

BEFORE THE HEARING BOARD
OF THE ILLINOIS ATTORNEY REGISTRATION
AND DISCIPLINARY COMMISSION

In the Matter of:

DREW RANDOLPH QUITSCHAU

Attorney-Respondent,

No. 6278288.

Commission No. 2017 PR 00084

FILED

AUG 28 2017

**ATTY REG & DISC COMM
CHICAGO**

ANSWER TO COMPLAINT

Respondent, DREW RANDOLPH QUITSCHAU, by his attorney, Carl R. Draper, answers the Complaint as follows:

COUNT I

(Dishonesty-creation of false Match.com profile)

1. At all times alleged in this Complaint, Respondent practiced law as a partner at Thomson & Weintraub law firm located in Bloomington, Illinois until February 10, 2017 when he was terminated.

ANSWER: Respondent admits the allegations of this paragraph.

2. Jane Doe ("Doe") is a licensed Illinois attorney and partner in a law firm located in Bloomington, Illinois.

ANSWER: Respondent admits the allegations of this paragraph

3. Respondent and Doe appeared as opposing counsel in 17 proceedings in McLean County. Respondent and Doe appeared as opposing counsel in seven proceedings between June 2016 and February 2017.

ANSWER: Respondent admits that he and Doe appeared as opposing counsel in over 17 proceedings in McLean County in 2016 or earlier and in 7 proceedings

between June 2016 and February 2017. He further avers that he and Doe had many other proceedings since 2003.

4. In September 2016, Respondent accessed the Match.com online dating website from his office computer ("desktop") at Thomson & Weintraub and created a false online dating profile ("Match.com profile") in Doe's name.

ANSWER: Respondent admits the allegations of this paragraph

5. In establishing the Match.com profile, Respondent created an online account in Doe's name. Respondent associated a user name, password and email address with the Match.com profile.

ANSWER: Respondent admits the allegations of this paragraph

6. The Match.com profile included the following false representations:

- a. Doe was separated from her husband;
- b. Doe's children sometimes live with her;
- c. Doe smokes but is trying to quit;
- d. Doe regularly drinks alcohol;
- e. Doe is agnostic;
- f. Doe is 56 years old;
- g. Doe does not exercise and enjoys auto racing and motor cross;
- h. Doe has cats; and
- i. Doe's favorite hot spots are the grocery store, all restaurants, the Pizza Ranch, all buffets and NASCAR.

ANSWER: Respondent admits the allegations of this paragraph

7. Respondent knew the representations in paragraph 6 above were false at the time he made them.

ANSWER: Respondent admits the allegations of this paragraph

8. In September 2016, Respondent used his desktop to download several photos of Doe from her firm website and then uploaded those photos to the Match.com profile he created in Doe's name.

ANSWER: Respondent admits the allegations of this paragraph

9. In September 2016, Respondent uploaded the Match.com profile to the Match.com website so that it could be viewed by the general public.

ANSWER: Respondent admits the allegations of this paragraph

10. At the time Respondent created and posted/uploaded the Match.com profile in Doe's name, Respondent knew that the profile was false.

ANSWER: Respondent admits the allegations of this paragraph

11. At no time did Doe authorize Respondent to create and post/upload a Match.com account in Doe's name.

ANSWER: Respondent admits the allegations of this paragraph

12. At no time did Doe authorize Respondent to create a user name, password and email address that Respondent associated with the Match.com profile.

ANSWER: Respondent admits the allegations of this paragraph

13. At no time did Doe authorize Respondent to create and post/upload a Match.com profile in Doe's name.

ANSWER: Respondent admits the allegations of this paragraph

14. At no time did Doe authorize Respondent to upload the Match.com profile to the Match.com website.

ANSWER: Respondent admits the allegations of this paragraph

15. On or around October 5, 2016, Doe became aware of the Match.com profile Respondent had created.

ANSWER: Respondent admits the allegations of this paragraph

16. Doe filed an action in the Circuit Court of McLean County under case number 16- MR-1081 asking the court to direct Match.com to provide Doe with the Internet Protocol ("IP") address associated with the Match.com profile.

ANSWER: Respondent admits the allegations of this paragraph

17. On December 9, 2016, Match.com provided Doe with the IP address associated with the Match.com profile.

ANSWER: Respondent admits the allegations of this paragraph

18. On January 20, 2017, Comcast, the internet provider for Respondent's firm, provided written notice to the firm that the firm's IP address was used to create the Match.com profile.

ANSWER: Respondent admits the allegations of this paragraph

19. On or about January 20, 2017, Terrence Kelly (hereinafter "Kelly"), a partner at Thomson & Weintraub informed the firm employees that the firm's IP address was used to create a false Match.com profile for Doe.

ANSWER: Respondent admits the allegations of this paragraph

20. On or about January 20, 2017, Kelly asked Respondent whether he had created the false profile. Respondent denied creating the false Match.com profile for Doe.

ANSWER: Respondent admits the allegations of this paragraph

21. Respondent's statement to Kelly was false because, in fact, Respondent had created the false profile.

ANSWER: Respondent admits the allegations of this paragraph

22. At the time Respondent made this statement to Kelly, he knew that his statement was false.

ANSWER: Respondent admits the allegations of this paragraph

23. On or about January 20, 2017, Kelly announced that the firm would be hiring a computer expert to examine all of the firm computers. Kelly also asked firm employees to provide their personal devices to the computer experts.

ANSWER: Respondent admits the allegations of this paragraph

24. On February 10, 2017, a search of the firm's desktop computer assigned to Respondent revealed that a user of the computer had accessed the set-up pages of the Match.com website and had downloaded Doe's photo from her firm's website and uploaded that photo to the Match.com profile.

ANSWER: Respondent admits the allegations of this paragraph

25. On February 10, 2017, when Kelly confronted Respondent with the findings of the computer expert, Respondent admitted that he created the false Match.com profile for Doe. Respondent was immediately terminated.

ANSWER: Respondent admits the allegations of this paragraph

26. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, by accessing the Match.com online dating website and creating an account and a false online profile in Doe's name that included false representations about Doe's marital status, children, religion, personal habits and interests, uploading the false profile to the Match.com website to be viewed by the general public, and denying that he created the false profile in Doe's name when initially asked by a partner in his firm, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

ANSWER: Respondent admits the allegations of this paragraph

COUNT II

(Dishonesty-registration for the Obesity Action Coalition)

27. On or about July 2016, Respondent completed an online registration in Doe's name for an organization entitled Obesity Action Coalition ("OAC"), so that Doe would become a member of OAC and receive materials from the organization.

ANSWER: Respondent admits the allegations of this paragraph

28. The OAC is a non-profit organization dedicated to helping individuals affected by obesity improve their health through education, advocacy and support. Members receive daily emails and a yearly print subscription to OAC's Your Weight Matters magazine.

ANSWER: Respondent admits the allegations of this paragraph

29. In registering Doe for OAC, Respondent provided OAC with Doe's name, email and business address.

ANSWER: Respondent admits the allegations of this paragraph

30. Respondent's provision of registration in the name of Doe was false in that the registration was not that of Doe as she had not authorized Respondent to complete the registration in her name.

ANSWER: Respondent admits the allegations of this paragraph

31. At the time Respondent submitted the registration in Doe's name, Respondent knew that the registration was false.

ANSWER: Respondent admits the allegations of this paragraph

32. As a result of Respondent's actions, Doe began receiving daily emails from the OAC, and emails from Apollo Endo-surgery. Doe also received a lap-band kit in the mail at her business address.

ANSWER: Respondent admits the allegations of this paragraph

33. At no time did Doe authorize Respondent to complete an online registration in Doe's name for OAC.

ANSWER: Respondent admits the allegations of this paragraph

34. At no time did Doe authorize Respondent to provide her name and contact information to OAC, its agents or assigns.

ANSWER: Respondent admits the allegations of this paragraph

35. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, by completing an online registration in Doe's name for OAC when Respondent knew that his provision of registration was false in that the registration was not that of Doe

and Doe did not authorize Respondent to complete the online registration in her name, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

ANSWER: Respondent admits the allegations of this paragraph

COUNT III

(Dishonesty-registration for Pig International)

36. In July or August 2016, Respondent completed an online registration in Doe's name for an organization entitled Pig International so that Doe would be a member of Pig International and receive material from the organization.

ANSWER: Respondent admits the allegations of this paragraph

37. Pig International is a global nutrition and health publication for pork production. Members of Pig International receive daily emails about pork production.

ANSWER: Respondent admits the allegations of this paragraph

38. In registering Doe for Pig International, Respondent provided Pig International with Doe's name, email and business address.

ANSWER: Respondent admits the allegations of this paragraph

39. Respondent's provision of registration in the name of Doe was false in that the registration was not that of Doe as she had not authorized Respondent to complete the registration in her name.

ANSWER: Respondent admits the allegations of this paragraph

40. At the time Respondent submitted the registration in Doe's name, Respondent knew that the registration was false.

ANSWER: Respondent admits the allegations of this paragraph

41. As a result of Respondent's actions, Doe began receiving daily emails from Pig International.

ANSWER: Respondent admits the allegations of this paragraph

42. At no time did Doe authorize Respondent to complete an online registration in Doe's name for Pig International.

ANSWER: Respondent admits the allegations of this paragraph

43. At no time did Doe authorize Respondent to provide her name and contact information to Pig International, its agents or assigns.

ANSWER: Respondent admits the allegations of this paragraph

44. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, by completing an online registration in Doe's name for Pig International when Respondent knew that his provision of registration was false in that the registration was not that of Doe and Doe did not authorize Respondent to complete the online registration in her name, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

ANSWER: Respondent admits the allegations of this paragraph

COUNT IV

(Dishonesty-registration for Diabetic Living)

45. In or after August 2016, Respondent completed an online registration in Doe's name for an organization entitled Diabetic Living so that Doe would become a subscriber of Diabetic Living and receive material from the organization.

ANSWER: Respondent admits the allegations of this paragraph

46. Diabetic Living is a monthly magazine devoted to helping individuals with Diabetes to live fuller, healthier lives.

ANSWER: Respondent admits the allegations of this paragraph

47. In registering Doe for Diabetic Living, Respondent provided Diabetic Living with Doe's name, email and business address.

ANSWER: Respondent admits the allegations of this paragraph

48. Respondent's provision of registration in the name of Doe was false in that the registration was not that of Doe as she had not authorized Respondent to complete the registration in her name.

ANSWER: Respondent admits the allegations of this paragraph

49. At the time Respondent submitted the registration in Doe's name, Respondent knew that the registration was false.

ANSWER: Respondent admits the allegations of this paragraph

50. As a result of Respondent's actions, Doe began receiving material from Diabetic Living and other magazines.

ANSWER: Respondent admits the allegations of this paragraph

51. At no time did Doe authorize Respondent to complete an online registration in Doe's name for Diabetic Living.

ANSWER: Respondent admits the allegations of this paragraph

52. At no time did Doe authorize Respondent to provide her name and contact information to Diabetic Living, its agents or assigns.

ANSWER: Respondent admits the allegations of this paragraph

53. By reason of the conduct described above, Respondent has engaged in the

following misconduct:

- a. engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, by completing an online registration in Doe's name for Diabetic Living when Respondent knew that his provision of registration was false in that the registration was not that of Doe and Doe did not authorize Respondent to complete the online registration in her name, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

ANSWER: Respondent admits the allegations of this paragraph

COUNT V

(Dishonesty-registration for Auto Trader)

54. In December 2016, Respondent completed an online registration in Doe's name for an organization entitled Auto Trader so that Doe would become a member/subscriber of Auto Trader and receive material from the organization.

ANSWER: Respondent admits the allegations of this paragraph

55. Auto Trader is an online marketplace for car shoppers and sellers.

ANSWER: Respondent admits the allegations of this paragraph

56. In registering Doe for Auto Trader, Respondent provided Auto Trader with Doe's name, email, business address and telephone number.

ANSWER: Respondent admits the allegations of this paragraph

57. Respondent's provision of registration in the name of Doe was false in that the registration was not that of Doe as she had not authorized Respondent to complete the registration in her name.

ANSWER: Respondent admits the allegations of this paragraph

58. At the time Respondent submitted the registration in Doe's name, Respondent knew that the registration was false.

ANSWER: Respondent admits the allegations of this paragraph

59. As a result of Respondent's actions, Doe began receiving emails from Auto Trader and other new and used car dealerships, including numerous telephone calls on Christmas Eve.

ANSWER: Respondent does not have personal knowledge about any telephone calls on Christmas Eve but admits that it is likely that Doe received the e-mails and phone calls as alleged.

60. At no time did Doe authorize Respondent to complete an online registration in Doe's name for Auto Trader.

ANSWER: Respondent admits the allegations of this paragraph

61. At no time did Doe authorize Respondent to provide her name and contact information to Auto Trader, its agents or assigns.

ANSWER: Respondent admits the allegations of this paragraph

62. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, by completing an online registration in Doe's name for Auto Trader when Respondent knew that his provision of registration was false in that the registration was not that of Doe and Doe did not authorize Respondent to complete the online registration in her name, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

ANSWER: Respondent admits the allegations of this paragraph

COUNT VI

(Dishonesty-false reviews of Doe posted to Martindale.com and Lawyers.com)

63. On June 12, 2016, Respondent created a false review of Doe's professional ability and posted the false review on the Martindale.com and/or the Lawyers.com website.

ANSWER: Respondent admits the allegations of this paragraph

64. Martindale.com and Lawyers.com are websites in which individuals can locate and connect with attorneys and read reviews from attorneys' peers and prior clients.

ANSWER: Respondent admits the allegations of this paragraph

65. In creating the false review of Doe's professional ability, Respondent listed Doe's name and provided a low rating- a 1.0 out of a possible 5.0 for Doe.

ANSWER: Respondent admits the allegations of this paragraph

66. On June 14, 2016, Respondent created a false review of Doe's professional ability and posted the false review on the Martindale.com and/or the Lawyers.com website.

ANSWER: Respondent admits the allegations of this paragraph

67. In creating the false review of Doe's professional ability, Respondent listed Doe's name and provided a low rating - a 1.3 out of a possible rating of 5.0 for Doe.

ANSWER: Respondent admits the allegations of this paragraph

68. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, by knowingly creating false reviews of Doe's professional ability and uploading/posting the reviews on the Martindale.com and Lawyers.com websites for viewing by the general public, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

ANSWER: Respondent admits the allegations of this paragraph

COUNT VII

(Dishonesty-creation of a false Facebook profile)

69. Respondent created a false Facebook account on the Facebook.com website in the fictitious name of John Kollengrade for the sole purpose of posting a negative review of Doe's professional ability.

ANSWER: Respondent admits the allegations of this paragraph

70. After Respondent created the false Facebook account, Respondent created a negative review of Doe's professional ability and uploaded/posted the negative review to the Facebook page of Doe's law firm so that the negative review could be viewed by individuals who accessed the Facebook page of Doe's law firm.

ANSWER: Respondent admits that he gave Doe a one-star rating on the false Facebook account which would have been a low or negative rating for Doe. He admits that he then uploaded/posted the 1-star rating to the Facebook page of Doe's law firm so that the negative review could be viewed by individuals who accessed the Facebook page of Doe's law firm.

71. At the time Respondent created the Facebook account for "John Kollengrade" and created the negative review of Doe's professional ability, Respondent knew the account and review was false.

ANSWER: Respondent admits the allegations of this paragraph

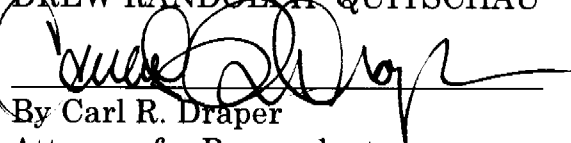
72. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, by knowingly creating a false Facebook Account in the fictitious name of John Kollengrade for the sole purpose of creating a false review of Doe's professional ability, and uploading/posting the false review on the Facebook page of Doe's law firm so that it may be viewed by all who viewed the firm's webpage, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

ANSWER: Respondent admits the allegations of this paragraph

WHEREFORE, the Respondent requests that this matter be assigned to a panel of the Hearing Board, that a hearing be held, and that the panel make findings of fact, conclusions of fact and law, and a recommendation that it finds just and reasonable.

Respectfully submitted, Respondent
DREW RANDOLPH QUITSCHAU



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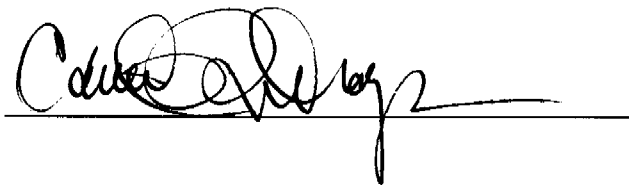
CERTIFICATE OF SERVICE

The undersigned of FELDMANWASSER hereby certifies that a copy of the foregoing document was served upon each of the addressees hereinafter set forth by enclosing the same in an envelope plainly addressed to each of the said addresses, with postage fully prepaid, and depositing same in a U.S. Mail Box in Springfield, Illinois and by forwarding to the addressees below by email on August 24, 2017.

Tammy Evans
ARDC
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and that the original was filed with the Clerk of the Court in which said cause is pending.

A handwritten signature in black ink, appearing to read "Colleen Kelly", is written over a horizontal line. The signature is cursive and includes a long horizontal stroke at the end.