DISCIPLINARY BOARD
WASHINGTON STATE BAR ASSOCIATION

In re

SCOTT STAFNE,

Lawyer (Bar No. 6964).

Proceeding No. 25#00042

DISCIPLINARY BOARD ORDER DECLINING *SUA SPONTE* REVIEW AND ADOPTING HEARING OFFICER'S DECISION

This matter came before the Disciplinary Board for consideration of *sua sponte* review pursuant to ELC 11.3(a). On March 5, 2026, the Clerk distributed the attached decision to the Board.

IT IS HEREBY ORDERED THAT the Board declines *sua sponte* review and adopts the Hearing Officer's decision[1].

Dated this 18th day of March, 2026.

Keith Evan Cohon, ~~WSBA~~ #15103
Chair, Disciplinary Board

[1] The vote on this matter was 14:0. Those voting were: Cohon, Throgmorton, Ashby, Carell, Doll, Endter, Kapri, Meyer, Miller, Munroe, Sheedy, Subramaniam, Washko, Zeidel.

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CERTIFICATE OF SERVICE

I certify that I caused a copy of the DB Order Declining Sua Sponte Review and Adopting HO's Decision to be emailed to the Office of Disciplinary Counsel and to Respondent, Scott Stafne, at scott@stafnelaw.com, on the 19th day of March, 2026.

Clerk to the Disciplinary Board

DISCIPLINARY BOARD
WASHINGTON STATE BAR ASSOCIATION

In re

SCOTT ERIK STAFNE,

Lawyer (Bar No. 6964).

Proceeding No. 25#00042

FINDINGS OF FACT, CONCLUSIONS OF LAW AND HEARING OFFICER'S RECOMMENDATION

The undersigned Hearing Officer held a default hearing by written submissions under Rule 10.6(b)(3) of the Washington Supreme Court's Rules for Enforcement of Lawyer Conduct (ELC).

FINDINGS OF FACT AND CONCLUSIONS OF LAW REGARDING CHARGED VIOLATIONS

1. The Formal Complaint (Bar File 2) charged Scott Erik Stafne with misconduct as set forth therein. A copy of the Formal Complaint is attached to this decision.

2. Under ELC 10.6(a)(4), the Hearing Officer finds that each of the facts alleged in the Formal Complaint is admitted and established.

3. Under ELC 10.6(a)(4), the Hearing Officer concludes that each of the violations charged in the Formal Complaint is admitted and established as follows:

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COUNT 1

4. Respondent violated RPC 3.1 and RPC 8.4(d) by bringing and defending the following matters without having a basis in law and fact for doing so that was not frivolous:

Cervantes Orchards & Vineyards v. Deere & Co., U.S. District Court, Eastern District of Washington, Case No. 1:14-cv-3125;

Bank of New York Mellon v. Scott Stafne, 9th Circuit Case No. 16-35677;

Bank of New York Mellon v. Scott Stafne, 9th Circuit Case No. 16-36032;

Stafne v. Burnside, U.S. District Court, Western District of Washington, Case No. 2:16-cv-0753;

Stafne v. Burnside, 9th Circuit Case No. 22-35547;

Stafne v. Zilly, U.S. District Court, Western District of Washington, Case No. 2:17-cv-01692;

Stafne v. Zilly, 9th Circuit Case No. 19-35454;

De Botton v. Quality Loan Service Corp., Snohomish County Superior Court Case No. 23-2-00753-31;

De Botton v. Quality Loan Service Corp., U.S. District Court, Western District of Washington, Case No. 2:23-cv-0223;

De Botton v. Quality Loan Service Corp., 9th Circuit Court of Appeals, Case No. 23-35337;

De Botton v. Quality Loan Service Corp., 9th Circuit Court of Appeals, Case No. 24-2738; and

Church of the Gardens v. U.S. Court of Appeals for the 9th Circuit, U.S. District Court, Western District of Washington, Case No. 2:24-cv-01010.

5. Respondent violated RPC 3.1 and RPC 8.4(d) by asserting and controverting issues in the following cases without having a basis in law and fact for doing so that was not frivolous:

Cervantes Orchards & Vineyards v. Deere & Co., 9th Circuit Case No. 15-35675, consolidated with Cervantes Orchards & Vineyards v. Deere & Co., 9th Circuit Case No. 16-35220;

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Cervantes Orchards & Vineyards v. Deere & Co., 9th Circuit Case No. 18-35366;

Bank of New York Mellon v. Scott Stafne, U.S. District Court, Western District of Washington, Case No. 2:16-cv-00077;

Bank of New York Mellon v. Scott Stafne, 9th Circuit Case No. 16-36032;

Scott Stafne v. Bank of New York Mellon, United States Supreme Court, Case No. 20-1270;

Stafne v. Burnside, U.S. District Court, Western District of Washington, Case No. 2:16-cv-0753;

Stafne v. Burnside, 9th Circuit Case No. 22-35547;

Stafne v. Zilly, U.S. District Court, Western District of Washington, Case No. 2:17-cv-01692;

Stafne v. Zilly, 9th Circuit Case No. 19-35454;

Stafne v. Zilly, United States Supreme Court Case No. 20-1085;

Hoang v. Bank of America, U.S. District Court, Western District of Washington, Case No. 2:17-cv-0874;

De Botton v. Quality Loan Service Corp., U.S. District Court, Western District of Washington, Case No. 2:23-cv-0223;

De Botton v. Quality Loan Service Corp., 9th Circuit Court of Appeals, Case No. 23-35337;

De Botton v. Quality Loan Service Corp., United States Supreme Court No. 23-539;

De Botton v. Quality Loan Service Corp., 9th Circuit Court of Appeals, Case No.23-3509;

In Re Bergeron, U.S. District Court, Western District of Washington, Case No. 2:24-cv-0929; and

Church of the Gardens v. Quality Loan Services Corp., U.S. District Court, Western District of Washington, Case No. 3:23-cv-06193.

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COUNT 2

6. Respondent violated RPC 8.2(a), RPC 8.4(d), and RPC 8.4(h) by alleging in Bank of New York Mellon v. Scott Stafne, U.S. District Court, Western District of Washington, Case No. 2:16-cv-00077, that Judge Zilly was biased and had age-related cognitive deficits, with reckless disregard for the truth or falsity of such allegations.

7. Respondent violated RPC 8.2(a) and RPC 8.4(d) by alleging that Judge Zilly and other senior federal judges in the following matters were not Article III judges and were biased and/or corrupt, with reckless disregard for the truth or falsity of such allegations:

> Cervantes Orchards & Vineyards v. Deere & Co., 9th Circuit Case No. 15-35675, consolidated with Cervantes Orchards & Vineyards v. Deere & Co., 9th Circuit Case No. 16-35220;
>
> Stafne v. Burnside, 9th Circuit Case No. 22-35547;
>
> De Botton v. Quality Loan Service Corp., 9th Circuit Court of Appeals, Case No. 23-35337;
>
> De Botton v. Quality Loan Service Corp., United States Supreme Court No. 23-539;
>
> In Re Bergeron, U.S. District Court, Western District of Washington, Case No. 2:24-cv-0929; and
>
> Church of the Gardens v. Quality Loan Services Corp., U.S. District Court, Western District of Washington, Case No. 3:23-cv-06193.

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FINDINGS OF FACT AND CONCLUSIONS OF LAW REGARDING RECOMMENDED SANCTION

COUNT 1

CASE	Court finds frivolous	Formal Complaint Alleges Frivolous
Cervantes	¶¶**5, 9**	¶¶8, 15, 19
BNYM	¶¶34, 56	¶¶25, 27, 31, 33, 38, 47, 51, 55, 58
Burnside	¶¶74, 76	¶¶**61**, 66, 69, 80, 85
Zilly	¶¶94, 97, 102	¶¶**88**, 96, 101, 105
Hoang	¶112	¶111
De Botton	¶¶163-65, 170	¶¶**114**, 117, 125, 137, 140, 144, 148, 161, 168, 176
Bergeron	¶182	¶¶181, 185
Church v. 9th Circuit	----	¶**192**
Church v. QLS	¶217	¶¶202, 207, 214

8. In other than the Burnside and Zilly matters, Respondent acted knowingly in bringing and defending the matters identified in ¶ 4 above without having a basis in law and fact for doing so that was not frivolous and by asserting and controverting issues in the matters identified in ¶5 above without having a basis in law and fact for doing so that was not frivolous as charged.

9. Through Respondent's frivolous litigation in the matters identified in ¶¶ 4-5 above, other than the Burnside and Zilly matters, Respondent caused injury to the opposing parties, who were required to expend funds defending against Respondent's frivolous arguments, and

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Respondent caused interference with the legal proceedings through delay and the unnecessary expenditure of judicial time and resources.

10. In Burnside Respondent sued the bank (and its lawyers) which had brought the foreclosure action (BNYM) against Respondent's property, and in Zilly he sued the federal district judges and circuit judge who had issued rulings adverse to him in BNYM and Burnside, *see* Stafne v. Zilly, 337 F.Supp.3d 1079 (W.D. Wash. 2018). Both Burnside and Zilly were utterly frivolous and in filing and prosecuting them at the trial and appellate levels Respondent acted knowingly and with the intent to obtain a benefit for himself, namely, delay or avoidance of foreclosure on his residential property.

11. The rules Respondent has admitted breaking, RPC 3.1 and 8.4(d), involve duties lawyers owe to the legal system. ABA Standards, *infra* at 10. Through his frivolous litigation in the Burnside and Zilly matters, Respondent caused potentially serious injury to the legal system by undermining the finality of judgments. "Thus, this Court lacks subject matter jurisdiction (and all other authority) to overturn a decision of the Ninth Circuit or any district court entered in a separate lawsuit." Stafne v. Zilly, *supra* at 1091. Many who are sued feel wronged, but respond with colorable defenses and even counterclaims. A named defendant in a pending action who commences a retaliatory action against the original plaintiff, also naming the lawyer who filed the original action, and who further sues the judges who disallow his frivolous defenses to the original action, is using tactics which threaten the orderly administration of justice and which are intolerable in a functioning legal system.

12. In De Botton v. Quality Loan Service Corp., U.S. District Court, Western District of Washington, Case No. 2:23-cv-0223, Respondent caused serious injury to the opposing party in the amount of $15,355.00.

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13. In Cervantes Orchards & Vineyards v. Deere & Co., U.S. District Court, Eastern District of Washington, Case No. 1:14-cv-3125, Respondent caused serious injury to the opposing party in the amount of $77,817.72.

COUNT 2

14. Respondent acted knowingly and intentionally in alleging that Judge Zilly had age-related cognitive deficits, and that Judge Zilly and other senior federal judges in the matters discussed in the Formal Complaint were not Article III judges and were biased and/or corrupt, and in acting with disregard for the truth or falsity of these allegations.

15. Federal courts have been rejecting Respondent's senior judge contentions for years. The 9th Circuit had this to say on May 22, 2024:

> This is not the first time Stafne has made his senior-judge argument in this Court. As this Court has previously concluded, "Stafne's argument that the senior district judge who heard his case was a 'retired judge' merely 'acting as an Article III judge in this case,' is without merit." *Bank of New York Mellon v. Stafne,* 824 F. App'x 536, 536 (9th Cir. 2020). "Senior judges 'are, of course, life-tenured Article III judges.'" *Id.* (quoting *Nguyen v. United States*, 539 U.S. 69,72 (2003)). This basic proposition has been routinely confirmed by the Supreme Court, this Court, and other circuit and district courts. *See, e.g., Booth v. United States*, 291 U.S. 339, 350 (1934) ("By retiring pursuant to the statute a judge does not relinquish his office."); *Williams v. Decker*, 767 F.3d 734, 743 (8th Cir. 2014) (rejecting argument that district court judge lacked authority to adjudicate matter due to her status as senior district court judge); *Bank v. Cooper, Paroff, Cooper & Cook,* 356 F. App'x 509, 511 (2d Cir. 2009) (same); *United States v. Teresi*, 484 F.2d 894, 898 (7th Cir. 1973) (same). Although Stafne argues otherwise based on a law review article, we must follow binding Supreme Court precedent.

Bar File 9 at 274-75. Nevertheless, in the following excerpts from his 11/17/25 "Consolidated Pleading" in the present proceeding, Respondent says he will persist, asserting:

> at some point [his] structural constitutional challenges to senior judges must be adjudicated in a proceeding that determines facts regarding the language and history of Article III and the Judiciary Act and then applies the law to those facts found to exist as any honest execution of judicial power requires.
>
> * * *
>
> Stafne will stop raising these challenges once they are authoritatively adjudicated on the merits. What he cannot ***and will not do*** is surrender unresolved

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> constitutional questions at the expense of his clients' rights and the integrity of the judicial system that this Nation's founders created.
>
> * * *
>
> Stafne's position is simple: resolve the constitutional question, and he will comply. Refuse to resolve it, and the judicial inquiry remains both necessary and obligatory for those who care about the independence of courts and the neutrality of judges.
>
> * * *
>
> The record is clear that no court has ever adjudicated in a reported decision the factual or constitutional questions Stafne raises, and therefore nothing in his advocacy is precluded.

Bar File 14 at 5-6, 14, 15, 16 (emphasis in original).

16. Respondent's allegations against judges had an adverse effect on the legal proceedings in which they were made by calling into question the integrity of those proceedings.

17. The following standards of the American Bar Association's Standards for Imposing Lawyer Sanctions ("ABA Standards") (1991 ed. & Feb. 1992 Supp.) apply in this case.

18. ABA Standard 6.2 applies to Respondent's frivolous litigation in Count 1:

> 6.2 ***Abuse of the Legal Process***
>
> 6.21 Disbarment is generally appropriate when a lawyer knowingly violates a court order or rule with the intent to obtain a benefit for the lawyer or another, and causes serious injury or potentially serious injury to a party or causes serious or potentially serious interference with a legal proceeding.
>
> 6.22 Suspension is generally appropriate when a lawyer knows that he or she is violating a court order or rule, and causes injury or potential injury to a client or a party, or causes interference or potential interference with a legal proceeding.
>
> 6.23 Reprimand is generally appropriate when a lawyer negligently fails to comply with a court order or rule, and causes injury or potential injury to a client or other party, or causes interference or potential interference with a legal proceeding.
>
> 6.24 Admonition is generally appropriate when a lawyer engages in an isolated instance of negligence in complying with a court order or rule, and causes little or no actual or potential injury to a party, or causes little or no actual or potential interference with a legal proceeding.

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19. The presumptive sanction for the misconduct in Count 1 is suspension under ABA Standard 6.22, except with respect to Respondent's misconduct in the four cases in which the injury from Respondent's misconduct was serious: Burnside, Zilly, De Botton and Cervantes. The presumptive sanction for Respondent's misconduct in those cases is disbarment under ABA Standard 6.21.

20. ABA Standard 6.1 is most applicable to making frivolous allegations against judges with reckless disregard for the truth or falsity of the allegations as charged in Count 2:

> 6.1 ***False Statements, Fraud, and Misrepresentation***
>
> 6.11 Disbarment is generally appropriate when a lawyer, with the intent to deceive the court, makes a false statement, submits a false document, or improperly withholds material information, and causes serious or potentially serious injury to a party, or causes a significant or potentially significant adverse effect on the legal proceeding.
>
> 6.12 Suspension is generally appropriate when a lawyer knows that false statements or documents are being submitted to the court or that material information is improperly being withheld, and takes no remedial action, and causes injury or potential injury to a party to the legal proceeding, or causes an adverse or potentially adverse effect on the legal proceeding.
>
> 6.13 Reprimand is generally appropriate when a lawyer is negligent either in determining whether statements or documents are false or in taking remedial action when material information is being withheld, and causes injury or potential injury to a party to the legal proceeding, or causes an adverse or potentially adverse effect on the legal proceeding.
>
> 6.14 Admonition is generally appropriate when a lawyer engages in an isolated instance of neglect in determining whether submitted statements or documents are false or in failing to disclose material information upon learning of its falsity, and causes little or no actual or potential injury to a party, or causes little or no adverse or potentially adverse effect on the legal proceeding.

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21. The presumptive sanction for Respondent's misconduct in making allegations against judges as charged in Count 2 is suspension under ABA Standard 6.12.

22. Under In re Disciplinary Proceeding Against Petersen, 120 Wn.2d 833, 854, 846 P.2d 1330 (1993), the "ultimate sanction imposed should at least be consistent with the sanction for the most serious instance of misconduct among a number of violations."

23. The following aggravating factors set forth in Section 9.22 of the ABA Standards apply in this case:

(b) dishonest or selfish motive;
(c) a pattern of misconduct;
(d) multiple offenses;
(g) refusal to acknowledge wrongful nature of conduct; and
(i) substantial experience in the practice of law (licensed in Washington since 1976).

The pattern of misconduct relates to Respondent's relentless but frivolous Article III senior judge contentions which permeate the record.

24. The following mitigating factor set forth in Section 9.32 of the ABA Standards applies to this case:

(a) absence of a prior disciplinary record.

25. On balance, the aggravating and mitigating factors in this matter warrant an increased sanction of disbarment where the presumptive sanction is otherwise suspension.

26. Disciplinary Counsel requests a recommendation of disbarment, arguing the monetary sanctions in De Botton and Cervantes support a serious injury finding (see ¶¶12-13 above) which, with the aggravators and mitigator, warrants the higher sanction. Bar File 22 at 7-8.

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RECOMMENDATION

27. Based on the ABA Standards and the applicable aggravating and mitigating factors, the Hearing Officer recommends that Respondent Scott Erik Stafne be disbarred and that as a condition of reinstatement, Respondent pay any outstanding court-ordered sanctions.

DATED this 20th day of January, 2026.

Douglas W. Vanscoy
Hearing Officer

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CERTIFICATE OF SERVICE

I certify that I caused a copy of the FOF, COL and HO's Recommendation to be emailed to the Office of Disciplinary Counsel and to Respondent, Scott Stafne, at scott@stafnelaw.com, on the 20th day of January, 2026.

Clerk to the Disciplinary Board

DISCIPLINARY BOARD
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In re **SCOTT ERIK STAFNE,** Lawyer (Bar No. 6964)	Proceeding No. 25#00042 FORMAL COMPLAINT

Under Rule 10.3 of the Washington Supreme Court's Rules for Enforcement of Lawyer Conduct (ELC), the Office of Disciplinary Counsel (ODC) of the Washington State Bar Association charges the above-named lawyer with acts of misconduct under the Washington Supreme Court's Rules of Professional Conduct (RPC) as set forth below.

ADMISSION TO PRACTICE

1. Respondent Scott E. Stafne was admitted to the practice of law in the State of Washington on October 27, 1976.

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FACTS

Cervantes Orchards & Vineyards v. Deere & Co.[1]

2. In September 2014, Respondent and Respondent's co-counsel Dean Browning Webb filed suit in Cervantes Orchards & Vineyards, alleging that multiple defendants had engaged in a broad scheme of misconduct involving racketeering, extortion, fraud, and civil rights violations.

3. Respondent filed amended complaints in October 2014 and January 2015.

4. The court issued dismissal orders relating to various defendants on May 20, 2015, July 10, 2015, and July 17, 2015.

5. On August 12, 2015, the court sanctioned Respondent and Respondent's co-counsel, finding the suit was baseless.

6. Respondent and Webb appealed,[2] challenging the dismissal orders and imposition of sanctions.

7. Respondent's appellate briefing raised for the first time on appeal a claim of judicial bias.

8. Respondent's appellate briefing included arguments that were frivolous.

9. On December 15, 2017, the United States Court of Appeals for the 9th Circuit (9th Circuit) upheld both the dismissal and sanctions orders.

[1] U.S. District Court, Eastern District of Washington, Case No. 1:14-cv-3125.

[2] Cervantes Orchards & Vineyards v. Deere & Co., 9th Circuit Case No. 15-35675, later consolidated with Cervantes Orchards & Vineyards v. Deere & Co., 9th Circuit Case No. 16-35220.

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10. Noting that the litigation had been ongoing for over a decade and that Respondent and Webb had "consistently failed to support [Respondent's] claims with specific facts," the court wrote:

> The district court did not abuse its discretion in ordering sanctions "to deter [Webb and Stafne] from again filing such a baseless lawsuit." Webb and Stafne began this lawsuit in district court by filing a 337-page complaint asserting 60 claims for relief against over 30 defendants. Webb and Stafne filed nearly 1000 pages of complaint papers in total, including a 143-page First Amended Complaint accompanied by a 469-page RICO case statement. The district court described the original complaint as a "quagmire of wordy and repetitious verbiage." Webb and Stafne's filings were "both baseless and made without a reasonable and competent inquiry." Townsend v. Holman Consulting Corp., 929 F.2d 1358, 1362 (9th Cir. 1990) (en banc).

11. The court further found that Respondent and Webb had failed to offer any evidence to suggest judicial bias, and that the claims of bias appeared to "rely entirely on the judge's adverse rulings."

12. While affirming the district court as to the dismissal and sanctions orders, the 9th Circuit vacated the fee awards, finding that the district court had failed to adequately explain the amount of fees awarded.

13. On remand, the district court reduced the sanctions amount to $77,817.72 and explained its reasoning in determining the fee amount.

14. Respondent and Webb then appealed again.[3]

15. Respondent's appellate briefing included frivolous arguments seeking to relitigate the imposition of sanctions rather than the amount of the award.

[3] Cervantes Orchards & Vineyards v. Deere & Co., 9th Circuit Case No. 18-35366.

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16. On May 22, 2019, the 9th Circuit affirmed the district court's determination as to the sanctions amount, noting that the other issues raised by Respondent and Webb were "foreclosed."

17. On June 5, 2019, Respondent filed a petition for rehearing and rehearing en banc.

18. In the petition for rehearing, Respondent argued for the first time that the 9th Circuit's decision was void because one of the judges on the panel had accepted senior status, and as a result, was no longer a judge under Article III of the U.S. Constitution.

19. This argument was frivolous.

20. The court denied Respondent's petition for rehearing without addressing Respondent's argument.

Bank of New York Mellon v. Scott Stafne[4]

21. In 2005, Respondent borrowed $800,000 to finance the purchase of a home in Arlington, Washington.

22. On January 19, 2016, Bank of New York Mellon (BNYM) filed suit against Respondent in the U.S. District Court for the Western District of Washington seeking to foreclose on Respondent's home and to recover damages for Respondent's failure to pay on the mortgage.

23. The complaint alleged that Respondent defaulted on the loan on January 1, 2009, and as of October 30, 2015, owed over $1.1 million on the loan.

24. In June and July 2016, Respondent filed a series of motions alleging that the BNYM had no standing to bring suit and that Davis Wright Tremaine (DWT), the law firm

[4] U.S. District Court, Western District of Washington, Case No. 2:16-cv-00077.

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representing BNYM, had "manufactured" the case against Respondent "for purposes of imposing harm" on Respondent.

25. These motions were frivolous.

26. On June 2, 2016, Respondent filed a motion to require DWT to prove their authority to act on behalf of the corporate entities associated with Respondent's loan.

27. This motion was frivolous.

28. During the litigation, BNYM discovered that the listed plaintiff was the wrong member of the BNYM corporate family. Bank of New York Mellon, a Delaware Corporation, the corporate parent, had been mistakenly listed as plaintiff, rather than its subsidiary, Bank of New York Mellon, a New York corporation (BONY).

29. On June 24, 2016, BNYM field a motion to substitute the real party in interest, BONY, as plaintiff.

30. On June 30, 2016, Respondent filed a motion to dismiss, claiming that DWT had failed to prove they had authority to represent BNYM and that BNYM lacked standing to bring the suit in the first instance since BONY was the real party in interest.

31. This motion was frivolous.

32. On July 15, 2016, Respondent filed a motion for a protective order to prevent the continuation of Respondent's deposition based in part on Respondent's claim that BNYM did not have standing to bring suit.

33. This motion was frivolous.

34. On August 9, 2016, the court denied Respondent's motions to prove authority, dismiss, and for a protective order as frivolous, finding that Respondent lacked a good faith basis to question DWT's attorney-client relationship with BNYM and related entities.

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35. The court noted that Respondent had made this same argument against DWT in the past, and the court had found it to be "wholly without merit, unnecessary, and . . . frivolous," quoting Robertson v. GMAC Mortgage LLC, Case No. 2:12cv2017, Dkt. 82 (W.D. Wash. Feb. 19, 2013).

36. Regarding Respondent's motion to dismiss for lack of standing, the court found that Respondent's demand for dismissal "completely ignore[d]" the substitution provisions in the civil rules, and the court granted BNYM's motion to substitute BONY as plaintiff in the matter.

37. On August 22, 2016, Respondent appealed the court's August 9, 2016 order to the 9th Circuit.[5]

38. This appeal was frivolous because the August 9, 2016 order was not a final order resolving the matter and was thus not appealable.

39. On September 22, 2016, the 9th Circuit dismissed Respondent's appeal, finding the orders Respondent challenged were not final or appealable.

40. Respondent then filed a petition for reconsideration or rehearing en banc, which the court denied on December 12, 2016.

41. Meanwhile, on December 7, 2016, the district court granted partial summary judgment against Respondent.

42. On December 13, 2016, Respondent filed another notice of appeal.[6]

43. On January 27, 2017, Respondent filed a motion asking the 9th Circuit to stay any district court orders for a foreclosure sale.

44. On April 20, 2017, the court denied the motion for a stay.

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[5] Bank of New York Mellon v. Scott Stafne, 9th Circuit Case No. 16-35677.

[6] Bank of New York Mellon v. Scott Stafne, 9th Circuit Case No. 16-36032.

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45. On May 26, 2017, Respondent filed a motion in district court seeking to disqualify Judge Thomas S. Zilly from the case.

46. Respondent argued that Judge Zilly likely had "cognitive disabilities" due to Zilly's age, no longer had judicial authority due to accepting senior status, and was biased in favor of the opposing party.

47. Respondent's disqualification motion was frivolous.

48. Judge Zilly denied the request for recusal but referred the request to the Chief Judge for review.

49. On June 2, 2017, Chief Judge Ricardo S. Martinez issued an order finding:

> All of [Defendant's] bases for recusal are without merit.
>
> First, without a scintilla of evidence in support, Defendant questions Judge Zilly's competency based on his alleged age . . . . Defendant fails to offer a shred of evidence from the record tending to indicate any impairment . . . .
>
> Second, Defendant attacks Judge Zilly's fitness to preside over his case on the basis of his "senior status" . . . . Notably, Defendant fails to cite a single legal precedent tending to establish that the fact of a presiding judge's "senior status" has ever been held (in and of itself) to constitute a proper basis for recusal.
>
> Setting aside the complete lack of evidentiary or legal support for Judge Zilly's age or senior status as a basis for recusal. . . Defendant does not propound any evidence-based rationale which ties Judge Zilly's age or senior status to an issue of "impartiality" or "bias;" he simply wants to argue – via innuendo and stereotype – that Judge Zilly is unfit to preside over his case. The law requires more. [citations omitted].

50. On June 5, 2017, Respondent filed a motion to reconsider, arguing that Chief Judge Martinez had refused to consider Respondent's "senior status" argument.

51. Respondent's motion to reconsider was frivolous.

52. On June 6, 2017, Chief Judge Martinez denied the motion to reconsider.

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53. There was then a delay in both the district court matter and the 9th Circuit appeal while the district court resolved a motion to amend the judgment to correct technical deficiencies which prevented BONY from proceeding with the foreclosure sale.

54. On February 21, 2020, in the pending 9th Circuit appeal, Respondent filed another "Motion to Prove Authority" seeking an order directing opposing counsel to prove their authority for representing Bank of New York Mellon entities.

55. This motion was frivolous.

56. On October 8, 2020, the 9th Circuit affirmed the district court decision, finding Respondent's arguments that BONY's lawyers did not have authority to represent BONY and that Judge Zilly lacked judicial authority to be frivolous.

57. On March 8, 2021, Respondent filed a petition for a writ of certiorari with the U.S. Supreme Court.[7]

58. Respondent's petition included frivolous arguments that had been rejected as frivolous by the district court and the 9th Circuit.

59. On April 19, 2021, the Supreme Court denied Respondent's petition without comment.

Stafne v. Burnside[8]

60. On May 24, 2016, a few months after BNYM filed the foreclosure action discussed above, Respondent filed suit against BNYM and its lawyers from DWT, alleging they were engaged in deceptive and unfair debt collection practices.

61. Respondent's suit was frivolous.

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[7] United States Supreme Court, Case No. 20-1270.

[8] United States District Court, Western District of Washington, Case No. 2:16-cv-0753.

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62. On June 23, 2016, at the request of the parties, the Burnside matter was stayed pending resolution of the foreclosure action.

63. On March 10, 2022, the DWT defendants filed a motion to dismiss, alleging Respondent had filed the suit in retaliation for the foreclosure action and that the issues raised in Respondent's complaint had already been resolved against Respondent in the foreclosure matter.

64. In Respondent's March 28, 2022 response to the dismissal motion, Respondent argued that Judge John C. Coughenour, as a senior judge, lacked judicial authority.

65. Respondent contended that neither collateral estoppel, nor res judicata should apply because Respondent had not been "allowed [Respondent's] day in Court with regard to [Respondent's] Article III jurisdictional challenges to senior judges . . . ."

66. Respondent's arguments in this regard were frivolous.

67. On March 31, 2022, Respondent filed a cross-motion for summary judgment and for the recusal of Judge Coughenour.

68. Respondent's motion argued that Judge Coughenour lacked judicial authority due to Judge Coughenour's status as a senior judge.

69. Respondent's motion was frivolous.

70. On April 1, 2022, Judge Coughenour declined Respondent's request for recusal.

71. Judge Coughenour forwarded the motion to the Chief Judge for review.

72. On April 4, 2022, Chief Judge Martinez affirmed Judge Coughenour's decision declining Respondent's motion for recusal.

73. Chief Judge Martinez found that Respondent had not demonstrated any reasonable basis for questioning Judge Coughenour's impartiality, noting that "[c]ourts, including this one,

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have routinely rejected Plaintiff's theory that senior District Judges cannot exercise federal judiciary power."

74. On April 28, 2022, Judge Coughenour dismissed the case, finding that claim preclusion barred Respondent from litigating any of the claims asserted against the Defendants and that issue preclusion also barred most, if not all, of Respondent's claims. Judge Coughenour further found that Respondent's complaint had failed to state any valid claims.

75. On May 24, 2022, Respondent filed a motion for post-judgment relief, again arguing that Judge Coughenour lacked judicial authority.

76. On June 9, 2022, Judge Coughenour denied Respondent's motion for post-judgment relief, writing:

> Plaintiff merely repeats arguments that have been rejected at least four times, two of which have been affirmed on appeal. Nonetheless, he argues that a manifest error has occurred because every court that he has presented with this argument has dodged it. He is wrong. Several courts have considered his theory on the merits, even if they apparently felt that dismantling it point by point was not worth the added wordcount. This Court agrees with that assessment but will devote the wordcount anyway, if only to put Plaintiff on notice that what may once have been "a nonfrivolous argument for extending, modifying, or reversing existing law" can no longer be considered one from this point forward.

77. On July 7, 2022, Respondent appealed to the 9th Circuit.[9]

78. On appeal, Respondent did not challenge the merits of the dismissal order.

79. The sole issue Respondent raised on appeal was whether as a senior judge, Judge Coughenour could properly exercise judicial power.

80. Respondent's arguments on appeal were frivolous.

[9] Stafne v. Burnside, 9th Circuit Case No. 22-35547.

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81. On May 22, 2024, the 9th Circuit affirmed the district court's judgment in favor of the Defendants.

82. Noting that this was not the first time Respondent had made this argument to the 9th Circuit, the court held that senior judges are clearly life-tenured Article III judges.

83. The court wrote that "[t]his basic proposition has been routinely confirmed by the Supreme Court, this Court, and other circuit and district courts."

84. On June 5, 2024, Respondent petitioned for rehearing and rehearing en banc, arguing that the judicial officers of the 9th Circuit "have been **corrupted** to the point where they are now unwilling and/or unable to competently and fairly address the important judicial inquiries raised by this appeal . . . ." [emphasis in original].

85. Respondent's petition for rehearing was frivolous.

86. On August 5, 2024, the court denied Respondent's petition.

Stafne v. Zilly[10]

87. On November 9, 2017, while the BNYM and Burnside cases remained pending, Respondent filed suit against Judge Zilly and Judge Coughenour, along with Circuit Judge Barry G. Silverman[11] and the Snohomish County Sheriff.

88. Respondent's suit was frivolous.

89. Respondent's complaint alleged that the three judges had improperly usurped judicial power.

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[10] U.S. District Court, Western District of Washington, Case No. 2:17-cv-01692.

[11] On April 20, 2017, Judge Silverman, a senior judge, had issued an order denying Respondent's request to stay the district court's orders in the BNYM case.

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90. The complaint focused primarily on the actions of Judge Zilly in the BNYM case, repeating arguments that Judge Zilly had already rejected.

91. With respect to the Snohomish County Sheriff, the complaint alleged that the Sheriff's enforcement of Judge's Zilly's judgment "violates or will violate" Respondent's constitutional rights.

92. Respondent sought injunctive relief and money damages.

93. On October 9, 2018, the court dismissed the case as an improper collateral attack, holding that "[l]ongstanding principles providing for appellate review, finality, and the orderly process of law dictate dismissal of this lawsuit."

94. The court noted that Respondent's suit "attempt[ed] an end-run" around the appellate process and that Respondent's claims for damages against the judges were barred by absolute judicial immunity.

95. On November 5, 2018, Respondent filed a motion for post-judgment relief, again challenging the exercise of judicial power by the defendant judges and arguing that senior judges are not entitled to judicial immunity.

96. Respondent's motion was frivolous.

97. On May 2, 2019, the court denied the motion, finding that Respondent was "essentially rearguing the same points that the Court previously rejected."

98. On May 24, 2019, Respondent filed a notice of appeal.[12]

99. Respondent's briefing on appeal repeated Respondent's arguments challenging the authority of senior judges, whom Respondent referred to as "judicial substitutes."

[12] Stafne v. Zilly, 9th Circuit Case No. 19-35454.

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100. Respondent contended that the judges were "not judicial officers entitled to immunity, but private persons acting illegally."

101. Respondent's arguments on appeal were frivolous.

102. On September 8, 2020, the 9th Circuit affirmed the district court, finding that Respondent's claims for injunctive and declaratory relief were barred by judicial immunity and that Respondent's claims for monetary damages under 42 U.S.C. § 1983 had "no legal basis."

103. On February 1, 2021, Respondent filed a petition for a writ of certiorari with the U.S. Supreme Court.[13]

104. In the petition, Respondent argued that the senior judges whom Respondent had sued were "judicial interlopers having no right to act as judges."

105. Respondent's petition included frivolous arguments.

106. On April 19, 2021, the Supreme Court denied Respondent's petition without comment.

Hoang v. Bank of America[14]

107. In April 2019, Respondent appeared on behalf of the Plaintiffs in the Hoang matter, an action that had been filed in 2017 seeking rescission of a mortgage loan under the Truth in Lending Act.

108. On December 3, 2020, the Defendants filed a motion for summary judgment.

109. On December 31, 2020, Respondent filed a cross-motion for summary judgment, alleging a lack of subject matter jurisdiction and/or judicial authority.

[13] United States Supreme Court Case No. 20-1085.

[14] U.S. District Court, Western District of Washington, Case No. 2:17-cv-0874.

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110. Respondent sought a judgment declaring unconstitutional the various statutes authorizing senior judges to adjudicate federal court cases.

111. Respondent's cross-motion for summary judgment included frivolous arguments.

112. On February 17, 2021, the court issued an order denying Respondent's cross-motion for summary judgment, finding Respondent's constitutional challenge to senior status "meritless."

De Botton v. Quality Loan Service Corp.[15]

113. In January 2023, Respondent filed a complaint in Snohomish County Superior Court alleging wrongful foreclosure on Raymond De Botton's home.[16]

114. The suit was frivolous.

115. In February 2023, the Defendants removed the matter to federal court.

116. On March 16, 2023, after several of the defendants had moved for summary judgment, Respondent filed a motion to remand the matter to Snohomish County Superior Court.

117. Respondent's motion was frivolous.

118. Respondent's motion expressly acknowledged that the case involved federal claims but argued that the case should be remanded because the district court did not have authority to assign the case to Judge Robert S. Lasnik, a senior judge, without De Botton's consent.

119. Respondent argued that after accepting senior status, Judge Lasnik was no longer a judge under Article III of the Constitution.

[15] U.S. District Court, Western District of Washington, Case No. 2:23-cv-0223.

[16] Snohomish County Superior Court Case No. 23-2-00753-31.

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120. In a declaration filed with the motion, Respondent wrote that Judge Coughenour had warned Respondent in 2022 that Respondent's arguments were frivolous.

121. On April 24, 2023, the court denied Respondent's motion for remand, noting that Respondent had not identified any unmet requirement for removal, nor had Respondent presented any evidence establishing that Judge Lasnik was no longer a judge under Article III.

122. On May 8, 2023, Respondent filed a motion to reconsider.

123. Respondent did not dispute that all of the requirements for removal had been satisfied.

124. Respondent argued instead that remand was required because the case had been improperly assigned to a senior judge.

125. Respondent's motion to reconsider included frivolous arguments.

126. On May 9, 2023, the court denied Respondent's motion to reconsider.

127. On May 13, 2023, Respondent filed a notice of appeal relating to the court's denial of Respondent's motion to reconsider.[17]

128. On June 2, 2023, the 9th Circuit Court Clerk issued an order stating that the order Respondent challenged on appeal "may not be final or appealable."

129. The Clerk required that within 21 days, Respondent's client show cause why the appeal should not be dismissed for lack of jurisdiction or move for voluntary dismissal.

130. In response to the Clerk's show cause order, Respondent filed a 383-page response, arguing that the district court's order denying remand was appealable under the collateral order doctrine.

[17] De Botton v. Quality Loan Service Corp., 9th Circuit Court of Appeals, Case No. 23-35337.

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131. Respondent's response relied heavily on In re Cement Antitrust Litigation, 673 F.2d 1020, 1023-24 (9th Cir. 1982).

132. Respondent quoted from the case in a misleading manner.

133. Respondent's response included the following quotation from the decision:

> . . . an order granting recusal conclusively determines a disputed question, completely separate from the merits of the action, which, if not reviewed immediately, will be effectively unreviewable on appeal from final judgment.[18]

134. Respondent did not include the sentence that followed immediately thereafter: "However, not all orders which meet the requirements of this standard are reviewable . . . ."[19]

135. Respondent misrepresented the case as holding that motions for judicial disqualification qualify as collateral orders under the collateral order doctrine.[20]

136. The court in In re Cement Antitrust Litigation held that a district court judge's recusal decision was not appealable under the collateral order doctrine.

137. Respondent's arguments regarding the collateral order doctrine were frivolous.

138. On August 18, 2023, the 9th Circuit dismissed Respondent's appeal for lack of jurisdiction.

139. On August 31, 2023, Respondent filed a petition for en banc review.

140. Respondent's petition for en banc review included frivolous arguments.

141. Respondent's petition failed to discuss whether the order Respondent challenged was appealable, instead arguing that the case raised issues of "exceptional national importance"

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[18] In re Cement Antitrust Litig., 673 F.2d 1020, 1023-24 (9th Cir. 1982).

[19] Id.

[20] The collateral order doctrine was articulated in Cohen v. Beneficial Industrial Loan Corp., 337 U.S. 541, 69 S. Ct. 1221, 93 L. Ed. 1528 (1949).

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and that two of the three judges who dismissed the appeal were senior judges who should have disqualified themselves from the case due to bias.

142. On February 29, 2024, the court denied Respondent's petition.

143. Meanwhile, on November 8, 2023, Respondent had filed a petition for a writ of certiorari with the U.S. Supreme Court.[21]

144. Respondent's petition included frivolous arguments.

145. Respondent's petition argued that senior judges lacked judicial authority under the Constitution and again misstated the holding In re Cement Antitrust Litigation as supporting Respondent's position on the collateral order doctrine.

146. On January 22, 2024, the Court denied Respondent's petition.

147. Respondent filed a petition for rehearing, arguing that De Botton's case should not be heard by "those corrupt senior judges" and that Judge Lasnik had become De Botton's "adversary" in the matter.

148. Respondent's petition for rehearing included frivolous arguments.

149. On April 1, 2024, the Court denied Respondent's petition for rehearing.

150. Meanwhile in district court, Respondent had failed to respond to the summary judgment motion.

151. On August 28, 2023, the court dismissed all claims against the moving defendants except for a takings claim that had not been discussed in the motion for summary judgment.

152. The court found that Respondent had failed to provide any evidence to support the dismissed claims.

[21] United States Supreme Court No. 23-539.

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153. On August 29, 2023, the same defendants moved for summary judgment on the takings claim.

154. Respondent did not respond to this motion for summary judgment.

155. On September 28, 2023, the court dismissed the takings claim, finding that "there was no governmental action and the property was not sold for a public use or to achieve a public benefit."

156. On October 4, 2023, defendants moved for sanctions, alleging the complaint was frivolous.

157. Respondent did not timely respond to the motion.

158. On October 22, 2023, Respondent filed a declaration stating Respondent's intent to seek relief from the U.S. Supreme Court.

159. Respondent's declaration requested that the court delay ruling on pending motions until Respondent's Supreme Court challenge could be heard.

160. In the declaration, Respondent again argued that Judge Lasnik lacked judicial authority and that the senior judges in the Western District of Washington "are biased in favor of allowing foreclosures to the point where injustice in adjudicating the outcome of such cases has become routine."

161. Respondent's arguments in this regard were frivolous.

162. Respondent's declaration was characterized by the court as a request for recusal.

163. On November 8, 2023, the court granted the motion for sanctions and ordered sanctions against Respondent and Respondent's firm in the amount of $15,355.00.

164. The court found that Respondent had "made no attempt to prove the various claims [Respondent] asserted on behalf of [Respondent's] client" and that Respondent's attempts to

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justify these failures by raising challenges to the authority of the court were "without merit and precluded by existing law."

165. The court noted that Respondent's objection to senior judges had been "squarely rejected" every time it had been raised and "cannot be justified by a reasonable hope that existing law will be extended, modified, reversed, or changed in his favor."

166. The court referred Respondent's request for recusal to the Chief Judge for review.

167. On November 13, 2023, Respondent filed a notice of appeal regarding the order imposing sanctions.[22]

168. Respondent's appellate briefing included frivolous arguments.

169. On August 15, 2025, the court affirmed the order imposing sanctions.

170. The court found:

> Stafne's primary argument is that District Judge Lasnik did not have proper authority to issue the sanctions order, or any other order, because he is a senior judge. Stafne has been making—and losing—this argument since at least 2018. . . . Stafne's appeal was based on the same theory that senior judges lack authority, which Stafne knew was frivolous having previously lost on this issue multiple times—and being warned by the court.

171. While Respondent's appeal of the sanctions order was pending, on January 10, 2024, in district court, Chief District Judge David G. Estudillo affirmed Judge Lasnik's decision denying Respondent's request for recusal, finding the request to be unfounded.

172. On January 16, 2024, Respondent filed a motion seeking permission to file an overlength motion for post-judgment relief based on Respondent's argument that senior judges are not Article III judges.

173. Attached to Respondent's motion was a 594-page declaration.

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[22] De Botton v. Quality Loan Service Corp., 9th Circuit Court of Appeals, Case No.23-3509.

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174. On March 27, 2024, Chief Judge Estudillo denied Respondent's motion, noting that Respondent's "arguments with respect to a judge's senior status fail as a matter of law and have been repeatedly rejected by courts in this Circuit."

175. On April 29, 2024, Respondent filed a notice of appeal regarding Chief Judge Estudillo's decision denying Respondent's request to file the overlength motion.[23]

176. This appeal was frivolous.

177. The appeal was dismissed on March 26, 2025, because Respondent failed to timely file an opening brief and excerpts of record as directed by the court.

In Re Bergeron[24]

178. In June 2024, Carmen Bergeron filed a pro se appeal in the United States District Court for the Western District of Washington seeking review of a bankruptcy court decision lifting the stay on foreclosure on Bergeron's property.

179. On July 18, 2024, Respondent filed a notice of limited appearance for purposes of challenging the court's subject matter jurisdiction due to Judge James L. Robart "not hold[ing] the office of judge . . . ."

180. The same day, Respondent filed a motion for discovery and an evidentiary hearing regarding Judge Robart's competence to hear the appeal.

181. Respondent's motion included frivolous arguments.

182. On July 29, 2024, the court denied the motion, expressly finding that it was frivolous.

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[23] De Botton v. Quality Loan Service Corp., 9th Circuit Court of Appeals, Case No. 24-2738.

[24] United States District Court, Western District of Washington, Case No. 2:24-cv-0929.

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183. In addition, the court struck Respondent's limited appearance, finding that the limitation on the scope of Respondent's representation was not reasonable under the circumstances and thus violated RPC 1.2(c).

184. On August 12, 2024, Respondent filed a motion for reconsideration.

185. Respondent's motion for reconsideration included frivolous arguments.

186. In support of the motion, Respondent argued that the court should hold a fact-finding hearing regarding Respondent's senior judge argument because no one ever had, describing the many times courts had rejected the argument.

187. Respondent further argued that Judge Robart did not appear neutral in the matter and "obviously wants to prevent any meaningful consideration of the judicial inquiry into his tenure."

188. Respondent described Judge Robart's handling of the issue as "more consistent with that of a family patriarch concerned about preserving his own status than a neutral and independent judge . . . ."

189. On August 16, 2024, the court denied the motion for reconsideration, finding that "the question whether Senior District Judges qualify as Article III judges is a question of law that has been authoritatively answered, and thus does not warrant fact finding."

Church of the Gardens v. U.S. Court of Appeals for the 9th Circuit[25]

190. On July 9, 2024, Respondent filed suit against the 9th Circuit, the 9th Circuit Clerk, and unnamed deputy clerks on behalf of Church of the Gardens, De Botton, and Respondent.

[25] United Stated District Court, Western District of Washington, Case No. 2:24-cv-01010.

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191. The suit alleged that the 9th Circuit Clerk had exercised judicial powers without the authority to do so by directing Respondent's client to address whether an appeal was timely filed. Respondent's suit sought declaratory and injunctive relief as well as damages.

192. This suit was frivolous.

193. The 9th Circuit Clerk had directed Respondent's client to respond but did not take any adverse action against the client.

194. Respondent did not file proof of service for the suit.

195. On May 1, 2025, the court ordered the Plaintiffs to show cause, within 21 days, why the case should not be dismissed for failure to prosecute and failure to serve.

196. Respondent did not file a response to the court's show cause order.

197. On May 28, 2025, the court issued an order of dismissal.

Church of the Gardens v. Quality Loan Services Corp. (QLS)[26]

198. In 2023, Respondent filed a complaint in Pierce County Superior Court for declaratory relief and restraint of sale on behalf of Church of the Gardens and Alvin B. White to prevent the foreclosure sale of five fourplexes owned by White.[27]

199. In December 2023, the case was removed to federal court.

200. In January 2024, Respondent filed an amended complaint adding allegations that the court's practice of initially assigning some matters to magistrate judges was unconstitutional and that the court's institutional commitment to this practice demonstrated bias on the part of the judicial officers of the court.

[26] United Stated District Court, Western District of Washington, Case No. 3:23-cv-06193.

[27] Pierce County Superior Court Case No. 23-2-11864.

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201. The amended complaint requested that the 9th Circuit appoint an active-duty judge to adjudicate the case.

202. Respondent's contention that the judicial officers of the District Court were biased was frivolous.

203. In April and May 2025, parties to the suit filed competing summary judgment motions.

204. Both motions challenge the admissibility of the opposing parties' experts.

205. On June 25, 2025, the court ordered supplemental briefing regarding the admissibility of the expert witness testimony.

206. On July 4, 2025, Respondent filed an objection to the court's order for supplemental briefing.

207. Respondent's objection included frivolous arguments.

208. Respondent's objection argued that the court was biased, appeared to have been "corrupted by an alliance with the money changers," and that the United States District Court for the Western District of Washington should be disqualified as an institution from adjudicating the case.

209. The court interpreted Respondent's objection as a request for recusal.

210. On July 9, 2025, Judge Tiffany Cartwright denied the motion for recusal, finding that Plaintiffs had not identified any extrajudicial conduct warranting recusal and that the allegations of bias were "conclusory and unsupported."

211. Judge Cartwright cautioned Respondent "against raising similar frivolous claims of bias or disqualification, as they have been repeatedly rejected in prior proceedings by judges in this District as well as the Ninth Circuit."

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212. Judge Cartwright referred the motion for recusal to Chief Judge Estudillo for review.

213. On July 10, 2025, Respondent filed a motion to reconsider the order denying recusal.

214. Respondent's motion to reconsider included frivolous arguments.

215. Respondent's motion argued that Respondent had raised a jurisdictional challenge that could not properly be adjudicated by the District Court's judges and that Judge Cartwright had improperly recast the jurisdictional challenge as a motion for recusal.

216. On July 11, 2025, Judge Cartwright denied the motion to reconsider, finding Respondent had cited no relevant authority to support the claim that Respondent's assertion of bias was a jurisdictional issue.

217. Judge Cartwright found that Respondent's arguments were frivolous and again cautioned Respondent that raising further "frivolous and vexatious arguments" may result in sanctions.

218. On July 18, 2025, Chief Judge Estudillo issued an order affirming the denial of recusal.

COUNT 1

219. By bringing and/or defending one or more of the above matters without having a basis in law and/or fact for doing so that was not frivolous and/or by asserting and/or controverting issues in one or more of the above matters without having a basis in law and/or fact for doing so that was not frivolous, Respondent violated RPC 3.1 and/or RPC 8.4(d).

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COUNT 2

220. By alleging that Judge Zilly had age-related cognitive deficits and/or by alleging that Judge Zilly and/or other federal judges in one or more of the above matters were biased and/or corrupt, with reckless disregard for the truth or falsity of such allegations, Respondent violated RPC 8.2(a), RPC 8.4(d), and/or RPC 8.4(h).

THEREFORE, Disciplinary Counsel requests that a hearing be held under the Rules for Enforcement of Lawyer Conduct. Possible dispositions include disciplinary action, probation, restitution, and assessment of the costs and expenses of these proceedings.

Dated this 2nd day of September, 2025.

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Senior Disciplinary Counsel

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