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

In the Matter of: EDWIN FRANKLIN BUSH, III Attorney-Respondent, No. 6322150.	Commission No. 2021PR00059

NOTICE OF FILING

To: David B. Collins
Counsel for the Administrator
dcollins@iardc.org
ARDCeService@iardc.org

On January 7, 2022, I filed the attached Amended Answer to the Administrator's Amended Complaint.

CERTIFICATE OF DELIVERY

The undersigned hereby certifies under penalties of perjury as provided by law, pursuant to 735 ILCS 5/1-109, that the above notice and any attached pleadings were sent via [X] E-mail, [ ] personal delivery, [ ] facsimile transmission, and/or [ ] U.S. Mail from 8974 N. Western Avenue #114, Des Plaines, IL 60016 with proper postage pre-paid to the addresses set forth above before the time of 7:00 p.m. on the day of January 7, 2022. The e-file service provider is Odyssey eFileIL and the document is delivered to David Collins at dcollins@iardc.gov.

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ARDC Clerk

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ANSWER

NOW COMES Respondent, Edwin F. Bush, *pro se* pursuant to an August 10, 2021 pancreatic cancer diagnosis and unable to afford counsel, and for his answer to the Administrator's Complaint in this matter, states as follows:

ALLEGATIONS COMMON TO COUNTS I-V

1. Respondent and Erika Bush ("Erika") were married in 2008 and are the parents of two children. Their son, J.B., was born in 2011, and their daughter, A.B., was born in 2015.

Answer: Respondent admits the allegation contained in paragraph 1.

2. On February 21, 2017, Erika filed a petition for dissolution of marriage in the Circuit Court of Cook County. The case was docketed as case number 2017D230075, *In re Marriage of Erika Bush, Petitioner and Edwin F. Bush, Respondent.*

Answer: Respondent admits the allegation contained in paragraph 2.

3. Between May 2018 and June 2021, Cook County Associate Judge John T. Carr ("Judge Carr") was the judge overseeing case number 2017D230075.

Answer: Respondent denies the allegation contained in paragraph 3.

4. Attorney Steve Wasko ("Steve") has been the court-appointed guardian *ad litem* in case number 2017D230075 since June of 2018.

Answer: Respondent admits the allegation contained in paragraph 4.

5. Although Respondent has been represented by counsel at various times during the proceedings in case number 2017D230075, his actions giving rise to the misconduct alleged in this complaint took place while he was proceeding *pro se*.

Answer: Respondent denies the allegation contained in paragraph 5.

COUNT I
(*False and/or reckless statements about the qualifications or integrity of a judge)*

6. At 10:31 a.m. on September 15, 2020, Respondent sent an email to Attorney Steve Wasko (the *guardian ad litem* in case number 2017D230075), Attorney Evan Mammas (one of Erika's then-attorneys in case number 2017D230075), and Judge John T. Carr (the judge overseeing case number 2017D230075), copying Terry Bright (an individual in the Chief Judge's office who schedules hearings) and Attorney Caidi Vanderporten (another one of Erika's then-attorneys in case number 2017D230075). The email was in response to efforts to set a hearing date for October 21, 2020 at 11:00 a.m. and stated:

> "Judge Carr said late September. I do not agree. This is child abuse, perpetuated by the court and its corrupt and incompetent officers. I further want the court to read the federal court filings, to which it can take judicial notice, and to recuse itself and apologize to me and my children. Give us a time tomorrow to re-approach."

Answer: Respondent admits the allegation contained in paragraph 6, and affirmatively notes that the excerpted statements in this e-mail are true. Respondent's comments about corrupt and incompetent officers were directed to attorneys Evan Mammas, Caidi Vanderporten and Steve Wasko. Respondent further affirmatively notes that Judge Carr was intentionally violating a December 13, 2019, order of the Illinois appellate court, which remanded the parenting time portion of the dissolution judgment entered by Judge Carr on February 13, 2019.

7. Respondent's statement that "this is child abuse, perpetuated by the court and its corrupt and incompetent officers" was false or made with reckless disregard of the truth.

Answer: Respondent denies the allegation contained in paragraph 7. Respondent affirmatively states that Dr. John Palen, the court-appointed counselor, wrote e-mails to Evan Mammas, Caidi Vanderporten and Steve Wasko alleging that they were engaging in child abuse (which is defined as neglect) and causing attachment disorder in the minor children.

For example, Dr. Palen wrote to them on December 28, 2019: "That we have been going in circles for over fourteen months about simply enabling these children to have some kind of interaction with both parents is, in my view, **analogous to a form of neglect that is sanctioned by the court and its' officers**" (emphasis added).

8. Respondent made the statement in paragraph 6, above, knowing it was false, or with reckless disregard for the truth.

Answer: Respondent denies the allegation contained in paragraph 8.

9. On September 28, 2020, a hearing was held in the dissolution proceeding on some pending motions. As Judge Carr was in the process of ruling on one of the motions, Respondent directed the following statements to Judge Carr:

"See, that's –that's why this is the clown car. You are a clown."
"You're a child abuser. I mean, honestly, I should call DCFS on you because you've abused these children for two years. What you have done and what people like you do to people all over this country is a disgrace."

Answer: Respondent admits in part and denies in part the allegation contained in paragraph 9. Respondent admits that he made those statements, but the Administrator intentionally omitted the full context and the full statements. Judge Carr just made racist and demeaning comments to Respondent's approximately 25 supporters and court watchers, including an African-American woman, referring to them as the "peanut gallery." Respondent retorted by calling the court watchers akin to being packed in a clown car, which means people packed closely in one place. In addition, Judge Carr had just violated the law again, to which he admitted to and reversed himself the next day on September 29, 2020, on his own motion. Finally, Dr. Palen, the court-ordered counselor who Judge Carr appointed but refused to speak to, was telling Respondent and the other counsel that the court and its officers were engaging in child abuse. Respondent was merely repeating Dr. Palen's professional concerns, and stands by these comments independently.

10. Respondent's statements that "this is the clown car", that Judge Carr was a "clown," a "child abuser" and that Respondent "should call DCFS on [Judge Carr] because [Judge Carr] abused these children for two years", and "what [Judge Carr has] done and what people like [Judge Carr] do to people all over this country is a disgrace" were false or made with reckless disregard of the truth.

Answer: Respondent denies the allegation contained in paragraph 10. Respondent affirmatively asserts that the statement is true and accurate.

11. Respondent made the statements in paragraph 9, above, knowing they were false, or with reckless disregard for the truth.

Answer: Respondent denies the allegation contained in paragraph 11. Affirmatively, Respondent further asserts those statements are truthful and accurate, the opinion of the court's own appointed counselor, and constitutionally protected speech.

12. 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 4 and 7, above, in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010); and

b. conduct prejudicial to the administration of justice by making the false and/or reckless statements set forth in paragraphs 4 and 7, above, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegation contained in paragraph 12. Affirmatively, Respondent notes that approximately 2/3 of civil cases have at least one *pro se* party. That a parent passed the Illinois bar exam and was admitted to practice law does not extinguish their protected speech as a parent. Nor does being a member of the bar prevent Respondent from informing Judge Carr what his own appointed counselor was trying to tell him. Judge Carr refused to speak to Dr. Palen three times from March-July, 2019, when he personally appeared in court, the last attempt on the record on July 16, 2019.

COUNT II

(Making statements with no substantial purpose other than to embarrass, delay or burden a third person in the course of pending litigation and that are prejudicial to the administration of justice)

13. On June 23, 2020, at 3:14 p.m., Respondent sent an email to Attorney Caidi Vanderporten ("Caidi"), copying Terry Bright ("Terry") and Attorney Steve Wasko ("Steve"), Erika, and Attorney Evan Mammas ("Evan") (another one of Erika's then-attorneys in case number 2017D230075 and Caidi's father). Among the statements made was:

"Caidi, I strenuously object to you being a lowlife bottomfeeder, who suborns perjury, breaks the IRPC and extorts your own client."

Answer: Respondent admits to the allegation contained in paragraph 13, but affirmatively notes that this statement is taken from a string of communications and is the end of a three-paragraph e-mail, with the last sentence omitted. This communication also arose from the December 2019 mandated remand hearing by the appellate court, which opposing counsel, the Guardian *ad Litem* and the court were purposely countermanding. Respondent further asserts that all four statements are truthful and provably so.

14. On September 18, 2020, at 6:22 p.m., Respondent sent an email to Evan, copying Terry, Steve, Judge Carr and Caidi, stating:

"IF it means your fat ass and your suborning perjury piece of shit daughter have to get an order of protection against me, we will be in court before Judge Carr before October 21, 2020 one way or the other. You are all child abusing filth, all of you. Bring it. When the justice system fails, I will have my recourse."

Answer: Respondent admits to the allegation contained in paragraph 14, and notes the Administrator is fully aware this communication pertained to Erika Bush's counsel and the Guardian *ad Litem* intentionally delaying the appellate court's ordered hearing on remand.

Again, as to there being child abuse and neglect committed by the court and its officers, that was stated by Dr. John Palen in an e-mail on December 28, 2019. Another 9 months went by.

15. Respondent's statements in the June 23, 2020, and September 18, 2020, emails, referenced in paragraphs 13 and 14, above, served no purpose other than to embarrass, delay, or burden Caidi, Evan, Steve, Terry and Judge Carr.

Answer: Respondent denies the allegation contained in paragraph 15, and asserts all of those statements are truthful and accurate, and provably so. Affirmatively, Respondent was delaying nobody, he was urgently trying to have the appellate court's ordered remand hearing. Caidi Vanderporten suborned perjury on October 10, 2018 and November 30, 2018. Furthermore, Ms. Vanderporten perjured herself in court on September 28, 2020, and filed false verified pleadings on September 2 and September 24, 2020, intentionally misleading the court about the appellate order and the law of the case.

According to a private investigator who witnessed phone calls between Erika Bush and her counsels, Mammas Goldberg, LLC threatened to withdraw as Erika Bush's counsel if Erika Bush agreed to a parenting schedule, and demanded Erika Bush and Respondent's entire 401(k) account Mammas Goldberg, LLC had no right to.

16. By reason of the conduct described in paragraphs 13 and 14 above, Respondent has engaged in the following misconduct:

a. representing a client, using means that have no substantial purpose other than to embarrass, delay, or burden a third person, by conduct including, but not limited to, asserting that Caidi is a "lowlife bottomfeeder, who suborns perjury, breaks the IRPC and extorts" her own client; asserting that Evan has a "fat ass" and that his daughter (Caidi) is a "suborning perjury piece of shit daughter; and asserting that the recipients of the September 18, 2020 email (Evan, Terry, Steve, Judge Carr and Caidi) "are all child abusing filth", in violation of Rule 4.4(a) of the Illinois Rules of Professional Conduct (2010); and

b. conduct that is prejudicial to the administration of justice by conduct including, but not limited to, asserting that Caidi was a "lowlife bottomfeeder, who suborns perjury, breaks the IRPC and extorts" her own client; asserting that Evan has a "fat ass" and that his daughter (Caidi) is a "suborning perjury piece of shit daughter; and asserting that the recipients of the September 18, 2020 email (Evan, Terry, Steve, Judge Carr and Caidi) "are all child abusing filth", in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegations contained in paragraph 16, and affirmatively states the referenced statements are entirely truthful and accurate, and protected speech. Moreover, Respondent was representing himself, not a client.

COUNT III

(*Criminal conduct — eavesdropping/secretly making audio recording — Dr. John Palen*)

17. On December 21, 2018, Respondent made an audiotape recording of a court-ordered counseling session involving himself, his minor son, J.B. and Dr. John Palen.

Answer: Respondent admits the allegation contained in paragraph 17, and notes he not only recorded the counseling session, he recorded picking up his son from his school in Park Ridge all the way to the counseling session in Skokie. The purpose was to inoculate Respondent against allegations of coaching J.B.. Respondent knew the counseling session would go well, and that he would gather more evidence of perjury, which he did.

18. Respondent made the audiotape surreptitiously, and without the knowledge or consent of Dr. Palen.

Answer: Respondent denies the allegation contained in paragraph 18. On January 24, 2019, Steve Wasko, who made the referral for this count, testified under oath that Dr. Palen consented to Respondent recording the session. The administrator has never interviewed Dr. Palen about this allegation, despite recklessly alleging that there was not consent. Affirmatively, it was not necessary to obtain the consent of Dr. Palen to lawfully record the counseling session. Furthermore, Dr. Palen went to court three times from March to July, 2019 in attempt to tell the circuit court he had knowledge and consented to the recording, and to authenticate the contents of the recording. But Judge Carr refused to hear from Dr. Palen on all three occasions, so this evidence could never become part of the appellate record.

Affirmatively, Dr. Palen was shocked at the incompetence of the attorneys. He could not understand what the point of the counseling session was because he could not counsel J.B. individually. In addition, he was ethically barred from stating anything about the session because of "some stupid new law" called 750 ILCS 5/607.6(d) -- which was enacted in 2017 and repealed on August 13, 2021. Dr. Palen asked for notes so he could attempt to communicate something back to Steve Wasko without disclosing communications from the session. Respondent responded with a verbatim transcript so there was no loss in translation.

19. Respondent knowingly and intentionally used the recording device for the purpose of recording all or part of the counseling session.

Answer: Respondent admits the allegation contained in paragraph 19.

20. On December 21, 2018, 720 ILCS 5/14-2(a)(2) defined the offense of eavesdropping, in pertinent part, as knowingly and intentionally using an eavesdropping device in a surreptitious manner for the purpose of recording any part of a private conversation to which he is a party unless he does so with the consent of all parties to the conversation. The statute defines an "eavesdropping device" as any device capable of being used to record an oral conversation. 720 ILCS 5/14-1(a). Eavesdropping is a Class 4 or a Class 3 felony.

Answer: Respondent lacks information to admit or deny what the law was on December 21, 2018.

21. By reason of the conduct described in paragraphs 19-21 above, Respondent has engaged in the following misconduct:

a. committing a criminal act, eavesdropping, in violation of 720 ILCS 5/14-2(a)(2), that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010); and

b. conduct involving dishonesty, fraud, deceit or misrepresentation, by surreptitiously, and without the knowledge or consent of Dr. Palen, tape-recording the December 21, 2018 counseling session, as set forth in paragraphs 17-19, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegation contained in paragraph 21. Affirmatively, Respondent recorded this session primarily to protect the civil rights of himself and his children, and to preserve admissible evidence. Affirmatively, this recording is protected constitutionally, under the crime-evidence exception (720 ILCS 5/14-3) as capturing evidence of perjury, as well as *In re Marriage of Gasnya v. Nixon*, 2016 IL App (4th) 150905, ¶27, *In re Marriage of Jawad*, 326 Ill. App.3d 141, 144 (2001) and *In re Marriage of Almquist*, 299 Ill. App.3d 732, 736 (1998).

The Commission fails to note that the transcript of this counseling session was relayed in a published May 12, 2021, Seventh Circuit Court of Appeals decision, *J.B. et al. v. Woodard et al.*, (7th Cir. 2021), in which Respondent challenged the constitutionality of 750 ILCS 5/607.6(d) (which was repealed on August 13, 2021):

> "The domestic relations court appointed a therapist to conduct anger management counseling and permitted Edwin to have visitation with J.B. at the therapist's office on December 21, 2018. During that counseling session, J.B. said he could not remember his father ever grabbing him by the neck, had no idea why he could not see his father, and that he and A.B. were crying regularly. J.B. further reported that Erika had repeatedly slapped him and pulled his hair." *Id.* at 4.

COUNT IV

(*Criminal conduct—eavesdropping/secretly making audio recording—Erika Bush*)

22. On September 25, 2019, Respondent made an audiotape recording of a conversation that he had with Erika Bush.

Answer: Respondent admits to the allegation contained in paragraph 22, but notes it was hardly a conversation and the discourse was in the public view of several nurses and bystanders.

23. Respondent made the audiotape surreptitiously, and without the knowledge or consent of, Erika.

Answer: Respondent lacks knowledge to admit or deny the allegation in paragraph 23. Respondent does not know what Erika Bush knew, did not know, or should have known. Respondent was recording in a public waiting room at a pulmonologist's office at Advocate Lutheran General Hospital in Park Ridge, with his smart phone, and does not recall where his smart phone was located.

24. Respondent knowingly and intentionally used the recording device for the purpose of recording all or part of the conversation.

Answer: Respondent admits to the allegation contained in paragraph 24, and affirmatively that this recording was inherently lawful and protected, including under 720 ILCS 5/14-3.

25. On September 25, 2019, 720 ILCS 5/14-2(a)(2) defined the offense of eavesdropping, in pertinent part, as knowingly and intentionally using an eavesdropping device in a surreptitious manner for the purpose of recording any part of a private conversation to which he is a party unless he does so with the consent of all parties to the conversation. The statute defines an "eavesdropping device" as any device capable of being used to record an oral conversation. 720 ILCS 5/14-1(a). Eavesdropping is a Class 4 or a Class 3 felony.

Answer: Respondent lacks information to admit or deny what the law was on September 25, 2019.

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

a. committing a criminal act, eavesdropping, in violation of 720 ILCS 5/14-2(a)(2), that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, as set forth in paragraphs 22-24, above, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010); and

b. conduct involving dishonesty, fraud, deceit or misrepresentation, by surreptitiously, and without the knowledge or consent of Erika Bush, tape-recording their September 25, 2019 conversation, as set forth in paragraphs 22-24, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegation contained in paragraph 26.

COUNT V

(*Criminal conduct—eavesdropping/secretly making audio recording—Dr. Ronald Dachman*)

27. On March 14, 2020, Respondent made an audiotape recording of a court-ordered counseling session involving himself, his minor son, J.B., and Dr. Dachman.

Answer: Respondent admits in part and denies in part the allegation in Paragraph 27. Respondent admits to audiotaping not only the March 14, 2020, counseling session, he admits to audiotaping the March 5, 2020, counseling session. Respondent denies that this particular session was court-ordered. Dr. Dachman was appointed on September 20, 2019 to conduct

"reunification counseling," and Respondent first saw his children on March 5, 2020 – five and a half months later. Respondent was concerned that Dr. Dachman was incompetent, and not meeting professional standards by drifting aimlessly without a treatment plan.

28. Respondent made the audiotape surreptitiously, and without the knowledge or consent of Dr. Dachman.

Answer: Respondent denies the allegation contained in paragraph 28. Respondent repeatedly and openly told Dr. Dachman that Respondent recorded the December 21, 2018, counseling session with Dr. Palen, and even gave Dr. Dachman a copy of the transcript before March 5, 2020. Moreover, Dr. Dachman was aware that Respondent was suing in federal court to enjoin 750 ILCS 5/607.6(d). Respondent otherwise has no knowledge of what Dr. Dachman knew or did not know. Affirmatively, Respondent did not need Dr. Dachman's permission to record this counseling session for the same reasons outlined in Count III.

29. Respondent knowingly and intentionally used the recording device for the purpose of recording all or part of the counseling session.

Answer: Respondent admits to the allegation contained in paragraph 29.

30. On March 14, 2020, 720 ILCS 5/14-2(a)(2) defined the offense of eavesdropping, in pertinent part, as knowingly and intentionally using an eavesdropping device in a surreptitious manner for the purpose of recording any part of a private conversation to which he is a party unless he does so with the consent of all parties to the conversation. The statute defines an "eavesdropping device" as any device capable of being used to record an oral conversation. 720 ILCS 5/14-1(a). Eavesdropping is a Class 4 or a Class 3 felony.

Answer: Respondent lacks information to admit or deny what the law was on March 14, 2020.

31. By reason of the conduct described in paragraphs 27-29, above, Respondent has engaged in the following misconduct:

a. committing a criminal act, eavesdropping, in violation of 720 ILCS 5/14-2(a)(2), that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, as set forth in paragraphs 27-29, above, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010); and

b. conduct involving dishonesty, fraud, deceit or misrepresentation, by surreptitiously, and without the knowledge or consent of Dr. Dachman, tape-recording the March 14, 2020 counseling session, as set forth in paragraphs 27-29, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegation contained in paragraph 31. Affirmatively, this recording was entirely lawful and protected, contains admissible evidence, and evidence of the crime of perjury and other civil violations against Respondent and his children. Just like Count III with Dr. Palen, this counseling session was privileged under 750 ILCS 5/607.6(d) until it was repealed on August 13, 2021.

ALLEGATIONS COMMON TO COUNTS VI-VII

32. Respondent and Erika Bush ("Erika") were married in 2008 and are the parents of two children. Their son, J.B., was born in 2011, and their daughter, A.B., was born in 2015.

Answer: Respondent admits the allegation contained in paragraph 32.

33. On February 21, 2017, Erika filed a petition for dissolution of marriage in the Circuit Court of Cook County. The case was docketed as case number 2017D230075, *In re Marriage of Erika Bush, Petitioner and Edwin F. Bush*, Respondent. Case number 2017D230075 remains pending.

Answer: Respondent admits the allegation contained in paragraph 33.

34. Attorney Steve Wasko ("Steve") has been the court-appointed guardian *ad litem* in case number 2017D230075 since June of 2018.

Answer: Respondent admits that Steve Wasko was nominally appointed the guardian *ad litem*, but failed to perform his basic duties, which is his reputation amongst the Chicago bar according to respected attorneys such as Russell Reid, Joy Feinberg, Carlton Marcyan, and Jennifer Marshall – to name a few.

35. The Administrator filed the original disciplinary complaint against Respondent on August 5, 2021.

Answer: Respondent admits the allegation contained in paragraph 36.

36. Respondent was served with the complaint on August 6, 2021.

Answer: Respondent admits the allegation contained in paragraph 36. On August 7, 2021, Respondent saw his primary care provider for abdominal pain and bloating, who ordered an emergency CT scan. On August 10, 2021, Respondent was diagnosed with stage four pancreatic cancer.

COUNT VI

(Making a statement with no substantial purpose other than to embarrass, delay or burden a third person in the course of pending litigation and that is prejudicial to the administration of justice – August 24, 2021)

37. On August 24, 2021 at 3:12 p.m., Respondent used his cell phone to call Steve's adult daughter, Christine Hamlin ("Christine") on her cell phone. Respondent claimed to know Steve and immediately yelled "your dad is a piece of shit mother-fucker" before hanging up.

Answer: Respondent was given a phone number in Colorado by another individual investigating Steve Wasko. Respondent called this phone number to see if this information was accurate on or about August 24, 2021 at 3:12 p.m. Respondent denies he stated "your dad is a

piece of shit mother-fucker" categorically or anything similar. Respondent stated to Ms. Hamlin that her father profiteers off of children and parents by stringing out custody litigation, and that his entire family should be ashamed of themselves.

38. Christine was disturbed and frightened by the call.

Answer: Respondent lacks personal information to admit or deny the allegation contained in paragraph 38. Respondent hung up after relaying his disgust.

39. Respondent's actions on August 24, 2021, referenced in paragraph 37, above, served no purpose other than to embarrass, delay, or burden Steve and Christine.

Answer: Respondent denies the allegation contained in paragraph 39.

40. By reason of the conduct described in paragraph 37, above, Respondent has engaged in the following misconduct:

> a. in representing a client, using means that have no substantial purpose other than to embarrass, delay, or burden a third person, by conduct including, but not limited to, telephoning Steve's daughter, Christine Hamlin, and yelling "your dad is a piece of shit mother-fucker", as set forth in paragraph 37, above, in violation of Rule 4.4(a) of the Illinois Rules of Professional Conduct (2010); and
>
> b. conduct that is prejudicial to the administration of justice by conduct including, but not limited to, telephoning Steve's daughter, Christine Hamlin, and yelling "your dad is a piece of shit mother-fucker", as set forth in paragraph 37, above, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegations contained in paragraph 40. Moreover, Respondent was not representing a client, he was representing himself.

COUNT VII

(Making statements with no substantial purpose other than to embarrass, delay or burden a third person in the course of pending litigation and that are prejudicial to the administration of justice – September 3, 2021)

41. In June of 2021, Cook County Associate Judge John T. Carr, the judge overseeing case number 2017D230075, took medical leave.

Answer: Respondent admits the allegation contained in Paragraph 41, and notes that Judge Carr went on medical leave on approximately June 21, 2021, with a brain tumor.

42. At all times relevant to this count, Cook County Circuit Judge Grace G. Dickler acted as the Presiding Judge of the Domestic Relations Division, Calendar 1. As Presiding Judge, Judge Dickler had responsibility for obtaining coverage for Judge Carr's courtroom while he was out on leave.

Answer: Respondent admits that Judge Dickler serves as the Presiding Judge of the Domestic Relations Division, and Calendar 1, which is her individual calendar. Respondent otherwise lacks complete information of her administrative or supervisory duties, as reflected in numerous administrative orders or county rules. Numerous judges, including Judge Dickler, stood in for Calendar 24. Respondent personally appeared before Judges Timothy Murphy, Robert Johnson, Debra Walker, Andrea Schleifer, as well as Judge Dickler on Calendar 24, including on behalf of two other clients.

43. On September 3, 2021, at 12:27 p.m., Respondent sent an email to Judge Dickler, court employees Terry Bright ("Terry") and Kaye Mason ("Kaye"), Steve and Erika. The email stated:

> "It has now been almost 3 years since I have seen my children. You corrupt incompetent fucking bastards.
>
> I never did anything to any of my children EVER. FUCK YOU!!!! I am going to the media.
>
> You have breached the appellate order for almost 2 years, abused me and my children. Burn in hell!!!!!
>
> No regards, Edwin F. Bush" (Emphasis in original)

Answer: Respondent admits to the allegation contained in Paragraph 43, and was 3.5 weeks into a terminal pancreatic cancer diagnosis. Respondent signed this e-mail not as an attorney, but as a very disgusted and offended father. On August 17, 2021, Respondent informed Judge Robert Johnson of his diagnosis through a status call through Zoom. Judge Johnson scheduled a hearing, with an undetermined judge, for September 27, 2021 – forty days later. After the proceeding on August 17, 2021, Respondent e-mailed the court staff that was not acceptable, given Respondent's possibly very short life span. Respondent signed this e-mail as an attorney, and copied Judge Dickler as well. There was no ARDC referral on August 17, 2021. Seventeen days later, Respondent had simply had it.

44. On September 3, 2021, at 2:03 p.m., Terry sent an email to Respondent, asking him to please remove Judge Dickler and Kaye from his emails regarding his case.

Answer: Respondent admits to the allegation contained in Paragraph 44. Kaye Mason was Judge Robert Johnson's coordinator, and there was no reason for her to be included in communications by e-mail. On the other hand, Judge Dickler was Presiding Judge.

45. On September 3, 2021 at 2:14 p.m., Respondent replied by email to Terry's email and included Judge Dickler, Steve, Erika and Ed Bush (Respondent's father) as additional recipients. The email stated:

> "I will remove Kaye. I can't even get an answer who is filling in for Judge Carr the month of September? I am not waiting any more. The incompetence of this division is beyond repair. I will make ALL you dirtbags famous." (Emphasis in original)

Answer: Respondent admits to the allegation contained in Paragraph 45. Respondent represented two other clients on Calendar 24, and witnessed hearings get canceled because of recusals or sudden unavailability of the assigned judge. Respondent was concerned that after waiting 40 days for a hearing, it would not occur. Respondent did not sign this e-mail as an attorney, and his very angry remarks are protected speech as a father.

46. Respondent's statements in the September 3, 2021 emails, referenced in paragraphs 43 and 45, above, served no purpose other than to embarrass, delay, or burden Judge Dickler, Terry, Kaye, Steve and Erika.

Answer: Respondent denies the allegation contained in Paragraph 46. Respondent was diagnosed with terminal stage four pancreatic cancer for 3.5 weeks, and the Cook County Domestic Relations Division was violating his and his children's rights to familial association for three years. Respondent wanted to see his children immediately before his possible swift demise. It is absolutely sickeningly insensitive and offensive any attorney or organization would suggest otherwise.

47. By reason of the conduct described in paragraphs 43 and 45, above, Respondent has engaged in the following misconduct:

> a. in representing a client, using means that have no substantial purpose other than to embarrass, delay, or burden a third person, by conduct including, but not limited to, stating "FUCK YOU!!!!" and "burn in hell!!!" to Judge Dickler, Terry, Kaye, Steve and Erika, and calling Terry, Judge Dickler, Steve and Erika "dirtbags", as set forth in paragraphs 43 and 45, above, in violation of Rule 4.4(a) of the Illinois Rules of Professional Conduct (2010); and
>
> b. conduct that is prejudicial to the administration of justice by conduct including, but not limited to, stating "FUCK YOU!!!!" and "burn in hell!!!" to Judge Dickler, Terry, Kaye, Steve and Erika, and calling Terry, Judge Dickler, Steve and Erika "dirtbags", as set forth in paragraphs 43 and 45, above, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies the allegation contained in paragraph 47. Moreover, Respondent was not representing a client, he was representing himself, and asserts a privilege to commit malpractice against himself.

Judge Dickler ended up hearing Respondent's motion for a temporary parenting schedule on September 27, 2021, and October 4, 2021, and entered further orders finally granting parenting time with J.B. and A.B. On October 13, 2021, after hearing the evidence, Judge Dickler stated she does not believe "for a second" that Respondent would ever harm his children. Albeit making necessarily regrettable statements, Respondent does not believe he committed malpractice against himself. Judge Dickler and Respondent moved beyond this dispute, but the Administrator has not.

WHEREFORE, Respondent requests that this matter be dismissed in its entirety.

RESPONDENT'S DISCLOSURE PURSUANT TO COMMISSION RULE 231

1. On November 4, 2021, the Illinois Supreme Court issued an order suspending Respondent's license under Rule 774. The Administrator knew Respondent was hospitalized and incapacitated, and not properly served with a rule to show cause order, while battling Stage 4 pancreatic cancer, yet pursued this order.
2. Respondent currently holds no other professional licenses other than his license to practice law.

RESPECTFULLY SUBMITED:

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