

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

In the Matter of:

MARGARET JEAN LOWERY,

Attorney-Respondent,

No. 6271777.

Commission No. 2020PR00018

NOTICE OF FILING

TO: PETER L. ROTSKOFF
COUNSEL FOR ADMINISTRATOR
A.R.D.C.
3161 West White Oaks Drive
Suite 301
Springfield, Illinois 62704
protskoff@iadc.org
ARDCeService@iadc.org

PLEASE TAKE NOTICE that on MAY 4 , 2020, I will e-file RESPONDENT'S
ANSWER TO COMPLAINT by causing the original copy to be e-filed with the Clerk of
the Attorney Registration and Disciplinary Commission.

Respectfully submitted,

/s/ Samuel J. Manella
SAMUEL J. MANELLA
ATTORNEY FOR ATTORNEY-RESPONDENT

SAMUEL J. MANELLA #06190368
Counsel for Attorney-Respondent
77 WEST WASHINGTON STREET
SUITE 705
CHICAGO, ILLINOIS 60602
(708) 687-6300
manellalawoffice@aol.com

FILED
5/4/2020 1:02 PM
ARDC Clerk

PROOF OF SERVICE

I, SAMUEL J. MANELLA, on oath state that I served a copy of the Notice of Filing, RESPONDENT'S ANSWER TO COMPLAINT on the individual at the address shown on the foregoing Notice of Filing, sent via e-mail at protskoff@iadc.org and ARDCeService@iadc.org on May 4, 2020 at or before 4:00 p.m.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

/s/ Samuel J. Manella

SAMUEL J. MANELLA #06190368
Counsel for Attorney-Respondent
77 WEST WASHINGTON STREET
SUITE 705
CHICAGO, ILLINOIS 60602
(708) 687-6300
manellalawoffice@aol.com

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

FILED
5/4/2020 1:02 PM
ARDC Clerk

In the Matter of:

MARGARET JEAN LOWERY,

Commission No. 2020PR00018

**Attorney-Respondent,
No. 6271777.**

ANSWER TO COMPLAINT

Now comes MARGARET JEAN LOWERY, by her attorney, SAMUEL J. MANELLA, and for her Answer to the Complaint, states as follows:

Respondent is licensed to practice law before the United States Supreme Court, the United States District Courts for the Northern District of Oklahoma, Southern and Central Districts of Illinois, and the States of Oklahoma and Illinois.

COUNT I

(False and/or reckless statements about the qualifications or integrity of a judge on website firetheljarjudge.com)

1. On or about September 11, 2018, Respondent purchased the domain name "firetheljarjudge.com" from GoDaddy and used GoDaddy to create a website for "firetheljarjudge.com".

RESPONSE:

Respondent admits the domain name contained in Paragraph 1 of Count I of the Complaint was purchased for the Judge Gleeson anti-retention campaign group from GoDaddy during a meeting sometime in September 2018 and a separate business account was created for the group. Moreover, Respondent did not "pay for domain name or other account purchases" as a collection was taken from the group. Respondent was given the money in which to purchase the domain so that none of her

personal funds were used. Respondent also did not put the account in her name or on her law firm Go Daddy account because Respondent was not claiming ownership of the account. Members of the group possessed the username and passwords for all the internet accounts. Further answering, the group chose the name for the website by informal vote based upon news accounts reported in the press. Respondent denies that she personally created the website for her own use as the anti-retention group purchased and created the website.

2. Respondent created the *firetheliarjudge.com* website as part of an anti-retention campaign against Judge Andrew Gleeson, the Chief Judge of the 20th Judicial Circuit, who was running for retention in the November 6, 2018 general election.

RESPONSE:

Respondent denies the allegation contained in Paragraph 2 of Count I of the Complaint, as the anti-retention group purchased and created the website. Further answering, although Respondent provided the programming, she did not write the fill and to her knowledge and belief, no attorney participated in writing the websites content.

3. Respondent linked the *firetheliarjudge.com* website to a Facebook page entitled “Madeline M. Dinmont”. Madeline M. Dinmont was a fictitious name created and used by Respondent.

RESPONSE:

Respondent neither admits nor denies the first sentence of Paragraph 3 of Count I of the Complaint due to lack of recollection. Respondent denies the second sentence, as the name was not fictitious, and further answering states that others used the Facebook page as well.

4. In or around October 2018, Lori Friess (“Friess”) organized an anti-retention campaign against another judge in the 20th Judicial Circuit, Judge Zina Cruse. Friess called the campaign “Justice For Kane”, in recognition of her two year-old grandson, Kane Friess-Wiley, who had been killed in April 2017. Friess’

daughter's former boyfriend, Gyasi Campbell ("Campbell"), had been charged with Kane's murder. On April 2, 2018, Judge Cruse reduced Campbell's bond from \$1 million to \$150,000 which allowed Campbell to post bond and be released from custody pending trial.

RESPONSE:

Respondent denies the allegations contained in Paragraph 4 of Count I of the Complaint in that, to Respondent's knowledge, Lori Friess apparently started the anti-retention campaign in April of 2018 not October of 2018, a fact of which Respondent had no idea of at the time.

5. On or around October 4, 2018, Respondent posted the following entry on the *firetheliarjudge.com* website:

A FAILURE TO VOTE IS A YES VOTE ON RETENTION!

Kane's founder has a vendetta against a judge who followed the law.

Why Judge Gleeson Must Go!

Judge Zina Cruse is a female African American Judge from East St. Louis. The Justice For Kane anti-retention campaign is the brain child of Gleeson & others to run a female minority judge off the bench in order to preserve their white male privilege.

RESPONSE:

Respondent denies the allegations contained in Paragraph 5 of Count I of the Complaint.

6. Respondent's statements described above, that the Justice For Kane anti-retention campaign was the "brain child" of Judge Gleeson and others and Judge Gleeson wanted to run a female minority judge off the bench to preserve his white male privilege was false because Judge Gleeson had no involvement in

the Justice For Kane group or any group or effort seeking to remove Judge Cruse from the bench.

RESPONSE:

Respondent denies the allegation contained in Paragraph 6 of Count I of the Complaint, as to making the statements allegedly attributed to her, and further answering states that she has no personal knowledge concerning any alleged involvement by Judge Gleeson in the Justice for Kane group or any group or effort seeking to remove Judge Cruse from the bench.

7. Respondent knew her statements described in paragraph 5, above, were false at the time she made them and posted them to the *firetheliarjudge.com* website or she made them with reckless disregard as to their truth or falsity.

RESPONSE:

Respondent denies making the statements allegedly attributed to her as contained in Paragraph 7 of Count I of the Complaint.

8. On or about October 4, 2018, Respondent posted the following entry on the *firetheliarjudge.com* website:

JFK [Justice For Kane] is a WHITE SUPREMACIST GROUP!

JKF is a front for a WHITE SUPREMACIST GROUP called the National Association for Majority Equality which Judge Gleeson supports. That is why they are targeting judges of color and that is why their members are *[sic]* exclusively white.

RESPONSE:

Respondent denies the allegations contained in Paragraph 8 of Count I of the Complaint.

9. Respondent's statement that Judge Gleeson supports a white supremacist group called the National Association for Majority Equality ("NAME")

was false because Judge Gleeson did not support or have any involvement with NAME or any white supremacist group or with the Justice For Kane campaign.

RESPONSE:

Respondent denies making the statement allegedly attributed to her in Paragraph 9 of Count I of the Complaint and further answering states that she does not know what NAME is. And further answering, Respondent has no experience with Judge Gleeson to know his stance on anything .

10. Respondent knew her statement described in paragraph 8, above, was false at the time she made it, or she made it with reckless disregard as to its truth or falsity.

RESPONSE:

Respondent denies making the statement allegedly attributed to her in Paragraph 10 of Count I of the Complaint.

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

- a. making statements the lawyer knows to be false or with reckless disregard as to their truth or falsity concerning the qualifications or integrity of a judge, adjudicative officer, or public legal officer by making the statements set forth in paragraphs 5 and 8, above, in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010).

RESPONSE:

Respondent denies the allegations contained in Paragraph 11 (a) of Count I of the Complaint.

COUNT II

(False and or reckless statements about the qualifications or integrity of a judge on Facebook page entitled "Madeline M. Dinmont")

The Administrator realleges and incorporates paragraphs 1 through 10, of Count I above.

Respondent realleges and incorporates her responses to Paragraph 1 through 10 of Count I above

12. On or before September 14, 2015, Respondent created a Facebook page entitled “Madeline M. Dinmont” (“Dinmont page”). Respondent used the fictitious name Madeline Dinmont in her interactions with GoDaddy concerning the *firetheliarjudge.com* website.

RESPONSE:

Respondent admits the allegation contained in Paragraph 12 of Count II of the Complaint that she created a Facebook page in the name of her dog, which is not a fictitious name, but has no recollection when it was created. Further answering Respondent states that the Facebook page was donated to the anti-retention group because Respondent was not utilizing it. Interactions with others would have been in the name of the group. Further answering, Respondent states that the Facebook page was not created for any improper purpose nor was it created for an anti-retention campaign. It was created to post photos of Respondent’s dog on Instagram.

13. On or about October 5, 2018, Respondent posted the following entry on the Dinmont page:

Gleeson is part of the St. Clair County Secret Order of the Hibernians. That’s why he uses the Irish clover. Wanna [sic] guess how many of its members are persons of color? None.

Wanna [sic] see Gleeson in his
“chief” regalia?

Respondent then posted a photograph of a Ku Klux Klansman dressed in a white robe and hood with the name tag “Gleeson” pinned to his chest over an Irish clover. The picture also depicted a noose and a confederate flag and was captioned “Vote No Retention!” (see *Exhibit 1* attached)

RESPONSE:

Respondent denies the allegations contained in Paragraph 13 of Count II of the Complaint and further answering states the date of the posting alleged is incorrect.

Respondent recalls the night the Facebook post went up as Respondent had been out and did not arrive home until late. Respondent received a text within the Confide App asking if Respondent was still up and whether she had seen the post.

At that time Respondent had no idea what the Secret Order of Hibernians was. Respondent just knows she did not post it and Respondent has never been able to find Exhibit 1 on the internet to know where it came from.

14. Respondent's posts described in paragraph 13, above, were false because Judge Gleeson was not a member or part of a "secret order of the Hibernians", he was not a member of the Ku Klux Klan, and the person depicted by Respondent on the Dinmont page was not Judge Gleeson.

RESPONSE:

Respondent denies posting anything as alleged in Paragraph 14 of Count II of the Complaint.

15. Respondent knew her postings described in paragraph 13, above, were false at the time she made them, or she made them with reckless disregard as to their truth or falsity.

RESPONSE:

Respondent denies posting anything as alleged in Paragraph 15 of Count II of the Complaint. More importantly, within 24 hours of this post Respondent had quit the anti-retention group over it. Respondent told them to take everything down. Respondent was frankly shocked to read what had been posted.

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

- a. making statements the lawyer knows to be false or with reckless disregard as to their truth or falsity concerning the qualifications or integrity of a judge, adjudicative officer, or public legal officer by making the statements set forth in paragraph 13, above, in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010).

RESPONSE:

Respondent denies the allegation contained in Paragraph 16 (a) of Count II of the Complaint.

COUNT III

*(False statements to the
Administrator)*

The Administrator realleges and incorporates paragraphs 1 through 15, of Counts I and II above.

Respondent realleges and incorporates her responses to Paragraphs 1 through 15 of Counts I and II.

17. On July 2, 2019, Respondent appeared at the Springfield ARDC office to provide sworn testimony related to matters described in this complaint.

RESPONSE:

Respondent admits the allegation contained in Paragraph 17 of Count III of the Complaint, and further answering, states that she has cooperated with the Administrator at all times throughout this matter.

18. During the sworn statement, Respondent was asked the following questions and gave the following answers:

Q: Okay. What do you know about the website
firetheljarjudge.com?

A: It was a website set up for the anti-retention
campaign

Q: And who set it up?

A: I don't know.

Q: What role did you have in creating either the website or the domain name?

A: I was asked how you go about setting up a domain name and I suggested that they go through GoDaddy.

Q: When you say you were asked, who asked you?

A: Judge Duebbert.

Q: Okay. So did Judge Duebbert set up this website *firetheliarjudge.com*?

A: I don't know if he did it or if he had somebody else do it.

Q: You had no involvement in setting up the site?

A: No, and I didn't manage it either.

Q: Have you ever posted anything to the site *firetheliarjudge.com*?

A: No.

RESPONSE:

Respondent admits the allegations contained in Paragraph 18 of Count III of the Complaint.

19. Respondent's statement above that she did not know who set up the *firetheliarjudge.com* website was false because Respondent set up and paid for the website through GoDaddy.

RESPONSE:

Respondent denies the allegation contained in Paragraph 19 of Count III of

the Complaint and further answering states that this statement was not false. It was never Respondent's intention to mislead anyone. It was apparent to Respondent that the Administrator's counsel was utilizing different technical terminology than the Respondent which caused so much confusion in the transcript. As stated previously, Respondent does not know which individual made what post to the website because all she did was provide the place cards or fill. When this confusion was identified, the testimony was clarified.

20. Respondent's statement above that she did not manage the website was false because she managed the website, she linked it to the Dinmont page, and she linked it to another website she created entitled "firejudgegleeson.com".

RESPONSE:

Respondent denies the allegation contained in Paragraph 20 of Count III of the Complaint as she does not recall, to this day, as set forth in the answer to Paragraph 3 and further answering, states that 15 other people had access to the websites and routinely posted to those sites. Respondent, as stated, did provide the programming for the website, but does not believe she did anything that can be construed as "managing" the website, as she did not control the contents.

21. Respondent's statement above that she never posted anything on the *firetheliarjudge.com* website was false because she made posts on the website, including the conduct described in Counts I and II in this complaint.

RESPONSE:

Respondent denies the allegation contained in Paragraph 21 of Count III of the Complaint as she has no recollection of ever "posting" anything on this web site. Further answering, as stated previously, what Respondent did was to program the website. Respondent denies the allegation that she posted the commentary concerning Judge Gleeson set forth in Counts I and II.

22. Respondent knew that her statements described in paragraphs 19 through 21, above, were false at the time she made them.

RESPONSE:

Respondent denies the allegation contained in Paragraph 22 of Count III of the Complaint as it mischaracterizes the testimony based on apparent confusion

concerning computer programming procedures or how one builds the shell of a website.

23. During the sworn statement on July 2, 2019, Respondent was asked the following questions and gave the following answers:

Q: Okay. So my question is with regard to these entries on firetheliarjudge.com, did you have anything to do with creating, making, or responding to these entries?

A: No. I tried to help them set it up and then it was taken over by somebody who was a non-lawyer.

Q: Okay. And when you said you tried to help them set it up, who are you talking about?

A: Well, the people that were involved in the anti-retention campaign by telling them you can go to GoDaddy and they have templates, that kind of thing.

Q: Okay. And who was that? Who specifically are you talking about?

A: It was Judge Duebbert and his web person.

Q: Who was that?

A: I don't know. I don't even know when this was set up.

Q: Were you the domain – did you own the domain name firetheliarjudge.com?

A: No.

Q: Did you set it up?

A: No, but I tried to help them set it up.

Q: Well, specifically what does that mean?

A: To get into GoDaddy and set up
an account.

Q: But you didn't set up the account
at GoDaddy?

A: No, nor did I have control over it.

Q: Do you know what e-mail address they used when
they set up the firetheliarjudge.com?

A: I don't.

Q: Do you know if they used Madeline Dinmont's e-mail address?

A: I don't know.

RESPONSE:

Respondent admits the allegations contained in Paragraph 23 of Count III of the Complaint.

24. Respondent's statement above that she had no role in creating, making or responding to entries on the website *firetheliarjudge.com* was false because she did create the website and she did make various postings to the website as described in Counts I and II above.

RESPONSE:

Respondent denies the allegation in Paragraph 24 of Count III of the Complaint as again this mischaracterizes the testimony because of confusion regarding how website programing is performed. Further answering, Respondent states that when one "builds" a website, they program the page and put place cards/fill in as the mock-up of the page. Further answering, the page has no commentary - the words that are being discussed here were not written by Respondent. Respondent understood the questioning as who wrote the copy which she did not do. Respondent simply provided the programming.

25. Respondent's statements above that she did not know when the website *firetheliarjudge.com* was set up and that she did not own the domain name "firetheliarjudge.com" were false because she set up and paid for the domain name and website *firetheliarjudge.com* through GoDaddy on or about September 11, 2018.

RESPONSE:

Respondent denies the allegation contained in Paragraph 25 of Count III of the Complaint. Further answering, Respondent did not remember the day the site was created. When Respondent builds a platform, the platform is not 'live' because it has fill. Someone has to come in behind Respondent and to make whatever changes there are including photos, write copy and then publish. So, Respondent's answer was directed to that question – Respondent did not know when the site went live because she did not activate it.

26. Respondent's statements above that she did not set up or "have control" over the *firetheliarjudge.com* website were false because Respondent set up and controlled the domain name and website using her GoDaddy account.

RESPONSE:

Respondent denies the allegation contained in Paragraph 26 of Count III of the Complaint for the reasons set forth in Paragraph 25. Nor does Respondent think she "had control" over a website that everyone else in the group had access to by way of the log in credentials which were the same for all the accounts.

27. Respondent knew that her statements described in paragraphs 24 through 26, above, were false at the time she made them.

RESPONSE:

Respondent denies the allegations contained in Paragraph 27 of the Complaint.

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

- a. Knowingly making a false statement of material fact in connection with a disciplinary matter by making the false statements described in paragraphs 19 through 21 and 24 through 26, above, in violation of Rule 8.1(a) of the Illinois Rules of Professional Conduct (2010); and
- b. conduct involving dishonesty, fraud, deceit, or misrepresentation by making the false statements described in paragraphs 19 through 21 and 24 through 26, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

RESPONSE:

Respondent denies the allegations contained in Paragraph 28 (a) and (b) of Count III of the Complaint.

COUNT IV

(False or reckless statements about the qualifications or integrity of a judge - GoDaddy)

The Administrator realleges and incorporates paragraphs 1 through 27, of Counts I, II and III above.

The Respondent realleges and incorporates her responses to Paragraphs 1 through 27 of Counts 1, II and III above.

29. On September 17, 2018, Respondent contacted GoDaddy customer service concerning the website *firetheliarjudge.com*. Respondent identified herself to the operator as Madeline Dinmont. Respondent also identified herself as the administrator of the website *firetheliarjudge.com*.

RESPONSE:

Respondent admits having a telephone conversation with a Go Daddy customer service representative as alleged in Paragraph 29 of Count IV of the Complaint, but neither admits nor denies the allegation of how she identified herself due to lack of recollection. Further answering, Respondent would have identified herself according to the log-in credentials.

30. During the telephone conversation, Respondent told the operator that she wanted to pay for the *firetheliasjudge.com* website through PayPal on a “month to month” basis because she would not need the site to be operational after the November 5, 2018 general election.

RESPONSE:

Respondent admits the allegation contained in Paragraph 30 of Count IV of the Complaint as the group had limited funds and they had to stay below a \$3,600 threshold which would trigger an election filing.

31. During the telephone conversation, the following exchange occurred:

Operator: That’s why you want to go month to month?

Respondent: Yeah.

Operator: Makes sense,

Respondent: Because the election will be over the 5th.

Operator: Yeah. And you hope these people read it and do the right thing, right?

Respondent: If only you knew.

Operator: I was glancing through the website, so I hear you.

Respondent: No. I mean, it’s not a very nice person [Judge Gleeson]. And he’s done a lot of things to hurt a lot of people. So that’s part of the reason that we’re getting all the crank calls.

Operator: That’s too bad.

Respondent: You know, this part of the United States, politics is a blood sport.

Operator: True.

Respondent: I mean, I will tell you how evil it is. They've attempted to set up another judge of a different political party for murder if that tells you anything.

Operator: Wow.

Respondent: And this is the guy who orchestrated it.

Operator: That's crazy.

Respondent: So we had the Department of Justice in here. No, I'm not kidding you.

Operator: You wonder how people like that stay elected.

Respondent: Well, that's what we're working on. And frankly, I've never practiced law in a jurisdiction where it was like this.

RESPONSE:

Respondent admits the allegations contained in Paragraph 31 of Count IV of the Complaint.

32. Respondent's statements in paragraph 31, above, that Judge Gleeson "orchestrated" an attempt to set up another judge for murder were false because Judge Gleeson never engaged in the conduct which Respondent described to the operator.

RESPONSE:

Respondent denies stating that Judge Gleeson "orchestrated" an attempt to set up another Judge for murder as alleged in Paragraph 32 of Count IV of the Complaint. Respondent's statement in Paragraph 31 was in reference to a statement Judge Gleeson had previously submitted to the ARDC. The

customer service individual understood that the statement was a joke because he said, “that is crazy.”

33. Respondent knew her statements in paragraph 31, above, were false or she made them in reckless disregard of their truth or falsity.

RESPONSE:

Respondent denies the allegation contained in Paragraph 33 of Count IV of the Complaint based on her answer to Paragraph 32.

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

- a. making statements the lawyer knows to be false or with reckless disregard as to their truth or falsity concerning the qualifications or integrity of a judge, adjudicative officer, or public legal officer by making the statements set forth in paragraph 31, above, in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010).

RESPONSE:

Respondent denies the allegations contained in Paragraph 34 (a) of Count IV of the Complaint.

WHEREFORE, the Respondent requests that the Complaint be dismissed.

Respectfully submitted,

/s/ Samuel J. Manella
SAMUEL J. MANELLA, Attorney for Respondent

SAMUEL J. MANELLA
ATTORNEY FOR RESPONDENT
77 WEST WASHINGTON STREET
SUITE 705
CHICAGO, ILLINOIS 60602
(708) 687-6300
manellalawoffice@aol.com