



Assistant's Direct Line: (602)340-7386

Due to COVID-19, the State Bar may have limited or delayed access to mail. You must respond via email to lflores@courts.az.gov and Karen.Calcagno@staff.azbar.org in addition to placing a hard copy of your response in the mail.

March 2, 2021

Letter sent via e-mail only to: lwood@linwoodlaw.com

PERSONAL AND CONFIDENTIAL

L. Lin Wood
663 Greenview Avenue NE
Atlanta, GA 30305

File No: 20-2781
Complainants: Robert McWhirter, Dianne Post, Roxie Bacon, Amelia Cramer, Brendan Mahoney, Gail Natale, Victor Aronow

Dear Mr. Wood:

The State Bar of Arizona recently received bar charges against you from the complainants listed above based on your participation in an election-related lawsuit in Arizona. The Chief Justice appointed me as Deputy Independent Bar Counsel to make all decisions about bar charges related to the November 2020 election. See Arizona Supreme Court Administrative Order 2021-005, signed January 13, 2021. Although you are not admitted to practice in Arizona, ER 8.5 establishes jurisdiction over a lawyer not admitted here if the lawyer provides or offers to provide any legal services in this jurisdiction.

As part of the "pre-screen" process, I reviewed all the litigation documents in the court dockets in the case you filed in Federal District Court CV-20-02321-PHX-DJH. My pre-screen decision is based on the substance of the civil complaint you filed, the record before me (essentially the docket items, including rulings), and the burden of proof (clear and convincing evidence) necessary to prove a bar charge. My perspective as a former trial judge and past Arizona state election director inform these decisions. Based on my review of the entire docket, I determined that further investigation is warranted as to CV-20-02321-PHX-DJH.

You filed the civil complaint for declaratory, emergency, and permanent injunctive relief on December 2, 2020. You alleged "massive election fraud" "for the purpose of illegally and fraudulently manipulating the vote count to manufacture an election of Joe Biden...and down ballot democrat candidates..." and sought to eliminate "the mail ballots from counting in the 2020 election," or to disqualify Arizona's electors "from counting toward the 2020 election," or an order that the Arizona electors "be directed

to vote for President Donald Trump.” The trial judge found that the allegations in your complaint “are sorely wanting of relevant or reliable evidence.”

The bar charge about your professional conduct in Federal District Court CV20-02321-PHX-JDH warrants a screening investigation under Rule 55(b), Ariz. R. Sup. Ct. At this point, the matter is not considered a formal complaint but, rather, a “bar charge” I am investigating through a “screening investigation.” Your participation in the screening investigation is important, as I will recommend a disposition when my investigation concludes. Under ER 8.1(b) and Rule 54(d), Ariz. R. Sup. Ct., you must cooperate with this investigation. Failure to fully and honestly respond to or cooperate with the investigation are, themselves, grounds for discipline. Please review Rule 39, Ariz. R. S. Ct., on the effect imposition of discipline could have on any future application for admission to an Arizona court pro hac vice.

Please assure that a written response to this letter is in the State Bar’s office, directed to my attention, by **5:00 p.m., March 22, 2021**. You must submit, on paper, **an original and one copy** of your written response, including any attachments. If you do not submit a copy with your response, the State Bar will charge you \$.25 per page for copying your response. Please also email your response to me at lflores@courts.az.gov and Karen Calcagno at karen.calcagno@staff.azbar.org. If the attachments are voluminous, you may provide the attachments on paper only.

Please note the following:

- You must include the above-referenced file number on all correspondence.
- A copy of the information the State Bar received is included with this letter.
- If you cannot file a timely response, contact me by email immediately.
- Do not send a copy of your response directly to the Complainants.

The ethical rules you should address in your response include, but are not limited to: Rule 42, Ariz. R. Sup. Ct., ER 3.1 Meritorious Claims and Contentions, and ER 8.4(d) Misconduct.

In addition to discussing ER 3.1 and ER 8.4(d), please answer these questions:

General Questions

- 1) In which states are you licensed to practice law?
- 2) Have you received letters from any other state’s lawyer discipline organization that indicate you are under investigation for violation(s) of professional conduct requirements? If so, which state(s)?
- 3) Other than the cases in Arizona listed above, did you file, or sign on as co-counsel for, any election-related complaint for the 2020 general election in any other state? If so, list the courts in which any such complaint was filed, along with the cause number for each matter.

- 4) If you filed other election-related litigation, did any of the complaints reference or rely on the declarations or opinions of the following individuals? If so, please specify which civil complaint referenced or relied on which of the following individuals.
 - a. An unnamed Dominion Venezuela whistleblower
 - b. Harry Hursti
 - c. Dr. Andrew Appel
 - d. William M. Briggs
 - e. Matt Braynard
 - f. Russell James Ramsland, Jr.
 - g. Joseph T. Oltmann
 - h. Ana Mercedes Diaz Cardozo
 - i. Seth Keshel
 - j. An unnamed former "electronic intelligence analyst under 305th Military Intelligence" who claims to have extensive experience as a "white hat hacker"
 - k. An unnamed declarant who claims to be a "trained Cryptolinguist" and "an amateur network tracer and cryptographer"
 - l. Ronald Watkins
 - m. Matther Bromberg, Ph.D.
- 5) For each complaint filed outside Arizona, please summarize the result (voluntary dismissal or court ruling).
- 6) Did any court impose sanctions against you, or refer you to the applicable state's lawyer discipline organization for filing a frivolous complaint? If so, list the court and cause number in each case in which this occurred.

CV-20-02321-PHX-DJH

- 1) What was the date of your first meeting with your client(s) to discuss the filing of this complaint? Who was present (in person or by video or telephonic conference) at the first meeting?
- 2) What was the date of your first meeting with each of your out of state co-counsel? Who was present (in person or by video or telephonic conference) at the first meeting? Who was present at any subsequent meetings?
- 3) Who drafted the complaint?
- 4) Prior to filing the complaint, did you:
 - a. consider that your complaint was subject to dismissal for laches?
 - b. discuss their opinions with the "experts" you cited in the complaint, and how their opinions related to the Arizona election? Did you ask to review the evidence supporting their opinions? If so, did you review it?

- c. discuss with your out of state co-counsel whether any of the same claims were made in any other states, and if so, the outcome of that litigation?
- 5) When you read the Defendants' motions to dismiss, did you consider voluntarily dismissing your complaint?
- 6) What role did you play in this litigation?
- 7) What role did Respondent Alexander Kolodin play in this litigation?
- 8) What role did Respondent Christopher Viskovic play in this litigation?
- 9) What role did Respondent Howard Kleinhandler play in this litigation?
- 10) What role did Respondent Julia Haller play in this litigation?
- 11) What role did Respondent Sidney Powell play in this litigation?
- 12) What role did Respondent Emily Newman play in this litigation?
- 13) What role did Respondent Brandon Johnson play in this litigation?

I will send a copy of your response to the complainants and it may become public record upon disposition of the matter. You may request that certain information in your response remain confidential under Rule 70(g) Ariz. R. Sup. Ct. **You must make any such request in a letter separate from your response and must set forth the reason for the request.** I will forward your request to the Presiding Disciplinary Judge (PDJ) who will rule on it. You must specify whether you want to keep the information from the public, but not the complainants, or from both the public and the complainants. When you make such a request, you must submit the information for which confidentiality is requested as part of your request. You must also submit a redacted copy to remain in the public portion of the file, as the rules require a response of some type to remain in the public portion of the file. The PDJ grants requests for confidentiality sparingly and only upon good cause shown. If he denies your request for confidentiality, we will not return to you the information or documents in question; they will become public upon disposition of the matter.

The State Bar has a diversion program which, in some cases, may provide an alternative to traditional discipline. Diversion is a confidential rehabilitative program available to lawyers whose ethical misconduct is non-serious and who may benefit from one or more of the State Bar's remedial programs, such as the Member Assistance Program (MAP) or the Law Office Management Assistance Program (LOMAP). Diversion is not available in cases of serious misconduct or for conduct involving dishonesty, self-dealing, or breach of a fiduciary duty. Participation in diversion is voluntary. If you would like more information about the State Bar's diversion program, you may review the Diversion Guidelines on-line at:

<http://www.azcourts.gov/Portals/22/admorder/Orders10/2010-127.pdf>

If, after reviewing the guidelines, you believe your case may qualify for diversion, please submit a written request with a statement of why you believe diversion is appropriate along with your response.

Thank you for your anticipated cooperation.

Sincerely,

/s/ Lisa D. Flores

Lisa Daniel Flores
Deputy Independent Bar Counsel

LDF/kec

Attachments