

**In Re: JUSTIN LAWRENCE MILLS**

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<p style="text-align: right;">5</p> <p>1 PROCEEDINGS</p> <p>2</p> <p>3 BOARD CHAIR KONECK: We call the</p> <p>4 meeting to order, the hearing of the Minnesota</p> <p>5 Board of Law Examiners relating to the application</p> <p>6 of Lawrence Justine Mills. And let's begin with</p> <p>7 introductions. And we will just go around the</p> <p>8 room, starting with you, Ms. Heinlein. And let's</p> <p>9 introduce ourselves for the court reporter.</p> <p>10 MS. HEINLEIN: Good morning,</p> <p>11 members of the Board. My name is Melissa Heinlein.</p> <p>12 BOARD CHAIR KONECK: You can stay</p> <p>13 seated.</p> <p>14 MS. HEINLEIN: I represent Justin</p> <p>15 Mills.</p> <p>16 MR. MILLS: Good morning. I'm</p> <p>17 Justin Mills, the applicant.</p> <p>18 MR. GENRICH: Good morning. David</p> <p>19 Genrich, Assistance Attorney General. And</p> <p>20 accompanied by my colleague Lisa Jones.</p> <p>21 BOARD MEMBER BELL: Brian Bell.</p> <p>22 I'm an attorney member of the Board.</p> <p>23 BOARD MEMBER PRINCE: Cheryl</p> <p>24 Prince. I'm an attorney member of the board.</p> <p>25 BOARD MEMBER BRATVOLD: Diane</p>	<p style="text-align: right;">7</p> <p>1 just want to state on the record both -- like you</p> <p>2 to both state on the record that you have</p> <p>3 stipulated to all the exhibits that are going to be</p> <p>4 considered today. Ms. Heinlein?</p> <p>5 MS. HEINLEIN: Yes, we have</p> <p>6 stipulated to all the exhibits.</p> <p>7 BOARD CHAIR KONECK: And</p> <p>8 Mr. Genrich?</p> <p>9 MR. GENRICH: That's true. Thank</p> <p>10 you.</p> <p>11 BOARD CHAIR KONECK: With that,</p> <p>12 each of you has an opportunity to provide an</p> <p>13 opening statement. Because the burden of proof is</p> <p>14 on you, Ms. Heinlein, you can go first.</p> <p>15 MS. HEINLEIN: Great. Thank you.</p> <p>16 President Koneck, members of the Board, Board</p> <p>17 staff, good morning. My name is Melissa Heinlein.</p> <p>18 I've had the privilege of representing Justin</p> <p>19 Lawrence Mills in this character and fitness</p> <p>20 proceeding.</p> <p>21 This case is about present fitness</p> <p>22 about who Mr. Mills is today and whether he has met</p> <p>23 his burden by clear and convincing evidence to</p> <p>24 demonstrate the honesty, judgment, and reliability</p> <p>25 that our profession requires.</p>
<p style="text-align: right;">6</p> <p>1 Bratvold. I'm a judge of the Court of Appeals.</p> <p>2 I'm a member of the Board.</p> <p>3 MS. ESCHWEILER: Emily Eschweiler.</p> <p>4 Staff.</p> <p>5 MS. MELCHIONNE: Natasha</p> <p>6 Melchionne. Staff.</p> <p>7 BOARD CHAIR KONECK: John Koneck.</p> <p>8 I'm the president of the Board and a member of the</p> <p>9 Board and a lawyer.</p> <p>10 MR. DORDEL: A.J. Dordel. Staff.</p> <p>11 BOARD MEMBER BEETY: Patricia</p> <p>12 Beety. An attorney member of the Board.</p> <p>13 BOARD MEMBER FLUEGEL: Wil</p> <p>14 Fluegel. An attorney member of the Board.</p> <p>15 MR. AMMERMAN: Harris Ammerman.</p> <p>16 I'm a character witness for Mr. Mills.</p> <p>17 BOARD CHAIR KONECK: We have</p> <p>18 stipulated findings of fact that have been provided</p> <p>19 to all Board members and they are familiar with</p> <p>20 those facts.</p> <p>21 Each of you have submitted proposed</p> <p>22 findings. There are some stipulated findings, but</p> <p>23 each of you have proposed findings and the Board</p> <p>24 has all of those.</p> <p>25 We have stipulated exhibits. And I</p>	<p style="text-align: right;">8</p> <p>1 The evidence you will hear shows that</p> <p>2 he has done exactly that. From the very start of</p> <p>3 this process, Mr. Mills chose candor over</p> <p>4 convenience. He disclosed his complete history,</p> <p>5 alcohol related and traffic offenses dating back</p> <p>6 more than a decade, a law school academic integrity</p> <p>7 matter, extensive civil and mandamus litigation,</p> <p>8 and his prior California moral character</p> <p>9 determination.</p> <p>10 He did more than answer questions. He</p> <p>11 voluntarily submitted his 2018 law school</p> <p>12 application, reopened portal items to supplement</p> <p>13 completed requests, and documented efforts to</p> <p>14 obtain court and police records that were sealed or</p> <p>15 unavailable.</p> <p>16 That is not the conduct of someone</p> <p>17 hiding from his past. It's the conduct of someone</p> <p>18 committed to full transparency with this Board.</p> <p>19 You will hear that Mr. Mills' earlier</p> <p>20 misconduct, alcohol related offenses and reckless</p> <p>21 driving, occurred when he was a teenager and young</p> <p>22 adult and it has not recurred since 2019. He</p> <p>23 complied with all court obligations, completed</p> <p>24 treatment when it was warranted, and, critically,</p> <p>25 he has lived law abidingly for years.</p>

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<p style="text-align: right;">9</p> <p>1 In the meantime, he finished law</p> <p>2 school, sat for and passed the uniform bar</p> <p>3 examination with a total score of 290, and has</p> <p>4 worked as a law clerk in a bankruptcy practice</p> <p>5 where his supervising attorney describes him as</p> <p>6 diligent, reliable and conscientious. These are</p> <p>7 the hallmarks of sustained reform and present</p> <p>8 fitness.</p> <p>9 You will also hear about the single</p> <p>10 academic integrity violation during his final year</p> <p>11 of law school. That committee found a reckless</p> <p>12 violation, not intentional one, and imposed a</p> <p>13 reprimand and a probationary suspension which</p> <p>14 Mr. Mills has accepted and completed.</p> <p>15 In his statement to you he does not</p> <p>16 rationalize it, he accepts responsibility,</p> <p>17 acknowledges his fault, and expresses regret. In a</p> <p>18 character and fitness inquiry that looks to insight</p> <p>19 and rehabilitation, that acceptance matters.</p> <p>20 The evidence of rehabilitation before</p> <p>21 you tracks Rule 5B(5) educational achievement,</p> <p>22 professional performance, community contributions,</p> <p>23 and credible character testimony.</p> <p>24 He earned his J.D. and passed the exam</p> <p>25 under significant time constraints. He has</p>	<p style="text-align: right;">11</p> <p>1 channels to seek redress, prevailing in several</p> <p>2 civil actions and securing aggregate recoveries of</p> <p>3 approximately \$550,000.</p> <p>4 In his most recent mandamus matter, a</p> <p>5 Maryland circuit judge characterized the governing</p> <p>6 grand jury law as murky and treated Mr. Mills'</p> <p>7 petitions as good faith efforts to navigate</p> <p>8 unsettled law and allowed his claims to proceed.</p> <p>9 No court has ever sanctioned him. No</p> <p>10 court has found his filings frivolous or abusive.</p> <p>11 This is not disrespect for the courts. It is</p> <p>12 principled insistence on lawful process.</p> <p>13 You will hear that the California state</p> <p>14 bar in 2024 issued an adverse moral character</p> <p>15 determination. This Board now has a fuller record.</p> <p>16 The arrest California flagged doesn't concern the</p> <p>17 2017 New Jersey theft by deception matter was</p> <p>18 dismissed, quote, "In the interest of justice."</p> <p>19 And a federal district court later concluded there</p> <p>20 was no probable cause. And, again, quote, "Nothing</p> <p>21 even suspicious about Mr. Mills' conduct,"</p> <p>22 ultimately resulting in a settlement in his favor.</p> <p>23 Most importantly for this Board's</p> <p>24 inquiry into candor, California has confirmed in</p> <p>25 writing that it is not aware of any non-disclosure</p>
<p style="text-align: right;">10</p> <p>1 complied with court orders and procedural rules</p> <p>2 across multiple jurisdictions. And he has</p> <p>3 contributed to the public good, volunteering with</p> <p>4 immigrant families, collaborating on Holocaust</p> <p>5 survivor interviews and producing a human rights</p> <p>6 documentary adopted for police training in</p> <p>7 El Salvador.</p> <p>8 The current dean of his law school</p> <p>9 Lincoln Memorial University - Duncan School of Law</p> <p>10 Dean Matthew Lyon has offered a letter in support</p> <p>11 of Mr. Mills' admission. Dean Lyon states that he</p> <p>12 believes Mr. Mills has matured and understands the</p> <p>13 importance of candor.</p> <p>14 You will also hear direct testimony</p> <p>15 today from Mr. Mills' supervising attorney Harris</p> <p>16 Ammerman who will attest that Mr. Mills possess not</p> <p>17 only the requisite moral character and fitness to</p> <p>18 practice law, but also demonstrates exceptional</p> <p>19 legal skill and diligence and that he trusts him</p> <p>20 fully. These are not isolated compliments. They</p> <p>21 are sustained observations of present character.</p> <p>22 You will also hear about Mr. Mills'</p> <p>23 civil rights and mandamus litigation. Some might</p> <p>24 look at a list and think vexatious. The record</p> <p>25 tells a different story. Mr. Mills used the lawful</p>	<p style="text-align: right;">12</p> <p>1 by Mr. Mills in that process. Those facts</p> <p>2 contextualize the California decision and</p> <p>3 demonstrate why it should not be dispositive here.</p> <p>4 Minnesota rules and precedent focus</p> <p>5 rightly on protecting the public and safeguarding</p> <p>6 the justice system by assessing current character,</p> <p>7 age at the time of conduct, recency, seriousness,</p> <p>8 underlying factors, candor, and, above all,</p> <p>9 evidence of rehabilitation.</p> <p>10 The Minnesota Supreme Court's guidance</p> <p>11 in cases such as In Re: Haukebo and In Re: Petition</p> <p>12 of Zviegien teaches that character determinations</p> <p>13 must look forward to patterns of conduct, to</p> <p>14 reform, and to whether there is a rational</p> <p>15 connection between past acts and present fitness.</p> <p>16 Additional case law has been provided</p> <p>17 with the exhibits for your consideration from the</p> <p>18 Supreme Courts of Wisconsin and Ohio. These cases</p> <p>19 echo these teachings that character determinations</p> <p>20 must be forward facing. That is the lens through</p> <p>21 which I ask you to view today's record.</p> <p>22 What does that forward-looking record</p> <p>23 show. Candor, full disclosures, proactive</p> <p>24 supplementation, diligent record gathering across</p> <p>25 jurisdictions, even when records were sealed or</p>

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<p style="text-align: center;">13</p> <p>1 destroyed, communication and judgment, coherent  2 narratives tied to the rules, timely and organized  3 responses to inquiries, and a 290 UBE score under  4 pressure, law abiding conduct, no new incidents  5 since 2019, completion of all sanctions and court-  6 ordered programs, respect for the court, successful  7 civil actions, mandamus filings permitted to  8 proceed in a murky area of law, no sanctions and no  9 findings of abuse, community and professional  10 contributions, sustained service, human rights  11 work, and strong attestations from seasoned lawyers  12 and educators.</p> <p>13 Members of the Board, we do not ask you  14 to ignore Mr. Mills' earlier mistakes. We ask you  15 to weigh them as the rules instruct, considering  16 age, remoteness, seriousness, cumulative effect,  17 and, crucially, evidence of rehabilitation.</p> <p>18 On that scale, his recent years of  19 steady compliant, constructive conduct outweigh the  20 youthful period that landed him in trouble. The  21 absence of recurrence, the presence of insight, and  22 the consistency of trustworthy performance are the  23 decisive factors today.</p> <p>24 At the end of this hearing, I'm  25 confident the evidence will show clearly and</p>	<p style="text-align: center;">15</p> <p>1 <b>A-m-m-e-r-m-a-n.</b>  2 <b>Q.</b> And what is your address?  3 <b>A.</b> I live in Potomac, Maryland, which is  4 just outside of Washington, D.C.  5 <b>Q.</b> And your date of birth?  6 <b>A.</b> 4/17/45.  7 <b>Q.</b> Are you married?  8 <b>A.</b> I'm married and I have a son who is 32  9 years old.  10 <b>Q.</b> What is your wife's name?  11 <b>A.</b> Patricia Ammerman.  12 <b>Q.</b> Can you talk a little bit about your  13 educational background? Where did you go to law  14 school?  15 <b>A.</b> I graduated from George Washington  16 University National Law Center in 1972. I have  17 practiced law ever since that time period.  18 <b>Q.</b> When were you first admitted to the bar  19 and which states?  20 <b>A.</b> I was admitted in Pennsylvania, I  21 believe, in around August of 1972. I'm from  22 Philadelphia. I took the board in Pennsylvania at  23 the time. And I became a member of the bar of the  24 District of Columbia and Maryland, where I reside.  25 <b>Q.</b> What is your legal practice background?</p>
<p style="text-align: center;">14</p> <p>1 convincingly that Mr. Mills presently possess the  2 character and fitness to practice law in Minnesota.  3 He has demonstrated honesty, judgment,  4 respect for legal obligations, and commitment to  5 the public good. For those reasons we respectfully  6 ask that you recommend his admission to the  7 Minnesota bar. Thank you.</p> <p>8 BOARD CHAIR KONECK: Thank you.  9 Mr. Genrich, any opening statement?  10 MR. GENRICH: Mr. Chair, I would  11 like to reserve argument for closing.  12 BOARD CHAIR KONECK: Ms. Heinlein,  13 you can proceed with your first witness.  14 MS. HEINLEIN: Great. We will  15 call Harris Ammerman, please.  16 HARRIS AMMERMAN,  17 the Witness in the above-entitled  18 matter after having been first duly  19 sworn, testifies and says as follows:  20 DIRECT EXAMINATION  21 BY MS. HEINLEIN:  22 <b>Q.</b> Good morning, Mr. Ammerman. Thank you  23 for being here today. Could you please state your  24 name for the record and spell it.  25 <b>A.</b> Harris Ammerman. Last name is</p>	<p style="text-align: center;">16</p> <p>1 <b>A.</b> Well, I started out a year after  2 graduating from law school I clerked for a federal  3 judge in Baltimore for a year. After that, I  4 obtained a position with the U.S. Securities &amp;  5 Exchange Commission in the Department of  6 Enforcement. I stayed there for about five years  7 and then moved on to a private practice, where I  8 did lots of things. Appeared in many different  9 jurisdictions, courts involving landlord/tenant,  10 personal injury, contracts --  11 (Inquiry by the Court Reporter.)  12 BOARD CHAIR KONECK: Could you  13 speak just a little bit louder.  14 <b>A.</b> So I have done a lot of different  15 things. And then I settled upon bankruptcy  16 practice, when the Supreme Court ruled that lawyers  17 could advertise, advertising for bankruptcy and  18 representation and you have a client and you have a  19 practice. And I've continued that for all these  20 years.  21 I've probably represented more than  22 several thousand clients in bankruptcy cases,  23 Chapter 7. But, more importantly, Chapter 13,  24 which is a rehabilitation procedure to allow people  25 to keep their assets, their homes and try to make</p>



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1 payments. And that's what I did and do as of  
2 today. I did mostly Chapter 13 cases in Maryland  
3 and the District of Columbia.

4 Q. And you own your own law office?

5 A. Yes, I'm now a single practice. My  
6 partner retired a couple of years ago. I have one  
7 other gentleman who works with me in the office.  
8 He's not an attorney. And then I have Justin who  
9 also works.

10 Q. So how many employees do you have?

11 A. So it's just one other person and Justin  
12 and myself.

13 Q. And in your practice you continue to do  
14 bankruptcy work?

15 A. Yes, that's exclusively the work. But  
16 you have to have knowledge of a lot of different  
17 areas of the law for bankruptcy practice because it  
18 involves property rights and various things like  
19 that. And people get in trouble with car  
20 repossessions -- there is a multitude of issues  
21 that you have to be knowledgeable about.

22 Q. Now, throughout your long career in the  
23 law, have you ever been the subject of any  
24 professional discipline?

25 A. No, I haven't.

18

1 Q. Have any courts ever sanctioned you or  
2 found your filings frivolous?

3 A. No.

4 Q. How did you first meet Lawrence Justine  
5 Mills?

6 A. Well, I was advertising for an  
7 assistant. Not necessarily for a lawyer, but  
8 someone who could fulfill some of the tasks that I  
9 had responsibility on. And he responded. And I  
10 was also looking for someone who was bilingual,  
11 because I have a lot of Latin clients, and my  
12 Spanish is not very good, and he answered the call.  
13 Then we met and we had a personal interview.

14 Q. When was it about that you met?

15 A. It was around June or July of 2024. I  
16 think the first conversation was June of '24.

17 Q. Did you meet in person?

18 A. Then we arranged for a personal meeting,  
19 yes.

20 Q. So what was your first impression of Mr.  
21 Mills?

22 A. Well, I was very impressed by his  
23 writing samples that he provided. He gave me  
24 references. He seemed to be very knowledgeable in  
25 civil procedure. Which is important in these

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1 cases. And I was impressed with his demeanor, his  
2 candor, and I thought he would be a good fit for my  
3 office.

4 Q. So you have been working with Mr. Mills  
5 since the summer of 2024. Has Mr. Mills ever met  
6 any members of your family?

7 A. Yes. He has met my wife and my son on a  
8 casual basis and they have a good relationship.

9 Q. Are you aware of any opinions that they  
10 might have of him?

11 A. Well, they think the best of him.

12 Q. Can we talk a little bit about  
13 Mr. Mills' job performance. Can you describe the  
14 nature of the work that Mr. Mills does at your  
15 firm?

16 A. Yes. Well, he's extremely knowledgeable  
17 in civil procedure and he does excellent work in  
18 his filings. And when I have a legal question that  
19 comes up, I give it to him and he takes it and  
20 finishes the job and provides me with a brief that  
21 I can use in court. And he's worked on numerous  
22 occasions and he has been very helpful to me.

23 Q. What is his work schedule?

24 A. He keeps an open work schedule. He does  
25 work from home quite often. And we hook up by

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1 computer, by phone, by instant messaging all the  
2 time. We are always in constant contact.

3 Q. How do you supervise his work  
4 performance?

5 A. Well, he doesn't need supervision. He  
6 really can do everything that a lawyer can do. And  
7 he provides me with drafts of documents that I've  
8 asked him to prepare. And I review them with him.  
9 He is a self-starter. He doesn't need a lot of  
10 supervision, except when we discuss certain cases  
11 and strategies that we have.

12 Q. How often would you say per week that  
13 you interact with Mr. Mills?

14 A. Well, we interact three to four times a  
15 week either by some form of communication, by  
16 telephone. He is always available, as I am.

17 Q. Have you ever had any concerns about the  
18 quality of Mr. Mills' work product?

19 A. No, not at all. For instance, I had a  
20 case recently where a woman's vehicle was  
21 repossessed. And usually you file a Chapter 13  
22 case and you can get it back. It's property of the  
23 estate. And they have been refusing for about two  
24 weeks -- we have a hearing coming up on Thursday  
25 this week. He prepared for me a response to their

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<p style="text-align: right;">21</p> <p>1 motion. An excellent response. I filed it before  2 I left my office on Saturday. And I'm very  3 optimistic that it will be successful and that the  4 woman will get her property back and move forward.  5 So these are the kind of things that he  6 does that I rely upon him to help me out. Because  7 there's only so much time that someone has to  8 perform all the duties and I have a very large  9 clientele.  10 Q. Does Mr. Mills -- have you observed him  11 interacting with clients at all?  12 A. Yes, he has on occasion had to narrow  13 down some facts from clients and it's not a problem  14 for him. And if he has a question, he asks me and  15 we discuss it. We collaborate on everything.  16 Q. How would you describe Mr. Mills'  17 personality?  18 A. He is a very calm personality. He is  19 not extreme in his views. He listens very well.  20 And I find that he is very easy to work with. And  21 I have worked with a lot of people over the years,  22 and he is a sheer delight to work with.  23 Q. On that note, does he get along well  24 with coworkers? I understand you have one other  25 employee.</p>	<p style="text-align: right;">23</p> <p>1 his character and fitness that was issued by the  2 Minnesota Board of Law Examiners?  3 A. Yes, I read that. Just as I have read  4 other materials. When we first met, we discussed  5 -- he mentioned his past history of certain  6 infractions, vehicular infractions. I didn't go  7 into it that deeply. I was quite aware of his past  8 history.  9 Q. Are you also aware that there was an  10 adverse determination issued regarding his  11 character and fitness by the California Board of  12 Law Examiners?  13 A. Yes, he told me about the California  14 Board. And we just discussed the facts, and it  15 looks like there was some issues that should have  16 been raised that weren't. He then -- since he  17 didn't pass the bar, the examination, he chose I  18 think not to pursue that any further.  19 Q. What do you know about the accusations  20 against Mr. Mills -- I should say the academic  21 misconduct situation while he was in law school?  22 A. Yes. Well, apparently, there was a  23 misunderstanding. He was supposed to report a  24 certain exam time that he had or he missed it. And  25 I think, unfortunately, it appears to me that the</p>
<p style="text-align: right;">22</p> <p>1 A. We just have one other employee. No  2 friction at all between what he does and what the  3 other gentleman does.  4 Q. And has Mr. Mills ever been under any  5 kind of performance improvement plan at your firm?  6 A. Well, he has been there only a short  7 time, of course. Since 2024. And if he excels and  8 if we continue to develop our practice more, I'm  9 certain he would be given compensation to reflect  10 that.  11 Q. So has he ever earned a performance  12 based bonus?  13 A. Well, I don't have that kind of a  14 system. I pay people what I think they are worth.  15 We talked about it. So it's not a big firm  16 situation where they have performance -- and so  17 it's a case-by-case basis.  18 Q. Have you ever had any concerns about  19 Mr. Mills' honesty?  20 A. No, not at all.  21 Q. Have you ever observed him failing to  22 use good judgment at work?  23 A. No.  24 Q. So have you had the opportunity to  25 review the adverse determination letter regarding</p>	<p style="text-align: right;">24</p> <p>1 professor involved was a little excessive in her  2 review of what took place. But he was in a  3 position where he had no choice but to accept the  4 sanction as it was. And I think he explained it  5 well. He obviously can address that in more  6 detail.  7 Q. Are you aware of Mr. Mills -- of the  8 civil lawsuits that he filed, 12 civil lawsuits  9 between 2014 and 2018 and that he only disclosed  10 one of them on his law school application?  11 A. I'm aware of the lawsuits that he has  12 pursued. Which he has every right to do. I think  13 he was trying to redress certain things that took  14 place. And I have no problem with that. I don't  15 think he was excessive in his litigation.  16 Although, it might seem to be so many cases, but  17 they are all related in some way.  18 Q. You talked about learning about  19 Mr. Mills' past. When did you first learn about  20 the past alcohol related charges and that conduct?  21 A. Well, in our initial meeting in person  22 at my office, we did discuss certain issues that  23 took place when he was a teenager. And we talked  24 about it. And he showed great remorse for.  25 Q. Have you ever observed Mr. Mills being</p>

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<p style="text-align: right;">25</p> <p>1 under the influence of alcohol while working?</p> <p>2 <b>A. No, never.</b></p> <p>3 <b>Q.</b> Has he ever come to work hungover in</p> <p>4 your observation?</p> <p>5 <b>A. No.</b></p> <p>6 <b>Q.</b> And you mentioned earlier he does work</p> <p>7 remotely. Has there ever been a time when you have</p> <p>8 tried to get ahold of him when he was not answering</p> <p>9 or unavailable?</p> <p>10 <b>A. No, he always answers the phone.</b></p> <p>11 <b>Q.</b> Are you familiar or have you known</p> <p>12 people who have recovered from a substance abuse</p> <p>13 problem?</p> <p>14 <b>A. Well, unfortunately, I do. And I can</b></p> <p>15 <b>shed a little light about my background. I was</b></p> <p>16 <b>married to a girl from Wayzata and her father was</b></p> <p>17 <b>an alcoholic, a very successful businessman. And</b></p> <p>18 <b>she would drink and a couple of times -- one time,</b></p> <p>19 <b>in particular, when we were living in Washington,</b></p> <p>20 <b>I got a call from the police at night and she was</b></p> <p>21 <b>charged with a violation, a drinking violation.</b></p> <p>22 <b>Anyway, that marriage, unfortunately, did not last.</b></p> <p>23 <b>But I have been to Wayzata many times. I'm very</b></p> <p>24 <b>familiar with the climate here.</b></p> <p>25 <b>Q.</b> Well, knowing someone in your past that</p>	<p style="text-align: right;">27</p> <p>1 a law clerk?</p> <p>2 <b>A. Yeah, I don't think there is any</b></p> <p>3 <b>question about that.</b></p> <p>4 <b>Q.</b> And you have never had any concerns</p> <p>5 about his honesty or candor with the court?</p> <p>6 <b>A. No. Everything he does he documents.</b></p> <p>7 <b>And if it's right, we file things. And it's always</b></p> <p>8 <b>worked out. It's been a short period, over a year,</b></p> <p>9 <b>but, nonetheless, it's something that my name goes</b></p> <p>10 <b>on the pleadings and I have to make sure that it's</b></p> <p>11 <b>all accurate and correct and responsive to what I</b></p> <p>12 <b>have to do.</b></p> <p>13 <b>Q.</b> As you observed some of Mr. Mills' work</p> <p>14 over the last year and a half, do you think he</p> <p>15 understands complex legal theories?</p> <p>16 <b>A. No question. Nobody uses an Apple</b></p> <p>17 <b>computer like he does. He is excellent in research</b></p> <p>18 <b>and LexisNexis, Westlaw. He can put together a</b></p> <p>19 <b>pleading very quickly and he documents everything.</b></p> <p>20 <b>I wish I still had that ability. But,</b></p> <p>21 <b>unfortunately, I don't. I'm 80 years old, so it's</b></p> <p>22 <b>about time to sort of fade into the background.</b></p> <p>23 <b>Even my voice has faltered as I get older.</b></p> <p>24 <b>Q.</b> What have been your observations of</p> <p>25 Mr. Mills' use of judgment in his personal life?</p>
<p style="text-align: right;">26</p> <p>1 has struggled with an alcohol use problem, do you</p> <p>2 believe people can change, that people can recover</p> <p>3 from a substance use issue?</p> <p>4 <b>A. Well, I'm a layperson in this matter.</b></p> <p>5 <b>My wife didn't go into any program like Justin</b></p> <p>6 <b>did. But I think that given the right advice and</b></p> <p>7 <b>counsel professionally that one can overcome their</b></p> <p>8 <b>problems.</b></p> <p>9 <b>Q.</b> If you had known about all of Mr. Mills'</p> <p>10 past, all the civil suits, everything like that</p> <p>11 before he began working for you, would you have</p> <p>12 still hired him?</p> <p>13 <b>A. Well, yeah, his record -- his abilities</b></p> <p>14 <b>were so well demonstrated that I felt that I would</b></p> <p>15 <b>certainly take this opportunity and take that</b></p> <p>16 <b>chance I guess on hiring him and seeing how he</b></p> <p>17 <b>would work out. It turned out that it worked out</b></p> <p>18 <b>very well and continues to do so.</b></p> <p>19 <b>Q.</b> So would you say that you are happy that</p> <p>20 you hired Mr. Mills?</p> <p>21 <b>A. Absolutely. He is a great guy and very</b></p> <p>22 <b>knowledgeable about a lot of different subjects and</b></p> <p>23 <b>we have a good relationship.</b></p> <p>24 <b>Q.</b> Have you observed Mr. Mills exhibiting</p> <p>25 candor with you in his position as your employee as</p>	<p style="text-align: right;">28</p> <p>1 What do you know about his personal life?</p> <p>2 <b>A. Well, just what he has told me. But I</b></p> <p>3 <b>think he has changed -- his personal life has</b></p> <p>4 <b>changed a lot. He has been through a lot of things</b></p> <p>5 <b>for a guy who is 34 years old. And I think he has</b></p> <p>6 <b>made amends and I think he has a good moral</b></p> <p>7 <b>compass.</b></p> <p>8 <b>He has done things -- he used proceeds</b></p> <p>9 <b>-- he did some advantage play at the casino and he</b></p> <p>10 <b>got money for it and he turned that money around</b></p> <p>11 <b>and he used it to produce a film about El Salvador.</b></p> <p>12 <b>And he also interviewed Holocaust survivors.</b></p> <p>13 <b>That's not someone who has continuing problems</b></p> <p>14 <b>would even entertain. I commend him for that.</b></p> <p>15 <b>Q.</b> Have you observed Mr. Mills conducting</p> <p>16 himself respectfully towards others?</p> <p>17 <b>A. Yes, I have no reason to doubt</b></p> <p>18 <b>otherwise.</b></p> <p>19 <b>Q.</b> Have you ever observed Mr. Mills showing</p> <p>20 disregard for the welfare or rights of others?</p> <p>21 <b>A. No, not at all.</b></p> <p>22 <b>Q.</b> Once admitted, do you have any concerns</p> <p>23 that Mr. Mills would not comply with the Rules of</p> <p>24 Professional Conduct?</p> <p>25 <b>A. No. He knows exactly what he has to do</b></p>

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1 **and he does it. I think there's other situations**  
 2 **in life that go on forever, unfortunately.**

3 **Q.** Since knowing Mr. Mills a year and a  
 4 half now, have you observed him to be law abiding?  
 5 Are you aware of any issues that he has had with  
 6 the law?

7 **A.** No, he is law abiding. He has changed  
 8 his character. No question about that. And he  
 9 would make a great lawyer, given the opportunity.

10 **Q.** Would you have any concerns about  
 11 Mr. Mills having access to clients' money?

12 **A.** No, not at all.

13 **Q.** Has he ever missed any deadlines or  
 14 anything like that?

15 **A.** No. And my assignments are time  
 16 sensitive and he performs each time. Whatever I  
 17 need, he performs them on time so that I can  
 18 present my documents to the court on a timely  
 19 basis.

20 **Q.** Assuming that Mr. Mills is a licensed  
 21 attorney, would you trust him to be giving clients  
 22 advice?

23 **A.** Absolutely. My only regret is that if  
 24 he wants to do other kinds of cases that I will  
 25 lose a very good assistant to do my work. But

30

1 **that's not here nor there.**

2 **Q.** Speaking of trust, would you trust him  
 3 to give legal advice to members of your family?

4 **A.** Oh, absolutely.

5 **Q.** Do you believe that Mr. Mills has the  
 6 requisite moral character and fitness to practice  
 7 law?

8 **A.** Yes, I have no doubt. And I have been  
 9 around a lot of lawyers over the years and some of  
 10 them I wouldn't say that. But he has the moral  
 11 character.

12 MS. HEINLEIN: I don't have  
 13 anything further.

14 BOARD CHAIR KONECK: Mr. Genrich.

15 CROSS-EXAMINATION

16 BY MR. GENRICH:

17 **Q.** Good morning, Mr. Ammerman.

18 **A.** Good morning.

19 **Q.** Thank you for being here this morning.  
 20 I just have a few questions for you. You indicated  
 21 that your practice is exclusively Chapter 13  
 22 bankruptcy petitions?

23 **A.** Chapter 13 and Chapter 7.

24 **Q.** And are your clients all individuals?

25 Are they individually filed petitions?

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1 **A.** Yes. I'm seeing more LLC's filing.  
 2 Restaurants going out of business left and right.  
 3 So I have to see -- I will file Chapter 7 for an  
 4 LLC business. And that's only to give notice to  
 5 the world that they have no more ability to  
 6 continue and to work. And then I have to see if  
 7 the individuals have signed personal guarantees,  
 8 because then I have to deal with their situation  
 9 individually. And that would be like a landlord or  
 10 an SBA loan or some other loan with the banks once  
 11 the personal guarantee -- so it's a two-pronged  
 12 process.

13 **Q.** You don't do any constitutional tort  
 14 litigation?

15 **A.** No.

16 **Q.** And you don't do any consumer protection  
 17 litigation outside the context of I'm sure what you  
 18 would consider the bankruptcy context?

19 **A.** That's right.

20 **Q.** Does Mr. Mills work full-time for you?

21 **A.** Yes.

22 **Q.** Is he compensated by salary or a  
 23 case-by-case basis?

24 **A.** By a draw I give him.

25 **Q.** You indicated that he has worked for you

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1 a short time and still under ongoing evaluation; is  
 2 that right?

3 **A.** Well, everyone is undergoing evaluation  
 4 because of where we work. But as far as I'm  
 5 concerned, he's tenured in my office.

6 **Q.** But your testimony was that with respect  
 7 to additional compensation or bonuses he is still  
 8 under evaluation?

9 **A.** It just depends on what money comes in  
 10 and what his work has been. I can always -- I can  
 11 always give him additional compensation if  
 12 warranted.

13 **Q.** And you testified that your perception  
 14 -- or your posture toward him is he has worked for  
 15 you for a short time, since 2024?

16 **A.** Well, that's a short time.

17 **Q.** You indicated that or Ms. Heinlein asked  
 18 you whether you were aware of civil litigation  
 19 dating back as far as 2019; is that right?

20 **A.** Yes.

21 **Q.** Are you aware of whether Mr. Mills  
 22 currently has any active civil litigation pending  
 23 where he is proceeding pro se or with counsel?

24 **A.** I think he does.

25 **Q.** And does he work on that work in

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<p style="text-align: right;">33</p> <p>1 connection with his employment with your firm?</p> <p>2 <b>A. No.</b></p> <p>3 <b>Q.</b> You mentioned that you were familiar</p> <p>4 with his background; although, I think you</p> <p>5 testified that you have not gone into it that</p> <p>6 deeply? Is that accurate?</p> <p>7 <b>A. Well, his background being the various</b></p> <p>8 <b>cases he has been involved with. I don't know -- I</b></p> <p>9 <b>can't cite chapter and verse each case. But I'm</b></p> <p>10 <b>aware of them.</b></p> <p>11 <b>Q.</b> I think your testimony was that when he</p> <p>12 sought a job from you that you discussed his</p> <p>13 background, including alcohol use and prior run-ins</p> <p>14 with the law; is that right?</p> <p>15 <b>A. Yes.</b></p> <p>16 <b>Q.</b> And I think you testified that you</p> <p>17 haven't gone into that that deeply; is that</p> <p>18 accurate?</p> <p>19 <b>A. Well, I learned enough about it. And I</b></p> <p>20 <b>would look and wait and see what would happened in</b></p> <p>21 <b>the future. But I didn't have any suspicions. It</b></p> <p>22 <b>was really behind him.</b></p> <p>23 <b>Q.</b> You mentioned that you have some</p> <p>24 familiarity with Mr. Mills' violation of his law</p> <p>25 school's code of academic integrity; is that right?</p>	<p style="text-align: right;">35</p> <p>1 sanction; is that right?</p> <p>2 <b>A. Well, that appears, from the record.</b></p> <p>3 <b>Q.</b> Do you think he was coerced?</p> <p>4 <b>A. That's a good question. I think that he</b></p> <p>5 <b>was in a position where he was afraid that it might</b></p> <p>6 <b>affect his ability to graduate law school and he</b></p> <p>7 <b>wanted to get behind it or get beyond that.</b></p> <p>8 <b>Q.</b> Is that conclusion based on your</p> <p>9 conversations with Mr. Mills in part?</p> <p>10 <b>A. Based upon what I've read.</b></p> <p>11 <b>MR. GENRICH:</b> No further</p> <p>12 questions.</p> <p>13 <b>BOARD CHAIR KONECK:</b> Any Board</p> <p>14 members have any questions? We will start with</p> <p>15 you, Mr. Fluegel.</p> <p>16 <b>BOARD MEMBER FLUEGEL:</b> Yes,</p> <p>17 please. Good morning, sir. Thank you, once again,</p> <p>18 for coming. I just had one topic I wanted to visit</p> <p>19 with you about. But before I do, let me give you a</p> <p>20 little context.</p> <p>21 I think I have been practicing about</p> <p>22 10 years less than yourself, and I have to admit to</p> <p>23 already focusing some attention on transitioning</p> <p>24 out of practice and retirement. So that brings me</p> <p>25 to my question. You have urged the Board here to</p>
<p style="text-align: right;">34</p> <p>1 <b>A. Yes, I read the opinion.</b></p> <p>2 <b>Q.</b> And you believe it was a</p> <p>3 misunderstanding?</p> <p>4 <b>A. You know, it's a very unusual situation.</b></p> <p>5 <b>I've never heard of that happening before. But it</b></p> <p>6 <b>can be explained. Although he obviously did sign</b></p> <p>7 <b>off on an agreement, a plea deal. And that was for</b></p> <p>8 <b>him to decide. But perhaps there was something</b></p> <p>9 <b>missing in that matter that I think he should not</b></p> <p>10 <b>have gone down that road.</b></p> <p>11 <b>Q.</b> So your impression is that the professor</p> <p>12 was at fault and made an excessive decision, I</p> <p>13 think is what you said?</p> <p>14 <b>A. I don't know that she was at fault. But</b></p> <p>15 <b>I think she was very aggressive and -- but it was</b></p> <p>16 <b>the judge -- or her position.</b></p> <p>17 <b>Q.</b> Are you aware that her response was</p> <p>18 only in reply to Mr. Mills' academic grievance that</p> <p>19 accused her of arbitrary and capricious conduct?</p> <p>20 <b>A. Well, I think he had a right to do that.</b></p> <p>21 <b>He had to do something to defend himself.</b></p> <p>22 <b>Q.</b> And did the professor?</p> <p>23 <b>A. She did indeed.</b></p> <p>24 <b>Q.</b> And you indicated that -- your testimony</p> <p>25 was that Mr. Mills had no choice but to accept the</p>	<p style="text-align: right;">36</p> <p>1 admit your friend and colleague. And I'm wondering</p> <p>2 if you have devoted any thought to whether you</p> <p>3 might transition your practice to him should he be</p> <p>4 admitted or whether that's a topic that's not yet</p> <p>5 presented itself for your consideration? Would you</p> <p>6 give us some --</p> <p>7 <b>THE WITNESS:</b> I have been trying</p> <p>8 to develop an exit strategy. I have a lot of</p> <p>9 clients. And at some point you just cannot work</p> <p>10 any longer. And I'm, as you said 10 years older</p> <p>11 than you, I had a problem with fraud perpetrated</p> <p>12 against my wife and myself where these people</p> <p>13 gained all of our retirement income, retirement</p> <p>14 accounts, and we are currently in litigation with</p> <p>15 them. It's been difficult to pursue. And they</p> <p>16 evade process. And so these are my considerations.</p> <p>17 But at some point you just cannot function any</p> <p>18 longer. And I'm trying to do the best I can to</p> <p>19 hold it together.</p> <p>20 But he would be very useful to me, if I</p> <p>21 do transition, that he might be able to pick up</p> <p>22 ongoing work that I have so I can eventually finish</p> <p>23 off.</p> <p>24 <b>BOARD MEMBER FLUEGEL:</b> Thank you,</p> <p>25 once again, sir, for sharing your thoughts with us.</p>

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<p style="text-align: right;">37</p> <p>1 THE WITNESS: You're welcome.</p> <p>2 BOARD CHAIR KONECK: Ms. Beety?</p> <p>3 BOARD MEMBER BEETY: No questions.</p> <p>4 BOARD CHAIR KONECK: Judge</p> <p>5 Bratvold?</p> <p>6 BOARD MEMBER BRATVOLD: No</p> <p>7 questions.</p> <p>8 BOARD MEMBER PRINCE: No questions</p> <p>9 here. Thank you.</p> <p>10 BOARD MEMBER BELL: No questions.</p> <p>11 But thank you for coming.</p> <p>12 THE WITNESS: Thank you for having</p> <p>13 me. I will be leaving, at some point, to get to</p> <p>14 the airport to get out of the snow.</p> <p>15 BOARD CHAIR KONECK: Ms. Heinlein,</p> <p>16 any more questions?</p> <p>17 MS. HEINLEIN: No, I don't have</p> <p>18 any more questions.</p> <p>19 MR. GENRICH: No. Thank you,</p> <p>20 Mr. Chair.</p> <p>21 (At this time a discussion</p> <p>22 was held off the record.)</p> <p>23 BOARD CHAIR KONECK: Ms. Heinlein,</p> <p>24 you can call your next witness.</p> <p>25 MS. HEINLEIN: I would like to</p>	<p style="text-align: right;">39</p> <p>1 close.</p> <p>2 Q. Has your family supported you in your</p> <p>3 academic pursuits?</p> <p>4 A. Yes. Yes, I have a fairly large family</p> <p>5 on both my mom and dad's side, and everybody has</p> <p>6 been very happy and supportive about -- and saying</p> <p>7 that they are proud about my decision to pursue a</p> <p>8 career in law.</p> <p>9 Q. When did you graduate from high school?</p> <p>10 A. 2009.</p> <p>11 Q. Where did you go?</p> <p>12 A. James Hubert Blake High School.</p> <p>13 Q. Where is that located?</p> <p>14 A. In Silver Spring, Maryland.</p> <p>15 Q. So what was it that made you decide to</p> <p>16 further your education from high school?</p> <p>17 A. Well, initially, I went to Montgomery</p> <p>18 College, but I didn't really know what I wanted to</p> <p>19 do, so I took a break of about a year. And then I</p> <p>20 returned and I completed my associate's degree.</p> <p>21 Q. Did you go straight on to obtain your</p> <p>22 bachelor's from Montgomery College?</p> <p>23 A. Yes. And then I completed by bachelor's</p> <p>24 in history at the University of Baltimore.</p> <p>25 Q. When did you first decide that you</p>
<p style="text-align: right;">38</p> <p>1 call Lawrence Justine Mills.</p> <p>2 LAWRENCE JUSTINE MILLS,</p> <p>3 the Witness in the above-entitled</p> <p>4 matter after having been first duly</p> <p>5 sworn, testifies and says as follows:</p> <p>6 DIRECT EXAMINATION</p> <p>7 BY MS. HEINLEIN:</p> <p>8 Q. Good morning, Mr. Mills.</p> <p>9 A. Good morning.</p> <p>10 Q. Could you please state your full name</p> <p>11 for the record.</p> <p>12 A. Yes. Lawrence Justin Mills.</p> <p>13 Q. And what is your current address?</p> <p>14 A. 705 Winhall Way, Silver Spring, Maryland</p> <p>15 20904.</p> <p>16 Q. What is your date of birth?</p> <p>17 A. April 28, 1991.</p> <p>18 Q. Are you married?</p> <p>19 A. No.</p> <p>20 Q. Could you tell the Board a little bit</p> <p>21 about your family?</p> <p>22 A. My dad is a professor at Bowie State</p> <p>23 University. My mom is an academic counselor at</p> <p>24 Montgomery College. And my brother is a teacher</p> <p>25 for middle school students. My family is very</p>	<p style="text-align: right;">40</p> <p>1 wanted to be a lawyer?</p> <p>2 A. Well, it was after an incident at</p> <p>3 Maryland Live Casino where I was unlawfully</p> <p>4 detained and my attorneys filed a lawsuit in U.S.</p> <p>5 District Court in Baltimore. And it was just the</p> <p>6 experience of going through the litigation, seeing</p> <p>7 and reading the motions and briefs that my</p> <p>8 attorneys filed and attending depositions, just,</p> <p>9 you know, being a part of that whole process got me</p> <p>10 interested in law. And that's how I decided that I</p> <p>11 wanted to be an attorney.</p> <p>12 Q. So why do you want to be a lawyer?</p> <p>13 A. Well, I want to be a lawyer because I</p> <p>14 want to be able to pursue civil litigation to help</p> <p>15 others. And I think, above all, be able to take on</p> <p>16 matters that will have a meaningful and positive</p> <p>17 impact.</p> <p>18 Q. Where did you apply for law school?</p> <p>19 A. I applied for law school at Lincoln</p> <p>20 Memorial University - Duncan School of Law.</p> <p>21 Q. And when did you begin attending law</p> <p>22 school?</p> <p>23 A. I began attending law school in 2019.</p> <p>24 Q. And that was at Lincoln Memorial</p> <p>25 University - Duncan School of Law?</p>

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<p style="text-align: right;">41</p> <p>1       <b>A. Yes, that's correct.</b></p> <p>2       <b>Q. When did you obtain your J.D.?</b></p> <p>3       <b>A. In December of 2022.</b></p> <p>4       <b>Q. Why did you choose Duncan School of Law?</b></p> <p>5       <b>A. Well, because of the small class sizes</b></p> <p>6 <b>and the strong faculty, I thought that that would</b></p> <p>7 <b>be ideal for me to learn law.</b></p> <p>8       <b>Q. Have you had any experience working in</b></p> <p>9 <b>the legal field?</b></p> <p>10       <b>A. Yes, I have been working as a law clerk</b></p> <p>11 <b>now for several years. Initially, while I was in</b></p> <p>12 <b>law school, I started working with attorney Abraham</b></p> <p>13 <b>Carpio, where I helped with drafting motions,</b></p> <p>14 <b>oppositions, complaints. Just in general,</b></p> <p>15 <b>everything relevant to the different civil</b></p> <p>16 <b>litigation matters. Mostly personal injury, but as</b></p> <p>17 <b>well as other contracts and some commercial</b></p> <p>18 <b>litigation as well.</b></p> <p>19       <b>Q. And that was while you were in law</b></p> <p>20 <b>school?</b></p> <p>21       <b>A. Yes, that's while I was in law school.</b></p> <p>22 <b>Also, at the end of law school I did an externship</b></p> <p>23 <b>at the law office of Fox and Farley. That I would</b></p> <p>24 <b>just describe as a good experience. While I was</b></p> <p>25 <b>there -- it's also, essentially, a personal injury</b></p>	<p style="text-align: right;">43</p> <p>1       <b>were -- that we have been getting from the</b></p> <p>2 <b>different -- you know, the work I have been doing,</b></p> <p>3 <b>any motions at issue or anything. And that's what</b></p> <p>4 <b>I think about when I'm working on different</b></p> <p>5 <b>clients' cases is just the end result, thinking</b></p> <p>6 <b>about obtaining a positive end result. That's what</b></p> <p>7 <b>matters, I think.</b></p> <p>8       <b>Q. Have you ever been late on any of your</b></p> <p>9 <b>assignments or missed any deadlines?</b></p> <p>10       <b>A. No.</b></p> <p>11       <b>Q. And you mentioned clients. What kind of</b></p> <p>12 <b>feedback have you received from clients that you</b></p> <p>13 <b>have done work on their cases? Any examples or</b></p> <p>14 <b>anything that comes to mind that you would like to</b></p> <p>15 <b>share with the Board?</b></p> <p>16       <b>A. Yeah. I think -- well, the office's</b></p> <p>17 <b>clients know that I help with their cases. Yeah, I</b></p> <p>18 <b>have received feedback, clients saying thank you</b></p> <p>19 <b>and expressing that they are happy with how their</b></p> <p>20 <b>cases are going or it turned out, yeah.</b></p> <p>21       <b>Q. Mr. Ammerman had mentioned that one of</b></p> <p>22 <b>the characteristics that you possess is that you</b></p> <p>23 <b>are bilingual. Have you been able to use that</b></p> <p>24 <b>skill in helping clients?</b></p> <p>25       <b>A. Oh, yeah, absolutely. Many times we get</b></p>
<p style="text-align: right;">42</p> <p>1       <b>firm. But they had some very interesting cases</b></p> <p>2 <b>that I worked on while I was there and kind of</b></p> <p>3 <b>viewed, you know, the attorney consulting with -- I</b></p> <p>4 <b>kind of saw how they use expert witnesses, like,</b></p> <p>5 <b>for some of these massive trucking cases and</b></p> <p>6 <b>different matters.</b></p> <p>7       <b>Q. And then, of course, you are currently</b></p> <p>8 <b>employed as a law clerk?</b></p> <p>9       <b>A. Yes, that's correct.</b></p> <p>10       <b>Q. And talk a little bit about that</b></p> <p>11 <b>position.</b></p> <p>12       <b>A. Yes. So I have been working for about</b></p> <p>13 <b>18 months for attorney Harris Ammerman. And the</b></p> <p>14 <b>work I do there it's been -- part of it has been</b></p> <p>15 <b>helping with bankruptcy cases, drafting different</b></p> <p>16 <b>briefs related to those petitions.</b></p> <p>17       <b>His office also handles different civil</b></p> <p>18 <b>litigation matters as well. So I, you know, draft</b></p> <p>19 <b>different filings, motions, oppositions for him.</b></p> <p>20       <b>Q. What kind of feedback have you received</b></p> <p>21 <b>from your supervising attorneys in these roles?</b></p> <p>22       <b>A. Yeah, it's all been positive. So I</b></p> <p>23 <b>recall specifically Mr. Ammerman telling me at one</b></p> <p>24 <b>point that I was batting a 1000. That's the phrase</b></p> <p>25 <b>he used to describe the positive results that we</b></p>	<p style="text-align: right;">44</p> <p>1       <b>calls in from new, prospective clients and they</b></p> <p>2 <b>just speak Spanish and I can speak with them in</b></p> <p>3 <b>Spanish. And, also, when they come in to the</b></p> <p>4 <b>office to discuss -- it's usually bankruptcy, you</b></p> <p>5 <b>know, to discuss whatever issues are going on,</b></p> <p>6 <b>yeah, I'm certainly able to help with that.</b></p> <p>7       <b>Q. I know Mr. Ammerman discussed this and</b></p> <p>8 <b>you talked about it a little bit, but can you speak</b></p> <p>9 <b>a little bit more in detail about the tasks you are</b></p> <p>10 <b>assigned in your role as a law clerk for Mr.</b></p> <p>11 <b>Ammerman?</b></p> <p>12       <b>A. Yeah. So, essentially, drafting</b></p> <p>13 <b>everything relevant to the different civil</b></p> <p>14 <b>litigation matters, complaints and motions as well</b></p> <p>15 <b>as related to discovery. Sometimes we have</b></p> <p>16 <b>appellate matters and so I will draft the appellate</b></p> <p>17 <b>briefs and -- yeah.</b></p> <p>18       <b>Q. Over the last year and a half or so that</b></p> <p>19 <b>you have been working with Mr. Ammerman, have you</b></p> <p>20 <b>had an opportunity to get to know him socially or</b></p> <p>21 <b>get to know his family socially outside of work?</b></p> <p>22       <b>A. Yes. Yes. Yeah, I have gotten --</b></p> <p>23 <b>actually, Harris' wife, we have had her over for</b></p> <p>24 <b>dinner. She has met my parents. My parents have</b></p> <p>25 <b>met Harris' wife and they have gotten to know each</b></p>

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<p style="text-align: right;">45</p> <p>1 other.</p> <p>2 Q. Have you shared with Harris and Patricia</p> <p>3 the difficulties you experienced obtaining</p> <p>4 admission to the bar, both California and</p> <p>5 Minnesota?</p> <p>6 A. Yes, they have been supportive. I did</p> <p>7 let them know. And especially Patricia Ammerman,</p> <p>8 Harris' wife, yeah, I would say that she has been</p> <p>9 quite supportive, especially from hearing any news</p> <p>10 I shared.</p> <p>11 Q. And have you discussed your past legal</p> <p>12 experience specifically or interactions with the</p> <p>13 criminal courts with Mr. Ammerman and his wife</p> <p>14 Patricia?</p> <p>15 A. Yes. Yes. Yeah, I -- could you repeat</p> <p>16 the --</p> <p>17 Q. Have you had conversations with them</p> <p>18 about your past alcohol related offenses and</p> <p>19 conduct that is a subject of our conversation</p> <p>20 today?</p> <p>21 A. Yeah, I have shared with both Patricia</p> <p>22 Ammerman and Harris regarding those past -- all the</p> <p>23 past alcohol incidents. They both read the recent</p> <p>24 adverse determination, so they know about all those</p> <p>25 details. But even before that, yes, I had told</p>	<p style="text-align: right;">47</p> <p>1 matters that I envision myself pursuing, like PFAS</p> <p>2 litigation. I think most notably Amara's law that</p> <p>3 has the effect of protecting the public from PFAS</p> <p>4 in the environment and consumer products.</p> <p>5 Q. Let's talk a little bit about your bar</p> <p>6 examination and application history to the bar.</p> <p>7 Have you applied for admission in any other</p> <p>8 jurisdiction?</p> <p>9 A. Yes, I applied in California.</p> <p>10 Q. And when did you submit that</p> <p>11 application?</p> <p>12 A. I applied in -- I believe it was in</p> <p>13 2022.</p> <p>14 Q. Why did you apply for admission in</p> <p>15 California?</p> <p>16 A. Well, I applied for admission in</p> <p>17 California because of their proactive laws that --</p> <p>18 like Proposition 65 that prioritize protecting the</p> <p>19 public interest as it relates to product liability</p> <p>20 and consumer protection. So I would say that</p> <p>21 that's because I want to -- I've wanted to practice</p> <p>22 in a state, yeah, that prioritizes protecting the</p> <p>23 public interest and -- you know, I think that's</p> <p>24 exemplified by the kind of laws that a state</p> <p>25 chooses to enact.</p>
<p style="text-align: right;">46</p> <p>1 Harris about the prior alcohol related matters and</p> <p>2 -- so they both were aware of that, of those past</p> <p>3 incidents, yes.</p> <p>4 Q. So what kind of law is it that you would</p> <p>5 like to practice if you are admitted to the bar?</p> <p>6 A. Well, I would like to -- I would want to</p> <p>7 practice civil rights and complex civil litigation,</p> <p>8 including PFAS litigation matters and product</p> <p>9 liability. And also maybe different toxic tort</p> <p>10 cases.</p> <p>11 Q. Why are you interested in those types of</p> <p>12 cases, practicing in that area?</p> <p>13 A. Well, I'm interested in that area</p> <p>14 because I think -- I think -- well, I can't imagine</p> <p>15 a better -- more of a type of case that can have a</p> <p>16 significant positive impact than that area of</p> <p>17 litigation.</p> <p>18 Q. So you are from Maryland. You applied</p> <p>19 to the California bar. You went to law school in</p> <p>20 Tennessee.</p> <p>21 A. Yes.</p> <p>22 Q. Why have you applied for admission here</p> <p>23 to the Minnesota bar?</p> <p>24 A. Well, Minnesota's policies and</p> <p>25 litigation align with the kind of civil litigation</p>	<p style="text-align: right;">48</p> <p>1 Q. Did you sit for the California bar exam?</p> <p>2 A. Yes, I did.</p> <p>3 Q. Did you pass the California bar exam?</p> <p>4 A. No.</p> <p>5 Q. What was the outcome of your California</p> <p>6 moral character determination?</p> <p>7 A. California issued an adverse</p> <p>8 determination.</p> <p>9 Q. Do you believe that their determination</p> <p>10 was incorrect?</p> <p>11 A. Yes.</p> <p>12 Q. Was there anything specific about their</p> <p>13 determination that you can highlight for the Board</p> <p>14 that you believe was incorrectly assessed?</p> <p>15 A. Yes. So when the California bar said --</p> <p>16 in the informal conference they submitted a letter</p> <p>17 where they specifically identified the 2017 felony</p> <p>18 theft by deception arrest as a misconduct and as a</p> <p>19 character issue for the informal conference. And</p> <p>20 during the informal conference they also questioned</p> <p>21 me about that incident and relied on it as a</p> <p>22 negative factor. Certainly, it appears they</p> <p>23 weighed it as serious misconduct when there wasn't</p> <p>24 any misconduct at all on my part regarding that</p> <p>25 occurrence. I think Judge Bartle's opinion</p>



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<p style="text-align: right;">49</p> <p>1 addresses that and makes it clear that it didn't</p> <p>2 involve any misconduct on my part.</p> <p>3 Q. So why didn't you appeal the California</p> <p>4 Board's adverse determination as to your character</p> <p>5 and fitness?</p> <p>6 A. Well, I didn't appeal the California</p> <p>7 bar's adverse determination because I didn't really</p> <p>8 see any purpose to doing that as a practical matter</p> <p>9 because I didn't pass the bar exam on both</p> <p>10 attempts. I made the decision that I was not going</p> <p>11 to reattempt the California bar exam. So that's</p> <p>12 why.</p> <p>13 Q. Thank you. So when did you apply for</p> <p>14 admission in Minnesota?</p> <p>15 A. I applied for admission in Minnesota in</p> <p>16 November 2024.</p> <p>17 Q. And did you sit for the was it the</p> <p>18 February '25 bar exam?</p> <p>19 A. Yes, that's right.</p> <p>20 Q. What score did you receive?</p> <p>21 A. I received a score of 290. Which</p> <p>22 exceeds the minimum passing score.</p> <p>23 Q. Now, on your application did you</p> <p>24 cooperate and respond fully and to the best of your</p> <p>25 ability to all requests made by the Minnesota Board</p>	<p style="text-align: right;">51</p> <p>1 A. Well, candor means being honest and</p> <p>2 complete with regard to communications with other</p> <p>3 attorneys, judges, clients. And it's fully</p> <p>4 communicating all important -- all information in</p> <p>5 all those communications.</p> <p>6 Q. Why is that an important characteristic</p> <p>7 for an attorney to possess?</p> <p>8 A. Well, it's important because the courts</p> <p>9 and other attorneys and the public need to be able</p> <p>10 to have confidence in attorneys that they are</p> <p>11 reliable and trustworthy in providing the correct</p> <p>12 information and to be able to confide in them.</p> <p>13 Q. So let's talk a little bit about your</p> <p>14 law school application in 2018. When you applied</p> <p>15 for law school at Lincoln Memorial University</p> <p>16 Duncan School of Law, were you asked to disclose</p> <p>17 whether you had been a party to any legal</p> <p>18 proceedings?</p> <p>19 A. Yes.</p> <p>20 Q. How many matters did you disclose in</p> <p>21 your law school application?</p> <p>22 A. I disclosed the PPE Casino Resort matter</p> <p>23 and one other matter that I was planning on</p> <p>24 pursuing.</p> <p>25 Q. And what was that other matter?</p>
<p style="text-align: right;">50</p> <p>1 of Law Examiners for additional information</p> <p>2 pertaining to your application for admission to the</p> <p>3 bar?</p> <p>4 A. Yes.</p> <p>5 Q. What is your understanding of the</p> <p>6 essential eligibility requirements set out in 5A in</p> <p>7 the rules for admission to the bar?</p> <p>8 A. My understanding is that the Rule 5A</p> <p>9 essential eligibility requirements requires that to</p> <p>10 become an attorney requires you to have the present</p> <p>11 character of being trustworthy and honest and</p> <p>12 candid and the ability to be forthright. And</p> <p>13 trustworthy and candid also with the courts, with</p> <p>14 others, with other attorneys, with the public and</p> <p>15 with clients.</p> <p>16 Q. As you sit here today, what is your</p> <p>17 understanding as to why your admission has been</p> <p>18 denied?</p> <p>19 A. Because aspects of my past conduct</p> <p>20 raised concerns. And I thank the Board for the</p> <p>21 opportunity to be able to address those concerns</p> <p>22 today.</p> <p>23 Q. I want to switch to kind of talking</p> <p>24 about some of the characteristics here. Candor.</p> <p>25 What does candor mean to you?</p>	<p style="text-align: right;">52</p> <p>1 A. Mills versus Golden Nugget Atlantic</p> <p>2 City.</p> <p>3 Q. Have you been a party to any other legal</p> <p>4 proceedings that were not disclosed on your law</p> <p>5 school application?</p> <p>6 A. Yes, eleven other cases where I was a</p> <p>7 plaintiff.</p> <p>8 Q. Why didn't you disclose those on your</p> <p>9 application?</p> <p>10 A. Well, I should have disclosed and made</p> <p>11 sure to list them all. And I regret that I didn't</p> <p>12 do that. And I intended to look them up and made</p> <p>13 sure that I included -- listed all of them and I</p> <p>14 forgot to do that.</p> <p>15 Q. Did you ever submit an amendment or a</p> <p>16 correction to your law school application while you</p> <p>17 were a student there?</p> <p>18 A. Yes, I did.</p> <p>19 Q. What prompted you to do that?</p> <p>20 A. Well, the law school dean met with our</p> <p>21 class in the courtroom and reminded everyone and</p> <p>22 asked us to make sure we disclose any past arrests</p> <p>23 or criminal matters.</p> <p>24 Q. And so how long after you started</p> <p>25 school, matriculated, did you submit that</p>

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<p style="text-align: right;">53</p> <p>1 correction?</p> <p>2 <b>A. I believe it was a few weeks after</b></p> <p>3 <b>starting law school that I submitted the supplement</b></p> <p>4 <b>and disclosed additional traffic and alcohol</b></p> <p>5 <b>related matters to make sure that I covered</b></p> <p>6 <b>everything.</b></p> <p>7 <b>Q. Did your law school have any concern</b></p> <p>8 <b>with that supplemental disclosure or ask you any</b></p> <p>9 <b>follow-up questions?</b></p> <p>10 <b>A. No.</b></p> <p>11 <b>Q. When the dean came and talked with your</b></p> <p>12 <b>class, did they mention anything about ensuring</b></p> <p>13 <b>that you also disclose civil cases, or did he just</b></p> <p>14 <b>focus on criminal matters?</b></p> <p>15 <b>A. No, he just focused on criminal matters.</b></p> <p>16 <b>Q. When he was presenting this to the</b></p> <p>17 <b>class, did that conversation prompt you to think</b></p> <p>18 <b>about how you needed to go back and disclose</b></p> <p>19 <b>additional civil matters?</b></p> <p>20 <b>A. No.</b></p> <p>21 <b>Q. If the dean had mentioned civil matters,</b></p> <p>22 <b>would you have supplemented your application to</b></p> <p>23 <b>include those additional legal matters as well?</b></p> <p>24 <b>A. Yes.</b></p> <p>25 <b>Q. So during the last year of law school,</b></p>	<p style="text-align: right;">55</p> <p>1 <b>A. Well, I don't remember exactly how -- I</b></p> <p>2 <b>don't remember exactly how I registered at Pearson</b></p> <p>3 <b>Vue.</b></p> <p>4 <b>Q. Well, what happened next? Like, once</b></p> <p>5 <b>you registered, what happened?</b></p> <p>6 <b>A. I received an email from Pearson Vue.</b></p> <p>7 <b>It was titled Authorization to Test and it said</b></p> <p>8 <b>that I was authorized to take the test. And it</b></p> <p>9 <b>provided specific dates for taking the exam.</b></p> <p>10 <b>Q. So when you got that email, when you</b></p> <p>11 <b>initially reviewed it, what did you think it meant?</b></p> <p>12 <b>A. Oh, I thought it meant that I had done</b></p> <p>13 <b>everything needed to be able to take the test and</b></p> <p>14 <b>that I was authorized to take the exam and that it</b></p> <p>15 <b>was simply providing dates for the exam.</b></p> <p>16 <b>Q. So as the test dates get closer, what</b></p> <p>17 <b>happens?</b></p> <p>18 <b>A. Well, I was notified by Pearson Vue that</b></p> <p>19 <b>I wouldn't be able to take the exam. Pearson Vue</b></p> <p>20 <b>told me that I hadn't completed all necessary steps</b></p> <p>21 <b>to be able to fully finalize registration for the</b></p> <p>22 <b>exam.</b></p> <p>23 <b>Q. When you received that email, did you</b></p> <p>24 <b>communicate concerns with Professor Meldrum?</b></p> <p>25 <b>A. Yes. Yes, I let her know that I</b></p>
<p style="text-align: right;">54</p> <p>1 you were involved in an academic integrity</p> <p>2 investigation; is that right?</p> <p>3 <b>A. Yes.</b></p> <p>4 <b>Q. What law school course was involved in</b></p> <p>5 <b>that investigation?</b></p> <p>6 <b>A. That was my professional responsibility</b></p> <p>7 <b>course.</b></p> <p>8 <b>Q. What was the name of the professor?</b></p> <p>9 <b>A. Professor April Meldrum.</b></p> <p>10 <b>Q. Was taking the professional</b></p> <p>11 <b>responsibility exam, the MPRE, was that a portion</b></p> <p>12 <b>of your grade for that course?</b></p> <p>13 <b>A. Yes. Yes, it was a percentage of the</b></p> <p>14 <b>course grade.</b></p> <p>15 <b>Q. And were you required to register to</b></p> <p>16 <b>take that MPRE exam?</b></p> <p>17 <b>A. Yes.</b></p> <p>18 <b>Q. So what was the first thing you did to</b></p> <p>19 <b>register for that exam?</b></p> <p>20 <b>A. Well, the first thing I did was I</b></p> <p>21 <b>registered with Pearson Vue.</b></p> <p>22 <b>Q. And did you have to go online? What was</b></p> <p>23 <b>that process like?</b></p> <p>24 <b>A. Um --</b></p> <p>25 <b>Q. If you remember?</b></p>	<p style="text-align: right;">56</p> <p>1 <b>wouldn't be able to take the exam.</b></p> <p>2 <b>Q. How did you let her know about your</b></p> <p>3 <b>concerns? What did you do?</b></p> <p>4 <b>A. Well, we met -- we spoke by video on</b></p> <p>5 <b>Zoom. And then I think we also -- yeah, after</b></p> <p>6 <b>that, we also communicated by email.</b></p> <p>7 <b>Q. And did you send her anything via email?</b></p> <p>8 <b>A. Yes. Yes, I forwarded her the -- I</b></p> <p>9 <b>forwarded her the part of the email I received from</b></p> <p>10 <b>Pearson Vue, the part that I relied on when I</b></p> <p>11 <b>thought that I had done all the necessary steps to</b></p> <p>12 <b>be able to register for the exam.</b></p> <p>13 <b>Q. So did you ask her if you could have an</b></p> <p>14 <b>accommodation or sit for a later exam or anything</b></p> <p>15 <b>like that?</b></p> <p>16 <b>A. Yeah, I asked Professor Meldrum if I</b></p> <p>17 <b>could take the exam at a later registration, since</b></p> <p>18 <b>I wasn't able to take this administration of the</b></p> <p>19 <b>exam. And she responded by email declining that</b></p> <p>20 <b>request.</b></p> <p>21 <b>Q. So being unable to take that exam how</b></p> <p>22 <b>would that have impacted your grade.</b></p> <p>23 <b>A. Well, I would have received a failing</b></p> <p>24 <b>grade for the exam, so that would have adversely</b></p> <p>25 <b>impacted my grade. It would have affected the</b></p>

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<p style="text-align: right;">57</p> <p>1 <b>percentage of the course grade that it's allocated</b>  2 <b>for.</b>  3 <b>Q.</b> So what did you do at that point?  4 <b>A.</b> I filed an academic grievance requesting  5 <b>that I be permitted to take the later</b>  6 <b>administration of the exam and use that exam score</b>  7 <b>for the percentage of the course grade or that it</b>  8 <b>be omitted from the course grade since I wasn't</b>  9 <b>able to take the exam.</b>  10 <b>Q.</b> When you filed that grievance, was that  11 motivated by any feelings of malice against  12 Professor Meldrum?  13 <b>A.</b> No.  14 <b>Q.</b> What did Professor Meldrum do after you  15 filed the academic grievance?  16 <b>A.</b> She filed an academic integrity  17 <b>complaint where she stated that -- she alleged that</b>  18 <b>I didn't include a portion of the email when I</b>  19 <b>forwarded it to her.</b>  20 <b>Q.</b> Was it your intention to be dishonest  21 when you sent Professor Meldrum the email  22 expressing your concerns about not being able to  23 sit for the MPRE?  24 <b>A.</b> No. No, it was my intention to show her  25 <b>the -- show her what I had read and relied on from</b></p>	<p style="text-align: right;">59</p> <p>1 administration regarding the matter?  2 <b>A.</b> Yeah, I spoke with Dean Gill who  3 <b>expressed that he was satisfied and glad that we</b>  4 <b>were able to resolve the matter with me accepting</b>  5 <b>responsibility and signing the plea agreement.</b>  6 <b>Q.</b> What did you learn from this experience?  7 <b>A.</b> Well, I learned to be careful and  8 <b>thoughtful when I'm reviewing documents and to not</b>  9 <b>rush to blame other people and see -- and take a</b>  10 <b>close look to see if the issue is due to my own</b>  11 <b>oversight.</b>  12 <b>Q.</b> If you do discover that something is due  13 to oversight, how do you respond today?  14 <b>A.</b> Well, I would immediately address it,  15 <b>accept that it's a mistake that I did and take any</b>  16 <b>corrective measure that needs to be done.</b>  17 <b>Q.</b> Have there been any other allegations  18 regarding academic integrity beyond this single  19 incident?  20 <b>A.</b> No.  21 <b>Q.</b> Mr. Mills, was there a period in your  22 life when you had a number of alcohol related  23 offenses?  24 <b>A.</b> Yes.  25 <b>Q.</b> Can you explain that a little bit?</p>
<p style="text-align: right;">58</p> <p>1 <b>the email I received and why I thought I had done</b>  2 <b>all necessary steps to be able to register for the</b>  3 <b>exam.</b>  4 <b>Q.</b> Looking back, do you believe that you  5 reviewed that email closely enough?  6 <b>A.</b> No. No, I skimmed the -- I skimmed the  7 <b>email and didn't fully read it when I first</b>  8 <b>received it. So that's why I didn't know what all</b>  9 <b>the necessary steps were to be able to register for</b>  10 <b>the exam.</b>  11 <b>Q.</b> So what was the outcome of the grievance  12 -- or the academic integrity complaint? Excuse me.  13 <b>A.</b> Yeah. Well, I signed a plea agreement  14 <b>accepting responsibility for recklessly violating</b>  15 <b>the law school code.</b>  16 <b>Q.</b> What sanctions were imposed with that  17 agreement?  18 <b>A.</b> I was given a written reprimand and  19 <b>suspension from the law school for five months</b>  20 <b>served on probation.</b>  21 <b>Q.</b> Do you accept responsibility for your  22 conduct in that instance?  23 <b>A.</b> Yes.  24 <b>Q.</b> After you signed that agreement, did you  25 have any further communication with law school</p>	<p style="text-align: right;">60</p> <p>1 <b>A.</b> Yeah. When I was 19 to 20 years old, it  2 <b>was 14 to 15 years ago, yeah, I drank too much</b>  3 <b>alcohol during that time. I had a number of</b>  4 <b>alcohol related incidents.</b>  5 <b>Q.</b> And you mentioned that was primarily  6 between 2010 and 2011. Any other alcohol related  7 incidents that occurred after 2011?  8 <b>A.</b> Yes. In 2019, I had a DUI that was  9 <b>later reduced to reckless driving.</b>  10 <b>Q.</b> Let's focus on the period of 2010 to  11 2011 for now. How do you reflect on that period of  12 your life today?  13 <b>A.</b> It was a time when drinking alcohol led  14 <b>me to make a lot of really poor decisions and that</b>  15 <b>I was acting senselessly.</b>  16 <b>Q.</b> Did you ever attend alcohol abuse  17 treatment or any rehabilitation?  18 <b>A.</b> Yes, I attended a three-day weekend  19 <b>inpatient treatment at Right Turn. And then I also</b>  20 <b>did a 28-day inpatient treatment there. So 31</b>  21 <b>days.</b>  22 <b>Q.</b> Where is Right Turn located?  23 <b>A.</b> It's in Maryland.  24 <b>Q.</b> So what did you gain from your  25 experience going through treatment?</p>

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<p style="text-align: right;">61</p> <p>1       <b>A. Well, it led me really just to reflect</b>  2   <b>on the fact that alcohol -- I needed to make it a</b>  3   <b>minimal or -- a minimal part of my life. Certainly</b>  4   <b>make a significant change from how I had been</b>  5   <b>living, yes.</b>  6       <b>Q. Do you consume alcohol today?</b>  7       <b>A. Yes, it's a very minimal -- not a</b>  8   <b>significant part of my life. I will have a glass</b>  9   <b>of wine maybe once every three or four weeks at a</b>  10 <b>social event.</b>  11       <b>Q. Have you had any new criminal or traffic</b>  12 <b>charges alcohol related or otherwise since 2019?</b>  13       <b>A. No.</b>  14       <b>Q. Do you operate a vehicle after drinking?</b>  15       <b>A. No.</b>  16       <b>Q. I'm going to talk very briefly about the</b>  17 <b>two charged crimes, felony level crimes that are in</b>  18 <b>your past. First, let's talk about the 2014 casino</b>  19 <b>marker. Can you explain what happened in that</b>  20 <b>incident?</b>  21       <b>A. Yeah, it was seven years ago. I believe</b>  22 <b>it was in 2014.</b>  23       <b>Q. 2014 --</b>  24       <b>A. Excuse me. Sorry, twelve years ago.</b>  25 <b>And it was during a trip to Las Vegas, Nevada. I</b></p>	<p style="text-align: right;">63</p> <p>1       <b>Q. Did you have any other subsequent issues</b>  2 <b>with failing to pay casino markers or any other</b>  3 <b>financial obligations on time to pay after this</b>  4 <b>incident?</b>  5       <b>A. No, I don't think -- No, there is no</b>  6 <b>other casino marker occurrence, no.</b>  7       <b>Q. Can you explain a little bit now about</b>  8 <b>the 2019 DUI? What were the circumstances</b>  9 <b>surrounding that incident?</b>  10       <b>A. Yeah. I was on a social visit up in</b>  11 <b>New York and visiting family and, yeah, I made the</b>  12 <b>-- I drank when I was there, which I deeply regret</b>  13 <b>that I made that decision, and then I drove home.</b>  14 <b>I had a flight the next morning to Australia and --</b>  15 <b>you know, so I drove home -- I was pulled over in</b>  16 <b>Delaware and there was a test done and it showed</b>  17 <b>that I had a BAC level of .11.</b>  18       <b>Q. How was that matter resolved?</b>  19       <b>A. The court imposed a year of probation</b>  20 <b>and an alcohol treatment course. Which I</b>  21 <b>completed. And the court actually ended the</b>  22 <b>probation early, I think, by several months.</b>  23       <b>Q. So you completed all the terms of that</b>  24 <b>sentence?</b>  25       <b>A. Yes.</b></p>
<p style="text-align: right;">62</p> <p>1   <b>was at Red Rock Resort and Casino and they extended</b>  2   <b>5000 credit in casino chips. When I returned, I</b>  3   <b>inadvertently missed the payment due date, and I</b>  4   <b>received a letter regarding that from the Las Vegas</b>  5   <b>D.A.'s office. And so I promptly remitted payment</b>  6   <b>to the D.A.'s office for that amount plus the</b>  7   <b>additional collection fee that the D.A.'s office</b>  8   <b>requested. And the matter was then dismissed and</b>  9   <b>sealed.</b>  10       <b>Q. How did that experience effect how you</b>  11 <b>handle your financial obligations today?</b>  12       <b>A. Well, it's certainly made me more</b>  13 <b>conscientious that I need to be diligent and</b>  14 <b>careful to always pay any credit, you know, on time</b>  15 <b>and just being more responsible.</b>  16       <b>Q. Are you currently in arrears on any</b>  17 <b>payments or other financial obligations?</b>  18       <b>A. No.</b>  19       <b>Q. Why is it important for lawyers to be</b>  20 <b>responsible with their finances?</b>  21       <b>A. Because attorneys are entrusted with</b>  22 <b>client funds as fiduciaries. They have a</b>  23 <b>responsibility to safeguard the funds and be</b>  24 <b>responsible. They have a fiduciary duty to the</b>  25 <b>clients.</b></p>	<p style="text-align: right;">64</p> <p>1       <b>Q. How many years has it been since this</b>  2 <b>offense?</b>  3       <b>A. Six years.</b>  4       <b>Q. How old were you at the time?</b>  5       <b>A. I was 28.</b>  6       <b>Q. And how old are you today?</b>  7       <b>A. Thirty-four.</b>  8       <b>Q. How do you reflect on your actions, your</b>  9 <b>decisions that led to the 2019 DUI?</b>  10       <b>A. Yeah, I regret that I let that happen.</b>  11 <b>Again, that I let it happen. I also feel</b>  12 <b>frustrated with myself that I let that happen.</b>  13       <b>Q. What is your understanding, just so the</b>  14 <b>Board understands, how you view this conduct?</b>  15 <b>What's your understanding as to why it's illegal to</b>  16 <b>drive while under the influence of alcohol?</b>  17       <b>A. Well, because it impairs your ability to</b>  18 <b>drive and it puts others at risk, other drivers and</b>  19 <b>others.</b>  20       <b>Q. And how about traffic rules, do you</b>  21 <b>believe that you are required to follow the rules</b>  22 <b>of the road?</b>  23       <b>A. Yes. Yes, I think it's -- Well, it's</b>  24 <b>important because it protects the safety of</b>  25 <b>everyone. And now I view it as a basic, you know,</b></p>

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<p style="text-align: center;">65</p> <p>1 <b>requirement of how to drive and something that's</b>  2 <b>non-negotiable.</b>  3 <b>Q.</b> Were you thorough in your disclosures to  4 the Board regarding your previous criminal charges  5 and traffic violations?  6 <b>A. Yes.</b>  7 <b>Q.</b> Did you ensure that the Board was  8 provided all information required and available to  9 fully assess these incidents?  10 <b>A. Yes.</b>  11 <b>Q.</b> I'm going to turn now to some civil  12 matters. How many petitions for writs of mandamus  13 did you file in Maryland courts, have you filed?  14 <b>A. Seven.</b>  15 <b>Q.</b> I want to split them -- first, we will  16 talk about the petition that relates back to an  17 incident that occurred at Maryland Live Casino in  18 2014. Did you bring a related civil rights action  19 against Maryland Live Casino regarding an incident  20 in 2014?  21 <b>A. Yes, my attorneys filed a civil rights</b>  22 <b>lawsuit in U.S. District Court in Baltimore against</b>  23 <b>Maryland Live Casino.</b>  24 <b>Q.</b> And why did you file a civil rights  25 action? Please explain the circumstances?</p>	<p style="text-align: center;">67</p> <p>1 <b>Bennett.</b>  2 <b>Q.</b> And what did Judge Bennett determine  3 regarding whether or not false imprisonment had  4 occurred?  5 <b>A. Judge Bennett entered summary judgment</b>  6 <b>in my favor on my claim of false imprisonment</b>  7 <b>against the security shift supervisor and the</b>  8 <b>casino. He explained that the video evidence was</b>  9 <b>clear. The video evidence clearly showed that the</b>  10 <b>security shift supervisor had falsely imprisoned</b>  11 <b>me. And he further explained that the evidence was</b>  12 <b>clear and overwhelming such that Maryland Live was</b>  13 <b>not even entitled to a jury trial on the issue of</b>  14 <b>liability. And Judge Bennett also explained that</b>  15 <b>-- he concluded that no reasonable jury could find</b>  16 <b>that I was free to leave. That no reasonable jury</b>  17 <b>could conclude that I was not deprived of my</b>  18 <b>liberty. And he also concluded that I had not done</b>  19 <b>anything illegal such that -- such that the</b>  20 <b>security shift manager and casino lacked any legal</b>  21 <b>justification for detaining me. And that,</b>  22 <b>accordingly, I was entitled to judgment as a matter</b>  23 <b>of law on liability for false imprisonment.</b>  24 <b>Q.</b> So Judge Bennett's findings, did that  25 contradict state attorney Anne Leites's claim that</p>
<p style="text-align: center;">66</p> <p>1 <b>A. Yes. Because I was unlawfully detained</b>  2 <b>at the casino by the -- Well, also battery was also</b>  3 <b>committed by the security shift manager of the</b>  4 <b>casino and other personnel.</b>  5 <b>Q.</b> Did you speak to the state attorney  6 about prosecuting the shift supervisor?  7 <b>A. Yes, my attorneys handling the Maryland</b>  8 <b>Live Casino lawsuit asked me to file criminal</b>  9 <b>charges against the security shift manager of the</b>  10 <b>casino. So they asked me to go to the</b>  11 <b>commissioner's office. Which I did. I went and --</b>  12 <b>the commissioner found probable cause. He filed</b>  13 <b>the criminal charges of false imprisonment against</b>  14 <b>the security shift supervisor.</b>  15 <b>Q.</b> And did you have communication with then  16 the state's attorney about moving the prosecution  17 forward?  18 <b>A. Yes. And Anne Leites's, the state's</b>  19 <b>attorney at the time, she called me and she said</b>  20 <b>that she was not going to move forward with the</b>  21 <b>prosecution of the charges because there wasn't</b>  22 <b>enough evidence to show the jury.</b>  23 <b>Q.</b> Who was the judge that was presiding  24 over the civil rights case?  25 <b>A. That's U.S. District Court Judge Richard</b></p>	<p style="text-align: center;">68</p> <p>1 there was not enough information or evidence to  2 show false imprisonment?  3 <b>A. Yes.</b>  4 <b>Q.</b> Once summary judgment was granted as to  5 liability, was there a monetary settlement? How  6 did that civil rights action resolve?  7 <b>A. Yes. The settlement was for 215,000.</b>  8 <b>The casino settled with me for 190,000 and the Anne</b>  9 <b>Arundel County officers involved settled for</b>  10 <b>25,000.</b>  11 <b>Q.</b> So you brought that case by and through  12 counsel. What did your legal team think of state  13 attorney Leites's refusal to prosecute the security  14 shift supervisor?  15 <b>A. So my attorneys in handling the Maryland</b>  16 <b>Live lawsuit, yeah, they expressed that they</b>  17 <b>disagreed with her decision not to prosecute and</b>  18 <b>her reason thereof.</b>  19 <b>And while at the time I didn't know</b>  20 <b>what -- I didn't even know what a writ of mandamus</b>  21 <b>was. It was my -- my attorneys handling the</b>  22 <b>Maryland Live casino lawsuit, they asked me to file</b>  23 <b>a petition for writ of mandamus against the Anne</b>  24 <b>Arundel County state's attorney and the state's</b>  25 <b>attorney's office.</b></p>

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<p style="text-align: right;">69</p> <p>1           <b>My attorneys explained to me that in</b>  2 <b>Maryland a private citizen has a right to file a</b>  3 <b>petition for a writ of mandamus seeking to -- an</b>  4 <b>order to compel prosecution.</b>  5       <b>Q.</b> So did your attorneys prepare and file  6 that petition on your behalf?  7       <b>A.</b> Yes. Yes, my attorneys handling the  8 actual lawsuit they got another attorney. They  9 brought in another attorney and that attorney filed  10 the petition for writ of mandamus, yes.  11       <b>Q.</b> How did the court rule on the petition  12 for writ of mandamus?  13       <b>A.</b> Well, Judge Silkworth, he concluded that  14 based on the circumstances that it would not -- he  15 found that it was not a gross abuse of discretion  16 for the state's attorney to decline prosecution of  17 the security shift manager for false imprisonment  18 and battery.  19       <b>Q.</b> Did you appeal Judge Silkworth's  20 finding?  21       <b>A.</b> No.  22       <b>Q.</b> And why not?  23       <b>A.</b> Because my attorney that handled the  24 petition for writ of mandamus, he explained to me  25 that if it had been a dismissal on procedural</p>	<p style="text-align: right;">71</p> <p>1 Can you please explain the circumstances  2 surrounding the 2015 DUI reckless driving arrest?  3       <b>A.</b> Yes. I was charged by a trooper with  4 DUI charges. We had a bench trial in the district  5 court. And based solely on the trooper's testimony  6 the judge found me guilty of the DUI charges. And  7 I then --  8       <b>Q.</b> Did you retain counsel to represent you  9 in that matter?  10       <b>A.</b> Yes.  11       <b>Q.</b> Did you appeal the judge's decision?  12       <b>A.</b> Yes, I filed a de novo appeal and -- we  13 had a jury trial in the circuit court and my  14 defense attorney was able to prove at trial that  15 the trooper testified falsely and as a result the  16 jury found me not guilty of all the DUI charges.  17       <b>Q.</b> After the acquittal, did you file a  18 complaint with Maryland State Police Internal  19 Affairs regarding the arresting officer?  20       <b>A.</b> Yes.  21       <b>Q.</b> What did your complaint allege?  22       <b>A.</b> That the trooper had testified falsely  23 at the different proceedings where he testified  24 related to that DUI acquittal.  25       <b>Q.</b> What is the name of that trooper?</p>
<p style="text-align: right;">70</p> <p>1 grounds, that then there would be -- there would be  2 a viable appeal. But that because Judge Silkworth  3 issued a decision and opinion on the merits and  4 found that the state's attorney did not grossly  5 abuse their discretion, that an appeal would not be  6 realistic.  7                       MS. HEINLEIN: Just to check in.  8 I'm about halfway through my questions. Would you  9 like me to continue going?  10                      BOARD CHAIR KONECK: What do  11 others --  12                      MS. HEINLEIN: Anyone need a  13 break?  14                      BOARD CHAIR KONECK: Keep going.  15                      THE COURT REPORTER: I need a  16 break.  17                      (A recess was taken from  18 11:47 a.m. until 11:57 a.m.)  19                      BOARD CHAIR KONECK: Let's go back  20 on the record. Proceed.  21 BY MS. HEINLEIN:  22       <b>Q.</b> Mr. Mills, I would like to turn our  23 conversation to the 2015 DUI arrest and acquittal.  24 The other six petitions for writ of mandamus have  25 related to your acquittal in the 2015 DUI charge.</p>	<p style="text-align: right;">72</p> <p>1       <b>A.</b> Trooper Anthony Hassan.  2       <b>Q.</b> What were the findings of the Internal  3 Affairs division?  4       <b>A.</b> Internal Affairs terminated the  5 complaint as unfounded.  6       <b>Q.</b> So let's turn to the petition Mills v.  7 Howard County State's Attorney filed in 2016. Why  8 did you file this petition against Howard County  9 State's Attorney?  10       <b>A.</b> I had asked the Howard County State's  11 Attorney's Office to pursue a perjury charge  12 against the trooper for testifying falsely and the  13 office declined to prosecute. So I relied on what  14 my attorneys handling the Maryland Live case had  15 explained to me when they asked me to file that  16 initial writ of mandamus petition in the Mills v.  17 Anne Arundel County State's Attorney's Office  18 matter.  19       <b>Q.</b> So you proceeded on that pro se?  20       <b>A.</b> Yes.  21       <b>Q.</b> Go ahead, if you had more to say about  22 what you relied on there.  23       <b>A.</b> Yeah. So my attorneys that were  24 handling the Maryland Live Casino lawsuit, they  25 explained to me that, as I might have mentioned</p>

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<p style="text-align: right;">73</p> <p>1 before, that in Maryland a private citizen has a</p> <p>2 right to file a petition for a writ of mandamus.</p> <p>3 And they explained that this is proper under</p> <p>4 Maryland case law. Specifically the Maryland</p> <p>5 Supreme Court decision Brack v. Wells which</p> <p>6 articulates this right. It applies where only in</p> <p>7 the narrow situation of a gross abuse of discretion</p> <p>8 in declining to prosecute.</p> <p>9 Q. So why did you rely on that petition</p> <p>10 that was filed, Anne Arundel, knowing that that</p> <p>11 petition had been denied by Judge Silkworth?</p> <p>12 A. Well, that's because it's a different</p> <p>13 factual circumstance. The petition that Judge</p> <p>14 Silkworth denied related to a security shift</p> <p>15 manager that falsely imprisoned me. But this</p> <p>16 instance was factually different. It dealt with a</p> <p>17 trooper that testified falsely.</p> <p>18 Q. What was the outcome of the petition?</p> <p>19 A. The petition was dismissed. The court</p> <p>20 wrote on the petition, "Dismissed. No cognizable</p> <p>21 relief available."</p> <p>22 Q. Once you got that decision from the</p> <p>23 court, did you speak to any lawyers or anyone about</p> <p>24 that determination?</p> <p>25 A. Well, when I decided to appeal it, what</p>	<p style="text-align: right;">75</p> <p>1 administrative mandamus because that's the language</p> <p>2 my attorney used when he drafted the Anne Arundel</p> <p>3 County mandamus petition. And, likewise, I believe</p> <p>4 that he did not allege a gross abuse of discretion</p> <p>5 in the complaint. And that's likely why my Mills</p> <p>6 v. Howard County State's Attorney's Office petition</p> <p>7 also did not specifically use that language.</p> <p>8 Q. So what was your takeaway from that</p> <p>9 ruling?</p> <p>10 A. Well, my takeaway from the ruling was</p> <p>11 that if I filed a petition for writ of mandamus,</p> <p>12 that I needed to address the deficiencies addressed</p> <p>13 by the appellate court. That I needed ensure that</p> <p>14 it was properly brought as a petition for either a</p> <p>15 common law mandamus and also that it alleged a</p> <p>16 gross abuse of discretion as required under Brack</p> <p>17 v. Wells.</p> <p>18 Q. Did the court find that your petition</p> <p>19 for writ of mandamus in the Howard County action</p> <p>20 was improper or brought in bad faith?</p> <p>21 A. No.</p> <p>22 Q. Let's talk about the Mills v. Maryland</p> <p>23 State Police writ of mandamus also brought in 2016.</p> <p>24 Why did you file that petition, Mr. Mills?</p> <p>25 A. Well, I filed it because I thought the</p>
<p style="text-align: right;">74</p> <p>1 I relied on with regard to the Dismissal, no</p> <p>2 cognizable relief available, what I thought was</p> <p>3 simply that, yes, I understood from what my</p> <p>4 attorneys explained that there is cognizable relief</p> <p>5 for seeking a petition for writ of mandamus under</p> <p>6 Brack v. Wells. So I appealed and the appellate</p> <p>7 court of Maryland they issued an opinion. They</p> <p>8 affirmed the dismissal, but --</p> <p>9 Q. Why don't you explain what their</p> <p>10 decision was.</p> <p>11 A. Yeah. They affirmed the dismissal, but</p> <p>12 they explained that that was because of two</p> <p>13 specific reasons. One being that the petition was</p> <p>14 improperly brought as a petition for a writ of</p> <p>15 administrative mandamus when it should have been</p> <p>16 seeking common law mandamus. And the appellate</p> <p>17 court also explained that the petition did not</p> <p>18 specifically plead gross abuse of discretion. That</p> <p>19 language was required to have been in the</p> <p>20 complaint.</p> <p>21 Now, when I drafted the complaint, I</p> <p>22 relied on the complaint that my attorney had</p> <p>23 drafted in the Mills v. Anne Arundel County State's</p> <p>24 Attorney's Office matter. I mirrored the language.</p> <p>25 So what I had drafted was a petition for</p>	<p style="text-align: right;">76</p> <p>1 unfounded determination was not accurate and I</p> <p>2 believed that an administrative mandamus would</p> <p>3 apply to that finding because -- I believed it's a</p> <p>4 quasi judicial finding or a decision which is</p> <p>5 exactly what an administrative mandamus would apply</p> <p>6 to.</p> <p>7 Q. And when you say "that finding," can you</p> <p>8 please be clear what you are referring to?</p> <p>9 A. The unfounded determination that the</p> <p>10 Internal Affairs division made. I saw it in the</p> <p>11 petition to modify the finding from unfounded to</p> <p>12 sustained.</p> <p>13 Q. And Judge Rubin presided over that</p> <p>14 matter. What did Judge Rubin rule in that matter?</p> <p>15 A. I certainly had a discussion with Judge</p> <p>16 Rubin during the hearing where we discussed the</p> <p>17 legal considerations regarding the claim. What he</p> <p>18 told me was that he didn't think it was the correct</p> <p>19 procedural device. He didn't really explain why.</p> <p>20 He thought it wasn't the correct procedural device.</p> <p>21 But he did advise that I could file a section 1983</p> <p>22 claim as to the trooper. And so he dismissed the</p> <p>23 petition.</p> <p>24 Q. Did you appeal Judge Rubin's finding?</p> <p>25 A. Yes.</p>

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<p style="text-align: right;">77</p> <p>1 Q. And why?</p> <p>2 A. Well, I appealed it because he stated</p> <p>3 that he thought it wasn't the right procedural</p> <p>4 device, but he didn't really say why.</p> <p>5 Q. And what was the finding of the</p> <p>6 appellate court?</p> <p>7 A. The appellate court explained that I</p> <p>8 lack standing to bring -- seek administrative</p> <p>9 mandamus regarding the Internal Affairs division's</p> <p>10 determination. That I didn't have a cognizable</p> <p>11 interest in the outcome of that decision.</p> <p>12 Q. Again, did the court find your petition</p> <p>13 improper or that you had brought it in bad faith?</p> <p>14 A. No.</p> <p>15 Q. The next petition you filed in 2017,</p> <p>16 Mills v. Office of State Prosecutor, can you please</p> <p>17 tell the Board a little bit about that writ, that</p> <p>18 petition for writ of mandamus, please?</p> <p>19 A. Yes, I asked the state prosecutor Emmet</p> <p>20 Davitt if -- I requested that he file a perjury</p> <p>21 charge against the trooper. But I also requested</p> <p>22 that he allow me to present evidence to the grand</p> <p>23 jury. Because that's a distinct right recognized</p> <p>24 under Maryland law. It's actually separate from</p> <p>25 Brack v. Wells. The presentation of evidence to</p>	<p style="text-align: right;">79</p> <p>1 explained -- Well, first, he stated that, yes, in</p> <p>2 Maryland a private citizen does have a right to</p> <p>3 approach the grand jury to present evidence of</p> <p>4 violations of the law by another person. But he</p> <p>5 explained that there's -- a citizen must first</p> <p>6 exhaust their other remedies before that right</p> <p>7 under Sibley is ripe.</p> <p>8 And so as it pertains to my petition in</p> <p>9 that matter, Judge Nazarian explained that I had --</p> <p>10 that there is one step I hadn't fulfilled that was</p> <p>11 required for my right to become ripe. And</p> <p>12 specifically he explained that I did not request</p> <p>13 criminal charges with the district court</p> <p>14 commissioner first, as is required. So there was</p> <p>15 no judicable issue because the right to present</p> <p>16 evidence had not become ripe.</p> <p>17 Q. So did you take additional action after</p> <p>18 reviewing the judge's ruling?</p> <p>19 A. Yes. So I later -- I fulfilled that</p> <p>20 requirement that was identified by Judge Nazarian.</p> <p>21 I requested criminal charges with the district</p> <p>22 court commissioner. And the commissioner I believe</p> <p>23 she stated that she was not able to. And so, yeah,</p> <p>24 at that point I understood that my right to present</p> <p>25 evidence had become ripe.</p>
<p style="text-align: right;">78</p> <p>1 the grand jury is governed by Sibley v. Doe and</p> <p>2 later by -- more recently in Holloman v. Mosby.</p> <p>3 And he declined both requests.</p> <p>4 Q. So what did you do when he declined?</p> <p>5 A. Yes, I filed a petition for writ of</p> <p>6 mandamus as to the office of the state prosecutor</p> <p>7 seeking to enforce my right to present evidence</p> <p>8 under Sibley.</p> <p>9 Q. So when you filed that petition, did you</p> <p>10 adjust it to conform with the appellate court</p> <p>11 ruling by the Maryland Court of Appeals with Howard</p> <p>12 County?</p> <p>13 A. Yes, that's exactly right. I made sure</p> <p>14 to address the deficiencies that were noted by the</p> <p>15 appellate court of Maryland. I made sure that it</p> <p>16 was a petition properly seeking common law mandamus</p> <p>17 and also that it alleged a gross abuse of</p> <p>18 discretion as is required.</p> <p>19 Q. What was the outcome of that petition?</p> <p>20 A. Well, it was dismissed via an order.</p> <p>21 Q. And did you appeal that dismissal?</p> <p>22 A. Yes.</p> <p>23 Q. What was the outcome of the appeal?</p> <p>24 A. So the appellate court of Maryland in an</p> <p>25 opinion authored by Judge Nazarian, Judge Nazarian</p>	<p style="text-align: right;">80</p> <p>1 Q. And did Judge Nazarian find your</p> <p>2 petition to be improper or brought in bad faith?</p> <p>3 A. No.</p> <p>4 Q. The next petition for writ of mandamus,</p> <p>5 Mills v. Hartford State Attorney's Office filed in</p> <p>6 2017, can you again please explain the rationale</p> <p>7 behind this petition?</p> <p>8 A. Yes. So in Maryland there is a crime of</p> <p>9 contradictory material statements statute. It's</p> <p>10 under criminal law article section 911C. And it</p> <p>11 provides that when someone makes contradictory</p> <p>12 material declarations under oath in two different</p> <p>13 jurisdictions, charges can be sought in either</p> <p>14 jurisdiction. In this situation, he had also</p> <p>15 testified in Hartford County making contradictory</p> <p>16 material declarations.</p> <p>17 Q. When you say "he," you are speaking</p> <p>18 about?</p> <p>19 A. Yes, the trooper.</p> <p>20 Q. Okay.</p> <p>21 A. And so because of that I requested the</p> <p>22 Hartford County state's attorney to -- or state's</p> <p>23 attorney's office to pursue perjury charges against</p> <p>24 the trooper for testifying falsely.</p> <p>25 Q. What was the outcome of that?</p>



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<p style="text-align: right;">81</p> <p>1       <b>A. The Hartford County State's Attorney's</b>  2 <b>Office declined.</b>  3       <b>Q. So did you appeal that decision?</b>  4       <b>A. Yes, initially. Initially. But I</b>  5 <b>didn't pursue the appeal. I read a -- I believe</b>  6 <b>it's -- because I read an opinion -- I think it's</b>  7 <b>Judge Nazarian's opinion and then chose not to</b>  8 <b>pursue an appeal in that case.</b>  9       <b>Q. So you withdrew your appeal?</b>  10       <b>A. Yes.</b>  11       <b>Q. Did the court ever find your petition in</b>  12 <b>this matter was improper or brought in bad faith?</b>  13       <b>A. No.</b>  14       <b>Q. Mills v. Sandman, et al., the final writ</b>  15 <b>of mandamus action, did you have counsel represent</b>  16 <b>you in that case?</b>  17       <b>A. Yes.</b>  18       <b>Q. And who was your attorney?</b>  19       <b>A. Lawrence Greenberg.</b>  20       <b>Q. Had you worked with Mr. Greenberg</b>  21 <b>previously?</b>  22       <b>A. Yes, Mr. Greenberg was the attorney who</b>  23 <b>-- also, he filed a federal civil rights action</b>  24 <b>against this trooper for the same thing. For the</b>  25 <b>false testimony that he presented.</b></p>	<p style="text-align: right;">83</p> <p>1   hearing he said that he reviewed not just the last  2   mandamus action but he said he reviewed my prior  3   mandamus actions as well. And he concluded that I  4   was -- essentially, that I was navigating in good  5   faith. That I was navigating the murky waters of a  6   changing area of law as I was bringing forth these  7   claims. Certainly the law regarding the  8   presentation of evidence to grand juries changed  9   while I was bringing the actions. Like, with the  10   new decision of Holloman v. Mosby.  11           And he also commented that the law  12   regarding mandamus actions and the presentation of  13   evidence to grand juries, well, that it was  14   difficult to discern both to people inside the  15   system and certainly outside the system.  16           And he also mentioned that one of my  17   cases in themselves, the Mills v. Office of the  18   State Prosecutor case was part of these cases that  19   were changing with what the law itself was as to  20   the presentation of evidence.  21           And So Judge Nicklas he also  22   specifically found -- he concluded that -- he said  23   that he was not persuaded that I was afforded my  24   rights as it pertains to seeking mandamus relief in  25   2017. And he denied the defendant's motion to</p>
<p style="text-align: right;">82</p> <p>1       <b>Q. And turning our attention to the writ of</b>  2 <b>mandamus action. Can you explain a little bit more</b>  3 <b>about the petition that Mr. Greenberg filed?</b>  4       <b>A. Yes. So by this time, my attorneys had</b>  5 <b>spoken with the Howard County's State's Attorney's</b>  6 <b>Office because the court reporter's certified</b>  7 <b>transcripts of the trooper's testimony had just</b>  8 <b>recently become available by this time. So my</b>  9 <b>attorneys requested that the Howard County State's</b>  10 <b>Attorney's Office review the transcripts and</b>  11 <b>actually look at the trooper's testimony.</b>  12       <b>Yes, so the Howard County State's</b>  13 <b>Attorney's Office reviewed the transcripts and they</b>  14 <b>drafted a criminal indictment against the trooper</b>  15 <b>for perjury and other criminal offenses. And they</b>  16 <b>began to plan with my counsel regarding the</b>  17 <b>presentation of evidence of it.</b>  18       <b>Q. So your counsel has been in touch with</b>  19 <b>Howard County Attorney's Office regarding this</b>  20 <b>draft indictment?</b>  21       <b>A. Yes.</b>  22       <b>Q. And so Judge Nicklas presided over that</b>  23 <b>petition for writ. What was his finding?</b>  24       <b>A. So we had a hearing on this last</b>  25 <b>mandamus action. Well, Judge Nicklas during the</b></p>	<p style="text-align: right;">84</p> <p>1   dismiss and also their motion for summary judgment  2   as to the mandamus claim and the cause of action.  3       <b>Q. So the matter proceeded to bench trial?</b>  4       <b>A. Yes.</b>  5       <b>Q. What was revealed during trial?</b>  6       <b>A. Well, it came to light during the</b>  7 <b>hearing that in fact at some point somebody from</b>  8 <b>the Howard County State's Attorney's Office that</b>  9 <b>they had spoken to a grand jury foreman and asked</b>  10 <b>if I could present evidence -- if they are fine</b>  11 <b>that I present evidence to the grand jury and that</b>  12 <b>the grand jury foreman declined. And so Judge</b>  13 <b>Nicklas found that that fact that came to light,</b>  14 <b>that he found that that satisfied my right to</b>  15 <b>assemble evidence to offer to the grand jury under</b>  16 <b>the new standard in Holloman v. Mosby.</b>  17       <b>Q. So after you reviewed Judge Nicklas'</b>  18 <b>finding there, did you appeal his decision?</b>  19       <b>A. No, because I thought his decision was</b>  20 <b>consistent with the facts that came to light during</b>  21 <b>the bench trial.</b>  22       <b>Q. And did Judge Nicklas ever make a</b>  23 <b>finding that your petition was brought improperly</b>  24 <b>or done in bad faith?</b>  25       <b>A. No.</b></p>

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<p style="text-align: right;">85</p> <p>1       <b>Q.</b> You've had two civil rights cases. I</p> <p>2 want to talk briefly about the Golden Nugget case.</p> <p>3 Did you file a civil case against Golden Nugget</p> <p>4 Atlantic City?</p> <p>5       <b>A.</b> Yes.</p> <p>6       <b>Q.</b> Why did you bring that action?</p> <p>7       <b>A.</b> Well, I brought the civil action in</p> <p>8 <b>Mills v. Golden Nugget Atlantic City</b> because I was</p> <p>9 <b>falsely arrested by New Jersey officers at the</b></p> <p>10 <b>Golden Nugget Resort and charged with felony theft</b></p> <p>11 <b>by deception. I had done nothing wrong and nothing</b></p> <p>12 <b>improper to justify that occurring.</b></p> <p>13       <b>Q.</b> Were you represented by counsel in that</p> <p>14 case?</p> <p>15       <b>A.</b> Later on in the case, yes.</p> <p>16       <b>Q.</b> Well, explain for the Board just a</p> <p>17 little bit about what the outcome was of that case?</p> <p>18       <b>A.</b> Well, U.S. District Judge Harvey Bartle</p> <p>19 he found that I had done nothing wrong. That no</p> <p>20 reasonable officer could have believed there was</p> <p>21 probable cause for my arrest for violation for</p> <p>22 theft by deception, or for the violation of any</p> <p>23 crime. He also found that there was nothing even</p> <p>24 suspicious about my conduct. Yeah. And so he</p> <p>25 entered summary judgment in my favor for false</p>	<p style="text-align: right;">87</p> <p>1       <b>Q.</b> Can you explain for the Board your basis</p> <p>2 for YOUR current matter Mill v. Rosen, et al., an</p> <p>3 action that was brought in 2024?</p> <p>4       <b>A.</b> Yes. In that action -- in the <b>Mills v.</b></p> <p>5 <b>Sandman case that was filed by my attorney Lawrence</b></p> <p>6 <b>Greenberg, during that case the defendants produced</b></p> <p>7 <b>discovery. And in that discovery was documentation</b></p> <p>8 <b>showing that a former assistant state's attorney --</b></p> <p>9 <b>a former assistant state's attorney had published</b></p> <p>10 <b>to the Internal Affairs division that I was found</b></p> <p>11 <b>guilty -- that I was convicted of DUI in the</b></p> <p>12 <b>circuit court at the conclusion of the jury trial</b></p> <p>13 <b>when in fact that assistant state's attorney</b></p> <p>14 <b>observed the not guilty verdict. And she also</b></p> <p>15 <b>testified at her deposition that she knew and was</b></p> <p>16 <b>aware that I was found not guilty at the conclusion</b></p> <p>17 <b>of that circuit court jury trial.</b></p> <p>18       And so there is also a claim of</p> <p>19 defamation per se because the matter involves</p> <p>20 representing to a third party that I was convicted</p> <p>21 of a crime, knowing that I was found not guilty of</p> <p>22 the crime. And it's currently pending on appeal in</p> <p>23 the appellate court of Maryland.</p> <p>24       <b>Q.</b> Can you explain for the Board your basis</p> <p>25 for the Mills v. Caesars Entertainment</p>
<p style="text-align: right;">86</p> <p>1 imprisonment in my related state and federal</p> <p>2 constitutional causes of action against the</p> <p>3 officers. And after that -- shortly after, his</p> <p>4 decision before the jury trial on damages was set</p> <p>5 to take place the New Jersey officers settled with</p> <p>6 me for 285,000.</p> <p>7       <b>Q.</b> We talked a little bit about this</p> <p>8 earlier when we were talking about the California</p> <p>9 bar character and fitness assessment. Just to kind</p> <p>10 of revisit that briefly. How does this case relate</p> <p>11 to your understanding of the California bar's</p> <p>12 character and moral fitness determination?</p> <p>13       <b>A.</b> This was the lawsuit that related to the</p> <p>14 felony theft by deception arrest in 2017. That's</p> <p>15 the arrest that the California bar listed,</p> <p>16 specifically listed as a negative character issue</p> <p>17 when they scheduled the informal conference and</p> <p>18 questioned me about it at the conference and</p> <p>19 weighed it as a negative factor and serious</p> <p>20 misconduct when in fact it didn't involve any</p> <p>21 misconduct at all on my part and as articulated by</p> <p>22 Judge Bartle.</p> <p>23       <b>Q.</b> Do you have any currently pending civil</p> <p>24 matters?</p> <p>25       <b>A.</b> Yes.</p>	<p style="text-align: right;">88</p> <p>1 Incorporation matter that was brought in 2024?</p> <p>2       <b>A.</b> Yeah. So I filed a civil action against</p> <p>3 <b>Caesars Entertainment, Inc. It emanates from -- I</b></p> <p>4 <b>was at Caesars Atlantic City resort and the casino</b></p> <p>5 <b>personnel barred me from playing blackjack because</b></p> <p>6 <b>they had identified me as a skilled player. So in</b></p> <p>7 <b>New Jersey skilled players are considered a</b></p> <p>8 <b>protected class under the Supreme Court decision</b></p> <p>9 <b>Uston versus Resorts International. That decision</b></p> <p>10 <b>provides for a private cause of action for</b></p> <p>11 <b>violation of the common law right of access to</b></p> <p>12 <b>public resort and amusement. And so I filed that</b></p> <p>13 <b>claim pursuant to Uston versus Resorts</b></p> <p>14 <b>International.</b></p> <p>15       <b>Q.</b> What is the status of that case?</p> <p>16       <b>A.</b> It's currently in discovery.</p> <p>17       <b>Q.</b> And can you also speak briefly about the</p> <p>18 final pending case that's open right now Mills v.</p> <p>19 Leguen matter that was brought in 2024?</p> <p>20       <b>A.</b> Yes. In that case I brought a</p> <p>21 constitutional challenge to the statutory exemption</p> <p>22 in the Nevada Clean Indoor Air Act. This exemption</p> <p>23 strips the Nevada Clean Indoor Air Acts protections</p> <p>24 afforded to the public from exposure to secondhand</p> <p>25 smoke. It strips these protections only as to</p>

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<p style="text-align: right;">89</p> <p>1 casino resorts and, thus, singles out patrons and</p> <p>2 employees and families for exposure to secondhand</p> <p>3 smoke. And so the complaint -- the case alleges,</p> <p>4 essentially, that this statutory exemption fails</p> <p>5 rational basis scrutiny.</p> <p>6 Q. What is the current status of that case?</p> <p>7 A. It's pending in the United States Court</p> <p>8 of -- it's pending on appeal and the United States</p> <p>9 Court of Appeals for the Ninth Circuit denied the</p> <p>10 defendant's motion to dismiss.</p> <p>11 Q. Thank you, Mr. Mills. Have any courts</p> <p>12 ever sanctioned you or found your filings</p> <p>13 frivolous?</p> <p>14 A. No.</p> <p>15 Q. And has any judge ever made a finding</p> <p>16 that any of your actions were brought in bad faith?</p> <p>17 A. No.</p> <p>18 Q. Approximately how much have you</p> <p>19 recovered in civil actions overall?</p> <p>20 A. 550,000.</p> <p>21 Q. What else has been gained by you through</p> <p>22 these actions?</p> <p>23 A. Accountability.</p> <p>24 Q. And did you act in good faith in</p> <p>25 bringing these cases?</p>	<p style="text-align: right;">91</p> <p>1 school and got my J.D. degree. And I also prepared</p> <p>2 for and I passed the bar exam with a score of 290.</p> <p>3 Q. How does your current professional life</p> <p>4 reflect rehabilitation?</p> <p>5 A. Well, for the past several years I have</p> <p>6 worked as a law clerk and I have been diligent and</p> <p>7 responsible and I think I have been consistent and</p> <p>8 also doing good work that obtains, you know,</p> <p>9 positive results for the clients of the offices</p> <p>10 that I have worked for.</p> <p>11 Q. Have you engaged in any community</p> <p>12 service or public interest work since -- well,</p> <p>13 during or since law school?</p> <p>14 A. Yes.</p> <p>15 Q. Have you done any volunteering on</p> <p>16 campuses?</p> <p>17 A. Yes. In law school, I volunteered to</p> <p>18 assist immigrant families.</p> <p>19 Q. How about volunteer work or pro bono</p> <p>20 work -- volunteer work, I should say, with any law</p> <p>21 firms?</p> <p>22 A. Yes, I volunteered with a law firm in</p> <p>23 New York to assist with PFAS litigation matters.</p> <p>24 Q. Have you done any additional</p> <p>25 volunteering on other college campuses?</p>
<p style="text-align: right;">90</p> <p>1 A. Yes.</p> <p>2 Q. So what does good moral character mean</p> <p>3 to you in the context of practicing law?</p> <p>4 A. It means -- it means that you are</p> <p>5 trustworthy and honest and candid and that you</p> <p>6 presently have these requisite traits to practice</p> <p>7 law. But also I think it means that you are to be</p> <p>8 worthy of the trust of the public and trust and</p> <p>9 confidence of the public and other attorneys and</p> <p>10 judges.</p> <p>11 Q. What steps have you taken to</p> <p>12 rehabilitate yourself since your earlier alcohol</p> <p>13 related misconduct?</p> <p>14 A. Well, I enrolled in inpatient treatment</p> <p>15 when I was younger. I did 31 days of inpatient</p> <p>16 treatment.</p> <p>17 Q. Have you complied with all court</p> <p>18 obligations relating to those offenses?</p> <p>19 A. Yes.</p> <p>20 Q. Have you gone on to complete various</p> <p>21 academic degrees?</p> <p>22 A. Yes. I finished my associate's at</p> <p>23 Montgomery College. And then I pursued and</p> <p>24 finished by bachelor's in history at the University</p> <p>25 of Baltimore. And, of course, I completed law</p>	<p style="text-align: right;">92</p> <p>1 A. Yes, at Bowie State University I did two</p> <p>2 presentations to the prelaw students encouraging</p> <p>3 them to pursue careers in law.</p> <p>4 Q. How about other public interest work?</p> <p>5 How about other volunteer work?</p> <p>6 A. Yes, well, I also produced the human</p> <p>7 rights film regarding the Salvadoran civil war.</p> <p>8 It's both been used for the -- it's been used by</p> <p>9 the Salvadoran national police in their human</p> <p>10 rights curriculum to train their officers on</p> <p>11 ensuring they abide by human rights. And also</p> <p>12 screened at consulates and embassies across the</p> <p>13 world.</p> <p>14 And I also volunteered with Attorney</p> <p>15 Richard Rosen to film interviews with Holocaust</p> <p>16 survivors, because I thought that was important.</p> <p>17 Q. When you say you produced the</p> <p>18 documentary film, did you contribute financially to</p> <p>19 it?</p> <p>20 A. Yes, after I got -- after I settled the</p> <p>21 Maryland Live Casino case, I just thought to do</p> <p>22 something positive and meaningful with the</p> <p>23 settlement funds. So I used \$50,000 of the</p> <p>24 settlement I received in that case to produce the</p> <p>25 humanitarian film.</p>

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<p style="text-align: right;">93</p> <p>1 Q. So was there anything particular about</p> <p>2 these two volunteer works that inspired you to</p> <p>3 participate in them?</p> <p>4 A. Yeah, well, I am Salvadoran and also</p> <p>5 Polish Jewish. So I think both of those projects,</p> <p>6 the Salvadoran human rights one and filming the</p> <p>7 interviews with the Holocaust survivors is</p> <p>8 especially meaningful to me.</p> <p>9 Q. How do these contributions reflect your</p> <p>10 character today?</p> <p>11 A. Well, I think that -- I think that it</p> <p>12 shows that that's the -- well, I think it's</p> <p>13 something I have been doing now for many years. I</p> <p>14 think that's how it shows my character today,</p> <p>15 because I have been engaging in different civic</p> <p>16 contributions and volunteering in projects for</p> <p>17 several years.</p> <p>18 Q. And you have been able to offer some</p> <p>19 professional references for the Board to consider.</p> <p>20 Did your former law school Duncan School of Law,</p> <p>21 did the current dean of that institution Matthew</p> <p>22 Lyon provide a reference letter for you?</p> <p>23 A. Yes.</p> <p>24 Q. What did he have to say about you?</p> <p>25 A. Well, Dean Lyon he described me when I</p>	<p style="text-align: right;">95</p> <p>1 William Kirtley, he is licensed in New York and I</p> <p>2 believe other states as well as in France and</p> <p>3 Switzerland where he currently has an international</p> <p>4 arbitration firm in Geneva, and he provided a</p> <p>5 character letter attesting that I'm honest,</p> <p>6 trustworthy and -- that I'm honest, trustworthy and</p> <p>7 reliable.</p> <p>8 Q. How about non-attorney references or</p> <p>9 support letters?</p> <p>10 A. Yes. My cousin Jennifer Mills, she also</p> <p>11 provided a character letter. And she has known me</p> <p>12 my whole life, for many years. So she's aware of</p> <p>13 past issues that I have had and how I have moved</p> <p>14 past them and changed. And I believe in her letter</p> <p>15 she -- yeah, she also provided specific instances</p> <p>16 of -- that reflect the kind of character I have</p> <p>17 today.</p> <p>18 In addition, Professor Terry Bailey</p> <p>19 also provided a character reference. She also</p> <p>20 described in her letter a lot of the civic</p> <p>21 contributions I have made.</p> <p>22 Q. Where was Terry Bailey a professor of</p> <p>23 yours?</p> <p>24 A. At Montgomery College.</p> <p>25 Q. Well, Mr. Mills, will you uphold the</p>
<p style="text-align: right;">94</p> <p>1 was a 1L in his civil procedure course as prepared</p> <p>2 and inquisitive. And that he thought the traits</p> <p>3 that would be good for me -- my traits I have that</p> <p>4 would be good for me as an attorney was that I'm</p> <p>5 resilient and persistent.</p> <p>6 Q. After graduation, did you stay in touch</p> <p>7 with Dean Lyon?</p> <p>8 A. Oh, yes.</p> <p>9 Q. When you were preparing to take your bar</p> <p>10 exam here in Minnesota, did you talk to him about</p> <p>11 that?</p> <p>12 A. Yes, Dean Lyon, he offered me and got me</p> <p>13 the Themis Bar Review course. Which was incredibly</p> <p>14 helpful. And I used that, yeah, to prepare for and</p> <p>15 pass the Minnesota bar exam.</p> <p>16 Q. And we heard earlier from your</p> <p>17 supervising attorney here Mr. Ammerman. Did you</p> <p>18 provide some additional references here from other</p> <p>19 attorneys?</p> <p>20 A. Yes. So Maurice Jefferson, he is the</p> <p>21 assistant chief deputy attorney general in New</p> <p>22 Jersey, he submitted a character recommendation</p> <p>23 letter saying that I have a strong moral compass</p> <p>24 and expressing his confidence that I have the moral</p> <p>25 character required to practice law. And attorney</p>	<p style="text-align: right;">96</p> <p>1 ethical standards required under the Minnesota</p> <p>2 Rules of Professional Responsibility if you are</p> <p>3 granted admission to the Minnesota bar?</p> <p>4 A. Yes.</p> <p>5 MS. HEINLEIN: I don't have any</p> <p>6 further questions at this time.</p> <p>7 BOARD CHAIR KONECK: Mr. Genrich.</p> <p>8 MR. GENRICH: Thank you, Mr.</p> <p>9 Chair.</p> <p>10 CROSS-EXAMINATION</p> <p>11 BY MR. GENRICH:</p> <p>12 Q. Good afternoon, Mr. Mills.</p> <p>13 A. Good afternoon.</p> <p>14 Q. Other than a brief introduction before</p> <p>15 today's hearing, we have not met or spoken before;</p> <p>16 is that accurate?</p> <p>17 A. Yes.</p> <p>18 Q. I would like to start by following up on</p> <p>19 the updates provided by you and your counsel during</p> <p>20 your direct examination. You don't dispute that</p> <p>21 you have an ongoing obligation to update this Board</p> <p>22 as to material developments in this ongoing</p> <p>23 litigation; is that right?</p> <p>24 A. Yes.</p> <p>25 Q. And with respect to Mills versus</p>

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<p style="text-align: right;">97</p> <p>1 Sandman, when was this bench trial that resulted in</p> <p>2 an adverse decision for your position?</p> <p>3 <b>A. Oh, the bench trial, I don't recall the</b></p> <p>4 <b>exact date. But that was several, several months</b></p> <p>5 <b>ago.</b></p> <p>6 <b>Q.</b> And did you advise the Board of that</p> <p>7 outcome?</p> <p>8 <b>A. Yes, I did.</b></p> <p>9 <b>Q.</b> How did you advise the Board?</p> <p>10 <b>A. Well, as soon as I received the outcome,</b></p> <p>11 <b>the -- as soon as I received Judge Nicklas' order</b></p> <p>12 <b>following the bench trial, I uploaded that decision</b></p> <p>13 <b>to the applicant portal.</b></p> <p>14 <b>Q.</b> With respect to Mills versus Rosen and</p> <p>15 Hassan -- and Mr. Hassan was a defendant in that</p> <p>16 case as well; correct?</p> <p>17 <b>A. Yes.</b></p> <p>18 <b>Q.</b> You indicated that's on appeal in</p> <p>19 Maryland?</p> <p>20 <b>A. You are asking just the case? Is the</b></p> <p>21 <b>case on appeal?</b></p> <p>22 <b>Q.</b> Well, I think you testified that it was</p> <p>23 at the appellate level in Maryland.</p> <p>24 <b>A. Yes, that's right. The case of Mills v.</b></p> <p>25 <b>Rosen is currently pending on appeal in the</b></p>	<p style="text-align: right;">99</p> <p>1 <b>articulated for dismissing that.</b></p> <p>2 <b>Q.</b> You reviewed the stipulated facts that</p> <p>3 we submitted to the Board before this hearing;</p> <p>4 correct?</p> <p>5 <b>A. Yes, I reviewed it.</b></p> <p>6 <b>Q.</b> And you didn't provide the update or</p> <p>7 suggest an update in Mills v. Sandman with respect</p> <p>8 to the adverse decision during the bench trial, did</p> <p>9 you?</p> <p>10 <b>A. That's not accurate. Right after the</b></p> <p>11 <b>bench trial, I uploaded Judge Nicklas' order to the</b></p> <p>12 <b>applicant portal and I immediately updated the</b></p> <p>13 <b>Board with that new decision.</b></p> <p>14 <b>Q.</b> And I'm asking about the stipulated</p> <p>15 facts. The stipulated facts don't reflect that</p> <p>16 adverse decision, do they?</p> <p>17 <b>A. I don't -- I'm not sure.</b></p> <p>18 <b>Q.</b> With respect to the adverse decision in</p> <p>19 district court in the Rosen and Hassan matter, did</p> <p>20 you update the Board?</p> <p>21 <b>A. Yes, as soon as Judge Weathersbee</b></p> <p>22 <b>dismissed that action, I uploaded a copy of her</b></p> <p>23 <b>order of dismissal to the applicant portal, yes.</b></p> <p>24 <b>Q.</b> In Mills versus Caesar, you indicated</p> <p>25 that it's currently at the discovery stage?</p>
<p style="text-align: right;">98</p> <p>1 <b>appellate court of Maryland, yes.</b></p> <p>2 <b>Q.</b> And what was the disposition in trial</p> <p>3 court?</p> <p>4 <b>A. It was dismissed.</b></p> <p>5 <b>Q.</b> Why was it dismissed?</p> <p>6 <b>A. Judge Weathersbee did not provide any --</b></p> <p>7 <b>she didn't articulate any opinion as to why she was</b></p> <p>8 <b>dismissing it. It was simply an order that stated</b></p> <p>9 <b>that it was dismissed.</b></p> <p>10 <b>Q.</b> The district court judge or the trial</p> <p>11 judge dismissed it without issuing any reasoning?</p> <p>12 <b>A. Well, any written reasoning. She did</b></p> <p>13 <b>state some reasoning during the hearing. But she</b></p> <p>14 <b>didn't issue a written opinion explaining why she</b></p> <p>15 <b>was dismissing the case.</b></p> <p>16 <b>Q.</b> What was her reasoning?</p> <p>17 <b>A. If I recall, she dismissed the claims as</b></p> <p>18 <b>to the former assistant state's attorney based on</b></p> <p>19 <b>that she thought the Maryland tort claims act</b></p> <p>20 <b>applied.</b></p> <p>21 <b>Q.</b> And therefore dismissed your pleading?</p> <p>22 <b>A. And therefore dismissed my claims, yes.</b></p> <p>23 <b>Q.</b> And with respect to Trooper Hassan?</p> <p>24 <b>A. I don't think she -- I'm not sure, but I</b></p> <p>25 <b>don't recall specific facts or any specifics she</b></p>	<p style="text-align: right;">100</p> <p>1 <b>A. That's correct.</b></p> <p>2 <b>Q.</b> And Mills versus Leguen, you indicated</p> <p>3 that is at the Ninth Circuit Stage?</p> <p>4 <b>A. That's correct. Yes.</b></p> <p>5 <b>Q.</b> And why is it on appeal?</p> <p>6 <b>A. Well, it's on appeal because Magistrate</b></p> <p>7 <b>Koppe dismissed the action. And so the appeal</b></p> <p>8 <b>addresses her findings and her written opinion.</b></p> <p>9 <b>Q.</b> So the federal court dismissed your</p> <p>10 lawsuit against the public health official in</p> <p>11 Nevada?</p> <p>12 <b>A. That's correct.</b></p> <p>13 <b>Q.</b> And found that the public health</p> <p>14 official was entitled to immunity from your claim?</p> <p>15 <b>A. I don't --</b></p> <p>16 <b>Q.</b> Qualified immunity?</p> <p>17 <b>A. I'm not sure that that's -- I think her</b></p> <p>18 <b>opinion was a little more complex. The reason for</b></p> <p>19 <b>dismissals it was more so -- if I recall, for</b></p> <p>20 <b>example, one thing that Judge Koppe said was --</b></p> <p>21 <b>well, for one thing, I think she referenced that</b></p> <p>22 <b>there weren't examples of binding Ninth Circuit</b></p> <p>23 <b>precedent that specifically states that that</b></p> <p>24 <b>statutory exemption is improper. However, the U.S.</b></p> <p>25 <b>District Court decision in Kastroll did indicate</b></p>

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<p style="text-align: right;">101</p> <p>1 that there is still a -- supported the position of</p> <p>2 what I asserted in the complaint.</p> <p>3 Q. She provided multiple grounds for her</p> <p>4 decision?</p> <p>5 A. Yeah, I think that's accurate.</p> <p>6 Q. Including qualified immunity?</p> <p>7 A. I'm -- I'm not sure. There might have</p> <p>8 -- for some claim -- I'm not sure.</p> <p>9 Q. Did you advise the Board and upload a</p> <p>10 copy of the district court's opinion in that case?</p> <p>11 A. Yes, as soon as I received the district</p> <p>12 court's dismissal and opinion, I uploaded it to the</p> <p>13 applicant portal.</p> <p>14 Q. Do you have any other matters pending in</p> <p>15 any state or federal court in the United States?</p> <p>16 A. No.</p> <p>17 Q. And you haven't filed any new matters</p> <p>18 other than those we just reviewed?</p> <p>19 A. That's correct.</p> <p>20 Q. Other than what you have previously</p> <p>21 disclosed, have you been charged with, arrested</p> <p>22 for, pleaded guilty to, or been convicted of any</p> <p>23 other violation of law?</p> <p>24 A. No.</p> <p>25 Q. And other than what you have previously</p>	<p style="text-align: right;">103</p> <p>1 A. Oh, I'm not sure. I think it was --</p> <p>2 yeah, missed payments on that. But then I followed</p> <p>3 up with the creditor and I made sure that I paid</p> <p>4 that obligation.</p> <p>5 Q. You followed up in anticipation of</p> <p>6 applying for licensure in the state of Minnesota?</p> <p>7 A. Well, I followed up because I wanted to</p> <p>8 -- I wanted to ensure that I satisfied that credit.</p> <p>9 MR. GENRICH: I'm not sure,</p> <p>10 Mr. Chair, what the best method is to have</p> <p>11 Mr. Mills review an exhibit while I ask him about</p> <p>12 it.</p> <p>13 MS. HEINLEIN: I can pull it up</p> <p>14 here, as long as it's one of our stipulated</p> <p>15 exhibits.</p> <p>16 MR. GENRICH: It is. Could you</p> <p>17 pull up 6-26.</p> <p>18 BOARD CHAIR KONECK: We also have</p> <p>19 the books, if you prefer to use the books.</p> <p>20 MS. HEINLEIN: This is fine. It's</p> <p>21 right here.</p> <p>22 BOARD MEMBER BELL: What exhibit</p> <p>23 number is it? Sorry.</p> <p>24 MR. GENRICH: Exhibit 6. I'm</p> <p>25 actually going to direct the witness's attention to</p>
<p style="text-align: right;">102</p> <p>1 disclosed, have you been ticketed for, cited for,</p> <p>2 charged with, arrested for, pleaded guilty to, or</p> <p>3 been convicted of any traffic or vehicle law?</p> <p>4 A. No.</p> <p>5 Q. You indicated during your direct</p> <p>6 testimony that one lesson you learned from the</p> <p>7 \$5,000 marker felony was to always pay credit on</p> <p>8 time; is that correct?</p> <p>9 A. Well, I believe I testified that after</p> <p>10 -- as a result of that incident, I have been more</p> <p>11 conscientious about being responsible and making</p> <p>12 sure I pay any credit obligations on time.</p> <p>13 Q. You don't think your testimony was that</p> <p>14 you learned that you should always pay your credit</p> <p>15 on time?</p> <p>16 A. Yes, I think that's accurate that I</p> <p>17 should always pay my credit on time. Yes.</p> <p>18 Q. Was there a period in the summer of 2024</p> <p>19 that you were not keeping up with your credit</p> <p>20 obligations?</p> <p>21 A. I believe there is one charge-off, one</p> <p>22 credit card that I disclosed in my application --</p> <p>23 Q. And --</p> <p>24 A. -- occurred at some point.</p> <p>25 Q. Why was that charged off?</p>	<p style="text-align: right;">104</p> <p>1 page 25.</p> <p>2 BY MR. GENRICH:</p> <p>3 Q. And this is a copy of your credit report</p> <p>4 that you submitted to the Board; is that right?</p> <p>5 A. Yes.</p> <p>6 Q. And page 25 reflects that this file or</p> <p>7 this entry refers to a charge account; is that</p> <p>8 right?</p> <p>9 A. Yes.</p> <p>10 Q. And at the bottom there under Remarks it</p> <p>11 says, "Settled less than full balance closed." Is</p> <p>12 that right?</p> <p>13 A. Yes.</p> <p>14 Q. And if we go to page 26. I'm sorry,</p> <p>15 page 27, if you would. Those rating numbers at the</p> <p>16 bottom of the months, May 2024 through October of</p> <p>17 2024, those refer to how past due the account is;</p> <p>18 is that right?</p> <p>19 A. I believe.</p> <p>20 Q. If we could --</p> <p>21 MS. HEINLEIN: If you are not</p> <p>22 sure, you can say that.</p> <p>23 BOARD CHAIR KONECK: Please, Ms.</p> <p>24 Heinlein, if you want to make an objection, make</p> <p>25 it. But don't be talking directly to your client.</p>

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<p style="text-align: right;">105</p> <p>1 And could you maybe move away.</p> <p>2 BY MR. GENRICH:</p> <p>3 Q. Mr. Mills, if you could scroll up to</p> <p>4 page 6-11. Once you are there, do you see that</p> <p>5 under the ratings matrix it indicates that the</p> <p>6 numbers 30, 60, 90 and 120 indicate when an account</p> <p>7 is past due?</p> <p>8 A. I'm not --</p> <p>9 MS. HEINLEIN: Mr. Koneck, can I</p> <p>10 instruct him how to find the correct exhibit? He</p> <p>11 is on the wrong page right now. Or would you</p> <p>12 prefer him to use a book?</p> <p>13 BOARD CHAIR KONECK: Why don't we</p> <p>14 get the paper pages.</p> <p>15 MS. HEINLEIN: That's fine. So</p> <p>16 when he says 6 and then the next number, that's the</p> <p>17 Bates number affiliated with it.</p> <p>18 BY MR. GENRICH:</p> <p>19 Q. So if you could go to 6-11. Do you see</p> <p>20 the matrix at the bottom under the heading Ratings?</p> <p>21 A. Yes.</p> <p>22 Q. Do you see 30, 60, 90, 120 reflecting</p> <p>23 how late the account is due?</p> <p>24 A. Yes.</p> <p>25 Q. If we could return to page 27, please.</p>	<p style="text-align: right;">107</p> <p>1 credit accounts last summer?</p> <p>2 A. No.</p> <p>3 Q. And at least one of these were charged</p> <p>4 off; is that right?</p> <p>5 A. I believe it's more accurate to say that</p> <p>6 one was charged off.</p> <p>7 Q. Okay. And are you current on your</p> <p>8 student loans? I think they were probably in</p> <p>9 forbearance for a while. Are they due and owing</p> <p>10 again?</p> <p>11 A. No, I'm current.</p> <p>12 Q. And they have payments due every month?</p> <p>13 A. I don't remember, off the top of my</p> <p>14 head. I would have to check the status of the</p> <p>15 exact --</p> <p>16 Q. Well, are there payments due and owing?</p> <p>17 Set aside the amounts.</p> <p>18 A. No, I'm not due and owing on anything</p> <p>19 with the student loans, no.</p> <p>20 Q. Are they in forbearance or are you</p> <p>21 required to make monthly payments?</p> <p>22 A. No, I'm not required to make monthly</p> <p>23 payments right now.</p> <p>24 Q. With respect to your prior employment,</p> <p>25 you indicated that you worked as a law clerk for</p>
<p style="text-align: right;">106</p> <p>1 And do you see there for the months of May through</p> <p>2 October this credit account was between 60 and 120</p> <p>3 days past due?</p> <p>4 A. Oh, okay. I see the writing here.</p> <p>5 Q. So you see that your credit report</p> <p>6 reflects this credit account was past due for</p> <p>7 between two to four months for half the year last</p> <p>8 year; is that right?</p> <p>9 A. I believe so.</p> <p>10 Q. Could we turn to page 34, please. I</p> <p>11 will represent to you that this is a separate</p> <p>12 account. Although, you are welcome to check that</p> <p>13 if you would like in the pages that proceed this.</p> <p>14 Does page 34 reflect that you were past due for a</p> <p>15 period of 30 and 60 days last summer as well on</p> <p>16 this second account?</p> <p>17 A. Yeah, I see the rating there.</p> <p>18 Q. And could you turn to page 37, please,</p> <p>19 of the same exhibit. Does that reflect that you</p> <p>20 were once again past due on what I will represent</p> <p>21 to you is a third credit account in June and July</p> <p>22 of last year?</p> <p>23 A. Yeah, I believe so.</p> <p>24 Q. So you don't deny that you were past due</p> <p>25 for a period of two to four months on these three</p>	<p style="text-align: right;">108</p> <p>1 Mr. Carpio; is that right?</p> <p>2 A. Yes.</p> <p>3 Q. He also represented you in connection</p> <p>4 with several of the civil lawsuits you brought; is</p> <p>5 that right?</p> <p>6 A. That's right.</p> <p>7 Q. Was his representation of you part of</p> <p>8 your employment agreement with him when you were</p> <p>9 working with him as a law clerk?</p> <p>10 A. No.</p> <p>11 Q. Did you work on your own matters while</p> <p>12 you were employed by him?</p> <p>13 A. I believe I may have had several cases</p> <p>14 of my own at the same time that I was working for</p> <p>15 him.</p> <p>16 Q. But did you work on matters where you</p> <p>17 were plaintiff while you were working as a law</p> <p>18 clerk for Mr. Carpio?</p> <p>19 A. Yes, I believe I had matters where I was</p> <p>20 a plaintiff while I was working for him.</p> <p>21 Q. And that was not part of your employment</p> <p>22 agreement, the fact that he was representing you in</p> <p>23 matters while you were working with him as a law</p> <p>24 clerk?</p> <p>25 A. No. The employment agreement, no.</p>

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<p style="text-align: right;">109</p> <p>1 Q. Okay. With respect to your employment</p> <p>2 with Mr. Ammerman, you heard him testify this</p> <p>3 morning that he doesn't do any constitutional tort</p> <p>4 work; is that right?</p> <p>5 A. Yes.</p> <p>6 Q. Could you turn to page 2444 of the same</p> <p>7 Exhibit.</p> <p>8 BOARD MEMBER BELL: So is this</p> <p>9 still Exhibit 6?</p> <p>10 MR. GENRICH: Still 6, yes.</p> <p>11 BY MR. GENRICH:</p> <p>12 Q. There should be a page 2444, if you keep</p> <p>13 going through the binder.</p> <p>14 A. It ends at --</p> <p>15 MS. HEINLEIN: Here you go</p> <p>16 (indicating). You need the next -- it's in here</p> <p>17 (indicating).</p> <p>18 BY MR. GENRICH:</p> <p>19 Q. I will represent to you that this is a</p> <p>20 filing that you provided the Board in May of 2025.</p> <p>21 In paragraph 4 -- I'm sorry, full paragraph 3 of</p> <p>22 that filing, the last sentence reads: Since May</p> <p>23 2024, I have continued this work under attorney</p> <p>24 Harris Ammerman, focusing on constitutional tort</p> <p>25 cases and consumer protection cases. Is that</p>	<p style="text-align: right;">111</p> <p>1 was thinking when he described the kind of work he</p> <p>2 does.</p> <p>3 Q. Let's move on to the criminal matters</p> <p>4 that you discussed with your counsel. It's true</p> <p>5 that between August of 2010 and March of 2019 you</p> <p>6 were charged with a number of felony, gross</p> <p>7 misdemeanor, misdemeanor and non-criminal traffic</p> <p>8 offenses; is that right?</p> <p>9 A. Yes.</p> <p>10 Q. And in the stipulated facts there are 26</p> <p>11 such matters that we addressed; is that correct?</p> <p>12 A. I'm not sure exactly.</p> <p>13 Q. If I represent to you there are 26</p> <p>14 matters, do you have any reason to dispute that?</p> <p>15 A. No.</p> <p>16 Q. And without going over all of them, you</p> <p>17 will agree that in that time frame you showed a</p> <p>18 disregard for the law; is that right?</p> <p>19 A. Yes.</p> <p>20 Q. And you failed to follow court</p> <p>21 instructions; is that right?</p> <p>22 A. Yes.</p> <p>23 Q. For example, with respect to your 2016</p> <p>24 conviction in Maryland for driving on a suspended</p> <p>25 license, you acknowledged that you showed a</p>
<p style="text-align: right;">110</p> <p>1 right?</p> <p>2 A. Yes.</p> <p>3 Q. But you haven't done any work for</p> <p>4 Mr. Ammerman focusing on constitutional tort cases;</p> <p>5 is that right?</p> <p>6 A. No, that's not accurate. I have done</p> <p>7 constitutional tort cases with Mr. Ammerman.</p> <p>8 Q. What sort of cases?</p> <p>9 A. Well, I have worked on section 1983</p> <p>10 claims. Mr. Ammerman has clients in different --</p> <p>11 we are handling cases in different jurisdictions in</p> <p>12 federal court and state court. So, yes, those are</p> <p>13 constitutional tort cases, yes.</p> <p>14 Q. So Mr. Ammerman was mistaken when he</p> <p>15 said he exclusively does bankruptcy petitions for</p> <p>16 individuals?</p> <p>17 MS. HEINLEIN: Objection. I think</p> <p>18 that assumes facts not in evidence. He did say he</p> <p>19 did bankruptcy petitions for businesses.</p> <p>20 BY MR. GENRICH:</p> <p>21 Q. Okay. I will withdraw the request and</p> <p>22 reask it. Mr. Ammerman was mistaken when he said</p> <p>23 he doesn't do constitutional tort cases?</p> <p>24 A. Well, I'm not sure mistaken. I mean, I</p> <p>25 think I can only speculate as to what Mr. Ammerman</p>	<p style="text-align: right;">112</p> <p>1 disregard for the law and for an obligation to</p> <p>2 follow the instructions of the judge; is that</p> <p>3 right?</p> <p>4 A. Yes.</p> <p>5 Q. And that wasn't the only time or even</p> <p>6 the first time that you committed a new criminal</p> <p>7 offense while on probation; is that right?</p> <p>8 A. Which incident are you referring to?</p> <p>9 Q. Well, let's turn to October of 2010.</p> <p>10 You pleaded guilty to driving while impaired by</p> <p>11 alcohol; is that correct?</p> <p>12 A. Yes.</p> <p>13 Q. And that's reflected in paragraph 19 of</p> <p>14 the stipulations. Do you have any reason to</p> <p>15 dispute that?</p> <p>16 A. No.</p> <p>17 Q. And your blood alcohol content at that</p> <p>18 time was .13 as reflected in paragraph 22?</p> <p>19 A. Yes.</p> <p>20 Q. And you were placed on one-year</p> <p>21 probation which included a condition that you</p> <p>22 remain law abiding; is that right?</p> <p>23 A. Yes.</p> <p>24 Q. And in July of 2011 then, while still on</p> <p>25 probation, you drove under the influence again as</p>



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<p style="text-align: right;">113</p> <p>1 reflected in paragraph 24; is that correct?</p> <p>2 <b>A. Yes.</b></p> <p>3 <b>Q.</b> And this time your blood alcohol level</p> <p>4 was a .18 as reflected in paragraph 25; is that</p> <p>5 right?</p> <p>6 <b>A. Yes.</b></p> <p>7 <b>Q.</b> And you pleaded guilty to DUI and</p> <p>8 several other offenses relating to that July 2011</p> <p>9 incident; is that right?</p> <p>10 <b>A. Yes.</b></p> <p>11 <b>Q.</b> And at the time of that offense, the</p> <p>12 police reported that you led multiple police squads</p> <p>13 on a chase; is that right?</p> <p>14 <b>A. I wouldn't put it that way. Would you</b></p> <p>15 <b>like me to explain?</b></p> <p>16 <b>Q.</b> Well, I'm just asking you what the</p> <p>17 police reflected in their reports. Is it accurate</p> <p>18 that the police reflected that you led multiple</p> <p>19 police squads on a chase?</p> <p>20 <b>A. I believe that's what the report says.</b></p> <p>21 <b>Q.</b> And the police report that that chase</p> <p>22 lasted approximately about four blocks?</p> <p>23 <b>A. I think so.</b></p> <p>24 <b>Q.</b> And that you traveled at an elevated</p> <p>25 rate of speed?</p>	<p style="text-align: right;">115</p> <p>1 <b>A. Yes, that's what it says.</b></p> <p>2 <b>Q.</b> And then the report indicates that you</p> <p>3 nearly struck a car driven by a valet that had been</p> <p>4 stopped to pick up -- a car that had been stopped</p> <p>5 to be picked up by the owners; is that right?</p> <p>6 <b>A. I believe the report says that.</b></p> <p>7 <b>Although, an officer testified that it was -- I'm</b></p> <p>8 <b>not -- yes, the report says that. Yes.</b></p> <p>9 <b>Q.</b> And then you reached Elm Street and</p> <p>10 finally stopped your car after a distance of</p> <p>11 approximately four blocks; is that right?</p> <p>12 <b>A. Yeah, the report -- yeah, that's what it</b></p> <p>13 <b>says.</b></p> <p>14 <b>Q.</b> Then the report describes a number of</p> <p>15 characteristics that are consistent with driving</p> <p>16 while impaired; is that right?</p> <p>17 <b>A. Yes.</b></p> <p>18 <b>Q.</b> And you admitted that you were driving</p> <p>19 while impaired that evening?</p> <p>20 <b>A. Yes.</b></p> <p>21 <b>Q.</b> And then the report indicates, although</p> <p>22 we won't review the report particularly, unless you</p> <p>23 would like to, that you were in possession of</p> <p>24 fictitious ID's from three different states; is</p> <p>25 that right?</p>
<p style="text-align: right;">114</p> <p>1 <b>A. I don't -- I don't remember that in the</b></p> <p>2 <b>police report.</b></p> <p>3 <b>Q.</b> Well, let's look at I believe it's</p> <p>4 Exhibit 10, page 24.</p> <p>5 BOARD CHAIR KONECK: What page</p> <p>6 number is that?</p> <p>7 MR. GENRICH: 24.</p> <p>8 MS. HEINLEIN: I believe he said</p> <p>9 Exhibit 10.</p> <p>10 BY MR. GENRICH:</p> <p>11 <b>Q.</b> Actually, if we can go up to page 23,</p> <p>12 please. I apologize. In the middle of the page</p> <p>13 there is a paragraph that starts: Once the</p> <p>14 defendant reached Bethesda Avenue. Do you see</p> <p>15 that?</p> <p>16 <b>A. Yes.</b></p> <p>17 <b>Q.</b> It indicates that you were driving right</p> <p>18 towards another squad, who was the writer of the</p> <p>19 report; is that right?</p> <p>20 <b>A. Yes, driving -- Yes.</b></p> <p>21 <b>Q.</b> And that squad joined the pursuant, the</p> <p>22 report reflects?</p> <p>23 <b>A. Yes.</b></p> <p>24 <b>Q.</b> And then you were pursued by two marked</p> <p>25 police cruisers; is that right?</p>	<p style="text-align: right;">116</p> <p>1 <b>A. Yes.</b></p> <p>2 <b>Q.</b> And that's reflected in the stipulations</p> <p>3 paragraph 28; is that right?</p> <p>4 <b>A. Yes.</b></p> <p>5 <b>Q.</b> And then after you were put in the squad</p> <p>6 car, officers reported that you mimicked police</p> <p>7 transmissions and made a series of profane</p> <p>8 statements; is that right?</p> <p>9 <b>A. Yes.</b></p> <p>10 <b>Q.</b> And the report actually catalogs those</p> <p>11 statements on page 24. If you could turn to 24, if</p> <p>12 you are not there already. And there is a</p> <p>13 paragraph approximately in the middle that starts</p> <p>14 with, "The defendant was placed in the writer's</p> <p>15 cruiser." Do you see that paragraph?</p> <p>16 <b>A. Yes.</b></p> <p>17 <b>Q.</b> And it summarizes a number of statements</p> <p>18 you made while in the squad car; is that right?</p> <p>19 <b>A. Yes.</b></p> <p>20 <b>Q.</b> Including that suspect is going to punch</p> <p>21 you in the face; is that right?</p> <p>22 <b>A. Yes.</b></p> <p>23 <b>Q.</b> Suspect is going to put his dick in your</p> <p>24 mouth; is that right?</p> <p>25 <b>A. Yes.</b></p>

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<p style="text-align: right;">117</p> <p>1       <b>Q.</b> Suspect is approaching Route 124 evading  2 arrest, over; is that right?  3       <b>A. Yes.</b>  4       <b>Q.</b> And it also reflects other profane  5 statements you made while in the squad car; is that  6 correct?  7       <b>A. Yes.</b>  8       <b>Q.</b> You also had a plastic cover over your  9 license plate; is that right?  10       <b>A. Yes.</b>  11       <b>Q.</b> And the officers reported that when they  12 asked you about it you said you had it to keep  13 electronic tag readers like those on speed cameras  14 and red light cameras from reading your tag; is  15 that right?  16       <b>A. I don't remember the conversation. But</b>  17 <b>that's what it says.</b>  18       <b>Q.</b> And did you have a plastic cover over  19 your license plate?  20       <b>A. Yes.</b>  21       <b>Q.</b> And was that the purpose?  22       <b>A. Yes.</b>  23       <b>Q.</b> You told officers while you were being  24 transported, at least as they reported in the  25 police reports, that you were going to try your</p>	<p style="text-align: right;">119</p> <p>1       <b>Q.</b> And you've referenced reckless driving,  2 but the alcohol related part of the offense  3 involved, quote, "The willful and wanton disregard  4 for the safety of persons or property with alcohol  5 as a contributing factor." Closed quote. That's  6 what that charge provides; is that right?  7       <b>A. I believe that's what -- the language.</b>  8       <b>Q.</b> And that's reflected in paragraph 16 of  9 the stipulations; is that right?  10       <b>A. Yes.</b>  11       <b>Q.</b> Now, in that case, you had a blood draw  12 for a blood alcohol content of .11; is that right?  13       <b>A. Yes.</b>  14       <b>Q.</b> And you were placed on probation for a  15 year. And that's the one that was shortened you  16 previously testified; is that right?  17       <b>A. Yes.</b>  18       <b>Q.</b> So you were on probation at the time you  19 were attending law school?  20       <b>A. I don't -- to what I remember, no. No,</b>  21 <b>I believe the probation was over before I attended</b>  22 <b>-- well before I attended law school.</b>  23       <b>Q.</b> Well, the offense was in 2019. When did  24 you start law school?  25       <b>A. I started law school I think in August</b></p>
<p style="text-align: right;">118</p> <p>1 best to get out of this because it's ridiculous; is  2 that right?  3       <b>A. Yes.</b>  4       <b>Q.</b> And that you would hire the best lawyer  5 in the area to get you out of this kind of crap?  6       <b>A. Yeah.</b>  7       <b>Q.</b> Now, you've noted in the stipulated  8 facts and discussed with counsel that most of the  9 criminal convictions around driving while impaired  10 occurred when you were between the ages of 20 and  11 24; is that right?  12       <b>A. I believe it's -- I thought it said age</b>  13 <b>19 to 20.</b>  14       <b>Q.</b> Okay. 19 to 20?  15       <b>A. Yes.</b>  16       <b>Q.</b> Okay. And you had a third alcohol  17 related driving offense in March of 2019; is that  18 right?  19       <b>A. Yes.</b>  20       <b>Q.</b> And how old were you at that time?  21       <b>A. Twenty-eight.</b>  22       <b>Q.</b> And it was that felony DUI charge that  23 resulted in an amended plea of guilty to reckless  24 driving, alcohol related; is that right?  25       <b>A. Yes.</b></p>	<p style="text-align: right;">120</p> <p>1 <b>of that year. But as I mentioned, the court ended</b>  2 <b>the probation early by several months.</b>  3       <b>Q.</b> Well -- okay. So you pled guilty in  4 that case to DUI; is that correct?  5       <b>A. Yes.</b>  6       <b>Q.</b> You admitted that you were driving while  7 intoxicated?  8       <b>A. Yes, I've stated that in my materials,</b>  9 <b>yes.</b>  10       <b>Q.</b> And the blood draw reflected a .11 blood  11 alcohol content, as we have already talked about;  12 right?  13       <b>A. Yes.</b>  14       <b>Q.</b> After you pled guilty, you sued the  15 blood draw company, an Internal Affairs  16 investigator and the police officer; is that right?  17       <b>A. Yes. I believe that's correct.</b>  18       <b>Q.</b> This is Mills versus Pivot Occupational  19 Health; is that right?  20       <b>A. Yes.</b>  21       <b>Q.</b> This was a lawsuit filed in April of  22 2021 in state court?  23       <b>A. Yes.</b>  24       <b>Q.</b> And before you filed the lawsuit you  25 filed a complaint with Internal Affairs that the</p>

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<p style="text-align: right;">121</p> <p>1 Delaware River and Bay Authority officer had made 2 false statements in the blood draw affidavit; is 3 that right? 4 <b>A. Yes, that was consistent with my</b> 5 <b>attorney's submission where he stated that the</b> 6 <b>officer had -- where he pointed out that the</b> 7 <b>officer's written statements were contrary to the</b> 8 <b>video evidence, yes.</b> 9 <b>Q.</b> The fact that it was submitted by an 10 attorney, you are not disavowing that you were 11 participating in this lawsuit as a plaintiff, are 12 you? 13 <b>A. No.</b> 14 <b>Q.</b> And the Internal Affairs department 15 reviewed your complaint and they determined that it 16 was unfounded; is that right? 17 <b>A. Oh, I -- I don't remember for this one</b> 18 <b>what language -- what language they used. But it</b> 19 <b>was -- yeah, I think it's accurate. Yeah, I can</b> 20 <b>say that it was closed out, yes.</b> 21 <b>Q.</b> If I represented to you they closed the 22 complaint and it was unfounded and that it's 23 reflected in the pleadings, would you have any 24 reason to dispute that? 25 <b>A. Oh, no.</b></p>	<p style="text-align: right;">123</p> <p>1 <b>Q.</b> And you also sued the blood draw 2 company; is that right? 3 <b>A. Yes.</b> 4 <b>Q.</b> And that lawsuit was dismissed in 5 February of 2022? 6 <b>A. Um --</b> 7 <b>Q.</b> Other than with respect to the blood 8 draw company? 9 <b>A. Right. Right, with respect to the</b> 10 <b>officers, it was dismissed.</b> 11 <b>Q.</b> And the Third Circuit affirmed the 12 dismissal in December of 2022? 13 <b>A. Yes.</b> 14 <b>Q.</b> And you recovered a total of \$4800 in 15 that lawsuit from the blood draw company; is that 16 right? 17 <b>A. Yes.</b> 18 <b>Q.</b> With respect to other civil matters, is 19 it true that between 2014 and the present you have 20 been a plaintiff in over 30 lawsuits? 21 <b>A. Yes.</b> 22 <b>Q.</b> And mostly proceeding pro se; is that 23 right? 24 <b>A. Well, I believe it's a mix. It might be</b> 25 <b>mostly pro se, yeah.</b></p>
<p style="text-align: right;">122</p> <p>1 <b>Q.</b> So you sued the Internal Affairs 2 investigator to challenge their determination; is 3 that right? 4 <b>A. Oh, I don't know -- I don't think so.</b> 5 <b>My memory, I don't recall filing any action seeking</b> 6 <b>to change the Internal Affairs decision in that</b> 7 <b>matter, no.</b> 8 <b>Q.</b> Well, whether you sought to change their 9 decision or not, you sued the investigator; is that 10 right? 11 <b>A. Yes.</b> 12 <b>Q.</b> You didn't file a writ of mandamus? 13 <b>A. No, I didn't.</b> 14 <b>Q.</b> You sued the investigator as a defendant 15 in a civil lawsuit? 16 <b>A. Right, I believe it was a supervisory</b> 17 <b>negligence claim.</b> 18 <b>Q.</b> And you sought \$800,000 in compensatory 19 damages and \$800,000 in punitive damages; is that 20 right? 21 <b>A. I believe so, yes.</b> 22 <b>Q.</b> And you also sued the police officer who 23 had stopped you driving on the bridge; is that 24 right? 25 <b>A. Yes.</b></p>	<p style="text-align: right;">124</p> <p>1 <b>Q.</b> If I represented to you that you 2 disclosed 34 civil lawsuits 3 of which went to 3 arbitration and that you were pro se in 26 of them, 4 according to your own disclosures, would you 5 dispute that? 6 <b>A. Oh, no.</b> 7 <b>Q.</b> So 26 of 34? 8 <b>A. Okay. Yes.</b> 9 <b>Q.</b> So I would like to discuss for a minute 10 the mandamus actions that your counsel discussed 11 with you first at maybe a little higher level than 12 the mandamus actions themselves. 13 Now, you asserted several times in your 14 testimony that the trooper testified falsely, is 15 that right, in the 2015 matter? 16 <b>A. Yes.</b> 17 <b>Q.</b> And that's your opinion; is that right? 18 <b>A. Yes.</b> 19 <b>Q.</b> No court has ever made that 20 determination? 21 <b>A. That's correct.</b> 22 <b>Q.</b> And you also testified that it was a 23 result of your attorney proving that the trooper 24 testified falsely that the jury acquitted you. Do 25 you remember that testimony?</p>

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<p style="text-align: right;">125</p> <p>1 <b>A. Yes.</b></p> <p>2 <b>Q.</b> That's your opinion; correct?</p> <p>3 <b>A. Yes.</b></p> <p>4 <b>Q.</b> You don't know why the jury reached its</p> <p>5 decision?</p> <p>6 <b>A. That's correct.</b></p> <p>7 <b>Q.</b> In fact, the jury did convict you of</p> <p>8 negligent driving and of unsafe lane change; is</p> <p>9 that correct?</p> <p>10 <b>A. Yes.</b></p> <p>11 <b>Q.</b> And that's in the same case?</p> <p>12 <b>A. Yes.</b></p> <p>13 <b>Q.</b> In which Trooper Hassan testified?</p> <p>14 <b>A. Yes.</b></p> <p>15 <b>Q.</b> It's possible that the jury compromised</p> <p>16 their verdict, isn't it?</p> <p>17 <b>A. Well, I don't know. I don't know what</b></p> <p>18 <b>-- I don't know exactly how the jury reached their</b></p> <p>19 <b>verdict.</b></p> <p>20 <b>Q.</b> Exactly. We don't know why the jury</p> <p>21 reached their verdict, including whether it was</p> <p>22 based on your assertion that Trooper Hassan</p> <p>23 testified falsely; correct?</p> <p>24 <b>A. Yes.</b></p> <p>25 <b>Q.</b> So it's clear that there is no judicial</p>	<p style="text-align: right;">127</p> <p>1 clear on the sequence here, because I'm not sure it</p> <p>2 was clear from your testimony. You indicated that</p> <p>3 you were asked by your counsel to file the mandamus</p> <p>4 petition in that matter?</p> <p>5 <b>A. Yes.</b></p> <p>6 <b>Q.</b> And that you also pursued a civil</p> <p>7 lawsuit against the security shift manager; is that</p> <p>8 right?</p> <p>9 <b>A. Yes.</b></p> <p>10 <b>Q.</b> The mandamus petition was filed in 2014;</p> <p>11 is that right?</p> <p>12 <b>A. Yes. Yeah, I believe so.</b></p> <p>13 <b>Q.</b> And the civil lawsuit was filed in</p> <p>14 February of 2015; is that right?</p> <p>15 <b>A. Yes.</b></p> <p>16 <b>Q.</b> So your civil attorneys your testimony</p> <p>17 is told you to file the writ of mandamus before</p> <p>18 they filed the civil lawsuit?</p> <p>19 <b>A. Yeah, I think that's accurate.</b></p> <p>20 <b>Q.</b> And then the writ of mandamus was</p> <p>21 dismissed by the district court order in February</p> <p>22 of 2015. Do you have any reason to dispute that?</p> <p>23 <b>A. Could you say that again.</b></p> <p>24 <b>Q.</b> Do you have any reason to dispute that</p> <p>25 the district court dismissed your writ of mandamus</p>
<p style="text-align: right;">126</p> <p>1 finding that he testified falsely; correct?</p> <p>2 <b>A. Yes.</b></p> <p>3 <b>Q.</b> And you approached three different</p> <p>4 prosecutors seeking to compel prosecution after</p> <p>5 they declined prosecution; is that right?</p> <p>6 <b>A. Yes.</b></p> <p>7 <b>Q.</b> And they all decided not to pursue the</p> <p>8 matter; correct?</p> <p>9 <b>A. Yes.</b></p> <p>10 <b>Q.</b> And I guess you sued Trooper Hassan</p> <p>11 twice in civil matters; is that right?</p> <p>12 <b>A. Yes.</b></p> <p>13 <b>Q.</b> For \$4,000,000 each time?</p> <p>14 <b>A. I believe so.</b></p> <p>15 <b>Q.</b> And both of those cases were dismissed</p> <p>16 in state court; is that right?</p> <p>17 <b>A. Well, one of those cases that -- the one</b></p> <p>18 <b>that was filed by my attorney Lawrence Greenberg,</b></p> <p>19 <b>he filed it in federal court.</b></p> <p>20 <b>Q.</b> Okay. So one was dismissed in state</p> <p>21 court and one in federal court?</p> <p>22 <b>A. Yes.</b></p> <p>23 <b>Q.</b> So let's turn to the mandamus petitions</p> <p>24 then first with respect to the shift security</p> <p>25 manager in the 2014 matter. I just want to be</p>	<p style="text-align: right;">128</p> <p>1 for -- petition for writ of mandamus in February of</p> <p>2 2015?</p> <p>3 <b>A. No. Well, if I could I think maybe just</b></p> <p>4 <b>clarify about the dates with the timing of the</b></p> <p>5 <b>mandamus action and the lawsuit.</b></p> <p>6 <b>Q.</b> Sure.</p> <p>7 <b>A. My attorney was involved -- it wasn't</b></p> <p>8 <b>just the date of filing. In the months before</b></p> <p>9 <b>that, he was also involved with planning, the</b></p> <p>10 <b>filing of the Maryland Live lawsuit. And as part</b></p> <p>11 <b>of that, for example, months before he had filed a</b></p> <p>12 <b>notice of claim to the county -- like, county I</b></p> <p>13 <b>think treasurer for Anne Arundel County. A notice</b></p> <p>14 <b>of claim in anticipation of filing that Maryland</b></p> <p>15 <b>Live lawsuit. So he was involved with that even</b></p> <p>16 <b>months before. So if the mandamus action was filed</b></p> <p>17 <b>before that, you know, that would have been in</b></p> <p>18 <b>planning of the Maryland Live lawsuit.</b></p> <p>19 <b>Q.</b> And then the summary judgment order in</p> <p>20 the civil lawsuit was entered in 2017; is that</p> <p>21 right?</p> <p>22 <b>A. Yes.</b></p> <p>23 <b>Q.</b> Two years after the mandamus action had</p> <p>24 been dismissed and you chose not to pursue an</p> <p>25 appeal; is that right?</p>

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<p style="text-align: right;">129</p> <p>1       <b>A. Yes, an appeal of the --</b></p> <p>2       <b>Q.</b> Mandamus action?</p> <p>3       <b>A. Right.</b></p> <p>4       <b>Q.</b> You indicated that the federal district</p> <p>5 court contradicted the prosecutor's decision not to</p> <p>6 pursue criminal charges; is that right?</p> <p>7       <b>A. Yes.</b></p> <p>8       <b>Q.</b> That's your testimony?</p> <p>9       <b>A. Yes.</b></p> <p>10       <b>Q.</b> And you understood that there are</p> <p>11 different burdens of proof in criminal and civil</p> <p>12 matters?</p> <p>13       <b>A. Oh, yes.</b></p> <p>14       <b>Q.</b> And you understand the federal court was</p> <p>15 not opining as to the prosecutor's exercise of his</p> <p>16 or her discretion in that case?</p> <p>17       <b>A. Yes.</b></p> <p>18       <b>Q.</b> And, in fact, finding that there is no</p> <p>19 dispute of material fact for summary judgement</p> <p>20 purposes in the civil lawsuit, it's not a</p> <p>21 contradiction per se of a discretionary decision</p> <p>22 not to prosecute; correct?</p> <p>23       <b>A. Yes.</b></p> <p>24       <b>Q.</b> So when the judge dismissed the mandamus</p> <p>25 petition in February of 2015, the judge wrote,</p>	<p style="text-align: right;">131</p> <p>1       <b>A. Yes.</b></p> <p>2       <b>Q.</b> So your position is the prosecutor lied</p> <p>3 when he testified to the judge as to the reasons</p> <p>4 for his decision, that he was feigning the reasons?</p> <p>5       <b>A. Oh, I -- that's -- that's not entirely</b></p> <p>6 <b>accurate regarding what happened. So the state's</b></p> <p>7 <b>attorney Anne Leites called me on the phone at</b></p> <p>8 <b>some point and stated that there wasn't enough</b></p> <p>9 <b>evidence for her to proceed with the charges</b></p> <p>10 <b>against the security shift manager and to show a</b></p> <p>11 <b>jury.</b></p> <p>12       <b>But at the hearing on the mandamus</b></p> <p>13 <b>action she wasn't involved. It was a deputy</b></p> <p>14 <b>state's attorney general Garr Robbins who testified</b></p> <p>15 <b>at that hearing.</b></p> <p>16       <b>Q.</b> And that deputy attorney general, if</p> <p>17 that's the right term, testified that he too did</p> <p>18 not believe that there was enough evidence to take</p> <p>19 to a jury; is that right?</p> <p>20       <b>A. Oh, I don't think so. What my memory</b></p> <p>21 <b>of -- well, observing him testify, I recall that he</b></p> <p>22 <b>described the detention as de minimis and that that</b></p> <p>23 <b>was his reason for not prosecuting.</b></p> <p>24       <b>Q.</b> I think we just reviewed the quote</p> <p>25 entered by the district court judge in the order</p>
<p style="text-align: right;">130</p> <p>1 quote, "Entry of a no proc is generally within the</p> <p>2 sole discretion of the prosecuting attorney, free</p> <p>3 from judicial control and not dependent upon the</p> <p>4 defendant's consent." Close quote. Do you dispute</p> <p>5 that that was the language of the district court?</p> <p>6       <b>A. No.</b></p> <p>7       <b>Q.</b> And you reviewed that order at the time</p> <p>8 it was filed; is that right?</p> <p>9       <b>A. Yes.</b></p> <p>10       <b>Q.</b> And the judge further wrote that, quote,</p> <p>11 "The prosecuting attorney in this case testified</p> <p>12 that he was not convinced that the evidence</p> <p>13 supported the charges against defendant.</p> <p>14 Specifically he testified that while the actions of</p> <p>15 the defendant may have fit the definition of the</p> <p>16 criminal charges against him, the contact and</p> <p>17 length of detention did not rise to the level</p> <p>18 needed to prosecute the defendant." Closed quote.</p> <p>19 You don't dispute that the judge wrote that?</p> <p>20       <b>A. No.</b></p> <p>21       <b>Q.</b> And when you reported this matter to the</p> <p>22 Board, you asserted that the prosecutor, quote,</p> <p>23 "feigned" that it would be too difficult to</p> <p>24 prosecute because of lack of evidence; is that</p> <p>25 right?</p>	<p style="text-align: right;">132</p> <p>1 which indicated that the prosecuting attorney</p> <p>2 testified that the content -- contact and length of</p> <p>3 detention did not rise to the level needed to</p> <p>4 prosecute the defendant; is that right?</p> <p>5       <b>A. Yes.</b></p> <p>6       <b>Q.</b> In other words, that prosecutor didn't</p> <p>7 believe there was enough evidence to proceed on the</p> <p>8 false imprisonment because the contact and length</p> <p>9 of the detention did not rise to the level needed?</p> <p>10       <b>A. Oh, well, I think there is a distinction</b></p> <p>11 <b>to be made. Anne Leites found that there wasn't</b></p> <p>12 <b>enough evidence. But at the hearing Garr Robbins</b></p> <p>13 <b>it was more so about -- as I said, he testified</b></p> <p>14 <b>that he thought it was de minimis. So just, in</b></p> <p>15 <b>other words, he felt it wasn't egregious enough to</b></p> <p>16 <b>warrant criminal charges. I think that that's more</b></p> <p>17 <b>accurate with his testimony.</b></p> <p>18       <b>Q.</b> Well, whether the prosecutors had</p> <p>19 different reasons for not pursuing the action or</p> <p>20 whether the prosecutor you mentioned -- what was</p> <p>21 her name, Anne --</p> <p>22       <b>A. Anne Leites.</b></p> <p>23       <b>Q.</b> -- Leites was relaying to you that the</p> <p>24 prosecuting decision of the male prosecutor, the</p> <p>25 fact of the matter is in your submissions to this</p>

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<p style="text-align: right;">133</p> <p>1 Board you indicated the prosecutor feigned that it 2 would be too difficult to prosecute? 3 <b>A. Right. Yeah, I was just referring to</b> 4 <b>the call I got from Anne Leites. Yes.</b> 5 <b>Q.</b> Which was an opinion shared apparently 6 by this other prosecutor, that they were not going 7 to seek charges? 8 <b>A. Yeah, same conclusion. Perhaps</b> 9 <b>different reasons for it.</b> 10 <b>Q.</b> And in one or both instances you believe 11 that the prosecutors were lying? 12 <b>A. Oh, I don't -- I don't think I've ever</b> 13 <b>said a prosecutor was lying.</b> 14 <b>Q.</b> What did you mean by the term feigned? 15 <b>A. Oh, I think all I meant by feigned was I</b> 16 <b>didn't believe that -- I didn't believe that her</b> 17 <b>position was consistent with the video evidence</b> 18 <b>showing what happened.</b> 19 <b>Q.</b> So the other six mandamus actions arose 20 out of Trooper Hassan's testimony in connection 21 with the 2015 arrest; is that right? 22 <b>A. Yes.</b> 23 <b>Q.</b> Okay. And you filed these six mandamus 24 actions between 2016 and 2022? 25 <b>A. Yes.</b></p>	<p style="text-align: right;">135</p> <p>1 <b>Q.</b> And then in July of 2017 you filed a 2 mandamus petition in a third jurisdiction in 3 Hartford County; is that right? 4 <b>A. Yes.</b> 5 <b>Q.</b> This is one year after you filed the 6 mandamus in the first county; is that right? 7 <b>A. Yes.</b> 8 <b>Q.</b> And there you allege that the 9 prosecutor's decision was, quote, "Baseless and 10 contrary to the public interest." Close quote. Do 11 you have any reason to dispute that? 12 <b>A. No.</b> 13 <b>Q.</b> That, quote, "He had avoided his 14 responsibility to prosecute." Close quote. Any 15 reason to dispute that? 16 <b>A. No.</b> 17 <b>Q.</b> That he had acted in a way that was, 18 quote, "Patently arbitrary and capricious"? 19 <b>A. No reason to --</b> 20 <b>Q.</b> And that he had, quote, "Acted in an 21 arbitrary and even conscious shocking way." Close 22 quote. Is that right? 23 <b>A. Yeah, that sounds accurate.</b> 24 <b>Q.</b> This is the third prosecutor who 25 declined prosecution?</p>
<p style="text-align: right;">134</p> <p>1 <b>Q.</b> These are all after the district court 2 wrote in the 2014 petition dismissal that the entry 3 of a no pros decision was generally within the full 4 discretion of the prosecuting attorney, free from 5 judicial control and not dependent upon the 6 defendant's consent; is that right? 7 <b>A. Yeah, that's the language of the</b> 8 <b>decision.</b> 9 <b>Q.</b> And then the appeals court with respect 10 to the August 2016 mandamus petition to compel 11 prosecution by Howard County wrote that, quote, 12 "The exercise of prosecutorial discretion is not 13 appropriately overruled by a writ of mandamus." 14 Closed quote. Do you have any reason to dispute 15 that? 16 <b>A. No, that's part of the opinion. I don't</b> 17 <b>dispute that.</b> 18 <b>Q.</b> And in August 2019 the appeal court 19 affirmed the dismissal of the mandamus petition 20 dismissal in the office of state prosecutor noting 21 in part that the decision whether to bring charges 22 was discretionary and the prosecutor had not 23 committed a gross abuse of that discretion; is that 24 right? You don't have any reason to dispute that? 25 <b>A. No. No.</b></p>	<p style="text-align: right;">136</p> <p>1 <b>A. Yes.</b> 2 <b>Q.</b> And -- okay. And that petition was also 3 dismissed by the trial court; is that right? 4 <b>A. Yes.</b> 5 <b>Q.</b> And you took an appeal of that 6 dismissal? 7 <b>A. The Hartford --</b> 8 <b>Q.</b> Yes, Hartford County. 9 <b>A. Yes.</b> 10 <b>Q.</b> And you testified that that appeal -- 11 that you withdrew that appeal? 12 <b>A. Yes.</b> 13 <b>Q.</b> Do you dispute that the records reflect 14 that the appellee moved to dismiss that appeal in 15 March of 2018? 16 <b>A. Yes. No, I mean I don't dispute that.</b> 17 <b>Q.</b> You were not the appellee; is that 18 right? 19 <b>A. Right. I'm the appellant.</b> 20 <b>Q.</b> So it wasn't dismissed because you 21 withdrew it? It was withdrawn because they moved 22 to dismiss it? 23 <b>A. Oh, I think it's fair to say I withdrew</b> 24 <b>it and that I just permitted the -- I just</b> 25 <b>permitted it to get dismissed if it was because</b></p>

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<p style="text-align: right;">137</p> <p>1 <b>they filed something -- yeah, I chose not to pursue</b>  2 <b>it.</b>  3 <b>Q.</b> Well, wasn't your testimony that you  4 withdrew the appeal because you reviewed an opinion  5 that made you cast doubt on its merits?  6 <b>A.</b> Oh, yes.  7 <b>Q.</b> But you didn't actually withdraw the  8 appeal?  9 <b>A.</b> No, I feel like, to my recollection, is  10 <b>that I withdrew it voluntarily.</b>  11 <b>Q.</b> But you don't deny that the records  12 reflect that it was actually a motion by appellee  13 to dismiss the appeal?  14 <b>A.</b> I have no reason to -- to -- to doubt  15 <b>that.</b>  16 <b>Q.</b> And just for the state of the record,  17 that's at Exhibit 23, page 20.  18 So in addition to those mandamus  19 petitions we've covered, you also filed three other  20 mandamus petitions between 2016 and 2022; correct?  21 <b>A.</b> Yes.  22 <b>Q.</b> So you filed a petition in November of  23 2016 seeking to have a court compel the Internal  24 Affairs department to reverse their unfounded  25 finding about Trooper Hassan's testimony; is that</p>	<p style="text-align: right;">139</p> <p>1 Internal Affairs department determination; is that  2 right?  3 <b>A.</b> Yes.  4 <b>Q.</b> And that even if it were, that you  5 lacked standing to file the petition for writ of  6 administrative mandamus in any event; is that  7 right?  8 <b>A.</b> Yes.  9 <b>Q.</b> Because the opinion indicated having a  10 personal desire to see Trooper Hassan punished did  11 not give you a clear legal right in the outcome of  12 the division's investigation? Is that what the  13 court concluded?  14 <b>A.</b> Yes.  15 <b>Q.</b> You filed another petition for mandamus  16 two years after the one we just reviewed asking the  17 Court to compel the office of bar counsel to  18 reinstate and pursue an ethics complaint against a  19 former assistant state's attorney; is that right?  20 <b>A.</b> Yes.  21 <b>Q.</b> So you wanted the bar counsel to do  22 what, take away the attorney's license, to  23 discipline the attorney?  24 <b>A.</b> Oh, I wouldn't say that. I don't think  25 I requested that.</p>
<p style="text-align: right;">138</p> <p>1 correct?  2 <b>A.</b> Yeah. Well, to modify to sustain.  3 <b>Q.</b> Sustain?  4 <b>A.</b> Right. That's correct.  5 <b>Q.</b> And to compel the Maryland State Police  6 to fire Trooper Hassan? That was the relief you  7 sought?  8 <b>A.</b> Well, I believe that the relief sought  9 <b>said also seeking to terminate his -- I don't think</b>  10 <b>that's the exact language.</b>  11 <b>Q.</b> How do you distinguish seeking to have  12 him terminated to seeking to have him fired?  13 <b>A.</b> Oh, no, I was just clarifying that my  14 <b>recollection is that it requested to -- to</b>  15 <b>terminate his employment, yeah.</b>  16 <b>Q.</b> Okay.  17 <b>A.</b> But functionally it's the same thing.  18 <b>Q.</b> And that petition was dismissed in March  19 of 2017; is that right?  20 <b>A.</b> Yes.  21 <b>Q.</b> And that dismissal was affirmed on  22 appeal in 2018?  23 <b>A.</b> Yes.  24 <b>Q.</b> And the decision indicated that  25 administrative mandamus was not available as to the</p>	<p style="text-align: right;">140</p> <p>1 <b>Q.</b> What was your goal in pursuing an ethics  2 complaint?  3 <b>A.</b> Oh, that the matter be investigated by  4 <b>office of bar counsel. I never wrote anywhere that</b>  5 <b>I wanted the -- that I wanted her license</b>  6 <b>terminated. I never said that. It was simply -- I</b>  7 <b>just simply wanted some kind of investigation to</b>  8 <b>occur.</b>  9 <b>Q.</b> Well, they had reviewed the ethics  10 complaint and decided not to pursue it; correct?  11 <b>A.</b> Yes.  12 <b>Q.</b> And you --  13 BOARD CHAIR KONECK: Mr. Genrich,  14 may I stop you for just one second.  15 MR. GENRICH: Sure.  16 BOARD CHAIR KONECK: Not to cut  17 you off. And I'm asking this question specifically  18 with regard to whether we should break for lunch?  19 MR. GENRICH: Sure.  20 BOARD CHAIR KONECK: Is this a  21 convenient time to break?  22 MR. GENRICH: Sure.  23 BOARD CHAIR KONECK: Or are you  24 nearing the end of your examination?  25 MR. GENRICH: No, this would be a</p>

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<p style="text-align: right;">141</p> <p>1 convenient time to break.</p> <p>2 BOARD CHAIR KONECK: Let's break</p> <p>3 for lunch.</p> <p>4 (A luncheon recess was taken</p> <p>5 from 1:31 p.m. until 2:09 p.m.)</p> <p>6 BOARD CHAIR KONECK: Mr. Genrich.</p> <p>7 MR. GENRICH: Thank you, Mr.</p> <p>8 Chair.</p> <p>9 BY MR. GENRICH:</p> <p>10 Q. Good afternoon, Mr. Mills.</p> <p>11 A. <b>Good afternoon.</b></p> <p>12 Q. When we broke for lunch, I was asking</p> <p>13 you about the October 2018 mandamus petition asking</p> <p>14 the court to compel the office of bar counsel to</p> <p>15 reinstate an ethics complaint. Do you remember</p> <p>16 those questions?</p> <p>17 A. <b>Yes.</b></p> <p>18 Q. And that petition was ultimately</p> <p>19 dismissed for lack of standing; is that right?</p> <p>20 A. <b>Well, it was dismissed, yeah. I don't</b></p> <p>21 <b>remember exactly what it said. But, yeah, it was</b></p> <p>22 <b>dismissed.</b></p> <p>23 Q. And that opinion reflected that Maryland</p> <p>24 law didn't permit mandamus relief in the</p> <p>25 circumstances you were seeking; is that right?</p>	<p style="text-align: right;">143</p> <p>1 also addressed with your counsel. And you</p> <p>2 submitted your law school application to Duncan</p> <p>3 School of Law in September of 2018?</p> <p>4 A. <b>Yes.</b></p> <p>5 Q. And I would like you, if you could, to</p> <p>6 have Exhibit 16 in front of you. And if you turn</p> <p>7 to page 4 of Exhibit 16, that's the beginning of</p> <p>8 the application and application summary for your</p> <p>9 law school application; is that right?</p> <p>10 A. <b>Yes.</b></p> <p>11 Q. If we could just scroll down to page 8</p> <p>12 of the exhibit.</p> <p>13 A. <b>Okay.</b></p> <p>14 Q. So let's actually scroll down first to</p> <p>15 page 9 and look at question 8. And that question</p> <p>16 asks: Have you ever been party to a legal</p> <p>17 proceeding? And you responded: Yes. Correct?</p> <p>18 A. <b>Yes.</b></p> <p>19 Q. And this is where you disclose the</p> <p>20 Maryland Live Casino action and you also indicated</p> <p>21 in your essay submitted to the law school that you</p> <p>22 intended to file a lawsuit against Golden Nugget;</p> <p>23 is that right?</p> <p>24 A. <b>Yes.</b></p> <p>25 Q. And you acknowledged both in the</p>
<p style="text-align: right;">142</p> <p>1 A. <b>Yes.</b></p> <p>2 Q. And you indicated in the submissions to</p> <p>3 the Board that you had based your mandamus petition</p> <p>4 filed in Maryland on a New York case at the time</p> <p>5 you filed it; is that right?</p> <p>6 A. <b>Oh, that's not entirely accurate. I</b></p> <p>7 <b>found the New York case only later after the motion</b></p> <p>8 <b>to dismiss was filed. Then I saw -- when I was</b></p> <p>9 <b>going to draft a response, then I came across the</b></p> <p>10 <b>New York case where the New York lawyer had filed</b></p> <p>11 <b>the exact same thing in Maryland, a petition</b></p> <p>12 <b>seeking to have office of bar counsel proceed with</b></p> <p>13 <b>an investigation. Yeah, that's the time that I</b></p> <p>14 <b>came across that opinion.</b></p> <p>15 Q. The last mandamus petition is November</p> <p>16 of 2022. That relates to your lawsuit against the</p> <p>17 Howard County prosecutor seeking \$150,000 in</p> <p>18 damages and issuance of a writ of common law</p> <p>19 mandamus. And you already testified about that</p> <p>20 case and that you had updated the Board that there</p> <p>21 was a bench trial that resulted in an adverse</p> <p>22 decision to your lawsuit; is that right?</p> <p>23 A. <b>Yes.</b></p> <p>24 Q. So I would like to move now to your law</p> <p>25 school application, which is a subject that you</p>	<p style="text-align: right;">144</p> <p>1 stipulations and here today that you did not</p> <p>2 disclose any of the mandamus actions you had</p> <p>3 brought as a plaintiff in 2016 and 2017; is that</p> <p>4 right?</p> <p>5 A. <b>That's right. They weren't listed.</b></p> <p>6 Q. And you also did not disclose seven</p> <p>7 other civil matters that you had brought as a</p> <p>8 plaintiff between 2015 and 2018; is that right?</p> <p>9 A. <b>I think so. Some of those actions might</b></p> <p>10 <b>have been after I started law school.</b></p> <p>11 Q. Well, paragraph 63 of the stipulated</p> <p>12 facts reflect that there was a failure to disclose</p> <p>13 11 matters.</p> <p>14 A. <b>Okay.</b></p> <p>15 Q. And you don't dispute that there were</p> <p>16 four mandamus actions and seven additional</p> <p>17 lawsuits?</p> <p>18 A. <b>No.</b></p> <p>19 Q. And, in fact, the record reflects that</p> <p>20 you had filed three of those seven civil matters in</p> <p>21 2018, the same calendar year of your law school</p> <p>22 application. Do you have any reason to dispute</p> <p>23 that?</p> <p>24 A. <b>No.</b></p> <p>25 Q. And when you submitted an explanation to</p>



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<p style="text-align: right;">145</p> <p>1 the Board about the failure to disclose, you</p> <p>2 stated, quote, you "focused on the case that was</p> <p>3 most prominent in your mind." Closed quote. And</p> <p>4 said that the failure to disclose the others was,</p> <p>5 quote, "an oversight." Close quote. Is that</p> <p>6 right?</p> <p>7 <b>A. Yes.</b></p> <p>8 <b>Q.</b> The law school application is, fair to</p> <p>9 say, explicit about your disclosure</p> <p>10 responsibilities, is it not?</p> <p>11 <b>A. Yes.</b></p> <p>12 <b>Q.</b> And if we turn to page 8 of the law</p> <p>13 school application under section 10, character and</p> <p>14 fitness, I would like to review several of these</p> <p>15 paragraphs together with you.</p> <p>16 Paragraph 1 reflects that the law</p> <p>17 school advised that every American jurisdiction in</p> <p>18 which you may practice law after graduation from</p> <p>19 law school requires each applicant for admission to</p> <p>20 the bar to meet character and fitness requirements</p> <p>21 as a condition of eligibility for admission. Is</p> <p>22 that right?</p> <p>23 <b>A. Yes.</b></p> <p>24 <b>Q.</b> The law school further advises that a</p> <p>25 character and fitness review would require a</p>	<p style="text-align: right;">147</p> <p>1 <b>A. Yes.</b></p> <p>2 <b>Q.</b> It further advises that the application</p> <p>3 must be filled out completely; is that right?</p> <p>4 <b>A. Yes.</b></p> <p>5 <b>Q.</b> And then in paragraph 7 it indicates</p> <p>6 that the ABA precludes the admission of applicants</p> <p>7 who do not appear capable of satisfactorily</p> <p>8 completing the legal program of study and being</p> <p>9 admitted to the bar; is that right?</p> <p>10 <b>A. Yes.</b></p> <p>11 <b>Q.</b> Similar questions to the ones listed</p> <p>12 below will be asked of you at the time of your</p> <p>13 application for admission to the bar, so candor and</p> <p>14 full disclosure is essential; is that right?</p> <p>15 <b>A. Yes.</b></p> <p>16 <b>Q.</b> And you had these advisories before you</p> <p>17 as you filled out this application; correct?</p> <p>18 <b>A. Yes.</b></p> <p>19 <b>Q.</b> So not withstanding those advisories,</p> <p>20 you only disclosed the Mills versus PPE Casino</p> <p>21 Resort's matter as well as your intention to file</p> <p>22 Mills versus Golden Nugget Atlantic City; is that</p> <p>23 right?</p> <p>24 <b>A. Yes.</b></p> <p>25 <b>Q.</b> And the PPE matter was a matter in which</p>
<p style="text-align: right;">146</p> <p>1 truthful, accurate and complete reporting of all</p> <p>2 requested information related to past conduct the</p> <p>3 bar examiners may deem relevant to one's fitness to</p> <p>4 practice law; correct?</p> <p>5 <b>A. Yes.</b></p> <p>6 <b>Q.</b> And then it lists a number of matters</p> <p>7 that jurisdictions typically inquire about,</p> <p>8 including, quote, "involvement as a party to a</p> <p>9 civil litigation." Close quote. Is that right?</p> <p>10 <b>A. Yes.</b></p> <p>11 <b>Q.</b> Then in paragraph 4 it says, "A failure</p> <p>12 to truthfully, accurately, and completely respond</p> <p>13 to a character and fitness inquiry, however, is</p> <p>14 commonly deemed a character and fitness violation</p> <p>15 in and of itself, and may be more detrimental to</p> <p>16 bar admission prospects than the undisclosed or</p> <p>17 incorrectly disclosed underlying conduct." Close</p> <p>18 quote. Do you see that paragraph?</p> <p>19 <b>A. Yes.</b></p> <p>20 <b>Q.</b> And paragraph 5 indicates that because</p> <p>21 of the stringent character and fitness</p> <p>22 qualifications for admission to the bar, the</p> <p>23 Lincoln Memorial University - Duncan School of Law</p> <p>24 requires full disclosure in response to all</p> <p>25 questions. Is that accurate?</p>	<p style="text-align: right;">148</p> <p>1 you received a \$215,000 settlement?</p> <p>2 <b>A. Yes.</b></p> <p>3 <b>Q.</b> The Golden Nugget matter which you</p> <p>4 disclosed an intention to file was not filed until</p> <p>5 October of 2019. Do you have any reason to dispute</p> <p>6 that?</p> <p>7 <b>A. No.</b></p> <p>8 <b>Q.</b> And that was over a year after</p> <p>9 submitting your law school application?</p> <p>10 <b>A. I believe so.</b></p> <p>11 <b>Q.</b> You didn't disclose in your application,</p> <p>12 though, the mandamus petition, for example, that</p> <p>13 you filed in October of 2018 asking the court to</p> <p>14 compel the office of bar counsel to reinstate the</p> <p>15 ethics matter; is that right?</p> <p>16 <b>A. Could you repeat the question.</b></p> <p>17 <b>Q.</b> Yeah, I think I have the wrong mandamus</p> <p>18 matter. Let's just go off this for a moment.</p> <p>19 Okay. So you did not disclose in your application,</p> <p>20 however, the four mandamus actions, as we</p> <p>21 previously noted, that you had brought as plaintiff</p> <p>22 in August of 2016 and July of 2017; is that right?</p> <p>23 <b>A. I think that's fair to say.</b></p> <p>24 <b>Q.</b> And the first mandamus action had been</p> <p>25 dismissed -- the dismissal had been affirmed on</p>

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<p style="text-align: right;">149</p> <p>1 appeal in December of 2017; is that right?</p> <p>2 <b>A. Yes.</b></p> <p>3 <b>Q.</b> The second one had been dismissed and</p> <p>4 affirmed in April of 2018, a few months before your</p> <p>5 application?</p> <p>6 <b>A. Yes.</b></p> <p>7 <b>Q.</b> The third one had been dismissed in May</p> <p>8 of 2018 and your appeal was pending at the time of</p> <p>9 your application?</p> <p>10 <b>A. I think so.</b></p> <p>11 <b>Q.</b> And the fourth had been dismissed by the</p> <p>12 trial court and an appeal had been taken with the</p> <p>13 appeal dismissed again in April of 2018, a few</p> <p>14 months before your application; is that right?</p> <p>15 <b>A. Yeah.</b></p> <p>16 <b>Q.</b> Now, with respect to the October 2018</p> <p>17 mandamus petition against the office of bar</p> <p>18 counsel, you filed that a month after your law</p> <p>19 school application; correct?</p> <p>20 <b>A. I believe so.</b></p> <p>21 <b>Q.</b> But you didn't disclose to the law</p> <p>22 school that you intended to file that mandamus</p> <p>23 action, did you?</p> <p>24 <b>A. No.</b></p> <p>25 <b>Q.</b> And that's despite disclosing to the law</p>	<p style="text-align: right;">151</p> <p>1 damages?</p> <p>2 <b>A. Yes, I believe it's because of the first</b></p> <p>3 <b>action was a replevin action I understood there to</b></p> <p>4 <b>not be a res judicata issue because of that. But</b></p> <p>5 <b>yeah.</b></p> <p>6 <b>Q.</b> And you alleged that you suffered severe</p> <p>7 emotional distress, that the bank acted with</p> <p>8 depravity and actual malice and acted in the spirit</p> <p>9 of criminal indifference; is that right?</p> <p>10 <b>A. I believe so.</b></p> <p>11 <b>Q.</b> It was dismissed on res judicata</p> <p>12 grounds; correct?</p> <p>13 <b>A. Yes.</b></p> <p>14 <b>Q.</b> And the Fourth Circuit affirmed the</p> <p>15 dismissal sometime later?</p> <p>16 <b>A. Yes.</b></p> <p>17 <b>Q.</b> And you stated to the Board that you</p> <p>18 sued three years after recovering the amount that</p> <p>19 had been withheld because you decided that you</p> <p>20 didn't think your attorney -- you thought your</p> <p>21 attorney should have sued for more than the amount</p> <p>22 withheld; is that right?</p> <p>23 <b>A. I think that's correct.</b></p> <p>24 <b>Q.</b> You sued Trooper Hassan twice, once in</p> <p>25 February of 2018 and again in 2024, both times for</p>
<p style="text-align: right;">150</p> <p>1 school that you intended to file the lawsuit</p> <p>2 against Golden Nugget that wasn't filed until one</p> <p>3 year later?</p> <p>4 <b>A. I don't know that I knew at the time I</b></p> <p>5 <b>was going to file the office of bar counsel action.</b></p> <p>6 <b>I don't know that by that time I even received a</b></p> <p>7 <b>response from the office of bar counsel.</b></p> <p>8 <b>Q.</b> I would like to review a number of other</p> <p>9 civil matters that you participated in as</p> <p>10 plaintiff. You sued SunTrust Bank -- this is</p> <p>11 reflected in Exhibit 18 -- in September of 2015 for</p> <p>12 \$1,776 withheld in your bank account; is that</p> <p>13 right?</p> <p>14 <b>A. Yes.</b></p> <p>15 <b>Q.</b> And SunTrust agreed to pay that amount</p> <p>16 in satisfaction of judgment; is that right?</p> <p>17 <b>A. Yes.</b></p> <p>18 <b>Q.</b> And then three years later you sued the</p> <p>19 bank again; is that right?</p> <p>20 <b>A. Yes.</b></p> <p>21 <b>Q.</b> And it was regarding the same \$1,700</p> <p>22 withheld in your bank account?</p> <p>23 <b>A. Yes.</b></p> <p>24 <b>Q.</b> And you this time sought \$20,000 in</p> <p>25 compensatory damages and \$500,000 in punitive</p>	<p style="text-align: right;">152</p> <p>1 \$4,000,000; is that right?</p> <p>2 <b>A. Yes.</b></p> <p>3 <b>Q.</b> And both those matters had been</p> <p>4 dismissed with one pending on appeal; is that</p> <p>5 right?</p> <p>6 <b>A. Yes.</b></p> <p>7 <b>Q.</b> You received a \$285,000 settlement from</p> <p>8 Golden Nugget in December of 2021; is that right?</p> <p>9 <b>A. I believe so, yes.</b></p> <p>10 <b>Q.</b> And then you later sued, along with</p> <p>11 another individual, Golden Nugget for the return of</p> <p>12 \$1,000 that you allege they had converted from your</p> <p>13 friend's account in that same instance?</p> <p>14 <b>A. Well, that's not entirely correct. So</b></p> <p>15 <b>that action actually was based on a separate</b></p> <p>16 <b>occurrence. It wasn't based on the same facts that</b></p> <p>17 <b>gave rise to the federal litigation Mills v. Golden</b></p> <p>18 <b>Nugget Atlantic City, et al. This action regarding</b></p> <p>19 <b>\$1,000 was based on -- yeah, on what occurred after</b></p> <p>20 <b>the federal lawsuit concluded. Something new</b></p> <p>21 <b>occurred.</b></p> <p>22 <b>Q.</b> Fair enough. I will withdraw the</p> <p>23 question. You also sued Airbnb in January of 2023;</p> <p>24 is that correct?</p> <p>25 <b>A. Yes.</b></p>

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<p style="text-align: right;">153</p> <p>1       <b>Q.</b> And this was related to your rental of</p> <p>2 an Airbnb in California the night before taking one</p> <p>3 of the California bar exams that you sat for?</p> <p>4       <b>A. Yes, that was an arbitration. Yes.</b></p> <p>5       <b>Q.</b> And you allege in that instance the</p> <p>6 Airbnb hosts had used an Air Wick air freshener and</p> <p>7 bedsheets washed with Tide scented detergent; is</p> <p>8 that right?</p> <p>9       <b>A. Yes.</b></p> <p>10       <b>Q.</b> And you stated that because of the Air</p> <p>11 Wick air freshener and the Tide detergent you were</p> <p>12 unable to sleep; is that correct?</p> <p>13       <b>A. Yes.</b></p> <p>14       <b>Q.</b> And you allege as a result that there</p> <p>15 were, quote, "Many factual details and, therefore,</p> <p>16 legal issues that you missed in essay answers as a</p> <p>17 direct result of chemicals applied in the living</p> <p>18 area and bedsheets." Is that right?</p> <p>19       <b>A. Yes.</b></p> <p>20       <b>Q.</b> And you allege that the fact that Airbnb</p> <p>21 deliberately added chemicals to the bedsheets and</p> <p>22 into the air of the living area directly and</p> <p>23 proximally caused you to fail the bar exam;</p> <p>24 correct?</p> <p>25       <b>A. I believe so.</b></p>	<p style="text-align: right;">155</p> <p>1       <b>A. Well, I wouldn't put it that way.</b></p> <p>2       <b>Q.</b> Well, you said you should have mentioned</p> <p>3 it to them?</p> <p>4       <b>A. Oh, well, yeah, I think I messaged the</b></p> <p>5 <b>host, yeah, like, I forgot to mention or I should</b></p> <p>6 <b>have mentioned that. Although, I don't think that</b></p> <p>7 <b>the claim was one of being sensitive to air</b></p> <p>8 <b>freshener. I think it was a different basis. But,</b></p> <p>9 <b>yeah.</b></p> <p>10       <b>Q.</b> Well, we have agreed that the arbitrator</p> <p>11 concluded that it was undisputed that you didn't</p> <p>12 tell the host or Airbnb that you had a heightened</p> <p>13 sensitivity to scents or asked whether the host</p> <p>14 used scented products? We've agreed; right?</p> <p>15       <b>A. Oh, yeah.</b></p> <p>16       <b>Q.</b> After messaging the host that you should</p> <p>17 have mentioned the chemicals were things that made</p> <p>18 you nauseous, then you filed this arbitration</p> <p>19 claim; is that right?</p> <p>20       <b>A. Yes.</b></p> <p>21       <b>Q.</b> You submitted to the Board in Exhibit 28</p> <p>22 that you understand the need for the Board to</p> <p>23 protect the reputation of the legal profession and</p> <p>24 ensure the public trust in our legal system; is</p> <p>25 that right?</p>
<p style="text-align: right;">154</p> <p>1       <b>Q.</b> And you sued for \$350,000 compensatory</p> <p>2 and \$350,000 punitive damages?</p> <p>3       <b>A. Yes.</b></p> <p>4       <b>Q.</b> And that matter went to arbitration?</p> <p>5       <b>A. I filed it in arbitration.</b></p> <p>6       <b>Q.</b> And the arbitrator dismissed your claims</p> <p>7 in their entirety?</p> <p>8       <b>A. Well, actually, I don't think he -- he</b></p> <p>9 <b>didn't dismiss -- well, I think he ruled on it on</b></p> <p>10 <b>the merits in a dispositive motion and -- yeah,</b></p> <p>11 <b>ruled it in favor of Airbnb.</b></p> <p>12       <b>Q.</b> And in the arbitrator's decision the</p> <p>13 arbitrator said, quote, "It is undisputed that you</p> <p>14 did not tell the host or Airbnb that you had a</p> <p>15 heightened sensitivity to scents or ask whether the</p> <p>16 host used scented products."</p> <p>17       The arbitrator wrote: It is telling</p> <p>18 that after problems arose with the air freshener,</p> <p>19 Mr. Mills messaged his host, quote, "I should have</p> <p>20 mentioned those chemicals, air freshener things</p> <p>21 make me nauseous." Is that right?</p> <p>22       <b>A. Yes.</b></p> <p>23       <b>Q.</b> So you had told the Airbnb host that you</p> <p>24 had neglected to warn them that you were sensitive</p> <p>25 to the air fresheners?</p>	<p style="text-align: right;">156</p> <p>1       <b>A. Yes.</b></p> <p>2       <b>Q.</b> And you indicated that your record of</p> <p>3 multiple civil claims perhaps suggest</p> <p>4 litigiousness; is that right?</p> <p>5       <b>A. Well, I think -- yeah, that sounds</b></p> <p>6 <b>accurate.</b></p> <p>7       <b>Q.</b> But you indicated you could assure the</p> <p>8 Board that you initiated all of your civil claims</p> <p>9 only in the interest of justice; is that right?</p> <p>10       <b>A. Yes.</b></p> <p>11       <b>Q.</b> I would like to turn now to your law</p> <p>12 school code of academic integrity violation. So in</p> <p>13 the spring of 2022 this is about what, three and a</p> <p>14 half years ago; is that right?</p> <p>15       <b>A. Yes.</b></p> <p>16       <b>Q.</b> And you were how old at that time?</p> <p>17       <b>A. Well, I would have been, like, 30 -- 30</b></p> <p>18 <b>years old.</b></p> <p>19       <b>Q.</b> And at that time you committed a</p> <p>20 reckless violation of the law school's code of</p> <p>21 academic integrity; is that right?</p> <p>22       <b>A. I think maybe 29 years old. Yes, I</b></p> <p>23 <b>signed a -- I signed, yeah, a plea agreement</b></p> <p>24 <b>accepting responsibility for recklessly violating</b></p> <p>25 <b>the law school code.</b></p>

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<p style="text-align: right;">157</p> <p>1 Q. Okay. You are 34 years old now?</p> <p>2 A. Yes.</p> <p>3 Q. And this was in the spring of 2022?</p> <p>4 A. I believe so.</p> <p>5 Q. So you were either 30 or 31; is that</p> <p>6 right?</p> <p>7 A. Yeah, I think maybe 30. Yeah.</p> <p>8 Q. Okay. And you agreed in the plea</p> <p>9 agreement that you, quote, "recklessly violated the</p> <p>10 code by acting dishonestly in an academic pursuit."</p> <p>11 Is that right?</p> <p>12 A. Yeah, that's the language of the plea</p> <p>13 agreement, yes.</p> <p>14 Q. Well, you signed the plea agreement;</p> <p>15 right?</p> <p>16 A. Yes.</p> <p>17 Q. You indicated that you signed it and</p> <p>18 that you were not coerced in signing it?</p> <p>19 A. That's correct. Yes.</p> <p>20 Q. Do you stand by your plea agreement here</p> <p>21 today?</p> <p>22 A. Oh, yes.</p> <p>23 Q. So you agree that you recklessly</p> <p>24 violated the code by acting dishonestly in an</p> <p>25 academic pursuit?</p>	<p style="text-align: right;">159</p> <p>1 A. Are you referring to through counsel?</p> <p>2 Q. Yes.</p> <p>3 A. Oh, yes. Yes.</p> <p>4 Q. What is the significance that it was</p> <p>5 through counsel?</p> <p>6 A. The significance is I want to make sure</p> <p>7 that I'm thinking of the right document. That's</p> <p>8 all.</p> <p>9 Q. I mean, it's common in the legal</p> <p>10 profession, right, when a plaintiff acts through</p> <p>11 counsel to say it's the plaintiff who is making an</p> <p>12 assertion; correct?</p> <p>13 A. Oh, yes.</p> <p>14 Q. You don't deny that the assertions made</p> <p>15 and the document filed by your counsel are your</p> <p>16 assertions?</p> <p>17 A. No. No, I don't.</p> <p>18 Q. And, therefore, you don't deny that you</p> <p>19 filed a multipage document challenging Professor</p> <p>20 Meldrum's complaint; correct?</p> <p>21 A. Well, I don't know that I would say I</p> <p>22 was challenging -- well, I think it was just a</p> <p>23 response to what Professor Meldrum alleged. It was</p> <p>24 the answer.</p> <p>25 Q. Okay. Let's look at it.</p>
<p style="text-align: right;">158</p> <p>1 A. Yes, I -- yeah, I think, yeah, exactly</p> <p>2 what it says. I agree with the language of the</p> <p>3 plea agreement completely.</p> <p>4 Q. Do you accept responsibility?</p> <p>5 A. Oh, yes.</p> <p>6 Q. You are not denying the validity of the</p> <p>7 plea agreement?</p> <p>8 A. Oh, no.</p> <p>9 Q. You are not arguing you were coerced?</p> <p>10 A. No, I was not.</p> <p>11 Q. You made the decision freely and</p> <p>12 voluntarily?</p> <p>13 A. Yes.</p> <p>14 Q. And filing an academic grievance against</p> <p>15 the law professor; correct?</p> <p>16 A. Yes.</p> <p>17 Q. And filing a multipage response to her</p> <p>18 complaint of an academic integrity violation;</p> <p>19 correct?</p> <p>20 A. A multipage response from?</p> <p>21 Q. From you --</p> <p>22 A. To --</p> <p>23 Q. -- addressing her claim of a violation</p> <p>24 of the code of academic integrity. You filed a</p> <p>25 multipage response?</p>	<p style="text-align: right;">160</p> <p>1 A. Okay.</p> <p>2 Q. Exhibit 33. And page 39 of that</p> <p>3 exhibit. The first paragraph toward the middle it</p> <p>4 indicates Mr. Mills vehemently initial cap Denies,</p> <p>5 in bold, all allegations in the complaint; is that</p> <p>6 right?</p> <p>7 A. Yes.</p> <p>8 Q. So you did challenge her complaint with</p> <p>9 a vehement denial; is that right?</p> <p>10 A. I would say I denied the allegations,</p> <p>11 yeah, in her complaint.</p> <p>12 Q. Vehemently?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And then a short time later you</p> <p>15 withdrew your complaint; is that right?</p> <p>16 A. Yes.</p> <p>17 Q. And in the academic grievance you filed</p> <p>18 you indicated you were seeking a grade change based</p> <p>19 on arbitrary and capricious grading; is that right?</p> <p>20 A. Yes.</p> <p>21 Q. And it was Professor Meldrum you were</p> <p>22 accusing of arbitrary and capricious grading?</p> <p>23 A. Yes.</p> <p>24 Q. And you asserted your failure to take</p> <p>25 the MPRE was, quote, "directly caused by Pearson</p>

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<p style="text-align: right;">161</p> <p>1 Vue's material misrepresentation." Close quote.  2 Is that right?  3 <b>A. Yes.</b>  4 <b>Q.</b> And in the course of the grievance  5 proceedings you admitted that you, quote, "failed  6 to forward the complete email I received from  7 Pearson to the professor." Close quote. Is that  8 right?  9 <b>A. Yes.</b>  10 <b>Q.</b> And you stated that you, quote, "wrongly  11 filed an academic grievance against her, first  12 wrongly blaming Pearson Vue, then wrongly blaming  13 the professor, when all along it was my mistake."  14 Close quote. Correct?  15 <b>A. Yes.</b>  16 <b>Q.</b> So you falsely accused Professor Meldrum  17 of arbitrary and capricious grading?  18 <b>A. Oh, no, that's not correct. No, at the</b>  19 <b>time -- at the time, I thought that what I stated</b>  20 <b>in my academic grievance was correct and accurate,</b>  21 <b>everything I said there.</b>  22 <b>Q.</b> The reckless violation of the code of  23 academic integrity resulted in a written reprimand  24 and a five-month suspension to be served on  25 probation; is that right?</p>	<p style="text-align: right;">163</p> <p>1 probationary term; is that right? You weren't  2 suspended, you were placed on probation?  3 <b>A. Probation, yes. That's correct.</b>  4 <b>Q.</b> They imposed suspension but they  5 essentially suspended the suspension by placing you  6 on probation; right?  7 <b>MS. HEINLEIN:</b> Objection. I think  8 the document speaks for itself.  9 <b>MR. GENRICH:</b> Well, actually, I'm  10 not referring to this document.  11 <b>MS. HEINLEIN:</b> Well, the plea  12 agreement.  13 <b>BY MR. GENRICH:</b>  14 <b>Q.</b> So as a result of your violation you  15 received a written reprimand and a five-month  16 suspension to be served on probation; is that  17 accurate?  18 <b>A. Yes.</b>  19 <b>Q.</b> And the next level is expulsion;  20 correct?  21 <b>A. Well, I believe that the level before</b>  22 <b>expulsion is a suspension that's not suspended. So</b>  23 <b>I actually think it's what was imposed was two</b>  24 <b>levels below that.</b>  25 <b>Q.</b> Okay. So either a modified probationary</p>
<p style="text-align: right;">162</p> <p>1 <b>A. Yes.</b>  2 <b>Q.</b> And that discipline is just one step  3 short of expulsion from the School of Law; is that  4 correct?  5 <b>A. I don't know.</b>  6 <b>Q.</b> Let's look at Exhibit 3, if you would,  7 again. I apologize, that's a long exhibit. If we  8 could look at Exhibit 3, page 1943.  9 <b>A. Exhibit 3?</b>  10 <b>Q.</b> Page 1943.  11 <b>A. I got it. Okay, I have it pulled up.</b>  12 <b>Q.</b> This is how we used to do it in Mr.  13 Ammerman's days. So on page 1943 under the  14 Sanctions section do you see subsection 7.01?  15 <b>A. Yes.</b>  16 <b>Q.</b> And that indicates that the first level  17 of sanctions is a written reprimand; is that  18 correct?  19 <b>A. Yes.</b>  20 <b>Q.</b> And the second level is probation?  21 <b>A. Yes.</b>  22 <b>Q.</b> And the third level is suspension?  23 <b>A. Yes.</b>  24 <b>Q.</b> And all three of those were imposed on  25 you with the suspension being ordered as a</p>	<p style="text-align: right;">164</p> <p>1 term or a modified suspension; is that correct?  2 <b>A. I'm not sure that I understand. I know</b>  3 <b>that I got -- they imposed probation. It was a</b>  4 <b>suspension, but I was on -- but it's all on</b>  5 <b>probation.</b>  6 <b>Q.</b> Okay. As a result of the probationary  7 term, did you graduate late then or did you  8 graduate on time?  9 <b>A. No, I graduated on time.</b>  10 <b>Q.</b> So you planned to graduate in December  11 of 2022?  12 <b>A. Yes.</b>  13 <b>Q.</b> Okay.  14 <b>A. Well -- okay, yeah, as far as me going</b>  15 <b>for another semester at the time end, that was</b>  16 <b>actually because I met with one of the deans and --</b>  17 <b>Yeah, it turns out I had a few credits left I</b>  18 <b>needed to finish, so during that last period of</b>  19 <b>time I fulfilled the remaining credits. That's</b>  20 <b>why --</b>  21 <b>Q.</b> Okay. Before turning to the final topic  22 which is the California's adverse determination  23 decision, I wanted to go back to the law school  24 application questions.  25 You testified on direct examination</p>

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<p style="text-align: right;">165</p> <p>1 that you didn't disclose the civil matters but that</p> <p>2 you intended to look them up but then didn't; is</p> <p>3 that correct?</p> <p>4 <b>A. Yes.</b></p> <p>5 <b>Q.</b> And intending to look them up, this</p> <p>6 would have included matters that were dismissed as</p> <p>7 recently as a few months before your application;</p> <p>8 is that right?</p> <p>9 <b>A. Yes.</b></p> <p>10 <b>Q.</b> And a matter that was currently pending</p> <p>11 on appeal at the time of your application?</p> <p>12 <b>A. Yes.</b></p> <p>13 <b>Q.</b> So your testimony on direct is that you</p> <p>14 failed to disclose those because you didn't look</p> <p>15 them up as you intended to?</p> <p>16 <b>A. Yes.</b></p> <p>17 <b>Q.</b> And then your testimony was that, well,</p> <p>18 you heard the dean reiterate that students had an</p> <p>19 obligation to be forthcoming about criminal</p> <p>20 contacts and you updated your application; is that</p> <p>21 right?</p> <p>22 <b>A. Yes.</b></p> <p>23 <b>Q.</b> And you acknowledge that you should have</p> <p>24 provided the criminal contacts and arrests as part</p> <p>25 of your initial application as well; is that right?</p>	<p style="text-align: right;">167</p> <p>1 <b>Q.</b> You had only gave a partial disclosure;</p> <p>2 correct?</p> <p>3 <b>A. I only disclosed the theft by deception</b></p> <p>4 <b>arrest.</b></p> <p>5 <b>Q.</b> Which had resulted in a civil settlement</p> <p>6 in your favor?</p> <p>7 <b>A. Yes.</b></p> <p>8 <b>Q.</b> And you testified that if you had been</p> <p>9 reminded to supplement as to civil matters, you</p> <p>10 would have; is that right?</p> <p>11 <b>A. Oh, yes.</b></p> <p>12 <b>Q.</b> But you aren't denying that was your</p> <p>13 obligation to submit them in the first instance,</p> <p>14 the civil matters?</p> <p>15 <b>A. That's right, I'm not denying that.</b></p> <p>16 <b>Q.</b> And that you could have supplemented</p> <p>17 your application with the civil matters without a</p> <p>18 prompting from the dean; is that correct?</p> <p>19 <b>A. Yes.</b></p> <p>20 <b>Q.</b> So with respect to the California</p> <p>21 adverse character and fitness determination, I</p> <p>22 would like us to review Exhibit 35.</p> <p>23 <b>A. Okay.</b></p> <p>24 <b>Q.</b> If we could turn to page 3 of Exhibit</p> <p>25 35. Is this a copy of the adverse determination</p>
<p style="text-align: right;">166</p> <p>1 <b>A. Yes.</b></p> <p>2 <b>Q.</b> And you failed to do so?</p> <p>3 <b>A. Well, I think that at the time the dean</b></p> <p>4 <b>did the presentation it was -- to the class it was</b></p> <p>5 <b>something that a lot of the students went back and</b></p> <p>6 <b>supplemented. But that was the point of the</b></p> <p>7 <b>presentation is -- I think to some extent it was</b></p> <p>8 <b>assumed there might be something that needed to be</b></p> <p>9 <b>included.</b></p> <p>10 <b>Q.</b> Okay. But in your law school</p> <p>11 application you disclosed the arrest that was</p> <p>12 related to the casino matter; is that right?</p> <p>13 <b>A. Yes, that's correct.</b></p> <p>14 <b>Q.</b> So it's not that you didn't understand</p> <p>15 you had an obligation to disclose arrests; correct?</p> <p>16 <b>A. Yeah.</b></p> <p>17 <b>Q.</b> It's that you didn't disclose the</p> <p>18 arrests that you supplemented after the dean</p> <p>19 advised students that they should be forthcoming;</p> <p>20 is that right?</p> <p>21 <b>A. Right. After the dean's presentation, I</b></p> <p>22 <b>supplemented to make sure I included everything.</b></p> <p>23 <b>Q.</b> Because you hadn't included it in your</p> <p>24 initial application?</p> <p>25 <b>A. That's right.</b></p>	<p style="text-align: right;">168</p> <p>1 letter received from the state bar of California?</p> <p>2 <b>A. Yes.</b></p> <p>3 <b>Q.</b> And it indicates that the decision was</p> <p>4 reached after a consideration of factors that</p> <p>5 included, but were not limited to, the</p> <p>6 circumstances surrounding multiple arrests and</p> <p>7 convictions from 2010 to 2019; is that right?</p> <p>8 <b>A. Yes.</b></p> <p>9 <b>Q.</b> And you don't dispute that the state bar</p> <p>10 of California, for example, could consider the</p> <p>11 circumstances surrounding an arrest whether it</p> <p>12 resulted in a conviction or not; is that true?</p> <p>13 They are able to consider the circumstances</p> <p>14 surrounding an arrest even though it doesn't result</p> <p>15 in a conviction?</p> <p>16 <b>A. Yes.</b></p> <p>17 <b>Q.</b> And their second reason was the</p> <p>18 circumstances surrounding the 2022 reckless</p> <p>19 violation of the code of academic integrity</p> <p>20 involving dishonesty at Lincoln Memorial University</p> <p>21 School of Law; is that correct?</p> <p>22 <b>A. Yes.</b></p> <p>23 <b>Q.</b> And they also concluded that you</p> <p>24 demonstrated a lack of candor, a lack of insight,</p> <p>25 insufficient rehabilitation, and generally failed</p>

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<p style="text-align: right;">169</p> <p>1 to establish good moral character; correct?</p> <p>2 <b>A. Yes.</b></p> <p>3 <b>Q.</b> So they provided a number of reasons for</p> <p>4 their decision; is that right?</p> <p>5 <b>A. Well, they don't really explain the</b></p> <p>6 <b>reason for how they reached some of these</b></p> <p>7 <b>conclusions like insufficient rehabilitation, lack</b></p> <p>8 <b>of candor, lack of insight. They don't explain</b></p> <p>9 <b>really why they thought that or reached those</b></p> <p>10 <b>conclusions. I understand that in concluding there</b></p> <p>11 <b>was a lack of rehabilitation, that they weighed the</b></p> <p>12 <b>felony theft by deception arrest as serious</b></p> <p>13 <b>misconduct, even though it didn't involve any</b></p> <p>14 <b>misconduct on my part.</b></p> <p>15 <b>And then I'm not sure, lack of candor</b></p> <p>16 <b>-- lack of candor, I'm not sure -- they don't --</b></p> <p>17 <b>they don't mention at all what they are basing that</b></p> <p>18 <b>on. They never really identified anything that I</b></p> <p>19 <b>ever failed to disclose. But I believe I was</b></p> <p>20 <b>completely candid with the California bar.</b></p> <p>21 <b>Q.</b> So other than this letter, you didn't</p> <p>22 receive any explanation as to what the basis for</p> <p>23 their decision was; is that correct?</p> <p>24 <b>A. Yes.</b></p> <p>25 <b>Q.</b> And they provide a number of reasons</p>	<p style="text-align: right;">171</p> <p>1 page 2446. I don't know if you have Exhibit 6 in</p> <p>2 front of you. I'm sorry, that's the wrong cite.</p> <p>3 Hold on one second, please. It's Exhibit 34. I</p> <p>4 apologize. Exhibit 34 at page 1425.</p> <p>5 <b>MS. HEINLEIN:</b> What page was that</p> <p>6 again?</p> <p>7 <b>MR. GENRICH:</b> 1425.</p> <p>8 <b>MS. HEINLEIN:</b> Thank you.</p> <p>9 <b>BY MR. GENRICH:</b></p> <p>10 <b>Q.</b> So are you at Exhibit 34, page 1425?</p> <p>11 <b>A. Okay. I have it, yes.</b></p> <p>12 <b>Q.</b> This is the letter where you testified</p> <p>13 to you received before your character and fitness</p> <p>14 interview?</p> <p>15 <b>A. Yes.</b></p> <p>16 <b>Q.</b> And in the letter it indicates that</p> <p>17 among the topics they are interested in are the</p> <p>18 circumstances surrounding a 2010 arrest and</p> <p>19 subsequent guilty plea to DUI. Do you see that?</p> <p>20 <b>A. Yes.</b></p> <p>21 <b>Q.</b> A 2011 arrest for underage drinking. Do</p> <p>22 you see that?</p> <p>23 <b>A. Yes.</b></p> <p>24 <b>Q.</b> And subsequent guilty plea?</p> <p>25 <b>A. Yes.</b></p>
<p style="text-align: right;">170</p> <p>1 here for denying your application; is that right?</p> <p>2 <b>A. Yes.</b></p> <p>3 <b>Q.</b> And you are stating that you don't know</p> <p>4 exactly what motivated them in reaching each of</p> <p>5 these conclusions; is that right?</p> <p>6 <b>A. Yes.</b></p> <p>7 <b>Q.</b> For example, you don't know exactly what</p> <p>8 circumstances they considered with respect to</p> <p>9 multiple arrests and convictions; correct?</p> <p>10 <b>A. Right.</b></p> <p>11 <b>Q.</b> And you don't know what circumstances</p> <p>12 surrounding the reckless violation of code of</p> <p>13 academic integrity they may have found most</p> <p>14 important; is that right?</p> <p>15 <b>A. Yes.</b></p> <p>16 <b>Q.</b> In your submission to the Board in your</p> <p>17 testimony here today, you assert that their</p> <p>18 decision appears to be based on a misapprehension</p> <p>19 of your felony theft by deception arrest; is that</p> <p>20 right?</p> <p>21 <b>A. Yes.</b></p> <p>22 <b>Q.</b> And this is in part based on a letter</p> <p>23 that they sent you before your character interview?</p> <p>24 <b>A. Yes.</b></p> <p>25 <b>Q.</b> And that letter is found at Exhibit 6,</p>	<p style="text-align: right;">172</p> <p>1 <b>Q.</b> A 2011 citation for driving without a</p> <p>2 license. Do you see that?</p> <p>3 <b>A. Yes.</b></p> <p>4 <b>Q.</b> A 2011 conviction for DUI and possession</p> <p>5 of a fictitious license?</p> <p>6 <b>A. Yes.</b></p> <p>7 <b>Q.</b> A 2011 arrest for intoxicated</p> <p>8 endangerment. A 2020 conviction for negligent</p> <p>9 driving. A 2020 conviction for driving without a</p> <p>10 license. And a 2013 arrest for driving without</p> <p>11 authorization. And if we go down a little further,</p> <p>12 it says a 2018 arrest for theft by deception;</p> <p>13 correct?</p> <p>14 <b>A. Yes.</b></p> <p>15 <b>Q.</b> So this letter draws a clear distinction</p> <p>16 between incidents that resulted in an arrest only</p> <p>17 and incidents that resulted in an arrest and</p> <p>18 conviction; is that right?</p> <p>19 <b>A. Yes, it states it's an arrest for theft</b></p> <p>20 <b>by deception.</b></p> <p>21 <b>Q.</b> Whereas, with respect to offenses that</p> <p>22 you had been convicted of, they note that those</p> <p>23 resulted in convictions; correct?</p> <p>24 <b>A. Yes.</b></p> <p>25 <b>Q.</b> So there is no misapprehension, as you</p>

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<p style="text-align: right;">173</p> <p>1 put it in the letter, about whether the state board 2 of California understood that you had not been 3 convicted of theft by deception, do you agree? 4 <b>A. Oh, I don't think I agree with that.</b> 5 <b>Because the misapprehension is not about</b> 6 <b>California's understanding of how the matter</b> 7 <b>resolved. The misapprehension was that California</b> 8 <b>considered the felony theft by deception incident</b> 9 <b>as serious misconduct.</b> 10 <b>Q.</b> So the letter, though, clearly indicates 11 that the Board knew that you had not been convicted 12 of any offense arising out of that arrest; is that 13 right? 14 <b>A. Yes.</b> 15 <b>Q.</b> And then you further submitted to the 16 Board that you appeared for an interview before the 17 California fitness review committee, I will call 18 it; is that right? 19 <b>A. Yes.</b> 20 <b>Q.</b> And there were three individuals present 21 plus an investigator? 22 <b>A. Yes.</b> 23 <b>Q.</b> And those four people represented the 24 California Board? 25 <b>A. Yes, there was one attorney and then the</b></p>	<p style="text-align: right;">175</p> <p>1 <b>A. Yes, they asked about that.</b> 2 <b>Q.</b> And just share with us again what your 3 recollection is about what they asked? 4 <b>A. Well, I don't remember all the</b> 5 <b>questions. But I remember one of the questions</b> 6 <b>about it was whether it had been expunged. And I</b> 7 <b>indicated it wasn't. And the attorney just seemed,</b> 8 <b>I don't know, displeased by that fact.</b> 9 <b>Q.</b> Okay. Is it fair to say that you 10 suggested to the Board that you felt that the 11 California authorities who made this decision based 12 it on a judgment that your conduct in the casino 13 was not ethical? 14 <b>A. Yeah, well, that it was -- that the</b> 15 <b>California bar considered the incident as a</b> 16 <b>negative factor and as serious misconduct, yes.</b> 17 <b>Q.</b> They were entitled to ask questions 18 about the circumstances surrounding that incident; 19 correct? 20 <b>A. Yes.</b> 21 <b>Q.</b> You provided responses? 22 <b>A. Yes.</b> 23 <b>Q.</b> And did you assert at the time that you 24 had done nothing wrong? 25 <b>A. Yeah, actually, I think from the</b></p>
<p style="text-align: right;">174</p> <p>1 <b>investigator and then two other I believe civilian</b> 2 <b>members.</b> 3 <b>Q.</b> And they asked a series of questions, I 4 would take it? 5 <b>A. Yes.</b> 6 <b>Q.</b> And you provided responses? 7 <b>A. Yes.</b> 8 <b>Q.</b> At the close of the interview, did they 9 indicate what their decision was? 10 <b>A. No.</b> 11 <b>Q.</b> And they sometime later issued the 12 letter? 13 <b>A. Yes.</b> 14 <b>Q.</b> Do you know how many people are involved 15 in rendering the decision reflected in the adverse 16 determination? 17 <b>A. To my understanding, it's only the</b> 18 <b>attorney, the two civilian members and that's it.</b> 19 <b>Q.</b> And they were all present? 20 <b>A. Yes.</b> 21 <b>Q.</b> And one of the questions they asked 22 related to -- Well, I should say you have submitted 23 to the Board that one of the questions they asked 24 related to the felony theft by deception; is that 25 right?</p>	<p style="text-align: right;">176</p> <p>1 <b>beginning in my California bar application I stated</b> 2 <b>that I had done nothing wrong pertaining to that</b> 3 <b>incident. But they still listed it as a character</b> 4 <b>issue in their letter setting the informal</b> 5 <b>conference.</b> 6 <b>Q.</b> Well, they listed nearly all of your 7 arrests and convictions as circumstances they 8 wanted to inquire about; correct? 9 <b>A. I don't think that's accurate.</b> 10 <b>Q.</b> Okay. They didn't list all of them or 11 it's not accurate? 12 <b>A. No, they didn't list all of them. It</b> 13 <b>appears that they only listed the ones that they</b> 14 <b>considered as character issues -- as a character</b> 15 <b>issue and as a negative factor and as misconduct.</b> 16 <b>Q.</b> They listed those that they wanted to 17 inquire about the circumstances of -- that's a 18 terrible -- They asked you about the incidents they 19 wanted to learn more about; is that right? 20 <b>A. That's not my understanding. My</b> 21 <b>understanding is that everything they listed in the</b> 22 <b>letter setting the informal conference they</b> 23 <b>considered as misconduct -- or as a character</b> 24 <b>issue. I mean, yeah, that's right, as misconduct</b> 25 <b>and a character issue. There was -- I mean, there</b></p>



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<p style="text-align: right;">177</p> <p>1 <b>is other things that aren't listed on here. Other</b></p> <p>2 <b>incidents.</b></p> <p>3 <b>Q.</b> I'm not going to ask you to return to</p> <p>4 Exhibit 34, page 1425, but I'm going to represent</p> <p>5 to you that what it says is is that you and your</p> <p>6 client, you, are invited to meet with</p> <p>7 representatives of the state bar to discuss the</p> <p>8 circumstances surrounding -- and then it lists a</p> <p>9 number of things, including the theft by dishonesty</p> <p>10 or what -- or theft by deception. Do you accept</p> <p>11 that that is what the letter says?</p> <p>12 <b>A. Yes.</b></p> <p>13 <b>Q.</b> So the letter doesn't indicate that they</p> <p>14 have concluded that these demonstrate a lack of</p> <p>15 fitness to practice, it indicates they want to</p> <p>16 discuss the circumstances surrounding these</p> <p>17 incidents; correct?</p> <p>18 <b>A. Yeah, again, I think -- I think, also,</b></p> <p>19 <b>my understanding of what's listed here is they are</b></p> <p>20 <b>listing concerns, and so they were -- they listed</b></p> <p>21 <b>theft by deception as a concern that they wanted to</b></p> <p>22 <b>ask about and as a character and fitness issue, is</b></p> <p>23 <b>my understanding.</b></p> <p>24 <b>Q.</b> And you don't know whether your</p> <p>25 responses dispelled their concern about that</p>	<p style="text-align: right;">179</p> <p>1 <b>Q.</b> And that's based on the testimony that</p> <p>2 we just reviewed; is that right?</p> <p>3 <b>A. Well, I think it's based on not just</b></p> <p>4 <b>that, not just them questioning me about it at the</b></p> <p>5 <b>informal conference, but also them listing it in</b></p> <p>6 <b>their letter of -- listing concerns for the</b></p> <p>7 <b>informal conference.</b></p> <p>8 <b>MR. GENRICH:</b> No further</p> <p>9 questions.</p> <p>10 <b>BOARD CHAIR KONECK:</b> Mr. Fluegel?</p> <p>11 <b>BOARD MEMBER FLUEGEL:</b> Thank you.</p> <p>12 I have no further questions.</p> <p>13 <b>BOARD MEMBER BEETY:</b> No questions.</p> <p>14 <b>BOARD CHAIR KONECK:</b> I just have a</p> <p>15 couple of questions about Mr. Ammerman.</p> <p>16 <b>My recollection is he testified that he</b></p> <p>17 <b>did not do constitutional litigation and you</b></p> <p>18 <b>testified that you represented some of his clients</b></p> <p>19 <b>in constitutional litigation in other states; is</b></p> <p>20 <b>that correct?</b></p> <p>21 <b>THE WITNESS:</b> So Mr. Ammerman has</p> <p>22 -- has constitutional tort case clients and I --</p> <p>23 yeah, I have worked on those cases for him, yes.</p> <p>24 <b>BOARD CHAIR KONECK:</b> For Mr.</p> <p>25 Ammerman?</p>
<p style="text-align: right;">178</p> <p>1 conduct or not, do you?</p> <p>2 <b>A. No.</b></p> <p>3 <b>Q.</b> Because all we have is their letter that</p> <p>4 lists multiple reasons for finding an adverse</p> <p>5 determination on character and fitness; right?</p> <p>6 <b>A. Yes.</b></p> <p>7 <b>Q.</b> It doesn't provide an explanation as to</p> <p>8 how they reached those conclusions?</p> <p>9 <b>A. That's right.</b></p> <p>10 <b>Q.</b> It identifies arrests over an eight-year</p> <p>11 period that spans more than the theft by deception</p> <p>12 arrest; correct?</p> <p>13 <b>A. Right. Yeah, I mean, they list, also,</b></p> <p>14 <b>as a factor arrests and convictions and they just</b></p> <p>15 <b>put a date range of which includes the theft by</b></p> <p>16 <b>deception incident.</b></p> <p>17 <b>Q.</b> You testified you don't agree with the</p> <p>18 determination? That's apparent; correct?</p> <p>19 <b>A. Yes.</b></p> <p>20 <b>Q.</b> Is it your position to the Board -- Is</p> <p>21 it your position to the Board that California based</p> <p>22 their decision on improper considerations?</p> <p>23 <b>A. I think it's my position that California</b></p> <p>24 <b>misapprehended specifically the theft by deception</b></p> <p>25 <b>arrest as misconduct.</b></p>	<p style="text-align: right;">180</p> <p>1 <b>THE WITNESS:</b> Yes. Yes. Yes, he</p> <p>2 has constitutional tort -- actually, yes, even</p> <p>3 presently he has constitutional tort cases.</p> <p>4 <b>BOARD CHAIR KONECK:</b> And is he</p> <p>5 shown on the pleadings as the lawyer?</p> <p>6 <b>THE WITNESS:</b> Oh, of course.</p> <p>7 <b>BOARD CHAIR KONECK:</b> So what he</p> <p>8 testified to then was false?</p> <p>9 <b>THE WITNESS:</b> I think that --</p> <p>10 <b>BOARD CHAIR KONECK:</b> Yes or no?</p> <p>11 <b>THE WITNESS:</b> I don't know. My</p> <p>12 interpretation was just that he was maybe</p> <p>13 describing what work he usually does. I don't know</p> <p>14 that he -- I don't think it was intentional -- you</p> <p>15 know, I think Mr. Ammerman was just explaining that</p> <p>16 most of his work is bankruptcy work.</p> <p>17 <b>BOARD CHAIR KONECK:</b> So what do</p> <p>18 you do on those cases?</p> <p>19 <b>THE WITNESS:</b> I draft the motions</p> <p>20 and oppositions. Just generally any related --</p> <p>21 <b>BOARD CHAIR KONECK:</b> Do you have</p> <p>22 local counsel on those cases?</p> <p>23 <b>THE WITNESS:</b> Yes.</p> <p>24 <b>BOARD CHAIR KONECK:</b> So Mr.</p> <p>25 Ammerman doesn't go to hearings?</p>

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<p style="text-align: right;">181</p> <p>1 THE WITNESS: Well, of course, any</p> <p>2 hearing Mr. Ammerman handles, yes.</p> <p>3 BOARD CHAIR KONECK: Travels to</p> <p>4 other states to do them?</p> <p>5 THE WITNESS: Oh, no. Everything</p> <p>6 has been by, like, video. You know, Zoom</p> <p>7 conference with the court.</p> <p>8 BOARD CHAIR KONECK: So he has</p> <p>9 been -- Fair to say, he is active in these cases?</p> <p>10 THE WITNESS: Absolutely.</p> <p>11 BOARD CHAIR KONECK: Okay. I have</p> <p>12 no more questions.</p> <p>13 BOARD MEMBER BRATVOLD: I have no</p> <p>14 questions. Thank you.</p> <p>15 BOARD MEMBER PRINCE: Which states</p> <p>16 or federal districts are those cases venued?</p> <p>17 THE WITNESS: The U.S. District</p> <p>18 Court in Colorado. And the U.S. District Court in</p> <p>19 Nevada. And there was also a case that resolved in</p> <p>20 U.S. District Court of Maryland.</p> <p>21 BOARD MEMBER PRINCE: Thank you.</p> <p>22 No further questions.</p> <p>23 BOARD MEMBER BELL: Were the</p> <p>24 mandamus cases dismissed with or without prejudice?</p> <p>25 THE WITNESS: They were -- I</p>	<p style="text-align: right;">183</p> <p>1 report since 2018?</p> <p>2 A. No.</p> <p>3 Q. And did those late payments from last</p> <p>4 summer get resolved by you?</p> <p>5 A. Yes.</p> <p>6 Q. And have you had any ongoing issues or</p> <p>7 new issues that would show up if you had a new</p> <p>8 credit report generated?</p> <p>9 A. No.</p> <p>10 Q. He also talked at some length about one</p> <p>11 criminal arrest in particular from 2011 and went</p> <p>12 through some of the language in the police report.</p> <p>13 And that's specifically to remind the Board it was</p> <p>14 the matter that regarded the arrest where there was</p> <p>15 a four-block police chase articulated in the police</p> <p>16 report. And that happened in 2011. How many years</p> <p>17 ago was that incident?</p> <p>18 A. Fourteen years ago.</p> <p>19 Q. And we have talked several -- we have</p> <p>20 mentioned several times about the most recent --</p> <p>21 When was your most recent alcohol related arrest?</p> <p>22 A. 2019.</p> <p>23 Q. And how many years ago was that?</p> <p>24 A. Six years.</p> <p>25 MS. HEINLEIN: I don't have any</p>
<p style="text-align: right;">182</p> <p>1 believe all the dismissals were with prejudice.</p> <p>2 BOARD MEMBER BELL: I don't have</p> <p>3 any other questions.</p> <p>4 MS. HEINLEIN: I just have a</p> <p>5 couple of redirect.</p> <p>6 REDIRECT EXAMINATION</p> <p>7 BY MS. HEINLEIN:</p> <p>8 Q. Mr. Mills, Mr. Genrich --</p> <p>9 MS. HEINLEIN: Is it Genrich or</p> <p>10 Genrich? Sorry.</p> <p>11 MR. GENRICH: It's actually</p> <p>12 Genrich.</p> <p>13 MS. HEINLEIN: Genrich. Okay.</p> <p>14 BY MS. HEINLEIN:</p> <p>15 Q. Mr. Genrich reviewed the TransUnion</p> <p>16 credit report that you provided with your law</p> <p>17 school application during his examination. How far</p> <p>18 back did that credit report go? How far back and</p> <p>19 what year?</p> <p>20 A. 2018.</p> <p>21 Q. And you acknowledged having fallen</p> <p>22 behind for those three creditors that you discussed</p> <p>23 with Mr. Genrich last summer for a couple of</p> <p>24 months. Other than those instances, had you gotten</p> <p>25 behind on any other payments as indicated in that</p>	<p style="text-align: right;">184</p> <p>1 further questions.</p> <p>2 BOARD CHAIR KONECK: Mr. Genrich?</p> <p>3 MR. GENRICH: No, sir.</p> <p>4 BOARD CHAIR KONECK: Any Board</p> <p>5 members?</p> <p>6 (No response.)</p> <p>7 BOARD CHAIR KONECK: I think we're</p> <p>8 -- and nothing further? Any further witnesses?</p> <p>9 MS. HEINLEIN: No, sir.</p> <p>10 BOARD CHAIR KONECK: Mr. Genrich?</p> <p>11 MR. GENRICH: No, sir.</p> <p>12 BOARD CHAIR KONECK: I think we</p> <p>13 are ready for closing arguments. Do you need a</p> <p>14 short break?</p> <p>15 MS. HEINLEIN: No, I'm all right.</p> <p>16 I will make it very brief, because I know we have</p> <p>17 been here a long time. Everyone is ready to get</p> <p>18 through the traffic.</p> <p>19 Again, President Koneck, members of the</p> <p>20 Board, staff, Mr. Genrich, thank you for having us</p> <p>21 here today.</p> <p>22 You know, there has never been a</p> <p>23 dispute by Mr. Mills that this past conduct has</p> <p>24 occurred. He has been candid throughout this</p> <p>25 process. He has disclosed these incidents. He</p>

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<p style="text-align: right;">185</p> <p>1 supplemented his application proactively and  2 provided detailed narratives and corroborating  3 documentation.  4         The hearing has shown what the rules  5 require us to examine, which is not the mistakes of  6 youth or past conduct, but the character and  7 fitness of the applicant today.  8         We believe the record demonstrates that  9 Mr. Mills has met that burden by clear and  10 convincing evidence and he should be afforded the  11 opportunity to move forward as a member of this  12 bar.  13         He has demonstrated sustained reform.  14 Again, there has been no new issues of any kind of  15 criminal misconduct since 2019. He has shown  16 successful completion of all of the requirements of  17 those criminal dispositions with exception of some  18 hiccups from his youth. And as we've moved  19 forward, he has resolved and met all of those  20 obligations that the courts have required. He has  21 also demonstrated years of law-abiding conduct.  22         He earned his J.D. He passed the UBE.  23 He served competently as a law clerk for Mr.  24 Ammerman and other attorneys during and since  25 attending law school. And he has shown compelling</p>	<p style="text-align: right;">187</p> <p>1         On the contrary, you know, reviewing  2 the detailed petitions, his litigation history  3 reflects lawful efforts to vindicate rights. And  4 no court has ever sanctioned him or found these  5 filings frivolous. In fact, Judge Nicklas in the  6 most recent and I guess last petition acknowledged  7 that it's an area of law that's murky and  8 constantly evolving.  9         The rules and case law direct this  10 Board to protect the public and safeguard justice.  11 I certainly appreciate that as a member of this  12 bar. And it's obviously an important obligation to  13 sit and assess one's character in so doing and  14 meeting that obligation.  15         But we feel today's record shows  16 candor, it shows good judgment, compliance, and  17 commitment to the values of our profession. And  18 for these reasons we respectfully ask you to  19 recommend Mr. Mills for admission to the Minnesota  20 bar. Thank you.  21         BOARD CHAIR KONECK: Mr. Genrich.  22         MR. GENRICH: Mr. Chair, members  23 of the Board, I submit respectfully this Board's  24 adverse determination is well-supported by the  25 record and that Mr. Mills has not met his burden by</p>
<p style="text-align: right;">186</p> <p>1 evidence of rehabilitation. I think, first and  2 foremost, academic achievement, professional  3 performance in his job duties as a law clerk. We  4 have gone through several community contributions  5 he has offered, including helping produce a  6 documentary about Salvadoran refugees in addition  7 to helping to interview Holocaust survivors and  8 document those stories.  9         He has provided strong character  10 testimony from not only his law school dean but  11 multiple attorneys. And all of these factors align  12 with the requirements of our rules and with  13 Minnesota precedent emphasizing that we need to  14 assess present fitness and reform, not dwell on  15 past conduct.  16         He has accepted responsibility. I hope  17 that's been clear today. When asked, he has  18 acknowledged that these incidents occurred and that  19 he takes full accountability for the mistakes of  20 his youth. He has expressed genuine remorse and  21 demonstrated that he has gained insight from these  22 incidents. He hasn't demonstrated any kind of  23 pattern of dishonesty. There has been no  24 recurrence and no evidence of disrespect for the  25 courts.</p>	<p style="text-align: right;">188</p> <p>1 clear and convincing evidence for admission to the  2 Minnesota bar.  3         I commend Mr. Mills for a number of  4 characteristics in his background and the current  5 way in which he conducts himself. But I would  6 submit that the record demonstrates that this  7 Board's conclusion in its adverse determination  8 letter that Mr. Mills has not met his burden to  9 demonstrate honest and candor, that he has not met  10 his burden to demonstrate respect in accordance for  11 the law, and he has not met his burden to  12 demonstrate good judgment in the conduct of legal  13 proceedings and otherwise, and ability to avoid  14 acts which exhibit the disregard for the rights or  15 welfare of others.  16         With respect to honesty and candor,  17 this Board cited his code of academic integrity  18 violation in 2022, which was relatively recently,  19 and his nondisclosures in his law school  20 application.  21         I would submit that Mr. Mills'  22 testimony here today did not increase the level of  23 confidence with respect to genuine acceptance of  24 responsibility or accountability in either of those  25 instances.</p>

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1 With respect to accordance with the law  
 2 and respect for the law, this Board cited criminal  
 3 matters that admittedly date most recently from  
 4 2019, but, nonetheless, demonstrate a pattern of  
 5 conduct that appropriately gives rise to concern in  
 6 the Board's adverse determination letter about his  
 7 respect in accordance with the law combined with  
 8 the good judgment finding and respect for the  
 9 rights of others that are reflected in the mandamus  
 10 actions and other civil matters that have been  
 11 reviewed today.

12 We also have discussed, of course, on  
 13 the record the California determination. And I  
 14 would submit that there is an effort to minimize  
 15 the basis, the legitimate basis for that  
 16 determination based on really unsupported  
 17 speculation as to what the Board members may have  
 18 relied on in reaching their conclusions. And I  
 19 would submit that nothing in the record  
 20 demonstrates they ever drew an adverse inference  
 21 with respect to that particular theft by deception  
 22 arrest.

23 I think based on the record here today  
 24 that Mr. Mills' application and standing before the  
 25 Board has not improved. That his testimony reveals

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1 a number of instances of failure to accept  
 2 responsibility, of minimization and just a lack of  
 3 genuine rehabilitation. And for those reasons I  
 4 encourage the Board to maintain its decision  
 5 reflected in its adverse determination.

6 BOARD CHAIR KONECK: Thank you.  
 7 Anything further?

8 MS. HEINLEIN: No.

9 BOARD CHAIR KONECK: We will take  
 10 this matter under advisement.

11 Mr. Mills, thank you for being here.  
 12 Counsel, well presented.

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 14 (The Hearing adjourned at 3:10 p.m.)  
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## REPORTER'S CERTIFICATE

1  
 2  
 3 I, Susan M. Strom, do hereby certify and  
 4 state that I recorded in shorthand the proceedings  
 5 of the Minnesota Board of Law Examiners, In Re  
 6 Application of JUSTIN LAWRENCE MILLS, on December 9,  
 7 2025, at 25 Rev. Dr. Martin Luther King Jr. Blvd.,  
 8 St. Paul, Minnesota.

9  
 10 I further certify and state that thereafter  
 11 and on this date I caused to be transcribed into  
 12 typewriting the foregoing typewritten transcript of  
 13 said recorded proceedings.

14  
 15 I further certify and state that the  
 16 foregoing typewritten transcript of said recorded  
 17 proceedings is true and correct to the best of my  
 18 ability.

19  
 20 /s/SUSAN M. STROM  
 21 Susan M. Strom  
 22 Court Reporter

23 Dated this 16th day of December, 2025.  
 24  
 25

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