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State Bar of California
Maria J. Oropeza
Office of the Chief Trial Counsel
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RE: Formal Ethics Complaint Against:
Robert Daniel Rodriguez – SBN #242396
P.O. Box 2712
San Ramon, CA 94583
(209) 596-4263

August 20, 2018

Dear State Bar of California,

The factual basis for this complaint arises from Rodriguez, Robert Daniel (*hereafter*, “Rodriguez”) misconduct in attempting to use his California law license as a means to harass, intimidate, coerce through threat of legal proceeding to circumvent a group from their U.S. Constitution, First Amendment, protection to the right of freedom of speech. Due to the unethical conduct of Rodriguez making knowingly false and defamatory allegations, BarComplaint.com (*hereafter*, “BarComplaint”) has been severely damaged both in business affairs and personal reputation.

The public is led to believe that licensed attorneys practicing law in the State of California are obligated to abide by a stringent set of ethical mandates that demand adherence. The lofty standards of the State Bar of California (*hereafter*, “SBC”) are provided on the official website claiming “**Our Mission: “The State Bar of California’s mission is to protect the public....”**”¹ In performing online due diligence research to determine exactly what are the perimeters set, it is undeniably certain that attorney Rodriguez not only does **NOT** adhere to, but openly mocks these stated principles. Based on first-hand experience and documented support evidence it is irrefutable that Rodriguez has willfully and repeatedly violated his ethical duties and obligations

¹ E.G. – The State Bar of California: <http://www.calbar.ca.gov/About-Us/Our-Mission>

as an attorney as defined by the California Duties and Obligations. The assertion is based on the stated requirements of the California Rules of Professional Conduct contained within Business and Professional Code, § 6076 (*hereafter*, “Rules”), by engaging in repeated instances of violating Rule 3.3(a)(1) and Rule 8.4(c). The seriousness and scope of the misconduct perpetrated by Rodriguez occurred over a very short period of time immediately followed **only a month after** he was reinstated to practice law after serving his **THIRD SUSPENSION**. The degree of vitriol and outright fraudulence Rodriguez overtly perpetrated demands an immediate and extensive review of the entire circumstances outlined below. The specific violations committed by attorney Rodriguez are governed by the dictates of the following Rules:

1. **Rule 3.1(a)(1) – Meritorious Claims and Contentions.** (a) A lawyer shall not: (1) bring or continue an action, conduct a defense, assert a position in litigation, or defend a proceeding, or take an appeal, without probable cause and for the purpose of harassing or maliciously injuring any person.
2. **ER 8.4(c) – Misconduct.** It is professional misconduct for a lawyer to: (c) engage in conduct involving dishonesty, fraud, deceit, or reckless or intentional misrepresentation. (* & **)
*[1] A violation of this rule can occur when a lawyer is acting in propria persona or when a lawyer is NOT practicing law or acting in a professional capacity.
**[2] A lawyer may be disciplined under Business and Professional Code Section 6106 or acts involving moral turpitude, dishonesty, or corruption, whether intentional, reckless, or grossly negligent.

The egregious behavior of Rodriguez reaches a level of moral turpitude and dishonesty to warrant the potential penalties as dictated by the California Legislature for discipline under Business and Professional Code Section 6106:

1. **Business and Professional Code, Division 3 – Professional and Vocations Generally, Chapter 4 – Attorneys, Article 6 – Disciplinary Authority of the Courts, 6106²:**
“The commission of any act involving moral turpitude, dishonesty or corruption, whether the act is committed in the course of his relations as an attorney or otherwise, and whether the act is a felony or misdemeanor or not, **constitutes a cause for disbarment or suspension.**”

It is requested that the SBC assign a Trial Counsel to review the misconduct of Rodriguez and recommend the appropriate disciplinary procedures for the circumstances involved in repeated ethical violations of the Rules. As the current incidences of unhinged unethical conduct come

² E.G.- The California Legislative Information - (*Article 6 added by Stats. 1939, Ch. 34.*):
https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=6106.&lawCode=BPC

almost immediately upon the completion of a third suspension only a month before beginning his attack campaign of legal threats, BarComplaint is requesting after a thorough investigation and the appropriate disciplinary process that Rodriguez be sanctioned in the form of permanent disbarment. If there is any validity to the mission statement, vision and core values as presented on the SBC website to assure the public that such ideals actually have substantive meaning, disbarment of an attorney such as Rodriguez who has demonstrated through his conduct an absolute disregard to such principles is the only judicious conclusion to this matter.

The allegations herein regarding Rodriguez misconduct are summarized as follows:

1) Relevant background of BarComplaint that is the impetus for the ethical violations of Attorney Rodriguez.

The catalyst for the ire originally expressed by Rodriguez involves an online posting published on the BarComplaint website June 18, 2018 (*see*, Exhibit A). BarComplaint did **NOT** author the content Rodriguez finds objectionable and claims is “defamatory,” the website **REPUBLISHES** content made available by third party sources. In the case of the Rodriguez post, BarComplaint combined the content of two reputable publishers being disseminated online in using Northern California Record³ (*see*, Exhibit B) and the official website of The State Bar of California⁴ (*see*, Exhibit C). Too be clear for the purposes of this complaint, Rodriguez found online content to be objectionable and aggressively claims are “defamatory” while being **CURRENTLY** disseminated in the public domain by the **STATE BAR OF CALIFORNIA**.

With a combination of the two articles posted on BarComplaint as a resource for its readership, the **ONLY** editorial comment added was the benign opinion inclusion being:

“Attorney Rodriguez was on one year probation in which he needed to meet certain benchmarks. He refused to comply. He is now suspended.”

2) Attorney Rodriguez contacted BarComplaint threatening a SLAPP if the factual information of his three SBC suspensions were not deleted from the website.

On July 7, 2018, BarComplaint received its first contact from Rodriguez which was a “demand” to have the post in question removed “immediately” as it constituted “defamation” (*see*, Exhibit D, #1). On July 10, 2018, a response was sent from the staff of BarComplaint calmly explaining to Rodriguez that threatening a “lawsuit” for

³ E.G. – State Bar Court of California suspends Modesto attorney for not adhering to prior discipline: <https://norcalrecord.com/stories/511126263-state-bar-court-of-california-suspends-modesto-attorney-for-not-adhering-to-prior-discipline-order>

⁴ E.G. – Attorney Licensee Profile: <http://members.calbar.ca.gov/fal/Member/Detail/242396>

“defamation” was a “frivolous and frankly ridiculous legal action.” The response went on to detail some basic affirmative defenses to such a meritless claim in an attempt to conclude the matter in a logically sound and expeditious manner (*see*, Exhibit D, #2).

Unfortunately, the response provided to Rodriguez did not achieve the expected conclusion of the accusation of alleged “defamation.” In fact, stating the well established legal defenses available to combat an indisputable threat of a **SLAPP** would only infuriate Rodriguez to a level of unhinged rants. Rodriguez escalated his attacks against BarComplaint by claiming that having the audacity to respond directly to his absurd assertions “constitutes **extortion**” (*see*, Exhibit E, #1). When BarComplaint would show the pugnacity to once again respond directly to Rodriguez’s latest asinine assertion of “**extortion**” (*see*, Exhibit E, #2), he would triple down on his animus with a new contention. According to a California licensed attorney, Rodriguez contends that private parties and/or enterprises are **NOT** allowed to respond directly representing their interest in a form of a rebuttal to the threats received by a lawyer. Apparently, it is the contention of Rodriguez that private parties and/or enterprises are not afforded the right to freedom of speech as assured by the U.S. Constitution First Amendment. Rodriguez would claim “no one at that organization can, represent corporation or LLC” (*see*, Exhibit E, #3). The willful ignorance of Rodriguez is a disgrace to the legal profession and should be an embarrassment to the SBC to have issued a law license to someone who rejects the most fundamental legal premises in this country. No one on the staff of BarComplaint is an attorney; it does **NOT** require a law degree to understand the principles of the right to freedom of speech as the concept is taught in third grade civics classes.

BarComplaint would respond to the new assertions of Rodriguez with a clear statement of its position on all claims being alleged. The most relevant legal contention by BarComplaint was to address the conspicuously missing **FACT** in the Rodriguez accusations by highlighting “You have **NOT** provided any clarification as to what exactly you are alleging is false that would constitute ‘defamation,’ a **required element** in making such a claim” (*see*, Exhibit F, #1). It would also be definitively communicated within the BarComplaint response there was no need to continue with unproductive and contentious discourse; Rodriguez could address this matter going forward with the filing of his frivolous lawsuit and properly secure service via the authorized statutory agent located in Reno, Nevada.

Again, Rodriguez would engage in attempts of harassment with continued pointless false accusations, this time asserting “you are practicing law without a license....” (*see*, Exhibit F, #2). It should be noted for the SBA attention that the request for “clarification” as to what content constituted defamation would **NOT** be resolved by identifying anything regarding Rodriguez that was a false statement. Ironically what Rodriguez would address, despite BarComplaint already establishing additional discourse was unnecessary and any further contact should be formally served upon the statutory agent, he would try to spin the narrative that “I am wasting my time discussing

this with you..." and "Do not contact me any further" (see, Exhibit F, #2). BarComplaint believes they had already addressed that issue in clearly and unequivocally stating further communication should be directed to the statutory agent in Reno, Nevada.

BarComplaint wishes to acknowledge to the SBC that snarky email exchanges do **NOT** rise to a level of conduct by Rodriguez to meet the standards of ethical violations of the Rules. If this matter would have ended at this point with both parties effectively agreeing email exchanges was not a meaningful discourse that would resolve the false allegation of "defamation," there would be no need to involve the SBC in this matter. It does however establish the relevant escalation of Rodriguez's ethical violation to warrant the filing of this complaint. The emails written by Rodriguez were a form of harassment, intimidation and coercion based on questionable moral turpitude and dishonesty. It was a brazen attempt by Rodriguez to capitalize on his possession of a law license, legal experience and easy access to the judicial system to threaten a classic **SLAPP**, a lawsuit that is intended to censor, intimidate, and silence critics by burdening the defendant(s) with the cost of a legal defense until they abandon their criticism or opposition. Unfortunately, this would **NOT** be the last BarComplaint would be subjected to Rodriguez's malicious attacks and willful dishonesty to advance unwarranted damage. Based on the documented history of Rodriguez personal matters that include clear identification of anger management issues, the continuation of unhinged ethical violations of the Rules should have been anticipated.

Attorney Rodriguez willfully engaged in unethical conduct of unwarranted threats of frivolous legal action as a means to instigate an attack stratagem to circumvent the right of freedom of speech by clearly abusing the power of the judicial system as a hammer versus its intended arbiter of justice. The conduct of Rodriguez constituted the implementation of a practice of harassment and intimidation against BarComplaint knowing he was in clear violation of **ER 3.1 – Meritorious Claims and Contentions and ER 8.4 – Misconduct.**

3) Attorney Rodriguez accelerated his delusional rants of harassment to online dissemination of completely ludicrous fabricated allegations of a "scam" to "defraud" readers of "money" that constituted "criminal" RICO.

When the email exchanges with BarComplaint did not garner the anticipated response with an agreement to acquiesce and delete the **FACTUALLY** accurate post Rodriguez claimed was "defamatory," the situation would be unacceptably intensified to a level of acrimony crossing the line of moral turpitude and dishonesty that demands the attention of the SBA. On July 20, 2018, attorney Rodriguez, only identifying himself as "Robert" of Modesto, would file a "complaint" with RipOffReport.com (*hereafter*, "ROR"), Report: #1452676 (see, Exhibit G). It is well known among online search engine optimization (SEO) circles the ROR website gets very high recognition when indexed by Google resulting in high relevance and thus placement as a returned search result. This post was authored by Rodriguez as a direct assault on the reputation of BarComplaint –

which would be fine **IF** he had been honest in providing a critique of his opinions. That is **NOT** what occurred as Rodriguez willfully fabricated ludicrous lies and accusations of a wide variety of nefarious activities that are completely and utterly absurd.

The original ROR complaint posted by Rodriguez demonstrates a deliberate strategy to discredit the veracity of online content published by BarComplaint. Rodriguez is certainly entitled to an opinion that the staff of BarComplaint is “sad misfit dorks,” sticks and stones. What is an issue that falls within the purview of SBA oversight that licensed attorney are in adherence of the Rules are question that fall in the realm of moral turpitude and dishonesty. The restrictions upon California attorneys are not limited to their actions solely related to their professional conduct; it also encompasses the conduct in their private affairs. Whether Rodriguez would claim that SBA oversight does not apply to his posting on ROR expressing “personal” opinions is simply not relevant when they involve overt dishonesty and represent a pattern of moral turpitude. The clear expressions authored and posted with ROR by Rodriguez completely violate the Rules requirements of integrity and honesty. The original ROR post makes the following outrageous completely fabricated claims that are irrefutable lies (see, Exhibit G):

- **“Pretending to be a legitimate government regulatory agency.”** There are no such claims made by BarComplaint at anytime or found anywhere on the website. It isn’t even understood what “government regulatory agency” would be alleged and what would be the function of regulating **WHAT?**
- **“Intended to deceive and defraud.”** Rodriguez does not offer any clarity to what content and/or action BarComplaint is responsible for that would constitute an attempt to defraud – **WHO** of **WHAT?**
- **“Engage in the unauthorized practice of law.”** BarComplaint does **NOT** provide legal counsel in any form whatsoever. It is a truly ridiculous claim by Rodriguez otherwise. BarComplaint republishes online content focusing on being an aggregator of material involving the disciplinary process of attorneys, prosecutors and judges.
- **“Violation of the law and criminal.”** Once again, this lie by Rodriguez is not supported with a single scintilla of evidence let alone even an example of conduct that could be ascertained to have been “criminal.”
- **“Do not give them any money! A scam! A ripoff!”** Okay – fine. BarComplaint does not request “money” from its readers. The content is made available for **FREE**. There are **NOT** products being sold by BarComplaint. The web pages of BarComplaint do **NOT** have advertising embedded. There is **NOT** even a request for donations from the readers. The Rodriguez tirade is a willful expression of deceit and misinformation.

The Rodriguez attack stratagem against BarComplaint did not end with original post on ROR in July of 2018. He would double and triple down on his concerted effort utilizing the ROR platform to implement his Internet dissemination of lies and disinformation as a nefarious scheme to discredit BarComplaint due to the **FACTUAL** post concerning Rodriguez three SBA suspensions. Rodriguez would author and submit to ROR five (5)

additional posts in August, 2018 (*see*, Exhibit H). Once again, Rodriguez would reveal a level of animus that is more indicative of a middle school bully child than a professional licensed attorney when engaging in immature name calling of the BarComplaint staff with invective titles of being “fools,” “dysfunctional misfits,” “misguided cretans,” “misguided misfits” and “sad dork wanna bes.” Again, Rodriguez is entitled to express this type of “opinion” no matter how unprofessional and a laughable embarrassment to competent professional licensed attorneys.

What is not allowed as a licensed attorney practicing in the State of California is to engage in moral turpitude and dishonesty. The SBA is the authorized authority to provide oversight to assure the public is protected from licensed legal practitioners in adherence of the Rules. Should an attorney engage in such ethical violations pursuant the Rules and California legislation Business and Professional Code Section 6106 is subject to **DISBARMENT**. The ROR postings authored and submitted by Rodriguez in August of 2018 undeniably cross the line of decency to a level of an odious assault on societal standards. The list of lies perpetrated by Rodriguez against BarComplaint is numerous and indisputable with a cursory review (*see*, Exhibit H):

- **“Barcomplaint.com Post More Defamation on My Website Engaging in More Defamation and Illegal Activity.”** It is a absolute abuse of the ROR platform to accuse BarComplaint of “illegal activity” with not one iota of evidence or even stating what exactly was done that was illegal.
- **“Barcomplaint.com posted more of their defamation and sick/perverted garbage on my Facebook website.”** This is categorically a falsehood that is an act of desperation. No clarity was offered what constituted “sick/perverted garbage” or how this alleged post on FB was somehow attributable to BarComplaint – let alone evidence that it had even occurred.
- **“Sean O’Roake made the post.”** There is no Sean O’Roake associated with BarComplaint on any level or at any time in the past. BarComplaint states for the record it has no knowledge of a Sean O’Roake in any capacity either professionally or personally.
- **“2 different individuals sent me counterfeit checks; one for \$230,000.00.”** If there is any truth to this public proclamation made by Rodriguez on ROR, he is mandated by law as an “officer of the court” to **IMMEDIATELY** report what is unquestionably a **CRIME** to law enforcement. This is a **MANDATORY** provision of the Rules. In the unlikely event that the alleged “counterfeit checks” were sent to Rodriguez, the appropriate law enforcement authorities should conduct a thorough investigation to which BarComplaint is available to cooperate.
- **“The fake check was supposedly drawn from a bank in Utah. It was sent from Las Vegas to my office.”** The reference to the “fake check” being sent from Las Vegas” is clearly an accusation that BarComplaint, which is based in Las Vegas, is associated with committing what is obviously the serious crime of Bank Fraud. This is an outright fabrication solely created

to further an attack strategy perpetrated by Rodriguez against BarComplaint and its agents. BarComplaint's emphatic rebuttal is a challenge for Rodriguez to provide these "fake checks" **IMMEDIATELY** to the appropriate law enforcement authorities as he is required pursuant mandates of the law and the Rules of the SBC. This is an outrageous allegation that is nothing more than a fallacy of dishonesty and moral turpitude that goes to the core of Rodriguez's character (lack thereof).

- **"All Freedom of speech stuff and actors, however, sadly abuse the right."** Although it is difficult to ascertain what exactly Rodriguez is attempting to articulate due to the incoherent sentence structure, it is believed Rodriguez is attempting to articulate a position that free speech "stuff" is "sadly" abused by "actors" such as BarComplaint who have the audacity to provide its readers content that represents public records released into the public domain. This being especially true if it happens to expose negative **FACTS** associated to his law license being suspended three times by the SBA. This is **NOT** how the First Amendment operates in its protections of the public, a licensed attorney is overtly lying to imply otherwise on an Internet public forum such as ROR.
- **"...Need to be stopped. Criminal..."** This is a lie and reaches a level of moral turpitude demanding SBA disciplinary intervention.
- **"Consumer beware, do not go to their website, or, all of the above can happen."** Rodriguez's shameless conflating of lies serves as a disingenuous attempt to discredit the **FACTUAL** information provided by BarComplaint concerning Rodriguez.
- **"Bar Complaint Violates Federal Statute RICO 18 U.S.C. §§ 1961-1968 & State Criminal Statutes."** This is an egregious assault by Rodriguez on honesty and decency. There is **NO** legal or factual basis for a licensed practicing attorney to make such heinously fabricated allegations of unspecified **CRIMES** committed by BarComplaint in a widely accessed public forum such as ROR.
- **"Consumers beware of this scam organization, Do not give them money."** There is **NO** "scam" as the "organization" that is BarComplaint does **NOT** require "money" from its readers. The website does **NOT** sell any products to its readers. There is **NO** advertising on the web pages. There is **NOT** even a mechanism in place to accept "money," **NOT** even donations from its readers. This is truly a reprehensible deception being perpetrated by attorney Rodriguez upon the general public.
- **"Engaged in the unauthorized practice of law."** BarComplaint does **NOT** offer legal counsel to anyone at anytime – period.
- **"They violate state criminal statutes."** Rodriguez does not identify what laws are being violated by BarComplaint in the republishing online content obtained from third parties resources such as the **STATE BAR of CALIFORNIA** official website. Is it attorney Rodriguez's contention that

the **STATE BAR of CALIFORNIA** is in violation of “state criminal statutes” when providing to the public online access to the SBA profile of attorney **ROBERT DANIEL RODRIGUEZ**⁵.

- **Criminal statutes, “more than likely federal statute including RICO U.S.C. §§ 1961-1968.”** Again, Rodriguez accuses BarComplaint of committing **CRIMES** without any legal or factual basis to make such outrageous allegations that are blatantly false and constitute willful dishonesty.
- **“Report them to law enforcement.”** Inciting unjustified action to involve private citizens to engage with law enforcement to advance the perpetrated the fraud that is Rodriguez fabricated claims of **CRIMES** committed by BarComplaint is irrefutable evidence of moral turpitude.
- **“Engage in destructive and dysfunctional conduct....”** Private parties and/or enterprises engaging in exercising their U.S. Constitution protected right to freedom of speech is **NOT** “destructive and dysfunctional conduct” as asserted by Rodriguez. It is called the First Amendment and is the bedrock of a functioning democracy.
- **“Fraudulent website.”** Rodriguez does not clarify his rationale to label BarComplaint “fraudulent.” The simple fact is Rodriguez has engaged in a nefarious stratagem of fabricated lies and misrepresentation to discredit the **FACTUAL** dissemination of available public records released into the public domain concerning his three suspensions, one of which involved a **CRIMINAL CONVICTION** involving serious domestic violence against a young woman.
- **“I would not give them a dime but I would report them to law enforcement.”** The website BarComplaint.com does not require or request a “dime” from its readers. Again, Rodriguez calls upon citizens to participate in his fraudulence in a manufactured attack of lies against BarComplaint.

The series of post authored and submitted by Rodriguez to ROR in August, 2018 exceed all levels of professional restraint and required honesty demanded of a licensed attorney overseen by the SBA.

In fairness and to be thoroughly transparent with full disclosure for the purpose of the complaint, the BarComplaint staff responded to the Rodriguez ROR posts with rebuttals. It is the position of BarComplaint that all such rebuttals were appropriate and convey **ONLY** accurate and verifiable contentions that are **FACTUALLY** based rebuttals (see, Exhibit I). The BarComplaint staff stands behind their posts authored as they represent their right to exercise the right to freedom of speech protected by the U.S. Constitution, First Amendment. It is this very principle that was the catalyst of the first demands

⁵ E.g. – The State Bar of California, Robert Daniel Rodriguez:
<http://members.calbar.ca.gov/fal/Licensee/Detail/242396>

made by Rodriguez to remove content he found **PERSONALLY** objectionable despite First Amendment protections. The difference in the postings submitted to ROR are the posts of Rodriguez are absurd, flagrant and willful lies of dishonesty and moral turpitude of a California licensed attorney subject to the Rules and the other is BarComplaint authoring rebuttals based on truthful critique of established **FACTS** supported by **PUBLIC RECORDS** , that are available in the **PUBLIC DOMAIN**. There is a significant difference.

Attorney Rodriguez expanded his unethical conduct by posting completely fabricated scurrilous allegations of “criminal RICO” activities by the website, claiming a “scam” to “defraud” readers of “money” and advising contact should be made with law enforcement to report ... unknown and/or specified crimes. These preposterous pronouncements levied were a means to intensify his stratagem of harassment and intimidation against BarComplaint. The evidence is irrefutable, when Rodriguez’s **FACTUAL** public records information was refused to be removed by BarComplaint he has engaged in an overt practice in authoring a series of outrageous postings on RipOffReport.com. These postings have undeniably crossed the line of moral turpitude and dishonesty that demands SBA intervention to protect the public, the stated mission statement of the SBA. The SBA should follow through in its stated duty and abide by the lofty standards articulated on the website’s “public” section, otherwise they are mere feel good rhetoric that is actually an illusion and meaningless to the welfare and protection of the public.

The authoring and postings by Rodriguez on the ROR website go **FAR** beyond the pale. The plethora of completely fabricated attack allegations to discredit the **FACTUAL** post found on BarComplaint that was actually a republishing of content obtained from third party sources concerning Rodriguez, one source being the **STATE BAR of CALIFORNIA** official website, demonstrates a pervasive disrespect for the Rules. Rodriguez’s conduct establishes beyond any dispute that he operates every aspect of his life, both professional and personal, with a propensity to moral turpitude and dishonesty. This can **NOT** be ignored by the SBA who is entrusted to perform oversight to protect the public from such identified repeated offenders within the ranks of the California legal profession.

The evidenced ethical violations are indisputable and were perpetrated by Rodriguez with a zealous commitment that exposes no regard to the Rules and were done in flagrant disregard of **ER 3.1 – Meritorious Claims and Contentions and ER 8.4 – Misconduct.**

4) **What is the bottom line of the moral turpitude and dishonesty of attorney Rodriguez in regard to his harassment and attempted intimidation of BarComplaint?**

What is clearly going on in this fiasco of malicious abuse of process, Rodriguez completed his suspension on June 11, 2018 and was finding it difficult to resurrect his legal practice. It was discovered that online inquiries involving Rodriguez were returning

search results rendering unflattering content of published iterations of his misdeeds in a criminal conviction of domestic violence against a woman, not abiding to court ordered child support, IRS tax issues, not passing SBA ordered testing, **NOT** paying fees and fines to the SBA and a history of **THREE** SBA suspensions. Instead of working diligently to establish a new standard of a prolonged work ethic to overcome the earlier career setbacks, conversely Rodriguez chose to employ an attack strategy to force censorship upon the messengers of the **FACTUAL** renditions of the events documented in the public domain. This scheme was perpetrated by Rodriguez upon BarComplaint beginning on July 7, 2018, **ONLY A MONTH** after being reinstated by the SBA from his latest disciplinary suspension.

The ethical violations perpetrated by Rodriguez were committed with no regard to the Rules and were done in flagrant disregard of **ER 3.1 – Meritorious Claims and Contentions and ER 8.4 – Misconduct.**

CONCLUSION

The complaint submitted to the SBC provides the details addressing the events having occurred in 2018 involving the attempts by attorney Rodriguez, Robert Daniel to willfully bully, harass, coerce and intimidate a private enterprise and its staff to force the removal of republished **FACTUAL** information of the events associated to the three suspensions levied by the SBA. This factual information was **REPUBLISHED** on the website BarComplaint.com. The specific conduct demonstrated by attorney Rodriguez involved behavior that constituted moral turpitude and willful dishonesty.

The SBC is charged with the responsibility of protecting the public from problematic attorneys. In the case of attorney Rodriguez, he has demonstrated a propensity to engage in ethical violations with willful disregard to the Rules. As part of its duty, the SBC should ensure that the public has ready access to information about attorney misconduct, so it can make informed decisions about who to retain when seeking counsel.

For these reasons, the SBC should conduct an in-depth investigation into the allegations outlined in detail in this complaint in regards to Rodriguez. The damages realized due to the repeated ethical misconduct of Rodriguez, Robert Daniel are significant and must be thoroughly reviewed to determine the amount of culpability that can be associated with the identified malpractice. We request Rodriguez be sanctioned in the form of permanent disbarment for such ethical violations of the Rules demonstrating open contempt toward the principals set forth by the SBC **AND** the California Legislature. The complaint is submitted requesting that the SBA take the appropriate action against Rodriguez for the continued disregard demonstrated in conducting himself in violation of the Rules and also make public the various acts of misconduct described herein. The SBA **MUST** perform its duty “to serve and **PROTECT** the public.”

Respectfully submitted this 20th day of August, 2018,

Jeff VanDyne
BarComplaint Staff member
BarComplaint.com