as exhibits submitted at the outset (CP pg. 357, lines 17-20) and confirmed the Bar's numbering sequence. (CP 357-358, lines 22-10).

Bar also managed to hide several letters of commendation and recommendation written on my behalf along with 12 other mitigators. These included letters from 1) the former Vermont Deputy Secretary of State, 2) General Counsel for the University of Vermont (and former clerk to Sup. Ct. Justice Souter) and 3) the WA State Bar Pro Bono program.

It is telling that Bar was acting as clerk for the proceeding. (C), 357, lines 1-5). After appropriating the documents pursuant to a clerical function, renumbering them to facilitate organization, promising to deliver them to the Board and hearing 80 pages of testimony about them subject to only one objection, WSBA suddenly removes them from the record and claims they weren't admitted. It can't do this dishonest tactic.

Bar Prosecutes Grundstein for Exposing Corruption in Cleveland, Ohio
Bar Hides Evidence That Would Embarrass Itself

Bar Insists on Supporting a Criminally Corrupt Cleveland Administration
Federal Raids on the Judiciary and City Administration of Cleveland Are Public Knowledge

WSBA action fails because I committed no wrongdoing.

In 2007, I wrote an editorial about a judge in Cleveland (CP pg. 396, line 18) who was subsequently removed under FBI investigation, along with the County sheriff, prosecutors, 3 other judges and over 100 other county executives, administrators, employees and contractors in Cleveland. **This judge organized a vendetta against me and falsified charges against me in 2007.**

I was not in Ohio at the time claimed when the charges were illegally brought the first or second time. (CP pg. 382, lines 24-25 and pg 383, lines 1-11) I was not guilty of an original or any amended charge if I wasn't in Ohio.

Prior to Federal intervention in 2009-10, Cleveland judges, prosecutors and police routinely arrested people they didn't like, held them without cognizable charges, refused to bring them to trial and extorted pleas. After a year of traveling to Ohio from Vermont for illegal pre-trials and canceled hearings, I decided to accept a lie/extorted plea for \$50.00 Ohio CR 07-501796..I tried to go to trial three times. They kept canceling them

after arrival. Cleveland judges made sure I could not expose their failures by imposing filing restrictions so I could never appeal or file anything.

Only 1.63 percent (less than 2 percent) of all felony charges in Cleveland are prosecuted as misdemeanors. (See Cleveland Plain Dealer article, EX 1) It seems odd that Grundstein's case CR 07-501796 started as a felony of the 2nd degree and was resolved, after a YEAR, for \$50.00 when the court refused to hold a trial.

I was basically prosecuted for exercising my First Amendment rights and helping to expose corruption in Ohio. Bar is replicating the behavior of Pre-FBI-Raid Cleveland for the same reasons in Counts I and II. It seeks to injure someone to maintain it's group professional interests.

End of Declaration:

S/s Robert H. Grundstein

R.Grundstein Esq./WSBA 20389

April 1, 2012