

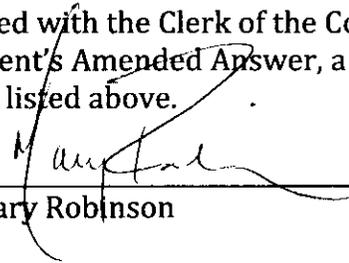
BEFORE THE HEARING BOARD
OF THE
ILLINOIS ATTORNEY REGISTRATION
AND
DISCIPLINARY COMMISSION

In the Matter of:)
)
VINCENZO FIELD,) Commission NO. 2018PR00015
)
Attorney-Respondent,)
)
No. 6305911)

NOTICE OF FILING

To: Sharon Opryszek
Attorney Registration and Disciplinary Commission
sopryszek@iadc.org
ARDCeService@iadc.org

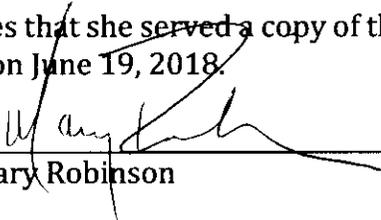
Please take notice that on June 19, 2018, I filed with the Clerk of the Commission the original and one copy of a Notice of Filing, Respondent's Amended Answer, a copy of which is hereby served upon you via both email addresses listed above.



Mary Robinson

Proof of Service

The undersigned, an attorney, hereby certifies that she served a copy of this Notice of Filing, Amended Answer by email before 5:00 p.m. on June 19, 2018.



Mary Robinson

Mary Robinson
Robinson Law Group, LLC
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FILED

June 22, 2018

ARDC CLERK

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

FILED

June 22, 2018

ARDC CLERK

In the Matter of:)
)
VINCENZO FIELD,) Commission NO. 2018PR00015
)
Attorney-Respondent,)
)
No. 6305911)

AMENDED ANSWER

Vincenzo Field, Respondent, by his attorney, Mary Robinson, Robinson Law Group, LLC, answers the complaint filed by the Administrator in this matter, as follows:

Count I

(Making false statements on a law school application)

1. Respondent received a Bachelor of Arts degree in history and political science from McGill University in May, 1998.

Answer: Admit.

2. In October, 2005, Respondent registered to take the Law School Admission Test ("LSAT") but cancelled taking the test. In December, 2005, Respondent took the LSAT and scored 158. In September, 2006, Respondent retook the LSAT and scored 173.

Answer: Admit.

3. In late 2005, Respondent applied for admission to the University of Chicago Law School, but was denied admission to the 2006 entering class.

Answer: Admit.

4. On or about December 4, 2006, Respondent submitted a second application for admission to the juris doctor ("JD") program at the University of Chicago Law School. The application requested that Respondent submit, among other things, a resume and candidate statement as part of the application process. Respondent submitted his personal statement and an addendum which purportedly addressed gaps in Respondent's academic record.

Answer: Admit.

5. In his personal statement addendum. Respondent stated that in 1999 he had been diagnosed with a leiomyosarcoma (a form of stomach cancer) that he had undergone four separate surgeries to have tumors removed from his stomach, as well as radiation therapy and what he referred to as "countless" minor procedures to stop gastric bleeding. Respondent stated that the disease delayed completion of his MA degree, stalled work in the McGill University Ph.D program, and forced his withdrawal from the University of Michigan, where he had taken courses as a visiting scholar toward completion of a doctoral degree.

Answer: Admit.

6. In his personal statement addendum. Respondent further stated that although he had just undergone surgery in September, 2005 and was still receiving radiation therapy, he had sat for the October and December 2005 LSAT exams. Respondent explained that he was not healthy enough to have sat for the exams, but that in January, 2006, for the first time in six years. Respondent had been given a clean bill of health by his oncologist. As a result, he scored well on the LSAT, with a score of 173, and was finishing course work at the University of Michigan.

Answer: Admit.

7. Respondent's statements that he had been diagnosed with and received treatment for leiomyosarcoma were false.

Answer: Admit. Stating further, Respondent suffered, instead, from depression which had required him to take a leave from his studies and had impacted his ability to perform on the LSAT, and he was ashamed to admit that he suffered from mental illness.

8. Respondent knew the statements that he had been diagnosed with and received treatment for leiomyosarcoma were false because at no time prior to submission of his application to the law school had Respondent been diagnosed with or received treatment for leiomyosarcoma or any other cancer, did not have an illness that affected his LSAT performance, and did not take the LSAT exam in October, 2005.

Answer: Admit that Respondent knew that the statements that he had been diagnosed with and received treatment for leiomyosarcoma were false. Deny remaining allegations in paragraph 8.

9. At the time Respondent submitted the false information in his application for admission to the University of Chicago Law School, Respondent knew the information was

false and intended to mislead the law school in order to advance his chances for admission to the Law School.

Answer: Admit that Respondent knew the information concerning leiomyosarcoma was false. Deny remaining allegations in paragraph 9.

10. Based upon Respondent's false application to the University of Chicago Law School, Respondent was admitted to the school. At no time prior to the time he commenced his studies or since completion of his studies at the Law School did Respondent amend his application to provide truthful information to the Law School.

Answer: Admit that Respondent did not amend his application. Deny all remaining allegations in paragraph 10.

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

- a. conduct involving dishonesty, fraud, deceit, or misrepresentation, including, but not limited to Respondent's false statement that he was diagnosed with and received treatment for leiomyosarcoma, had an illness that affected his LSAT performance and took the LSAT exam in October, 2005, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct and

Answer: Neither admit nor deny as the allegations of paragraph 11 are not factual but state conclusions of law. To the extent an answer is deemed required, the allegations are denied.

COUNT II

(Misrepresentation on application to the Illinois Bar)

12. The Administrator repeats and realleges paragraphs 1-10 of Count I.

Answer: Respondent repeats and realleges his answers to paragraphs 1 - 10 of Count I.

13. On or about May 31, 2011, Respondent filed with the Illinois Board of Admissions to the Bar both a character and fitness registration application ("application to the bar") and a separate application to take the bar examination. Respondent's applications

to the Supreme Court were made pursuant to Supreme Court Rule 703, which requires proof of an applicant's course of law studies and fulfillment of the requirements for and receipt of a first degree in law from a law school approved by the American Bar Association, and Supreme Court Rule 704, which requires each applicant to file with the Board of Admissions to the Bar both a character and fitness registration application and separate application to take the bar exam.

Answer: Admit.

14. Respondent's application to the bar ("questionnaire") requested answers to 55 questions relating to his character and fitness to practice law. Respondent completed the application, but did not disclose his false statement to the University of Chicago Law School that he was diagnosed with and received treatment for leiomyosarcoma in his law school application.

Answer: Admit.

15. Question 55 of the questionnaire asked the following: "Do you understand that after your Character and Fitness Registration Application is filed, you will have a continuous reporting obligation and must notify the Board of Admissions of any changes or additions to the information provided in your application? This includes, but is not limited to, address changes, employment changes, criminal charges, disciplinary actions (educational, employment or other), and traffic violations, including any parking tickets that are not paid upon receipt."

Answer: Admit.

16. Respondent answered "Yes" to Question 55 of the questionnaire.

Answer: Admit.

17. Question 53 of the questionnaire asked the following: "Is there any additional information with respect to possible misconduct or lack of moral qualification or general fitness on your part that is not otherwise disclosed by your answers to questions in this application?"

Answer: Admit.

18. Respondent answered "No" to question 53 of the questionnaire. At no time prior to the voting of a complaint by the Inquiry Board, did Respondent advise the Committee on Character and Fitness of his conduct in submitting a false information in his application for admission to the University of Chicago Law School. At no time prior to his admission to the Bar in the State of Illinois did Respondent amend or change his answer to question 53 of the questionnaire to provide the Committee on Character and Fitness information about his false information in his application for admission to the University of Chicago Law School.

Answer: Admit that Respondent answered “no” to question 53 of the questionnaire, that thereafter, Respondent provided no information to the Committee on Character and Fitness about his application for admission to the University of Chicago Law School, and that Respondent did not amend his answer to question 53. Deny all remaining allegations of paragraph 18.

19. Respondent's preparation of his application to the bar, his answer to question 53 of the questionnaire, and his failure to advise the Committee on Character and Fitness of his conduct in submitting the false information in his application for admission for University of Chicago Law School was false and Respondent knew it was false because it contained material omissions which were intended to deceive the Committee on Character and Fitness in order to further advance his chances for admission to the Illinois Bar.

Answer: Deny.

20. On or about May 31, 2011, Respondent submitted the questionnaire to the Committee on Character and Fitness together with the remainder of his application to the Illinois Bar. On or about November 10, 2011, Respondent was admitted in reliance on the entire application which was not accurate.

Answer: Admit that Respondent submitted the questionnaire to the Committee on Character and Fitness on or about May 31, 2011, and that Respondent was admitted on or about November 10, 2011. Deny all remaining allegations of paragraph 20.

21. As a result of the conduct set forth above, Respondent has engaged in the following misconduct:

- a. knowingly making a statement of fact known by the applicant to be false in his application to the Bar, and failing to update that information, including but not limited to Respondent's false statement that he was diagnosed with and received treatment for leiomyosarcoma in his law school application in violation of Rule 8.1(a)(1) of the Illinois Rules of Professional Conduct;
- b. failing to disclose a fact necessary to correct a material misapprehension in his application to the Bar, and failing to update that information, including but not limited to Respondent's false statement that he was

diagnosed with and received treatment for leiomyosarcoma in his law school application in violation of Rule 8.1(a)(2) of the Illinois Rules of Professional Conduct; and

- c. conduct involving dishonesty, fraud, deceit, or misrepresentation, including but not limited to Respondent's false statement that he was diagnosed with and received treatment for leiomyosarcoma in his law school application in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct.

Answer: Neither admit nor deny as the allegations of paragraph 21 are not factual but state conclusions of law. To the extent an answer is deemed required, the allegations are denied.

COUNT III

(Dishonesty to Court and Opposing Counsel-Sulemani Matter)

22. On November 28, 2014, Respondent filed a civil rights complaint on behalf of plaintiff Kahn Sulemani with the United States Court for the Central District of Illinois. The case was docketed as *Kahn Sulemani v. Dr. Scott Moats*, et al., docket number 14 CV 01453, and assigned to the Honorable James E. Shadid and Magistrate Jonathan E. Hawley. The defendants were represented by Assistant United States Attorneys for the Central District of Illinois.

Answer: Admit.

23. During the pendency of the *Sulemani* case. Judge Hawley set discovery schedules in the matter, including on April 30, 2015, when Judge Hawley entered an order adopting the parties' proposed discovery plan and setting discovery deadlines and a trial schedule. Judge Hawley ordered fact discovery closed on January 31, 2016, disclosure of experts by May 31, 2016, all discovery including expert depositions to be completed by July 29, 2016, a final pretrial conference for November 15, 2016 and jury trial for January 9, 2017.

Answer: Admit.

24. On December 15, 2015, Respondent sent an email to Assistant United States Attorney (AUSA) Gerard Brost, who represented the defendants in the *Sulemani* case, describing Respondent's intention to file a motion for an extension of time to complete fact discovery, stating in part the following:

"...I know we had a lengthy fact discovery period in this case to begin with but I have been away from the office for most of the 4 months dealing with a serious medical issue (having tumors removed from my abdomen and stomach).

Answer: Admit that Respondent sent the above quoted email on December 8, 2015. Deny all remaining allegations of paragraph 24.

25. Respondent's statement to AUSA Brost, set forth in paragraph 24, that he had been away from the office for most of the 4 months dealing with a serious medical issue involving the removal of tumors from his abdomen and stomach was false.

Answer: Admit.

26. Respondent knew the statement, set forth in paragraph 24, that he had been away from the office for most of the 4 months dealing with a serious medical issue involving the removal of tumors from his abdomen and stomach was false because Respondent was not ill with a serious medical issue involving removal of tumors from his abdomen.

Answer: Admit that Respondent knew the statement was false because Respondent did not suffer from an illness involving removal of tumors from his abdomen and had not been away from the office for most of 4 months.

27. On December 8, 2015, AUSA Brost responded that he would have no objection to a motion filed by Respondent to request more time for discovery, "And, given your medical issues I would hope the judge will allow a decent continuance."

Answer: Admit.

28. On December 16, 2015, Respondent filed a motion in the *Sulemani* case, on behalf of the plaintiff, that he identified as an "Agreed Motion for Extension of Time to Complete Fact Discovery," requesting an extension of time to April 29, 2016 to complete fact discovery, and extension of time to depose experts to September 12, 2016.

Answer: Admit.

29. In the December 16, 2015 motion, identified in paragraph 28, Respondent stated in part, the following:

"While the Parties have diligently worked together to timely complete fact discovery in this case, counsel for Plaintiff has been unable to engage fully in discovery over the last three months due to serious illness requiring surgery beyond Plaintiff's control.

Despite Plaintiffs counsel's illness..."

Answer: Admit.

30. In that same motion, Respondent stated that the motion was brought in good faith.

Answer: Admit.

31. Respondent's statements to the AUSA that he had been away from the office for most of the 4 months dealing with a serious medical issue involving the removal of tumors from his abdomen and stomach was false and as set forth in the motion, identified in paragraph 24, and as set forth in the motion, identified in paragraphs 28 and 29, were false.

Answer: Admit that Respondent's statements to the AUSA that he had been dealing with a serious medical issue involving removal of tumors from his abdomen and stomach was false. Deny all remaining allegations of paragraph 31.

32. Respondent knew the statements to the AUSA and as set forth in the motion, identified in paragraphs 24, 28, and 29, were false because Respondent was not seriously ill, nor did he have an illness requiring surgery, nor was the motion brought in good faith.

Answer: Admit that Respondent knew that statements to the AUSA and in the motion asserting that he had an illness requiring surgery were false. Deny all remaining allegations of paragraph 32.

33. On December 17, 2015, Judge Hawley granted the motion and allowed an extension for completion of non-expert discovery by April 29, 2016, completion of expert discovery by September 12, 2016, reset the final pretrial conference to February 3, 2017, and reset the jury trial to March 13, 2017.

Answer: Admit.

34. On June 26, 2016, Respondent filed a document entitled "Motion for a Final Extension of Time to Complete Fact Discovery," requesting an extension to July 29, 2016 for closure of fact discovery, and completion of expert discovery by October 31, 2016.

Answer: Admit.

35. On July 13, 2016, Respondent filed his motion to withdraw as Plaintiff's counsel.

Answer: Admit.

36. On August 2, 2016, Judge Hawley granted Respondent's motion to withdraw and terminated Respondent's representation of Plaintiff in *Sulemani v. Dr. Scott Moats, et al.*

Answer: Admit.

37. As no time prior to August 2, 2016 did Respondent advise Judge Hawley or opposing counsel that his statements that he had been away from the office for most of the 4 months dealing with a serious medical issue involving the removal of tumors from his abdomen and stomach and that Respondent was unable to engage fully in discovery due to his serious illness and surgery were false.

Answer: Admit that at no time before his motion to withdraw was allowed did Respondent inform opposing counsel that his statements that he had been dealing with a serious medical issue involving removal of tumors from his abdomen and stomach were false or inform Judge Hawley that his statement that he had been unable to engage fully in discovery due to a serious illness requiring surgery was false. Deny all remaining allegations of paragraph 37.

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

- a. knowingly making a false statement of fact or law to a tribunal or failure to correct a false statement of material fact or law previously made to the tribunal by the lawyer, including but not limited to filing a false pleading before Judge Hawley that Respondent's serious illness requiring surgery, prevented him from compliance with the Court's discovery schedule in *Sulemani v. Dr. Scott Moats*, et al., in violation of Rule 3.3(a)(1) of the Illinois Rules of Professional Conduct (2010);
- b. in a pretrial procedure, knowingly making a frivolous discovery request by conduct including but not limited to seeking AUSA Brost's agreement to Respondent's motion for an extension of time to complete discovery resulting in a false pleading before Judge Hawley that Respondent's serious illness requiring surgery, prevented him from compliance with the Court's discovery schedule in *Sulemani v. Dr. Scott Moats*, et al., in violation of Rule 3.4(d) of the Illinois Rule of Professional Conduct (2010);
- c. conduct involving dishonesty, fraud, deceit, and misrepresentation, by conduct including but not limited to the filing a false pleading before Judge Hawley and making false statements to AUSA Brost to receive an extension of time in *Sulemani v. Dr. Scott Moats*, et al., in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010); and

- d. conduct that is prejudicial to the administration of justice, by conduct including but not limited to filing a false pleading before Judge Hawley and making false statements AUSA Brost to receive an extension of time in *Sulemani v. Dr. Scott Moats, et al.*, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

ANSWER: Neither admit nor deny as the allegations of paragraph 38 are not factual but state conclusions of law. To the extent an answer is deemed required, the allegations are denied.

COUNT IV

(Dishonesty to Court and Opposing Counsel-Harris Matter)

39. The Administrator repeats and realleges paragraphs 1-10 of Count 1, paragraphs 13-20 of Count II, and paragraphs 22-37 of Count III.

Answer: Respondent repeats and realleges his answers to paragraphs 1-10 of Count I, paragraphs 13-20 of Count II, and paragraphs 22-17 of Count III.

40. On November 29, 2013, Respondent filed a civil rights complaint on behalf of plaintiff David Harris with the United States Court for the Northern District of Illinois, which was docketed as David Harris v. Larissa Baccus, John Rotunno, Kevin Cronin, et al., 13 CV 08584. The matter was assigned to Honorable John W. Darrah. The defendants were represented by Assistant United States Attorneys for the Northern District of Illinois.

Answer: Admit.

41. During the pendency of the case. Judge Darrah ruled on various matters and set discovery schedules in the Harris case.

Answer: Admit.

42. On September 2, 2015, Judge Darrah entered an order setting discovery deadlines and a trial schedule in the Harris case. Judge Darrah ordered discovery closed on June 30, 2016, a pretrial conference for January 18, 2017 and jury trial to commence on January 30, 2017.

Answer: Admit.

43. On or about June 24, 2016, Respondent filed a motion on behalf of the plaintiff identified as an "Agreed Joint Motion for Extension of Time to Complete Fact Discovery," requesting a 60-day extension of time to August 30, 2016 to complete fact discovery,

extension of time to complete expert discovery by September 30,2016, and dispositive motion deadline of October 30,2016 in the Harris case.

Answer: Admit.

44. On or about June 28, 2016, Judge Darrah denied the Agreed Joint Motion for Extension of Time to Complete Discovery identified in paragraph 43. Instead, the Judge allowed an extension to complete discovery until July 30, 2016 but ordered that all other dates, as set forth in paragraph 41, to remain as originally scheduled.

Answer: Admit.

45. Pursuant to subpoenas issued by Respondent in the Harris case, defendants Kevin Cronin and John Rotunno were to appear for deposition on July 19, 2016 and July 20, 2016, respectively.

Answer: Admit.

46. On July 19, 2016 at 7:38 a.m, Respondent sent an electronic communication ("email") to defense counsel Assistant United States Attorney ("AUSA") Virginia Hancock and copied to AUSA Gina Brock regarding defendant Kevin Cronin*s scheduled deposition in the Harris case, which stated, in part:

"I've had a family emergency this morning and will have to cancel agent Cronin's deposition. I understand we have limited time and this very likely means 1 will not have a chance to depose him again. I simply have no choice. We will go ahead with rotunno [sic] tomorrow even if 1 have to have a colleague cover for me. Sorry for short notice for today. Please confirm that you received this. Apologies, Vince"

Answer: Admit.

47. On July 19, 2016 at 7:48 a.m., AUSA Hancock responded to Respondent's email set forth in paragraph 46 as follows:

"I just received your message. We will tell Kevin Cronin. Sorry to hear about your family emergency."

Answer: Admit.

48. Respondent's statement to AUSA Hancock and AUSA Brock, that he had to cancel agent Cronin's deposition due to a family emergency, as set forth in paragraph 46 was false.

Answer: Admit.

49. Respondent knew the statement, as set forth in paragraph 46, that he had to cancel agent Cronin's deposition due to a family emergency, was false as there was no family emergency necessitating a last minute cancellation of agent Cronin's deposition in the Harris case.

Answer: Admit.

50. On July 19, 2016 at 1:22 p.m.. Respondent sent an email to AUSA Hancock, and copied to AUSA Brock, the following message related to rescheduling depositions:

"Just checking in on this. Sorry only have occasional access to my phone. Have a child about to have surgery. A little stressed out. Let me know as soon as you can.

Thanks."

Answer: Admit.

51. Respondent's statements to AUSAs Hancock and Brock, that he had a child about to have surgery, as set forth in paragraph 50 were false.

Answer: Admit.

52. Respondent knew his statements to AUSAs Hancock and Brock, that he had a child about to have surgery, as set forth in paragraph 50 were false because Respondent had no child.

Answer: Admit.

53. On July 19,2016 at 1:37 p.m., AUSA Hancock responded to Respondent's emails as follows, in part:

"We're very sorry to hear that and hope the surgery goes well. Unfortunately, given the current summary judgment schedule, we cannot agree to reschedule Rotunno's deposition. Our backs are against a wall as our summary judgment motion is due to be filed on Friday.

We have no problem if you want to contact Judge Darrah's chambers and ask if we can rework our summary judgment schedule because of the emergency."

Answer: Admit.

54. On July 19, 2016, Respondent spoke to Judge Darrah's clerk, Melanie Foster, and advised her that due to a family emergency. Respondent would be requesting an extension of time to complete discovery in the Harris case.

Answer: Admit.

55. Respondent's statement to Melanie Foster, that he had a family emergency for which he would be requesting an extension of time to complete discovery was false as set forth in paragraph 54.

Answer: Admit.

56. Respondent's statement to Melanie Foster, as set forth in paragraph 54, that he had a family emergency for which he would be requesting an extension of time to complete discovery was false because Respondent had no family emergency.

Answer: Admit.

57. On July 19, 2016 at 2:01 p.m.. Respondent sent an email to AUSA Brock, and copied to AUSA Hancock, the following message, in part, about his conversation with Judge Darrah's clerk related to extending discovery deadlines:

*'Just spoke to clerk. She asked me to file motion and said she'd have decision within 24 hours but probably sooner. Also said based on circumstances she thought he would grant it. Two questions. Can I file as agreed? And if we don't get a decision before the dep tomorrow but still get an extension will you still allow me to depose rotunno [sic]?"

Answer: Admit.

58. On July 19, 2016 at 2:20 p.m., AUSA Hancock responded, in part, to Respondent's email set forth in paragraph 57 as follows:

"We just got back from speaking with the clerk. We went up to see her and to tell her that you would probably call. Apparently, she had just hung up with you when we arrived. We told the clerk that we do not oppose ^e motion and that it can be agreed. She said she is going to recommend the court set following briefing schedule: MSJ due 9/1, response due 9/22, reply due 10/6. All other deadlines to remain the same."

Answer: Admit.

59. On July 19, 2016 at 2:22 p.m.. Respondent sent an email to AUSA Brock, and copied to AUSA Hancock, the following message related to filing a motion for an extension in the *Harris*:

"My paralegal has drafted motion seeking up to thirty days extension. Makes clear this is due to family emergency. Let me know ASAP re my questions above. I have to email clerk once filed. Thanks. "

Answer: Admit.

60. On July 19, 2016, Respondent filed a purported "agreed emergency motion for extension" in the Harris case, docket number 126, which stated, in part:

(5) "Counsel for Plaintiff has a family emergency that requires his son to have urgent surgery. That surgery will take place this afternoon."

(7) "As such, due to the emergent nature of the circumstances, counsel for Plaintiff respectfully requests that this Court grant an up to 30-day extension of time to submit dispositive motions to August 30, 2016 so that counsel can be with his son during the above-described family emergency without losing the opportunity to complete the remaining two depositions in this matter."

(8) *This motion is brought in good faith and no party will be prejudiced by the requested extension."

Answer: Admit.

61. On July 20, 2016, Judge Darrah granted Respondent's purported agreed emergency motion for extension, as set forth in paragraph 60. Judge Darrah ordered that dispositive motion be filed on September 1, 2016, responses by September 22, 2016, and replies by October 6, 2016.

Answer: Admit.

62. Respondent's motion, as set forth in paragraph 60, alleging that he had a family emergency, requiring his son to have urgent surgery on the afternoon of July 19, 2016 which requested an emergent extension to submit dispositive motions in the Harris case, so that Respondent could be with his son during a family emergency, and that the motion was brought in good faith were false.

Answer: Admit that Respondent's statements in the motion that he had a family emergency requiring his son to have surgery were false. Deny all remaining allegations of paragraph 62.

63 Respondent knew his motion alleging that he had a family emergency, requiring his son to have urgent surgery on the afternoon of July 19, 2016 which requested an emergent extension to submit dispositive motions in the Harris case, so that Respondent

could be with his son during a family emergency, as set forth in paragraph 60, was false because there was no family emergency, Respondent had no son, and the motion was not brought in good faith.

Answer: Admit that Respondent knew that his statements in the motion that he had a family emergency requiring his son to have surgery were false. Deny all remaining allegations of paragraph 63.

64. On July 25, 2016 at 9:45 a.m., Respondent sent an email to AUSA Brock, and copied to AUSA Hancock, the following message related to Respondent's purported reason for requesting an extension to complete discovery in the Harris case:

"Yes, all went well. Thanks so much for asking. He has leiomyosarcoma, a form of stomach cancer, and had to have a small portion of his stomach and G1 tract removed. It sounds terrible but apparently it is a rare but also highly treatable disease. My fiancé and I have fostered kids on and off for the last 5 or so years. The only downside is that these incredible kids are often in this situation in the first place because they have one or more serious illnesses/conditions. I normally wouldn't share such personal information but I really do feel so grateful for yours and Gina's support last week and think it's important that you know what it actually meant to me."

Answer: Admit.

65. Respondent's statements to AUSAs Brock and Hancock, as set forth in paragraph 64, that his son's surgery went well, that Respondent's son had leiomyosarcoma which required surgery to remove a small portion of his stomach and GI tract, and that Respondent and his fiancé [sic] had fostered children for the last five years were false.

Answer: Admit.

66. Respondent knew his statements to AUSAs Brock and Hancock, that his son's surgery went well, that Respondent's son had leiomyosarcoma which required surgery to remove a small portion of his stomach and GI tract, and that Respondent and his fiancé [sic] had fostered children for the last five years, as set forth in paragraph 64, were false because Respondent had no child or foster child, therefore no diagnosis of leiomyosarcoma, and no surgery.

Answer: Admit.

67. On August 31, 2016, Respondent, through counsel, filed docket number 133, what he referred to as an "emergency motion to correct pleading by Vince Field," in which Respondent admitted making false statements in Respondent's July 19, 2016 "agreed emergency motion for extension," set forth in paragraph 60. Additionally, Respondent

admitted the statements he made to Judge Darrah's clerk, Melanie Foster, and opposing counsel about a family emergency were false. Further, Respondent stated that "this is something that I have never done before."

(2) "This pleading contains a number of false statements that I would like to correct and/or withdraw."

(3) "Specifically, paragraph 5 states that "Counsel for Plaintiff has a family emergency that requires his son to have urgent surgery. That surgery will take place this afternoon." In addition, paragraph 7 states that "due to the emergent nature of the circumstance" counsel for Plaintiff was requesting an extension of time to complete discovery "so that [he] could be with his son during the above described family emergency..." Finally, paragraph 8 represented that the motion was **brought in good faith."

(4) "Prior to filing the motion, I contacted the Clerk of this Court, Melanie Foster, and similarly informed her that I was having a family emergency requiring me to request an extension of time to complete discovery."

(5) "All of these statements were false as there was no family emergency."

(7) "I also misled opposing counsel before and after the filing of the motion."

(9) "I would like to note that this is something that I have never done before."

Answer: Admit.

68. Respondent's statement, set forth in paragraph 67, of his "emergency motion to correct pleading by Vince Field," that "this is something that I have never done before" was false.

Answer: Admit.

69. Respondent knew his statement, set forth in paragraph 67, of his "emergency motion to correct pleading by Vince Field," that "this is something that I have never done before" was false because Respondent knew he previously indicated he had a fictitious illness of leiomyosarcoma, surgery and treatment in his 2006 application to University of Chicago Law School, his 2011 application to take the Illinois Bar and in a December 16, 2015 motion in the *Sulemani*.

Answer: Deny.

70. On September 1, 2016, Judge Darrah ruled that Respondent's "Emergency motion [133], as set forth in paragraph 67 was taken under advisement. As of the date of this filing, Respondent's emergency motion, docket number 133, in the Harris case, has not been corrected or withdrawn.

Answer: Admit. Stating further, the Harris case settled and was dismissed by stipulation as of September 18, 2017.

71. By Reason of the conduct above, Respondent has engaged in the following misconduct:

- a. knowingly making a false statement of fact or law to a tribunal or failure to correct a false statement of material fact or law previously made to the tribunal by the lawyer, including but not limited to filing a false pleadings before Judge Darrah that there was a family emergency preventing him from compliance with the Court's discovery schedule in Harris v. Baccus, et al., in violation of Rule 3.3(a)(1) of the Illinois Rules of Professional Conduct (2010);
- b. in a pretrial procedure, knowingly making a frivolous discovery request by conduct including but not limited to seeking AUSAs Hancock and Brock's agreement to Respondent's emergency motion resulting in a false pleadings before Judge Darrah that there was a family emergency preventing him from compliance with the Court's discovery schedule in Harris v. Baccus, et al., in violation of Rule 3.4(d) of the Illinois Rule of Professional Conduct (2010);
- c. knowingly making a false statement of material fact or law to a third person, by conduct including but not limited to his representation to clerk Melanie Foster, AUSA Hancock and AUSA Brock that there was a family emergency preventing him from compliance with the Court's discovery schedule, in violation of Rule 4.1(a) of the Illinois Rules of Professional Conduct (2010).
- d. conduct involving dishonesty, fraud, deceit, and misrepresentation, by conduct including but not limited to the filing a false pleading before Judge Darrah, and making false statements to clerk Melanie Foster, AUSA Hancock, and AUSA Brock to receive an extension of time in Harris v. Baccus, et al in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010); and
- e. conduct that is prejudicial to the administration of justice, by conduct including but not limited to filing a false pleading before Judge Darrah, and making false statements to cleric Melanie Foster, AUSA Hancock, and AUSA Brock to receive an extension of time in Harris v. Baccus, et ai, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

Answer: Neither admit nor deny as the allegations of paragraph 71 are not factual but state conclusions of law. To the extent an answer is deemed required, the allegations are denied.

COUNT V

(Making false statements in connection with a disciplinary matter)

72. The Administrator repeats and realleges paragraphs 1-10 of Count I, paragraphs 13-20 of Count II, paragraphs 22-37 of Count III, and paragraphs 40-70 of Count IV.

Answer: Respondent repeats and realleges his answers to paragraphs 1-10 of Count I, paragraphs 13-20 of Count II, paragraphs 22-37 of Count III, and paragraphs 40-70 of Count IV.

73. On October 21, 2016, Respondent appeared before the Administrator at the Commission's Chicago office and gave sworn testimony relating to the matters described in the preceding counts of this complaint.

Answer: Admit.

74. During his sworn statement, Respondent was asked the following questions by Counsel for the Administrator and gave the following answers:

Q: So are there cases other than this matter involving Mr. Harris that you fell behind in relation to whether there were discovery issues or dispositive motions. (P. 36, L. 4-7)

A: Yes. (P. 36, L. 8)

Q: Were you granted extensions in those other cases? (P. 36, L. 16-17)

A: Yes. (P. 36, L. 18)

Q: All right. So am I correct in assuming that this is the only false pleading that you filed with the Court? (P. 36, L. 19-21)

A: Yes. (P. 36, L. 22)

Q: Okay. And as to your representations for extensions to whoever the defense attorney may be, were there any false representations made for the reason why you had to file for an extension to anyone other than those involved in the Harris case? (P. 36-37, L. 23-24, 1-4)

A: In the other cases you mean? (P. 37, L. 5)

Q: Yes. (P. 37, L. 6)

A: No. It was just about having a lot of additional work. There really wasn't even an explanation that was necessary. It was just like I can't meet this deadline. Do you have a problem with me asking for a short extension and there was never any issue. (P. 37, L. 7-12)

Answer: Admit.

75. The answers given by Respondent during his sworn statement on October 21, 2016, described in paragraph 74, above, were false, and were intended to mislead the Administrator, because Respondent did make misrepresentations to opposing counsel about the reason for requesting extensions to complete discovery and filed other false pleadings with the Court, in the *Sulemani* case, then pending before Judge Hawley in the United States District Court for the Central District of Illinois.

Answer: Admit that statements that there was no other case in which false statements were made in connection with a request for an extension of discovery deadlines were not true. Deny that the statements were known by Respondent to be false at the time he made them, and deny that Respondent intended to mislead the Administrator, to whom Respondent provided the *Sulemani* case name and number at the Administrator's request, made during the sworn statement and then reduced to a written request shortly thereafter, that Respondent identify cases in which he had filed motions for extensions of time to conclude discovery.

76. By reason of the conduct outlined above, Respondent has engaged in the following misconduct:

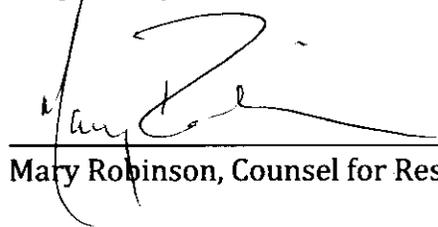
- a. knowingly making a statement of material fact known by the lawyer to be false in connection with a lawyer disciplinary matter, including but not limited to Respondent's false statement that he had not misrepresented requests for extensions to complete discovery to opposing counsel or filing false pleadings with the Court in matters other than *Harris v. Baccus, et al*, in violation of Rule 8.1(a) of the Illinois Rules of Professional Conduct;
- b. conduct involving dishonesty, fraud, deceit or misrepresentation, including but not limited to Respondent's false statement that he had not misrepresented requests for extensions to complete discovery to opposing counsel or filing false pleadings with the Court in matters other than *Harris v. Baccus, et al*, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct.

Answer: Neither admit nor deny as the allegations of paragraph 76 are not factual but state conclusions of law. To the extent an answer is deemed required, the allegations are denied.

RESPONDENT'S DISCLOSURES PURSUANT TO COMMISSION RULE 231

1. Respondent has not been admitted to practice in any other state jurisdiction. He is admitted to practice before the United States District Court for the Northern District of Illinois, the United States District Court for the Southern District of Illinois, the United States District Court for the Central District of Illinois, the United States District Court for the District of Massachusetts, the United States District Court for the Eastern District of Wisconsin, and the United States District Court for the Southern District of Indiana.
2. Respondent does not have other professional licenses.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mary Robinson", is written over a horizontal line.

Mary Robinson, Counsel for Respondent

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