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THE BOARD of DISCIPLINARY APPEALS
Appointed by the Supreme Court of Texas

BEFORE THE BOARD OF DISCIPLINARY APPEALS

PEJMAN MAADANI, APPELLANT
STATE BAR OF TEXAS CARD NO. 24052152
Appellant

V

COMMISSION FOR LAWYER DISCIPLINE OF THE
STATE BAR OF TEXAS
Appellee

Appeal from the Judgment of the District 4 Evidentiary Panel,
Evidentiary Panel 4-3 in File No. 202102105

REBUTAL BRIEF OF APPELLANT

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ORAL ARGUMENT REQUESTED
WITH EXPLANATION

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TO THE HONORABLE BOARD OF DISCIPLINARY APPEALS:

COMES NOW, Appellant, Pejman Maadani, (“PM”) and files his leave to supplement and correction to Statement of Facts in the original brief and rebuttal brief in this case. Appellant respectfully presents to the Board of Disciplinary Appeals (“Board”) as follows:

Appellant, PM, asks the court for leave to correct the following:

Statement of the Facts title to be changed to background facts, and now, PM states the following to be Statement of Facts to satisfy internal rules of the Board:

I. Statements of Facts

On or about January 15, 2020, PM filed the no-contest divorce petition title Kristy Ward v. Pejman Maadani et. Al. in Fort Bend County, Texas. The parties lived in the same house during the time of divorce and no contest divorce was finalized in a friendly manner in July of 2020. See Petitioner’s Exhibit 34. AA was not the attorney of record. *Id.* KKW continued to act offensively and rule manner toward PM, and PM reported each conduct that was improper in his mind to the Court in writing. See Petitioner’s Exhibits 1-9. KKW would disrespect PM in front of the kid and would not teach the kid to respect others. PM Notified the Court of the same. See Petitioner Exhibit 10. KKW.

PM reported misconduct of KKW to the Medical Board, including mixing drugs, spanking the child, spreading the disease of Covid when failed to disclose to PM that the child had been exposed to Covid, and failing to preserve evidence of child molestation. KKW apologized and made corrections to take her medications and PM did not ask the Medical Board to continue the investigation, KKW made her license inactive and left the state of Texas. AA destroyed evidence of child molestation, State Bar refused to investigate a complaint of the father of PM, and in retaliation, AA filed a grievance against PM without waiver of privilege signature from KKW. See

Appellee APP 2. PM filed a response. APP 1. Appellee reset the hearing in front of the investigatory panel without the consent of PM at least 4 times because AA claimed AA did not have a desired quorum. However, a quorum would hold Summary Dispositions hearings. PM objected to the findings and quorum because of: 1. Comments of the Chairman and 2. The hearing was held by Zoom. App 3. The PM was informed that Will Nichols has the discretion of having a hearing by Zoom or not. PM elected to have a hearing by the evidentiary panel. CR 27-31.

On September 13, 2022, PM filed his answer and Rule 12 Motion. PM's attorney was Attorney Barr however, Lawrence Clifford who was under investigation for conspiracy with the State Bar became attorney of record instead of Mr. Barr. Lawrence Clifford had never represented anyone in a similar case before. *See PM Motion for New Trial.*

The Quorum that was present was made of two attorneys and two public members. CR 202-04. PM objected to the quorum. *See Motion for New Trial. The PM also raised objections and facts in the Motion for a New Trial.*

PM did not have an attorney in the Child Custody case. PM did not cooperate with the medical board as he testified for personal reasons such as not being vindictive and did not want to hurt KKW who was emotionally fragile and did not want her to commit suicide. SEE PM testimony. AA untruthfully claimed financial problems of PM caused divorce as she was done with her testimony to taint the panel. AA made many comments that were false such as allegations against family members of KKW without any personal knowledge. AA testified in Court that she has personal knowledge that no one was in the bedroom of the child and the child was not raped, then on cross-examination took her false testimony back as she was not present in the room on the day that the child complaint about someone sneaking in his bed. See Exhibit 34.

State Bar of Texas has admitted that there are no cases that address reported cases. Page 15, Lines 19-25. The Witness of the State Bar of Texas has agreed that the Appellant was not

representing a client in this case, he was representing himself. Page 15, Lines 19-25. AA stated that the conduct of the Appellant did not cause delay. Page 34, Lines 14-17. AA stated that communication was not embarrassing. Page 34, Lines 18-19. AA admits that her client was not providing a Social Security Card and Passport so the appellant could travel with the child during his possession time. Page 46, Line 8-17. AA admits that the email simply says withdraw your motion. Page 48 Lines 13. AA admits that the reason for turning KKW to the medical board was: that KKW was unfit to practice medicine, mixing drugs, and not allowing the child to be examined by police officers. Page 58, lines 13-21. AA further admits to not being willing to return calls or negotiate on behalf of her client. Page 58, Lines 22-25. AA also admits Appellant made no threats against AA. Page 61 lines 13-17. KKW was calling the police without reason at every exchange of child before even the appellant made it to the location of the exchange. AA admits that any threat to the Appellant was conditioned on the conduct of KKW. Page 61, line 21. AA admits Appellant stated Appellant would ask for an investigation to be performed. 62- Line 2-4. AA admits that AA does not know the intentions of the Appellant. Page 62- Lines 18-19. AA admits that AA was notified to preserve evidence of sexual assault. Page 65- Lines 17-21. State Bar of Texas claims the Appellant was Pro Se Litigant. Page 68- Lines 17-19.

Doctor Peerwani claims mixing drugs is problematic, and causes danger to the child, and the Appellant correctly reported KKW to her board as it was responsible and reasonable. Page 73 Line 1 to Page 75 line 12.

AA admits AA only got ugly emails after AA failed to preserve evidence of rape of the child. Page 99, Lines 13-18. AA admits the statute does not apply to the Appellant. Page 103, Lines 21-25. AA admits the statute does not apply because he is representing himself. Page 104, Lines 24 to Page 105, line 4. AA admits Rule 4.04 (a) and Rule 4.04 (b)(1) do not have the same

intent. Page 108, lines 2-5. AA admits rule 4.04 (a) is ambiguous. Page 109, lines 17-24. AA admits that the Appellant was Pro Se. Page 125, Line 15-19.

Appellant testified that Appellant requested preservation of evidence on the same day that he found out. On the same day, he reported to the mother of the child. KKW refused to take the child to the doctor even when the child had a fever. Page 134, Lines 21- Page 136 Line 24. KKW did not preserve evidence of rape of the child although she knew how to do that, because the way the Appellant asked for it to be preserved was against what she thought was a proper way to do so. Page 137, Line 3-10.

The appellant did not hire a lawyer because the Appellant believed parenting should be resolved between parents. Page 135, Lines 9-14. The child was never examined by any forensic psychologist. Page 189 lines 4-11.

II. Rebuttal Arguments and Authorities

Appellee claims Maadani's issues are not properly before the Board.

a. Maadani has supplemented facts with leave of the court. The facts are presented to clarify the confusion of the Panel. Regardless of the factual issues, it is undisputed that the panel consisted and formed from two attorneys and two public members. Appellee to refer to a record has to show there is a record to begin with. The appellant states that when Rule 2.17 is not followed, the Court is not a court and therefore the record does not exist as a court record. The appellant is asking this Court, to strike the record of the Court together, dismiss the case against Appellant, and reinstate Appellant. Appellee claims laws regarding the word "must" not need to be followed when it comes to the ratio of attorney to the public based on Rule 2.17. Appellee has a selective, self-serving, fluctuating interpretation of the word "must" within the statute which evidence more of Appellee's retaliatory nature to go after attorneys instead of its original intended purpose which was to promote the practice of law. Appellee also does not dispute

that the panel included 4 members and the ratio was 50-50 public to attorney vs. 1/3 to 2/3 ratio as mandated by the rules and Appellee does not even mention why Rule 2.17 does not apply or apply.

b. Appellee completely ignores Rule 2.17. The disciplinary rules are "rules of reason", the rules must be read all together. Rule 2.17 applies to the evidentiary hearing. A prosecutor has the responsibility to see that justice is done, and not simply to be an advocate. *Tex. Disc. R. Prof. Conduct 3.09, cmt. 1*. Appellee's arguments that the number of panel members in the hearing does not matter if matches the ratio specified in rules are similar to making the argument that in a Murder trial, selection of 12 jurors is required, however, if only if seven jurors show up, which would be more than 50% of jurors showing up, the defendant cannot object to the improper panel. Appellee's argument is self-serving, arbitrary, and without any basis or common sense and does not conform to the responsibility that Appellee's job is to see justice is done and not simply to be an advocate. The hearing panel can consist of three people, with the ratio of two attorneys to one public member, or six with two public members and four attorneys. Rule 2.07 does not mean the panel with fewer numbers does not have to follow the ratio of attorney to public and public to attorney when read with Rule 2.17 at the same time. State Bar relies on *Allison's* case which *Allison* challenges the improper ration based on Rule 2.07. In this case, the Appellant challenges the improper ration based on Rule 2.17. Allison did not challenge Rule 2.17 and therefore waived that rule. The appellant is challenging and mandating compliance with Rule 2.17, and the Appellant claims Rule 2.17, read with Rule 2.07 and other rules altogether, showing the Shafer case is a proper case that supports the Appellant's position. *Allison's* case was modified by Shafer's case because Allison's case is a 2009 case and *Shafer* clarified what evidentiary panel must be in 2011. Appellee remains completely silent on why Rule 2.17 is not followed and simply ignores the question as Appellee

has no legal basis to claim why Rule 2.17 which controls the hearing altogether should not control the ratio of attorney to public. Appellee claims due process and the number of members on the panel makes no difference because lawyers are not equal to individuals or others, United States Supreme Court disagrees. The Self-Incrimination Clause of the Fifth Amendment has been absorbed in the Fourteenth Amendment, it extends its protection to lawyers as well as to other individuals, and it should not be watered down by imposing the dishonor of disbarment and the deprivation of a livelihood as a price for asserting it. *Spevack v. Klein*, 385 U.S. 511, 87 S. Ct. 625, 17 L. Ed. 2d 574, 1967 U.S. LEXIS 2504. In that case, the State Bar of New York, very much similar to Appellee was claiming lawyers are not equal to others, and disbarred an attorney. An attorney is entitled to due process just like any other person whether that due process is administrative or through the Court system, makes no difference. Appellee did not follow Rule 2.17 which completely controls the procedure and panel of the hearing.

c. **Appellee claims the conduct of Maadani subject to ethical rules without presenting any evidence in record that Family matters are within the scope of the preamble of TDRPCs.**

Appellee had the burden of proof that Maadani's conduct was defined within conducts covered by the Rules of Ethics. Appellee disregards the constitutionality of interfering with the family affairs of members of its organization and claims the United States Constitution does not protect family affairs. In *Meyer v. Nebraska*, 262 U.S. 390 (1923), the Court held that a statute forbidding the teaching of the German language impermissibly encroached on the liberty parents possess. The Court explained that the Due Process Clause of the Fourteenth Amendment protects this liberty, incorporating "the right to marry, establish a home, and bring up children." State Bar of Texas now claims welfare of children of attorneys is subject to Rules of Ethics. This false, misleading, and dangerous rulemaking of State Bar prosecutors means if a minor child of an attorney drives intoxicated at age 14, then the attorney can be disbarred.

Another example would be, an attorney's minor age of 16 gets a 12-year pregnant which would be statutory rape, after suddenly, the father or mother of the child would lose her license to practice law because legally the father may be responsible for a tort the child. State Bar prosecutor's allegation that personal affairs include all things that a lawyer would do in the privacy of his life or public, would have made any gay or lesbian lawyer from 1970s to 2011 subject to disciplinary action for being gay or lesbian. No State Bar from Florida to California interprets the statute this way. These types of radical, irrational, narcissistic, or socialistic interpretations of the rule are not the spirit of the rules and were never intended to be the rule. Based on the interpretation of the agency, the lawyer has no freedom or liberty or choice as a person to have equal rights as others. If in the mind of a prosecutor of the State Bar and panel being gay is a crime like it was in the 1900s or sickness like it was in the 1950s, or sin by the church which it was until 2023, then personal affairs of the lawyer is same as family affairs. However, the family affairs of the lawyer are not the same as the personal affairs of the lawyer and the State Bar has no right to interfere with the family affairs of anyone without just compensation. State Bar of Texas has not compensated any lawyer, but rather collected dues and cannot legally interfere with family affairs of lawyers. State Bar of Texas has provided no argument at all that would support its position that the family affair of a lawyer is the same as the personal affair of a lawyer.

- d. **Appellee claims that Appellee does not have any law to support its position but advocates a change of Law.** This arbitrary rule-making and change-of-rule advocacy is not something that should be performed in these types of hearings. If the State likes to propose a change of laws, then the State Bar needs to utilize the proper avenue of doing so. State bar claims that they do not have a law on their side but wish to change the law and therefore suspended PM from the practice of law in the hope of future amendment, which is similar to this board

granting a symbolic \$2 trillion judgment against State Bar Prosecutors in their capacity in hope of a change of law. This is simply not the law and not in the best interest of the public or the State Bar of Texas. Appellee advocates anarchy and wants a change of law that the word “must” means whatever the prosecutor of the State Bar wants, and law is what the State Bar says not what the constitution and letter of law are. The ratio of attorney to public must be 2-1 and there must be at least 1 member of public for every two attorneys. Every evidentiary panel must pass both tests to be a panel. If the panel does not meet both standards, the panel is not a proper panel, therefore, there is no Court, and the order is void or voidable.

- e. **Appellee claims Rule (a) A lawyer shall not:(1) violate these rules, knowingly assist or induce another to do so, or do so through the acts of another, whether or not such violation occurred in the course of a client-lawyer relationship.** Appellee without any basis wishes and hopes to modify any and every rule, and preamble of the Rules without any authority, case law, or opinion. This is a false, misleading, and incorrect interpretation of the Rule 8.04 (a) (1). Appellee has not provided any argument, case law, or opinions to support that the United States Constitution and equal protection clause which is the foundation of Opinion No 457, does not apply to Appellant. Appellee simply believes Attorneys to be under the control of the State Bar of Texas 24/7 and need permission to talk to their children if the child would have an ad litem attorney regarding any matter. This ridiculous interpretation of rules of ethics which has only occurred after 2020 shows working from home is not working well with reality for prosecutors of the Appellee and may be mandatory to return to office work is best for the public and State Bar of Texas. The impractical aspect of these State Bar of Texas change of rule advocacy is beyond irrational. For instance, if the father mother, and older sister of a 14-year-old are attorneys, and the Court appoints ad litem, per interpretation of Appellee no one can talk to her brother, sister, or parents if they are licensed. This is not what the law

is. This is a self-serving arbitrary and anarchy, monarchy with Hitler-level dictatorship advocacy of the State Bar of Texas prosecutors. Appellee's advocacy that attorneys be on the clock with the State Bar 24/7 and not be equal to others, amounts to involuntary servitude and is not in the best interest of the public or the State Bar of Texas. Appellee's panel, witness, and prosecutor who were all from the genes of slave owners, wished and hoped their good old days be back for them and wanted to destroy free society by asking declaration that there could be unequal people, and all are not equal against all rulings of Supreme Court of United States. In a more recent case, in 2023, the 5th Circuit in *Gonzales v. Dankel*, 2023 U.S. Dist. LEXIS 19524 has ruled there is a need for CONCRETE evidence that the attorney filed a complaint to gain advantage in the case. A witness testifying was not enough. In that case, similar to this case, the movant has no evidence but their testimony and interpretation of what has happened. The Court held that: It is an allegation, no more and no less. *Gonzales v. Dankel*, 2023 U.S. Dist. LEXIS 19524. Appellee does not have any concrete evidence and only speculates what the intention of the appellant has been. Appellee's witness does not even testify with any certainty that the purpose of the complaint was not to make the child's living environment a safe environment.

In different way of looking at the issue is whether or not reporting child abuse by an attorney is a violation of the rules of ethics. It should be noted that, if, by failing to report the criminal activity of an adverse party or witness, the lawyer is himself committing a serious criminal act or obstructing justice, then Rule 8.04(a)(2) and (4) would be implicated. A lawyer violates Rule 8.04(a)(2) if the lawyer commits "a serious crime" or "any other criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects " Rule 8.04(a)(4) prohibits a lawyer from engaging in conduct that constitutes obstruction of justice. In this case, the Appellant if he would not report the complaint of the child, mixing of

drugs, or physical and psychological abuse of the child, the attorney would violate the Rules of Ethics. The expert also testified that the Appellant had a duty to report the abuse. Appellee has advocated allowing child abuse to go unreported is proper which is not the law.

The Sole reason has been interpreted to be different than “but for”. *Little v. Tech. Specialty Prods. LLC*, 2013 U.S. Dist. LEXIS 152042, 2013 WL 5755363, and mandates much more evidence such as **Concrete evidence**. The question is would the Appellant, a father report the child abuse and potential child molestation even if the child was not his or there was no case pending? The answer is clear yes as the Appellant must report child abuse. The appellant followed his legal duty family duty, and fatherly duty to report child abuse and is not sorry for reporting child abuse and will report any child abuse regardless of who the child belongs to.

Appellee falsely claims Appellant made threat of Criminal Charges. The appellant has a right to report child abuse to all authorities. The appellant being a lawyer was not barred from reporting the rape of his child to Texas Rangers. Appellee advocates the lack of protection of law enforcement for lawyers just like slaves. Appellants restate the fact that the 14th Amendment and the United States Constitution prohibit unequal protection of law. Calling officers to report a crime or asking law enforcement agencies are not threats of criminal prosecution. Appellee again just tries to change the law, the 14th amendment, and the United States Constitution without any basis.

- f. **Attorneys who represent themselves are subject to some of the rules where and when applicable.** Appellee seems to be confused that some of the rules state while representing a client and some don't. There is a difference between the rules. Appellee claims that Appellee advocates a change of law. Again, the State of Texas adopted the rule of leniency in 2015, which means the Appellee has to pass the law first and then try to enforce it. This change in the State of Texas in 2015, means the application of the case law that the State Bar of Texas is

relying on in the State of Texas is no longer valid because of this change of law. Furthermore, the State Bar fails to distinguish and read the case law correctly. Appellee relies on the Vickery case to support its argument, however, Appellee misunderstands the Vickery case. Said case was a conspiracy case where an attorney committed fraud in Court, and conspired with at least two other attorneys over about 9 years to mislead his wife into getting a divorce with the claim of malpractice and paid for the attorney of his wife which was his friend, then later made threats of jail time and indictment by and through his other friend to offer \$ 400,000 to settle with his ex-wife outside of presence of ex-wife's attorney which was recorded by the ex-wife. Then he proceeded with instructing others to violate the rules of ethics and trick his wife to settlement. This is not even remotely the case here, as his wife did not mix drugs, or hit the child daily, and the current dispute is regarding some not-so-civil emails that were sent out of frustration of a mountain of accusations. Appellee has further admitted to this board that an attorney representing himself is a prose person on Appellee's brief. See page i, Identity of Parties. Appellee has further admitted that the fact that the State Bar Number is next to a Pro-se person does not mean that the Pro-se person has an attorney. In this instance, the Appellant cannot be legally a representative of another person, but the Appellee has put his license number under his name. The license number is a form of identification and not proof of representation.

Even if Appellee claims that the case was the same as this case, in that case, the sentencing for the attorney in Vickery's case who was white was less than the sentence for the Appellant with such different proportionality which also shows how unreasonable and arbitrary this panel has been. In that case, three attorneys were defendants and found liable to the wife of one defendant as co-conspirators for 5.7 million dollars for breach of fiduciary duty and fraud in 9 years in court. For all of this fraudulent action, conspiracy, etc Vickery was suspended for 3 months

of active suspension which compared to 48 months of active suspension over an email or even if assuming a series of emails in litigation, which none were with wrong intention or false or misleading or harmful to the level of 9 years of fraud and conspiracy. How Appellee can argue that punishing Appellant 16 times more than Vickery is justified? If anything, if all emails were followed, the result would have created harm harm-free environment for the child who would have been polite, and open-minded in their relationship with his father, grandfather, uncle, and maybe 50-100 cousins. The result of not following a simple request from the Appellant, is the child simply does not have a father, grandfather, uncle, and many cousins, and got excluded from the family trust fund. Furthermore, when the public heard about the way the family Court ruled, the Judge of said court was not elected in the primary and lost in third place out of three candidates.

In Vickery's case, Each member who was involved in committing fraud was equally responsible for the act of another. Therefore, in that case, Vickery who was held to be liable under the rule is liable not because he represented himself or he was an attorney, but he is liable as he acted as the ring leader of the fraud, for actions that were performed based on his instruction to a licensed attorney. If that licensed attorney was to be reprimanded, based on fraud then Vickery was to be held responsible to the same level. This is not the case here. In a different case, *Yetiv v. Comm'n for Lawyer Discipline*, 2019 Tex. App. LEXIS 2042, 2019 WL 1186822, a lawyer made the threat of grievance in the trial against opposing counsel, the punishment NOT the parties. In that case, the attorney was given 4 months of probated suspension. That sentence also was given to a white attorney. It appears, based on the race of the attorney Appellant desires for the sole purpose of discrimination against the Appellant to punish the appellant more than 1600 times the white attorney without any justifications.

Again as late as February 8, 2024, the Texas Appellate Court confirmed and affirmed that an attorney who represents himself is not his attorney and cannot recover legal fees. *Sagredo v. Ball*, 2024 Tex. App. LEXIS 1027, Court of Appeals of Texas, Thirteenth District, Corpus Christi – Edinburg, NUMBER 13-23-00122-CV. Furthermore, an attorney who represents himself can be sued in Court as a counter-sued. However, an attorney who is representative of another enjoys immunity. Attorney immunity is an affirmative defense based on the concept that attorneys are authorized to practice their profession, advise their clients, and interpose any defense or supposed defense, without making themselves liable for damages. *Id.* Appellee is unclear how an attorney representing himself, would not be immune from Counter-suit. This is exactly why Appellee's attempt to legislate from Appellee's prosecutor's couch in a different County is not in the best interest of the State of Texas and change of law should be left for proper authorities to change law.

G. TDRPC 3.03(a)(1) does not apply to a lawyer representing himself in an attorney disciplinary proceeding. This case does not apply here either because the language of the rule does not say while representing a client which is not the same as Rule 4.04 (a)(1).

This case supports the Appellant's position that there are rules that apply to lawyers when they represent clients and rules that apply to a person by sole virtue of being a member of the State Bar. These are not the same.

Appellee claims somehow magically a father must tolerate his child being raped, searched every time he tries to see his child, called a slave, called a brown color person, called similar and same as a dog and not even complaint, or if he does complaint that is abuse. Appellee's racist and sexist motives and intentions show clearly from their appellee brief. US Constitution and equality do not matter to State Bar because their narcissistic behavior and dictatorship without accountability gave them the audacity to claim when a child of an attorney is being

raped or molested or abused, the attorney cannot file a police report or mandate investigation. Appellee has even made the argument that what is the difference between a full panel and half panel, Appellee claims Appellant should have accepted and admitted fault, when he is not at fault for things like, his ex-wife's brother being a drug addict. If we assume Appellee is correct that there is no difference between half panel and ratio and full panel and ratios, then why don't we select 12 jurors and ask however many desire to stay here the case and rule, and as long as 6 people are there on the panel we have a jury that can decide the fate of people. Simply because that is not the law, that is a ridiculous interpretation of the law and does not serve the State of Texas. AA the witness of the State Bar, was not exactly truthful in this case. AA presented to the Court the following false information and obtained a judgment that would have been signed over to her anyway if she had asked:

1. Completion of evaluation of the child by Doctor Bevan, when Doctor Bevan never saw the child,
2. Claiming brother of the Kristy Ward is an insurance adjuster when he was not,
3. Claiming Doctor Goonan did not find anything wrong with the child and made Doctor Goonan tamper with the medical records, and unfortunately for Goonan, she had forgotten that she produced records already with the diagnosis
4. The police report is showing KKW either show a female child to show the officer or the officer did not investigate properly or did not write a proper report, that there was no rape when the child is indeed a male with a penis, and the report indicated female child, are all indication what a broken justice system we have.

Appellee falsely claims the judgment of the family court shows something to support the suspension of Appellant. The Judgment of the family court did not consider any of the issues of the Appellant because the appellant nonsuited his case before he found out about the

grievance filed against him. That by itself is evidence that the Appellant did not have the intention to gain an advantage in the case. Furthermore, the Appellant correctly has part away with seeing the child for the following reasons: 1. Either the child was being brainwashed to make accusations against the father as the child was either brained washed to rob his penis on others or 2. The child was telling the truth about the bed incident and someone robbed their penis on him and that was a learned behavior that the child predator had started with him. If the issue is number one, then it is unsafe for the Appellant to see the child and the Appellant did not advocate seeing the child or custody in the trial, the Appellant asks to protect the child from rape or brainwashing by putting the child in the custody of the State until all forensic evaluations are completed. However, AA lied to the Court and said the evaluation was completed by Dr. Bevan, however, Dr. Bevan never saw the child per his email and AA lied to the Court about Dr. Bevan seeing the child.

H. Appellee claims Appellant did not apologize. There was no sentencing hearing as Appellant's alleged attorney forgot to ask for a separate trial because he had agreed with Appellee that there would be a bifurcate trial. Why would the Appellant apologize when the Appellant was not even found to be in error for anything? That is an improper suggestion of practice of law and falls below the standard of practice of law and is consistent with the anarchy advocacy of the Appellee. Appellant stated that he did not want any of these, and expressed remorse and regret, however, none of these are unethical.

We live in an era where if a biologically male or female person claims, he is she, or she is he, the constitution protects that person, however, if a lawyer says my child was potentially being raped, preserve evidence for the sole reason of that person who was suppose to keep evidence being white, and a non-white lawyer's intention was not what he says, is what Appellee wants you to believe. This is exactly the reason why the Appellee's skewed

interpretation of the rule results in an understanding of the Appellee to claim that the ratio of lawyers to public members must be an error, not a law.

The appellant has not made any mistake regarding the following, and any reasonable person would have done the same:

1. Turning his ex-wife in for drug abuse and her failure to disclose mental problems to her medical board;
2. Turning his wife into the medical board for destruction of evidence of sexual assault of the child;
3. Turning his wife in who would refuse to pass an in-person hearing in violation of 42 Supreme Court orders which would have resulted in certain death of at least one person and may be up to 3 people;
4. Turning his wife in who abused him for many years for making statements such as: "I rather see you dead in a ditch" in front of the kid after the divorce.

The appellant has no remorse or regret for turning her ex-wife into her board for the listed matters. The appellant's act and report of misconduct was the right thing to do at the time based on the information available. However, AA acted to retaliate against the Appellant. KKW is no longer a doctor in Texas. KKW has not been a doctor in Texas for more than 2 years. Appellant objects to any word of Doctor being used to describe KKW and Appellee knowingly and intentionally attempts to mislead the Board in that regard.

The odds of a repeat of this situation do not exist. KKW has moved out of state and she did not disclose her mental condition to the West Virginia Board either. This confirms the narcissistic view of the life of KKW, along with other problems that led to divorce, to begin with. KKW has moved on with life and married again. The appellant has moved on and married again.

Appellee fails to even present any case or justification of interpretation of the rules and claims to wish to change the law. The State of Texas has adopted a rule that prohibits legislation from the bench, let alone legislature from a panel that does not even meet the requirements of a court. Appellee admits that the law does not support their finding, and admits that it wishes to change the law. Appellee must go to the Supreme Court of Texas and demand amendment to the Rules first then try to enforce. Appellee simply works from home and does not spend time reading the case laws that Appellee has cited to see the difference. If the Appellee claims the case law that the husband abused the wife for 9 years applies, then the sentencing should have been similar. In that case sentence was 3 months of active suspension, vs 48 months of Active Suspension here. Appellee fails to state what other than the race of Maadani was considered to punish him for nothing but emails, 16 times harsher than a white attorney who conspired with 3 other white attorneys to abuse his wife for a total of 13 years.

Appellee claims delay, however, not even one day of delay was present in the case. Appellee claims calling the police, or Texas Rangers are wrong, the Appellee has no authority to support that. Appellee only claims that non-white attorneys can call the police or demand an investigation. Appellee did not prosecute Nichole Deborde for demanding Texas rangers investigate a situation for her on live TV. As equality applies, if a panel member was not even investigated for demanding Texas Rangers to investigate, neither should the Appellant be investigated. Appellee claims violate the United States Constitution and Texas Constitution. Appellee knows that Appellee contacted the Court interfered with Court business and intimidated the Court to make sure the continuance of Maadani during the Child Custody issue was denied when the Child Evaluator had not even seen the child. If Will Nichols had not contacted the Court clerk and demanded the trial to go forward, the trial would have never gone forward because the Court Appointed Psychologist had not finished understanding the problems to evaluate all. State

Bar of Texas needs and must stay out of the business of Courts and does not need to call ahead to see if the trial is going forward or not. This is not their business and their conduct prejudiced the child.

Appellee also contacted the family Court and interfered with the Court business. Appellee claim that they needed the family Court hearing to end causing the Court to deny continuance and go to trial without:

1. Completion of work of Dr Bevan
2. The child was never examined by Dr. Bevan
3. The court violated its own local rules by not allowing the case to be mediated either.

For these reasons, it is proper to reverse all findings of the Panel and dismiss the complaint.

III. Summary of Arguments

Appellee has not followed Rule 2.17. Appellee has violated the due process of Appellant. Appellee has not followed the rule of Leniency. Appellee has changed the word of the law to make their agenda fit. Appellee has lost any right to advocate a change of law after the 2015 adoption of the Rule of Leniency. Appellee is not qualified to change the law, and their proposed change of law creates ridiculous issues such as a pro-se person going to the restroom would not be able to wipe themselves because it assumes a lawyer touched the private part of his client in the course of representation. Furthermore, passing a law that a person representing himself is his lawyer, clears the path for unauthorized practice of law because, with Power of Attorney, anyone can legally be another person and represent himself. State Bar of Texas prosecutor who intends to legislate from the comfort of his couch in a Zoom hearing who interjects himself in the case and claims claiming immunity under government code a threat against him to play with the emotions of the board, which was a selected board consist of prosecutors with zero experience in family matters and

extremely limited civil experience, who acted as initial prosecutor for Attorney General Paxton, now serving to change the law, are certainly not qualified to change law. Appellee advocacy for Anarchy or bypassing legislative who spend endless hours evaluating changes to the law is outside of the scope of its intent formation which is to promote the practice of law. Promotion of the practice of law is not the same as promotion of legislative change of law. Later is called Lobbying which is not within the scope of the intended purpose of the formation of the Appellee's organization. The appellant was a concerned father and acted in a similar situation that a father would act when he finds out his child was molested and the mother of the child throw away evidence of rape.

PRAYER

The Appellant prays that the court review this appeal under the case shall be reviewed under the substantial evidence rule and, his license to practice law to be reinstated. The appellant prays that the grievance against him be dismissed, in the alternative, the sentence reduced to private reprimand, or in the alternative, the case be remanded to a lower panel. As the investigative panel was not held in person either, this matter is to be remanded to the investigative panel, and prior investigative panel findings are now quashed.

Respectfully Submitted,
/s/ Pejman Maadani

Certificate of Compliance

According to Texas Rules of Appellate Procedure, the enclosed brief of the Appellant contains 6560 words and it is less than 50 pages. Pro-Se Appellant relies on the word count of the Word Program. Appellant ask for the leave so additional total pages and word be allowed in this case. It was necessary for Appellant to file rebuttal to clarify issues.

/s/ Pejman Maadani

Certificate of Service

This is to notify you that this Appellant Rebutal Brief has been served on CFLD on 03/08/2024 via email.

/s/ Pejman Maadani

Appendix 1

**State Bar of Texas
4801 Woodway Drive, Suite 315-W
Houston, Texas 77056**

Re: 2021-02105, Amy C. Allen v. Pejman Maadani

In your response to your letter of April 15, 2021, please see the followings:

Background Facts:

This is a no contest divorce case which was finalized on 07/03/2020. After the divorce was finalized, I moved out of the house and left all content of the house to Kristy Ward with exception of few personal items of myself. Out of fully furnished house, I did not even take the bed and sofa that I purchased before marriage out of the house. I am not materialist person and I do not care, contrary to me, my wife's father was fighting with me over ½ used bottles of liquor from bar which I left it all for him to enjoy all. I did not even take bed sheets with me, I took my personal stuff and drove away. Out of a house that was furnished with an 18-wheeler worth of stuff, I drove away what I could fit in trunk and back seat of SUV. A few pictures and few gifts from my parents and heir looms which belonged to my mother's great grandmother, not worth anything to anyone, but means something to me personally, and my Dog's ashes. I am perfectly happy with smallest things in life and simplest things in life. Darian is my child, he is about to be 5 years old, and I have joint custody of the child. The mother of the child is Kristy Ward who happens to be a doctor now but 18 years ago, she was suicidal when she met me. Kristy Ward family never said hello, goodbye, were never social, and always fought with each other in front of me. Kristy's parent house is a poster of a broken abused house which has resulted in four individuals living in the house to be on psychiatric medications. Kristy Ward suffers from personality disorders which get worsen when she is around her father because he suffers from the same problems. Kristy's mother, brother, herself and father all suffer from Paranoid personality disorder which is defined as:

The thoughts, feelings and experiences associated with paranoia may cause you to:
find it hard to confide in people, even your friends and family

find it very difficult to trust other people, believing they will use you or take advantage of you have difficulty relaxing read threats and danger (which others don't see) into everyday situations, innocent remarks or casual looks from others.

Before the divorce was finalized her condition became extremely worse due to Covid-19. After the divorce was finalized, Kristy Ward change the location of the child visitation on daily basis. She called the police many times on me when child was per order of the court was supposed to be handed to me when I was actually parked on street waiting for her to release the child to me. Many times, upon my arrival Sheriff was waiting at the house early than my arrival time because someone had reported to Sheriff that their daughter was scarred of me. In 18 years of relationship, she hit me twice and constantly abused when she could, but I treated her very nicely, and did everything for her. Here are some other sample so her personality disorder:

Example of her unusual behavior includes telling me to not go on her property but asking me to knock to get the child. The order itself does not require me to knock or text or call to get my child. The child should be produced "at property" when it is time for the child to be exchanged. The only reason she states is she is scared.

Example 2: Kristy Ward was scared to let the child learn farsi. She thought if child learn Farsi then child may go live in Iran. I am not able to live in Iran myself, I have not lived there more than 26 years.

Example 3: Kristy Ward is scared to be in public alone. She would shake and have trouble immediately after seeing her parents for few days. This is not new; she always got this way when she saw her parents. After the child was born, her parents went from seeing her 2-3 times a year to 3-4 days a week. That personality disorder which is a learned behavior is the reason for her problems of being scared of me. It makes no difference of what I say, she is scared for no reason.

Kristy Ward's mother and father suffer from mental diseases and personality disorder. Kristy Ward herself suffers from mental diseases. Kristy's mother has conditions that makes her act completely unusual in front of the child. Example: She sniffs every dish coming out of the dishwasher because she has paranoia personality disorder that she cannot trust the dishwashing machine. Example 2: Kristy's mom, dad and herself save the left overs of the food because if they get hungry later, they can eat that food. However, neither

one of them would ever eat left over because they all say the same thing: Cannot trust the fridge to keep food for one day. Example 3: She is terrified for last 18 years that I know her that I would take the child and run away to Iran. All of her basis is due to a movie she saw 40 years ago. Example 4: I play tennis very regularly and wear tennis uniforms. Some of the shorts are white tennis shorts. Her mother believed that I would be cheating on Kristy Ward if my tennis shorts were white color. Example 5: Kristy Ward's mother cannot sit in a crowded restaurant without obviously shaking. Example 6: Kristy Ward's mother often talks to herself, clinches her jaws for no obvious reason. She is just a sweet sick lady. Example 7: I heard her teaching my child not to get on any plane with daddy. This was 2 years before divorce.

Kristy Ward's father has been abusive to her family for most of his life. Example 1: Kristy Ward's father yelled and screamed all the time to get his items such as his brush in palm of his hand. Example 2: Kristy Ward's father demanded to be paid \$ 250,000.00 because he would come and babysit Darian which I did not even wanted to begin with because he retired himself when Darian was born. Example 3: Kristy's father and brother relationship is very sour for obvious reasons, Kristy's brother has been toothless since age of 29, he is unable to hold jobs, unable to act reasonably and over all lives at home at age of 38. Kristy's father is very money motivated and feels he is entitled to money that his daughter makes. The reason he believes in that is Kristy Ward is a doctor and he was always scared that I would take her money. I simply do not need to do that, my family is well off, I work and I have worked for more than 22 years. I do not need her money and during divorce it became obvious that each one of us walked away with whatever that person bought or purchased or paid for as fair and equitable division which by the way we had not much of dispute over. Example 4: Kristy's father was teaching Darian to not go on any plane with daddy. This was 2 years before divorce which really made me sick to my stomach as why did I get myself involved with such family. Example 5: Kristy's father had what appears have a DWI and theft charge years ago and his sister actually committed suicide while she was drunk. Personality disorder, alcohol and honesty problem exist.

Kristy Ward's brother suffers from mental disease and worse of all three. Example: Kristy Ward's brother eye pupils jump. Example 2: His behavior is so out of the norm with dressing and etc that when I took him to lunch at least three people offered to help me get

away from the “homeless person” which all three stated that they are sure he is on drugs and even one said he would call cops quietly for me. Which I refused. Kristy Ward’s brother speed of talking is over rate of the norm. Example 3: Kristy Ward’s brother called me a dog not as slang but with hate a few times. He stated no one needs to say hello to any lawyer because lawyers are like dogs, you just put them on leashes. That is exactly what Kristy Ward thereafter treated me as a dog, and she always keep saying I need to keep you on the leash. Example 4. Kristy Ward’s brother always brags about being pulled over with drugs in his possession and he getting rid of the drug when officer found it, holding in his own hand and stated what is this? Kristy’s brother proudly states he blew air at it and said he does not see it. The officer could not gather what it was from the ground and let it go because when he said why did you blow at his hand, Kristy’s brother denied it and said it was the wind. Kristy has a number of family members involved in drugs manufacturing and distribution and serve time for those matters.

Divorce reasoning:

The reason for divorce was these family members constant presence was created a bad environment for the child. In study performed by Mayo Clinic, personality disorder is a learned behavior. Surrounding a child with people with personality disorder is harmful to the child. I am aware of the study and I did not want my child to form Personality Disorder.

Kristy’s prior health issues:

Kristy Ward is taking mental medication. She was about to be put on lithium at some point right at the time I met her, she was dating multiple guys at the same time. I convinced her that doing so is not good for her and I walked away from the relationship because she wanted to be dating others. She was then coming back on her own about a few weeks after and then he was then placed on Xanax (not sure how to spell it) for few months, then I think she was on Prozac and then Paxil or something close to those names. In any event, prior to divorce due to recommendation of her father she changed her medication and she was taking some weight loss medication. It appears these medications were crossing each other the incorrect way and her behavior was becoming abusive and more abusive toward me.

Family Abuse by Ward:

At some point, Kristy Ward attacked me physically in State of Florida. I was fully sleep because she went to pick up her parents from airport. I had no idea she had locked the garage door from inside and did not have her key. My phone was on silent and due to the sound proofness and very heavy sleep of mine, I did not hear her knock. My phone was also on silent so I did not hear her ring. She somehow opened one of the windows and got in. She was coming upstairs fully screaming and jump out of the bed because of the screaming. She then slapped me and hit me and then pushed me. I was shocked, I had no idea why I was being hit, I thought house was on fire and started grabbing my wallet to leave. Then I saw her parents coming in. I did not call the police because I did not want to jeopardize her license. We did not have a child at that point, and she was working for University of Florida so I was not concern about any

Kristy Ward always yelled and screamed if she did not have things her way, she called it her authoritative voice which is just like personality disorder of her father. Kristy Ward behavior got to the point that it was so toxic for the child to be around it. *Example 1:* Child would refuse to say hello to me because child was learning that behavior. *Example 2:* Child would refuse to even play with me in front of her mother and grandparents because due to their personality disorder they are unable to speak or say hello or goodbye or be proper. *Example 3.* Child would jump on me and paly with me stating “daddy trampling” and “upside down” which I would turn him upside down and etc, same child was trained to state that he is “scarred of daddy” in front of the grandparents and Kristy Ward.

Aftermath of the Divorce: 07/17/2020 to 08/28/2020

Kristy and I had reached an agreement for me to pick up the child at Darian’s daycare and drop him off at her house to avoid conflicts and calling sheriff because she was stating she is scared of me knocking on her door or ringing her bell or whatever reason she had, although I was parking on street at least 70 ft away from her door and waiting for her to open the door to bring the child out. Again her parents and brother were almost there every day and her personality disorder was getting worse and worse.

We had no issues from 07/17/2020 to about 08/28/2020 on which date Amy Allen got involved because Kristy no longer wanted to follow her own agreement of me picking up the child from school because school was closed that day, and she wanted me to drive to her house and I asked her to drive to school and do the exchange there because we are

supposed to be consistent. Again, I agreed to pick up the child from her residence, but then refused again and said because school was closed I cannot exercise my right to pick up child. She again continued to not turn child over because this was the first-time month had 5 weekends and she felt like me having Darian two weekends in a row is unfair to her that has Darian every day. I do not make laws; I just follow them. Every time she violated something in regard to the order of the Court, I immediately filed a notice with Court of her conduct as Notice of Violation of Court Order. Every time Sheriff would say what happen, I would hand them the copies that were filed before they asked me what happened and they understood she is scared of me and almost all of them told me she is acting up almost like their own "baby mama" who does not want them to see the child but wants child support. They did not understand why treated that way as well.

Re-opening of the case:

The main issue started when Darian stated to me that someone has sneaked in his bed in the middle of the night on or about September 17, 2020 during my two-hour possession time. I simply texted Kristy Ward and asked her if her mother was sneaking in Darian's Car Bed. The text was clear answer **no**. I was worried about my child and started to ask him how did the person look, he did not know. At this age Darian is still mixing "he" and "she". I asked Darian could describe the person. Darian said He had long hair. I asked if it was grandpa and he said no because person was not as big as grandpa. I asked Darian who else was in the house? He did not understand the question. I asked him if he had seen his uncle (Kristy's brother)? He said yes, he played with Uncle B because he was there to see Darian.

I asked Kristy if she could save the sheets and blankets so I can have DNA test done. Kristy Ward was asked to save the evidence in bag. Considering Kristy Ward has knowledge and expertise to perform rape kit, and I asked her and her lawyer to keep the evidence. I expected them to keep it. I asked them to keep the evidence so we can have a laboratory pick this up. I also suggested to save the bag at Amy Allen's office. I just found out that Kristy Ward did not save the evidence, and Amy Allen did not do anything to save the evidence. I have text from Kristy Ward stating his mother was not in the bed attached as ***Exhibit 1*** and video of the child Stating there was someone in his bed as ***Exhibit 2***.

I send notices of problems contemporaneously at they occur to court because I have a duty as father which is protected under 14th amendment and a duty as a human being to let the Court know that child is being potentially sexually abused in his own bed. I would have some the same if I was not a lawyer. In Texas, when one party destroys evidence, any presumption of existence or allegations related to the evidence is true. Example: If store destroys video of slip and fall, and plaintiff claims the video was intentionally destroyed, then the court can enter judgment as matter of law that liability is no longer an issue and can even enter final monetary judgment as form of sanction against the destroyer of evidence and to benefit of the plaintiff.

Kristy and I hired Doctor G***** to address my concerns which was Kristy Ward personality disorder does not allow her to turn her own family member in even if the family member rapes her own child. Kristy Ward was never examined by Doctor G****. Doctor G***** after seeing the child eventually stated that she cannot address my concerns because she is not a forensic psychologist.

I encouraged Kristy Ward to find a forensic psychologist, however, Amy Allen decided to ask for Child Evaluator to be appointed and I have to pay the full cost. I did not feel like I need to pay the full cost and I felt like we need a forensic psychologist to resolve this problem. Kristy Ward was served with discovery, which Amy Allen refused to respond to. Amy Allen objected to all question and provided no answer stating because there is a child evaluator there is no need for discovery. At this point, she has not served any discovery to me, and she has filed grievance because she does not have the evidence that is being sent to you either.

The Court heard the motion for Child Custody Evaluator to be appointed. Child custody evaluator has been appointed. The cost was split 50-50 which if Amy Allen would have asked me to agree to, I would have even picked from whoever was on her list of proposal personal. She just wants to litigate. Child Custody evaluator has not determined anything yet because he has not met with the child or me or parent of Kristy yet.

I contacted the child evaluator and asked him to provide his accreditation according to family code 107.105 (B). Child evaluator stated in writing that he does not have malpractice insurance, does not have any document that family code allows me to request, he does not standard procedure just like his board requires him to hand to me and he did

not disclose to me whether his relationship with my child would be doctor-child relationship or anything more or less than that. I have read professional models and all stated the Child Evaluator should disclose this information to me as father of the child. Again, I requested this information and again Doctor stated he does not have any documents. I asked the Court to evaluate the qualification of the Doctor, the Court simply has not done so to best of my knowledge.

During these times, as litigation is going on, Darian Maadani stated to me that he was being spanked on daily basis. Again, I attempted to reach out to my ex-wife to see who is spanking the child. Videos are attached which Amy Allen only has seen one that Child states he was being spanked due to the fact he thinks he might have touched his mother's pants on daily basis or some days. See video as *Exhibit 3*.

I sent this video to Kristy Ward and she moved for restraining order claiming I will be taking the child and abducting the child and again was telling the court she is scared. The scared part is part of her personality disorder and has nothing to do with me. The Court has granted restraining order **against Kristy Ward to not spank the child**. Therefore, there was enough evidence to the Court that my claim has merit and child is being abused or potentially abused in his home. *See Exhibit 4*. The court has not found that Kristy Ward has personality disorder because Child Evaluator has not seen her medical records yet or seen her enough to decide that. Kristy Ward testified under oath that she saw the doctor 4 times, but then corrected herself that she saw the doctor 1 time. Manipulation of facts are another personality disorder of Doctor Ward.

Amy Allen claims all of my claims against Kristy Ward are baseless because she has not sent proper discovery to me, refused to allow deposition of her own client and her family members and Amy Allen has destroyed evidence of DNA related to child abuse, and did not take deposition, but filed this grievance instead because she claimed to Court that discovery is not necessary and then found out she does not have everything she thinks she has, because I stated to Court that I have about 10 minutes of videos and she has received about 30 seconds of videos. These conducts are unprofessional and I am not certain if Amy Allen understand that we are talking about well-being of a child. Grievance is not a form of discovery process for Amy Allen who has not performed discovery.

2. Amy Allen claims that I have made threats of filing complaint against the medical board to take advantage against Amy Allen or her client. That does not even make sense to me. That claim is false. Kristy Ward made threats that I am handing out envelop of cash to people at my offices and regular attacked me that her dad would bribe judges and tell them he is pro-trump and she would take it all if she wanted to. She had mentioned during our marriage that she is white and all she really has to do is to pretend to be scared and everyone would protect her. During this time, she also mentioned the name of the Judge a few times and she claimed the Judge was her patient so I better sign everything to her or else. I signed the divorce because I simply do not care about money and simply know that Judges are professional enough to not accept any bribes from Kristy's father. I have camera footage of my offices, and such allegations are completely false. If you like a copy send me a hard drive with more than 1 TB and I give you a copy to show and see how unprofessional Amy Allen is to teach her clients to lie under oath and make things up. Another example of Amy Allen tampering with witness was during last hearing when Kristy Ward testified under oath that I traveled once or twice a year to Iran. She was seen looking at someone to make that testimony. However, when she found out all passport have entry and exit stamp and in total, I have visited Iran twice in last 12 years she changed her testimony. Judge has not found anything other than probability without any evidence because she does not want to risk the even to happen not because there is a chance that is can happen in near future.

Why Medical Board Complaint Was filed?

Kristy Ward mixed up her medication that I found out she was doing that during time prior to our divorce and she claimed she stopped. Kristy Ward is a surgeon, and being married to her and known her for 18 years, I still to this date, do not know the name of her physician, or psychiatric doctor. I know at some point her classmates were writing her prescription. However, those classmates were professional enough to seek and ask me privately if Kristy was acting okay at home and wanted to make sure her treatment is proper and fine. Even her professors during medical school privately would ask me if she was doing okay on her medications to make adjustments if needed. She was fine and I would state the same to them. Kristy Ward got pregnant the one time out of 8 years that she actually flew to Houston to see me. All was fine until 34 weeks of pregnancy. Kristy Ward had lots of complications after delivering the baby in Florida. She almost died. Kristy Ward behavior

and mental status got effected badly shortly after she moved to Texas. She would get off work about 3-4 pm, and I usually worked late until 7 pm. Most of the time, I went home her parents were there waiting for me to get home to cook for them while they were all hiding the child upstairs. Child would be at daycare all day so they went to swimming pool, played with dogs, enjoyed themselves and when I got home, Kristy would sit on couch and make comments such as every white girl needs a color one to take care of her and her family and they all would laugh and tell her she is so mean. I did not find any of these to be funny at all, and I tried and tried to contact her doctor and mental healthcare providers to get this to stop. However, she would hide her bottles of medication or removed doctor information from them. May be deep bottom of her heart she is not racist, but her family is. The whole family disowned one of her cousins who married a black guy. I was the only non-white person in her who family and her grandfather who actually liked me in the whole family said to Kristy's dad and sister that "PJ is from holly land, and he might get us all get in touch with Jesus to go to heaven", and he always held my hand to pray, may he rest in peace, he always told me you know B**** (Kristy's father) is materialistic, he saw little money and blew his scholarship and went to work. Do not let him bother Kristy. The man farmed until he was 92, I think, and died when he got Covid in nursing home when Kristy's father refused to take of him, because he wanted to sit in swimming pool instead of feeding his old man at age 93. I kept my promise to him to not divorce Kristy as long as he lived, and he died June 24, 2020. I divorced her on 07/03/2020. I kept my promise to the man.

Amy Allen claims that I have contacted her board to gain advantage in the case that is related to sexual abuse of the child and spanking of the child. As a father and on behalf of my child who is being sexually abused, molested and spanked, it is proper to ask the medical board to investigate medical and mental status of the mother of the child. I have a duty to my child to protect him. I have protected my child. As a matter of fact, after Kristy Ward raised the issue of medical board complaint during the hearing which she talked about, and stated under oath that she switched medications and took weight loss medications without any family member knowing who her doctor is or anyone watching her behavior. This is the reason that I filed the medical board complaint: Safety of my child and public matters to me as a human being. I am not a lawyer in this case and I am not a public defender or attorney general. As a good citizen of State of Texas, we have a duty to

protect each other, because we are society of one united citizen. I was not trying to modify the child custody, but to determine who was in the bed of the child. The only remedy in family court is the motion filed. I am not acting as a lawyer in this case and I am doing what is in best interest of my child.

Regardless of why grievance was filed, issue is moot. I nonsuited the case on 04/14/2021, a day before the copy of grievance was served on me. I am not a lawyer in this case, I am the father of my child who is trying to stop my child being molested. As a family member of Kristy Ward, I reported potential abuse of controlled substance to the board because safety of my child matters. Under United States Constitution I have a right as a father to my child and that right has not been affected by license to practice law. I am simply a father who is concern about his child and I did not even hire a lawyer, because I trust our judicial system to be corruption free, and Judge has to evaluate the evidence and decide what to do. I suggested installation of security camera in Kristy's house and where child sleeps as the solution to the problem before the case was ever filed. Amy Allen advised her client that such thing is not in family code and should not be the solution to safety of the child problem.

Texas Medical Board has the right to know about mental problems of its surgeons because it is their job. Kristy Ward should have not destroyed evidence, spanked the child and if I was not a lawyer and only father of the child, this would not be an issue for Kristy Ward to be investigated for medical drug abuse.

Amy Allen has made allegation of child abduction which are not true and correct and were taken out of context and it is fueled by personality disorder of my former mother-in-law who for last 18 years has been scared of me stealing of a child that was not even born until 2016.

Other conduct of Kristy Ward that shows her personality disorder:

On July 16, 2020 I asked Kristy Ward to hand me the social security and birth certificate my child so I can proceed with traveling to another state for camping. Kristy Ward stated she would look for them. Again, on or about July 23, I asked her and she stated she does not know where they are. I asked her to see if her mother ever seen them because I remember when Kristy was going to register Darian for daycare and was taking him to doctor for first time, Kristy's mother had the birth certificate and social security card.

Again on stand, under oath she stated she was scared of me having those information because I may kidnap my child.

Kristy Ward's mother as I explained above has phobia that I would take the child and run away with the child. Unfortunately, Kristy Ward failed to allow me to use her social security number even prior to the date of last email to obtain new replacement card. After about 15 attempts to obtain the card, and understanding that I need the card to get US passport for Darian so if I take to visit my parents who are US Citizen living abroad, I am able to bring my child back. The main reason is US immigration office policies does not allow a child without a US Passport to come back to US even if the child is a US Citizen by birth without Social Security Card and Birth Certificate. I stated to Kristy Ward to show her that I have no intention of not bringing the child back that I need the information to bring the child back. I do not need that information to obtain an Iranian Passport for the child, although to do so, her signature is needed to obtain an Iranian Birth Certificate which child does not even have, because better yet, Kristy and I never recorded our marriage in Iranian marriage records so no Birth Certificate can be issued, unless and until we record our marriage and divorce which requires her signatures anyways. Then after that step a similar card to social security card will be issued known as Card Melli and then a passport may be issued. This is very long process and it can take 6-8 months. Kristy Ward has not cooperated with me to take my child to see his 80-year-old grandfather who has not seen him because of travel restrictions in a country that does not have Covid vaccination available. I intended to purchase two dose of vaccination and take with me to be administrated to my mother and father, both US citizen living abroad and during that time for them to see Darian if possible, for less than 8 days. Also, Darian has about 15 cousins in Iran, Germany, Holland, Australia, England, Canada and few in California that he can visit with me. I need the documents so I can travel and bring my child back.

Amy Allen claims I made threats of State Bar claim against her. I have not done that, that is false. Although I am justified to make such claims because she knew evidence existed and she knew can result in criminal conviction and she allowed the evidence to be destroyed. I have filed a motion for sanction of Amy Allen which may be heard on June 2, 2021 estimated to last 8 hours. Amy Allen is unreasonable and claimed under oath that she charges Kristy Ward \$ 475 per hour, but Kristy Ward when she hired her told me she was

paying her \$ 250 an hour as special rate. It is unethical for Amy Allen to lie under oath in Court how much she charges per hour.

Amy Allen claims I as an attorney cannot file a complaint with professional or call police when my child potentially being molested by a meth mouth who happens to be bother of my ex-wife and has personality disorder. Not only I am allowed to report abuse of third party, I am even allowed to comply with laws requiring me to report child abuse as a professional. Even if my client was committing child abuse I have certain duties that are described to me as: Rule 1.06 (b) (1) A lawyer may reveal information relating to the representation of a client to the extent the lawyer reasonably believes necessary:

- (1) to prevent reasonably certain death or substantial bodily harm;
- (2) to prevent the client from committing a crime or fraud that is reasonably certain to result in substantial injury to the financial interests or property of another and in furtherance of which the client has used or is using the lawyer's services;
- (6) to comply with other law or a court order

I am not the lawyer of Kristy Ward. Even if I was, I had a duty to inform authorities that she is mixing her mental medication with weight loss medication to prevent a disastrous public injury. However, I am the father of my child, and I have not waived my rights as father to make a complaint about mentally unstable mother, abusive mother, sexual predators when I became a lawyer. Texas Medical Board encourage family members to help and protect public against doctors who mix medications or suffer from anxiety or depression so these doctors can get help and not commit suicide. Doctors and lawyers have extremely high rate of mental sickness and unfortunately, Kristy Ward does not listen to anyone, no one knows her psychiatric doctor's name and no one can report her unusual conduct to her doctor so her medication can be adjusted. I even performed discovery to save my child, Amy Allen did not answer with name of doctor of Doctor Ward who prescribe her mental medication. The child's life and health is in immediate danger, and unfortunately Amy Allen instead deescalating of the conflict is adding fuel to the already existing fire. I deny making board complaint to gain any advantage in any litigation as a lawyer or Petitioner. As a matter of fact, I am not a lawyer in this case and I have in every hearing introduced myself as pro-se person, meaning I do not have a lawyer. However, I have a duty to disclose to Court that I am licensed attorney and I did that. They Court changed my status from Pro-Se to attorney not because I am attorney of record as a

matter of law, but because I was not getting copies of communication via e-service, and the current clerk of the Court change that to know to e-serve me. Again, I deny that I acted as an attorney in this case that is title in complaint of Amy Allen.

Amy Allen violated her own client's privacy, Kristy Ward when Amy Allen did not obtain signature of Kristy Ward to discuss her confidential medical board complaint in public and with State Bar of Texas. The Medical Board complaints are confidential because it would be HIPPA violation to discuss that in public. Amy Allen's complaint does not have signature of Kristy Ward allowing Amy Allen to make the Medical Board and Substance complaint a public information without effective consent of her client, Kristy Ward. My complaint clearly states that Medical Board should investigate the claim to protect public as well. However, as father of the child whose evidence of sexual abuse was destroyed, I am entitled to do what is needed to protect my child.

Injury to the Child is punishable under Texas Penal Code - PENAL § 22.04. Injury to a Child, Elderly Individual, or Disabled Individual. A parent who does not report the injury to the child is also responsible. When other law will be violated, I have a duty to report the event to proper authorities. This is not a monetary claim issue, it is my child being sexually abused and Amy Allen aided Kristy Ward to destroy evidence. As a matter of fact, I can be held responsible for molestation of my own child by another person if I fail to report it to proper authorities. I tried contacting CPS and Sheriff Department. CPS stated that because doctor Ward is licensed doctor she would lawyer up and would not cooperate with them so following her is not going to do anything.

Sheriff Department simply told me without DNA evidence there is not much that can be done because child is under 5. It is amazing that after discussion of the notice letter which Amy Allen got a copy of, Kristy Ward simply stated under-oath in Court that she destroyed the evidence because there is no Court order asking her not to and she stated she did not preserve evidence either because she did not think it was necessary. Amy Allen was served with the notice to preserve evidence and obviously could have asked her client to preserve evidence that she is ethically obligated to do so. She failed to do so.

Amy Allen destroyed evidence of child molestation and I simply asked Kristy Ward to step up, control the situation and find resolution for the problem. Which indeed, she did not do, she did not fix her mental medication problem, she did not stop spanking the child, she not say hello or

good bye in front of the child and over all she made defamatory statements against me to others. See Exhibit 7, Text.

It is unfortunate that Amy Allen thinks sexual abuse of child and drug abuse of mother of child must be hidden from authorities. Amy Allen has not performed her job properly to preserve evidence of child molestation, and aided her client to destroy the evidence of DNA in the sheets and blankets when her client knew based on personal knowledge that such evidence can be obtained.

Summary and Conclusions

I deny every allegation of Amy Allen in regard to violation of Rule 4.04 or filing the complaint with medical board to gain advantage in the case. As a matter of fact, I nonsuited the case yesterday, prior to receiving this copy and after Judge's order restraining the mother from hitting her child and Kristy Ward testifying under oath that she did mix medications for weight loss and she now stopped doing so. My goal was to make her stop mixing drugs, and to keep all others out of bed of Darian or within reach of molesting him. She testified under oath that no one is allowed to sleep in Darian's bed anymore. At this point, Darian is more capable of describing persons in his bed, therefore, next time someone attempts to sleep in his bed, Darian will have easy time pressing charges. Mother obviously has stated that no one is allowed in bed and simple evidence of someone sneaking in child's bed is enough evidence for attempted sexual assault of the child. I have a duty to my child to protect him from predators. One out of six boys get molested before age of 21 and one out of three females gets molested or raped before age of fifty based on what I understand the statistic to be. As parents we are obligate to protect our child and Amy Allen has taken offense to that and taken offense to the fact that children of drug abusers are 90% sexually abused is not a joke. Mixing of control substance of any type is dangerous for my child and dangerous for public. No other entity in State of Texas has authority to investigate mental medication abuse of physicians and Amy Allen issued legal opinion to me that these information are protected under HIPPA law and I have no other remedies to save my child. It is proper and appropriate for me as a father and family member to report the potential abuse to proper authorities and I did.

Amy Allen is upset that I have stated to her that her comment is defamatory against Law Office of Pejman Maadani as she has stated in public that I am attempting to run away from the country. Amy Allen has been asked to issue apology for her conduct. Amy Allen does not have

standing to bring complaint against me as attorney for another person who is an adult. At this time, the only complaint left in open case is Kristy Ward counter-petition against me so I am simply defending myself.

Amy Allen allegations in this complaint are not fair or reasonable allegations and she has a role as an attorney in the current file which is not to enter herself as a witness in the case. Amy Allen was even trying to force an in person hearing during the time that Supreme Court of Texas has banned such conduct and I was myself COVID Positive. These behaviors of Amy Allen are extremely concerning.

The Court finding of: “7) *using corporal punishment to discipline the child.*” Shows that evidence and video presented by Amy Allen herself was enough for Judge to order her own client to not hit her own child. Therefore, any claim that my claims are meritless or frivolous are simply false.

I contacted the hotline anonymously for medical board and they advised me to act as father of the child and let them investigate and find out if the mother of the child who is a doctor is abusing any medication. They told me I may be held responsible for death of others if I know doctor is abusing medication and I would not report it. That comment of Medical Board made me very concern that a person with knife in their hand doing surgery on daily basis can be dangerous to life of many cancer patients. Therefore, it is my duty as father and a good citizen of Texas to inform authorities of substance abuse and that duty has not been affected by the fact that I am licensed in State of Texas to practice law. Amy Allen has sent certain document to you that is related to Motion for her Sanctions sought against her for violation of Supreme Court Order of no in person hearing when she was refusing to pass on her hearing and somehow magically, she had convinced the court to issue in person hearing notice in an ex parte communication and I was tested and Covid Positive, yet, she was not passing the hearing. Amy Allen destroyed evidence or allowed destruction of evidence; the evidence was bed sheets that someone sneaked in middle of night. This legal inquiry involves considering: (1) whether there was a duty to preserve **evidence**; (2) whether the alleged spoliator either negligently or intentionally spoliated **evidence**; and (3) whether the spoliation prejudiced the nonspoliator’s ability to present its case or defense. *Cardoza v. Reliant Energy HL&P*, 2005 Tex. App. Lexis 3861; *Williams v. State*, 2011 Tex. App. LEXIS 3629 *Williams v. State*, 2011 Tex. App. LEXIS 3629, *1, 2011 WL 1833136.

The evidence destruction allowed rapist identity to be unknown because DNA of sperm is obviously evidence of sexual contact with the child that has been spoiled.

Amy Allen claims that I am not allowed to sue her for filing a motion that will be proved to be frivolous at the conclusion of the case. Amy Allen has claimed international abduction of a child that does not have a US Passport and cannot obtain visa to Iran. The child does not even have a Persian birth certificate, not even her own client's marriage was recorded which means a child birth certificate cannot even be obtained without the mother's signature or information such as her personal appearance in Iranian embassy. Amy Allen and her client are suffering from delusional and imaginary facts that are similar to another case that lawyer was held to be responsible for \$ 13,500,000 in damages for making same type of defamatory statements. Jerry Scarborough case is the known case out of 3rd court of appeal that relates to this matter.

For every claim made I have case law, and facts, videos and simply Amy Allen has made this claim of grievance to obtain discovery responses that she did not get in timely fashion. Amy Allen also appears to be laughing and making fun of matters in Court which Court records shows and reflect that.

A pro se person even if person is an attorney is not an attorney in the case. *Brown v. Kleerekoper*, 2013 Tex. App. LEXIS 2122; *J. Michael Ferguson, PC v. Ghrist*, 2020 Tex. App. LEXIS 10098, 2020 WL 7549944. PJ Maadani has announced himself as Pro Se Litigant during all hearings related to this case, and presented the fact to the court clearly that PJ Maadani is licensed however, PJ Maadani is not acting as an attorney. Amy Allen's conduct is done with Malice which is the basis of Scarborough case as mentioned in this reply.

Should you have any other question or concern, feel free to contact me. I am not certain if I have described all of your concerns, but I hope that I have.

/s/ Pejman Maadani