

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

MAR 29 2012

ALAN CARLSON, Clerk of the Court

1 DANIEL D. DYDZAK
2 PLAINTIFF IN PRO PER
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7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 FOR THE COUNTY OF ORANGE
9 CENTRAL JUSTICE CENTER

30-2012

10 DANIEL D. DYDZAK,

) CASE NO.

00558031

11 Plaintiff,

) COMPLAINT FOR DAMAGES
) AND EQUITABLE RELIEF

12 Vs.

13 JOSEPH LAWRENCE DUNN, aka JOE DUNN,)
14 MARK TORRES-GIL, JAMES E. TOWERY,)
15 JOSEPH STARR BABCOCK, aka)
16 STARR BABCOCK, RACHEL GRUNBERG,)
17 ALEC Y. CHANG, aka ALEC CHANG,)
18 THOMAS V. GIRARDI, aka THOMAS)
19 GIRARDI, HOWARD B. MILLER, aka)
20 HOWARD MILLER, HOWARD DICKSTEIN,)
21 aka HOWARD LAWRENCE DICKSTEIN,)
22 JUDY JOHNSON, JEANNINE)
23 ENGLISH, TANI CANTIL-SAKAUYE,)
24 MING W. CHIN, MARVIN A.)
25 BAXTER, GOODWIN LIU, CAROL)
26 A. CORRIGAN, JOYCE L.)
27 KENNARD, KATHRYN M. WERDEGAR,)
28 CHARLES SCHWAB, DAVID WERDEGAR)
ERIC M. GEORGE, RONALD M. GEORGE,)
ALAN I. ROTHENBERG, ROBERT A.)
HAWLEY, SUPREME COURT OF)
CALIFORNIA, aka CALIFORNIA)
SUPREME COURT, STATE OF)
CALIFORNIA, LAWRENCE YEE,)
aka LARRY YEE, and DOES)
1 through 100, Inclusive,)

- 1. INVASION OF PRIVACY
- 2. VIOLATION OF CALIFORNIA CIVIL CODE SECTION 1708.8
- 3. DECLARATORY RELIEF TO DECLARE IN RE ROSE UNCONSTITUTIONAL AS VIOLATING CALIFORNIA CONSTITUTION'S RIGHT TO JURY TRIAL
- 4. DECLARATORY RELIEF TO DECLARE IN RE ROSE UNCONSTITUTIONAL AS VIOLATING CALIFORNIA CONSTITUTION'S RIGHTS TO DUE PROCESS AND EQUAL PROTECTION OF LAWS
- 5. DECLARATORY RELIEF TO DECLARE ORDER DENYING MOTION FOR FRAUD UPON THE COURT VOID AB INITIO, AGAINST CALIFORNIA GOVERNMENT CODE, AND CALIFORNIA JUDICIAL CANONS OF ETHICS
- 6. DECLARATORY RELIEF TO DECLARE WERDEGAR COMMITTED FRAUD UPON THE COURT TOWARDS DYDZAK

Defendants.

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- AGAINST CALIFORNIA GOVERNMENT CODE AND CALIFORNIA JUDICIAL CANONS OF ETHICS
 - 7. CONSPIRACY (BETWEEN CHARLES SCHWAB AND DAVID WERDEGAR)
 - 8. CONSPIRACY (BETWEEN ALAN I. ROTHENBERG, RONALD M. GEORGE AND ERIC GEORGE)
 - 9. VIOLATION OF RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT (RICO)
 - 10. DECLARATORY RELIEF TO DECLARE STATE BAR ACT UNCONSTITUTIONAL AND ULTRA VIRES AS DENYING FUNDAMENTAL RIGHTS TO JURY TRIAL, DUE PROCESS AND EQUAL PROTECTION OF LAWS
- UNLIMITED CIVIL

DEMAND FOR JURY TRIAL
AMOUNT DEMANDED EXCEEDS \$25,000.00

COMES NOW Plaintiff, DANIEL D. DYDZAK ("DYDZAK"), In Pro Per, and alleges as follows:

PRELIMINARY ALLEGATIONS

1. Plaintiff is, and at all times herein mentioned was, a resident of the County of Los Angeles, State of California.

2. Plaintiff is informed and believes, and thereon alleges, that Defendant, JOSEPH LAWRENCE DUNN, aka JOE DUNN ("DUNN"), is, and at all times herein mentioned was, a resident of the County of Orange, State of California. Defendant DUNN is being sued herein in his individual capacity, and therefore enjoys no government immunity from liability for his misconduct and actions herein alleged.

1 2. Plaintiff is informed and believes, and thereon
2 alleges, that Defendant MARK TORRES-GIL ("TORRES-GIL") is, and
3 at all times herein mentioned was, a resident of the County of
4 San Francisco, State of California. Defendant TORRES-GIL is
5 being sued herein in his individual capacity and therefore
6 enjoys no government immunity from liability for his misconduct
7 and actions herein alleged.

8 3. Plaintiff is informed and believes, and thereon
9 alleges, that Defendant JAMES E. TOWERY ("TOWERY") , is, and at
10 all times herein mentioned was, a resident of the County of
11 Santa Clara, State of California. Defendant TOWERY is being
12 sued herein in his individual capacity and therefore enjoys no
13 government immunity from liability for his misconduct and
14 actions herein alleged.

15 4. Plaintiff is informed and believes, and thereon
16 alleges, that Defendant, JOSEPH STARR BABCOCK, aka STARR BABCOCK
17 ("BABCOCK"), is, and at all times herein mentioned was, a
18 resident of the County of San Francisco, State of California.
19 Defendant BABCOCK is being sued herein in his individual
20 capacity and therefore enjoys no government immunity from
21 liability for his misconduct and actions herein alleged.

22 5. Plaintiff is informed and believes, and thereon
23 alleges, that Defendant RACHEL GRUNBERG ("GRUNBERG") is, and at
24 all times herein mentioned was, a resident of the County of San
25 Francisco, State of California. Defendant GRUNBERG is being sued
26 herein in her individual capacity and therefore enjoys no
27 government immunity from liability for her misconduct and
28 actions herein alleged.

1 6. Plaintiff is informed and believes, and thereon
2 alleges, that Defendant ALEC Y. CHANG, aka ALEC CHANG ("CHANG")
3 is, and at all times herein mentioned was, a resident of the
4 County of Santa Clara, State of California. Defendant CHANG is
5 being sued herein in his individual capacity and therefore
6 enjoys no government immunity from liability for his misconduct
7 and actions herein alleged.

8 7. Plaintiff is informed and believes, and thereon
9 alleges that Defendant THOMAS V. GIRARDI, aka THOMAS GIRARDI
10 ("GIRARDI"), is, and at all times herein mentioned was, a
11 resident of Los Angeles County, State of California. Defendant
12 GIRARDI is being sued herein in his individual capacity and
13 therefore enjoys no government immunity from liability for his
14 misconduct and actions herein alleged.

15 8. Plaintiff is informed and believes, and thereon
16 alleges, that Defendant HOWARD B. MILLER, aka HOWARD MILLER
17 ("MILLER"), is, and at all times herein mentioned was, a
18 resident of Los Angeles County, State of California. Defendant
19 MILLER is being sued herein in his individual capacity and
20 therefore enjoys no government immunity from liability for his
21 misconduct and actions herein alleged.

22 9. Plaintiff is informed and believes, and thereon
23 alleges, that Defendant HOWARD DICKSTEIN, aka HOWARD LAWRENCE
24 DICKSTEIN ("DICKSTEIN"), is, and at all times herein mentioned
25 was, a resident of the County of Sacramento, State of
26 California. Defendant DICKSTEIN is being sued herein in his
27 individual capacity and therefore enjoys no government immunity
28 from liability for his misconduct and actions herein alleged.

1 10. Defendant JEANNINE ENGLISH ("ENGLISH"), upon
2 information and belief, is, and was at all times herein
3 mentioned, a resident of the County of Sacramento, State of
4 California. Plaintiff is further informed and believes, and
5 thereon alleges, that Defendant ENGLISH is, and at all times
6 herein mentioned was, the wife of Defendant DICKSTEIN.

7 11. Defendant ENGLISH is being sued herein in her
8 individual capacity. She therefore enjoys no government immunity
9 from liability for her misconduct and actions herein alleged.

10 12. Plaintiff is informed and believes, and upon such
11 information and belief alleges, that Defendant JUDY JOHNSON
12 ("JOHNSON") is, and at all times herein mentioned was, a
13 resident of the County of San Francisco, State of California.
14 Defendant JOHNSON is being sued herein in her individual
15 capacity, and therefore enjoys no government immunity from
16 liability for her misconduct and actions herein alleged.

17 13. Plaintiff is informed and believes, and thereon
18 alleges, that ROBERT A. HAWLEY ("HAWLEY") is, and at all times
19 herein mentioned was, a resident of the County of San Francisco,
20 State of California. Defendant HAWLEY is being sued herein in
21 his individual capacity. He therefore enjoys no government
22 immunity from liability for his misconduct and actions herein
23 alleged.

24 14. Plaintiff is informed and believes, and thereon
25 alleges, that Defendant TANI CANTIL-SAKAUYE ("CANTIL-SAKAUYE")
26 is, and at all times herein mentioned was, a resident of the
27 County of San Francisco, State of California. Defendant CANTIL-
28 SAKAUYE is, and was at all times relevant hereto, the Chief

1 Justice of Defendant, SUPREME COURT OF CALIFORNIA, aka
2 CALIFORNIA SUPREME COURT ("SUPREME COURT"). Defendant CANTIL-
3 SAKAUYE is being sued herein for equitable and declaratory
4 relief, due to violation of DYDZAK's civil, constitutional and
5 legal rights, as herein alleged. Said Defendant is not being
6 sued herein for monetary damages.

7 15. Plaintiff is informed and believes, and thereon
8 alleges, that Defendants MING W. CHIN, MARVIN A. BAXTER, GOODWIN
9 LIU, CAROL A. CORRIGAN, JOYCE L. KENNARD and KATHRYN M. WERDEGAR
10 (collectively "ASSOCIATE JUSTICES") are, and were at all times
11 herein mentioned, associate justices of Defendant SUPREME COURT.
12 Furthermore, upon information and belief, Defendant ASSOCIATE
13 JUSTICES are, and were at all times herein mentioned, residents
14 of the County of San Francisco, State of California.

15 16. Defendant ASSOCIATE JUSTICES are being sued herein for
16 declaratory and equitable relief and not monetary damages.
17 Plaintiff is informed and believes, and thereon alleges, that
18 Defendant ASSOCIATE JUSTICES, in concert with Defendant
19 CANTIL-SAKAUYE, Defendant DAVID WERDEGAR ("DW"),
20 Defendant RONALD M. GEORGE ("RONALD GEORGE"), Defendant ALAN I.
21 ROTHENBERG ("ROTHENBERG"), Defendant ERIC M. GEORGE ("ERIC
22 GEORGE"), Defendant CHARLES SCHWAB ("SCHWAB") and the other
23 named Defendants, are "covering up" the unlawful actions and
24 violation of DYDZAK's civil, constitutional and legal rights, as
25 herein alleged and described.

26 17. Plaintiff is informed and believes, and thereon
27 alleges, that Defendant SCHWAB is, and at all times herein
28 mentioned was, a resident of the County of San Francisco, State

1 of California. Defendant SCHWAB, a Fortune 500 executive, is,
2 and at all times herein mentioned was, well-known in U.S.
3 business circles and among investors for his various stock and
4 financial services companies.

5 18. Plaintiff is informed and believes, and thereon
6 alleges, that Defendant DW is, and at all times herein mentioned
7 was, an individual and prominent medical doctor residing in the
8 County of San Francisco, State of California. Upon further
9 information and belief, Defendant DW is, and was at all times
10 herein mentioned, the long-time spouse and financial advisor/
11 partner of Defendant KATHYRN M. WERDEGAR.

12 19. Defendant DW is being sued herein in his individual
13 capacity for general and punitive damages as a result of his
14 violating DYDZAK's legal rights. Such unlawful actions by
15 Defendant DW have caused, and continue to cause, Plaintiff major
16 injuries, pain and suffering and severe emotional distress, as
17 herein alleged.

18 20. Plaintiff is informed and believes, and upon such
19 information and belief alleges, that Defendant ERIC M. GEORGE
20 ("ERIC GEORGE") is, and was at all times herein mentioned, a
21 resident of Los Angeles County, State of California.

22 21. Plaintiff is informed and believes, and thereon
23 alleges, that Defendant RONALD M. GEORGE ("RONALD GEORGE") is,
24 and was at all times herein mentioned, a resident of Los Angeles
25 County, State of California. While previously the 27th Chief
26 Justice of Defendant SUPREME COURT for many years, Defendant
27 RONALD GEORGE retired on or about January 2, 2011.

28 22. In the Third and Fourth Causes of Action herein

1 Defendant RONALD GEORGE is being sued for equitable and
2 declaratory relief and not monetary damages.

3 23. In the Eighth and Ninth Causes of Action herein,
4 Defendant RONALD GEORGE is being sued in his individual capacity
5 **after** he retired from the bench, and administratively and
6 individually for unlawful **non-judicial** actions he took **while** he
7 was Chief Justice. Therefore, Defendant RONALD GEORGE enjoys no
8 judicial immunity in this action and cannot escape liability for
9 his unlawful actions and conduct towards DYDZAK, as herein
10 alleged and described.

11 24. Plaintiff is informed and believes, and thereon
12 alleges, that Defendant ALAN I. ROTHENBERG ("ROTHENBERG") is,
13 and at all times herein mentioned was, a resident of Los
14 Angeles County.

15 25. Plaintiff is informed and believes, and thereon
16 alleges, that STEPHEN V. WILSON ("WILSON") is, and at
17 all times herein mentioned was, an individual residing in the
18 County of Los Angeles, State of California. While
19 WILSON is a long-time federal judge of the United States
20 District Court for the Central District of California, he is a
21 material witness in this litigation.

22 26. Plaintiff is informed and believes, and thereon
23 alleges, that WILSON is, and was at all times herein mentioned,
24 engaged in unlawful, **non-judicial** and tortious actions taken in
25 his individual capacity to harm and injure DYDZAK, as herein
26 alleged and described.

27 27. Plaintiff is informed and believes, and thereon
28

1 alleges, that AUDREY B. COLLINS ("COLLINS") is, and at
2 all times herein mentioned was, an individual residing in the
3 County of Los Angeles, State of California. While COLLINS is a
4 long-time federal judge of the United States District Court for
5 the Central District of California, COLLINS is a material
6 witness in this litigation. At all times relevant hereto, upon
7 information and belief, COLLINS engaged in unlawful, **non-**
8 **judicial** and tortious actions taken in her individual capacity
9 to harm and injure DYDZAK, as herein alleged and described.

10 28. Plaintiff is informed and believes, and thereon
11 alleges, that LYDIA ALEXIS YURTCHUK ("YURTCHUK") is,
12 and was at all times herein mentioned, an individual
13 residing in the County of Los Angeles, State of California.
14 YURTCHUK is, and was at all times herein mentioned, a material
15 witness in this litigation and an attorney employed by the
16 United States of America.

17 29. At all times relevant hereto, WILSON, COLLINS and
18 YURTCHUK herein acted, and continue to act, in their individual
19 capacities or administratively towards DYDZAK. Their tortious,
20 illegal acts done to DYDZAK are and were **outside** the ambit and
21 parameters of their respective federal employment.

22 30. Plaintiff is informed and believes, and thereon
23 alleges, that HOLLY J. FUJIE ("FUJIE") is, and was at
24 all times herein mentioned, an individual residing in the County
25 of Los Angeles, State of California.

26 31. FUJIE has recently been appointed as a
27 Los Angeles Superior Court Judge. However, her unlawful,
28 wrongful and bad faith actions towards DYDZAK, as herein

1 alleged, were taken in her individual capacity, not as a judge
2 or attorney, and not in any manner whatsoever connected,
3 directly or indirectly to any civil litigation in which she was
4 involved. FUJIE is clearly a material witness to the unlawful
5 actions herein alleged, being a former State Bar President and
6 close friend to many of the Defendants named herein.

7 32. Plaintiff is informed and believes, and thereon
8 alleges, that Defendant SUPREME COURT is, and was at all times
9 herein mentioned, the highest-level court, jurisdictionally, in
10 the State of California. Upon further information and belief,
11 Defendant SUPREME COURT is, and was at all times herein
12 mentioned, a valid legal or government entity, exact form
13 unknown, same being organized and existing by virtue of
14 the California Constitution and other applicable statutory
15 authority of the State of California. Plaintiff will seek leave
16 to amend this Complaint to set forth the exact identity and
17 capacity of Defendant SUPREME COURT when same are ascertained.

18 33. Plaintiff is informed and believes, and thereon
19 alleges, that Defendants DUNN , TORRES-GIL, TOWERY, BABCOCK,
20 GRUNBERG, CHANG, GIRARDI, MILLER, DICKSTEIN, JOHNSON, ERIC
21 GEORGE, ROTHENBERG and HAWLEY are, were and at all
22 times herein mentioned, attorneys duly licensed to practice law
23 before all the Courts of the State of California.

24 34. Plaintiff is informed and believes, and upon such
25 information and belief alleges, that Defendant STATE OF
26 CALIFORNIA is, and was at all times herein mentioned, a legal or
27 government entity, exact status unknown, which is and was
28 created by the Constitution of the State of California and other

1 applicable statutory and legislative authority. In such
2 capacity, Defendant STATE OF CALIFORNIA has and does promulgate
3 and enforce laws to protect the citizens of said state with
4 respect to their health, safety and welfare. One of said
5 statutes is the Business and Professions Code, certain
6 provisions of which deal with the regulation and licensing of
7 attorneys in California and are known as the State Bar Act.

8 35. Plaintiff will seek leave to amend this Complaint to
9 set forth the exact identity and capacity of Defendant STATE OF
10 CALIFORNIA when same are ascertained.

11 36. Furthermore, Defendant STATE OF CALIFORNIA is being
12 sued herein for equitable and declaratory relief, and not
13 monetary damages, with respect to the Tenth Cause of Action.

14 37. Plaintiff is ignorant of the true names and capacities
15 of Defendants sued herein as DOES 1 through 100, inclusive, and
16 therefore sues these Defendants by such fictitious names.
17 Plaintiff will amend this Complaint to allege their true names
18 and capacities when same are ascertained. Plaintiff is informed
19 and believes, and thereon alleges, that each of the fictitiously
20 named Defendants is responsible in some manner for the
21 occurrences herein alleged, and that Plaintiff's injuries as
22 herein alleged were proximately caused by the misconduct and
23 unlawful actions herein alleged.

24 38. Plaintiff is informed and believes, and thereon
25 alleges, that at all times herein mentioned each of the
26 Defendants was the agent and employee of each of the other
27 Defendants, and in doing the things hereinafter alleged, was
28 acting within the course and scope of such agency and

1 employment.

2 39. Plaintiff was admitted to the practice of law in the
3 State of California on or about December 17, 1985. DYDZAK
4 practiced law with distinction in various state and federal
5 courts throughout California for approximately twenty-three and
6 a half years. Due to major prosecutorial, attorney and judicial
7 misconduct, Plaintiff was summarily and illegally disbarred by
8 Defendant SUPREME COURT with one-line "Petition denied" language
9 on or about May 12, 2010.

10 40. One of the key factors leading to DYDZAK's illegal
11 disbarment was the unethical and unlawful conduct of the State
12 Bar judge presiding over DYDZAK's disciplinary proceedings. In
13 recommending his disbarment, this judge, one Donald F. Miles,
14 had improper and unethical ex parte, extrajudicial
15 communications with attorneys from Miles' former law firm, San
16 Francisco-based Howard, Rice, Nemerovski, Canady, Falk & Rabkin
17 ("HOWARD RICE"), to frame Plaintiff and "rig" the result. DYDZAK
18 had sued Miles' friend and former partner, attorney Bernard A.
19 Burk, and Charles Schwab's company, a former Miles' client.
20 Despite this obvious conflict of interest and bias, Defendant
21 SUPREME COURT refused to intervene, grant review on the merits,
22 and reverse DYDZAK's disbarment Order.

23 41. Another key factor leading to DYDZAK's illegal
24 disbarment were the unlawful, unethical actions of former State
25 Bar President, Defendant ROTHENBERG, to get Plaintiff prosecuted
26 in the first place. DYDZAK had successfully sued Rothenberg in
27 Beverly Hills Superior Court, and obtained a favorable
28 settlement for his then clients, Anthony Rogell and Hughes

1 Rogell Heritage, a California Corporation. This case was
2 Hughes Rogell Heritage v. First Century Bank, Alan Rothenberg et
3 al., LASC Case No. SC085434 , heard and adjudicated in the
4 Beverly Hills courthouse.

5 42. Shortly before the settlement, Defendant ROTHENBERG
6 threatened DYDZAK at the latter's office after ROTHENBERG's
7 deposition by almost hitting DYDZAK and stating: "I'm going to
8 get you." DYDZAK subsequently found out that this statement
9 referred to Defendant ROTHENBERG's substantial influence with
10 Scott Drexel, the Chief Trial Counsel, and State Bar hierarchy.

11 43. Plaintiff is informed and believes, and thereon
12 alleges, that Defendant ROTHENBERG retaliated against Plaintiff
13 by using his political influence as "State Bar royalty" and a
14 State Bar "insider" by communicating with Drexel and the Office
15 of Enforcement to persuade it to file disciplinary charges
16 against DYDZAK. Thereafter, the Chief Trial Counsel's Office in
17 its disciplinary charges fabricated evidence, distorted and
18 twisted evidence and facts, and misstated the law, including
19 invading federal court jurisdiction, in order to unfairly
20 prosecute DYDZAK.

21 44. One of the State Bar prosecutors, Eli Mortgenstern,
22 even admitted to DYDZAK that the charges against him were
23 "political". In or about late 2007, Mortgenstern indicated
24 that he had his marching orders from higher-ups to prosecute
25 Plaintiff and pursue DYDZAK on any client complaint, even if
26 completely meritless.

27 45. In disbarring DYDZAK, Defendant SUPREME COURT did not
28 allow DYDZAK oral argument and a written decision on the merits

1 and assessed significant disciplinary costs against him of over
2 \$ 15,000.00. The subject disbarment Order is, and was at all
3 times herein mentioned, patently against the Equal Protection
4 and Due Process Clauses of the California and United States
5 Constitutions and the Supremacy Clause.

6 46. Neither the Clerk of Defendant SUPREME COURT, nor
7 Defendant RONALD GEORGE, nor the State Bar of California ever
8 showed or produced to Plaintiff the original or a true and
9 correct copy of the actual signed disbarment Order re: DYDZAK.

10 47. DYDZAK found out after his disbarment from credible
11 sources and witnesses that Beth Jay, Esq., the personal attorney
12 for Defendants CANTIL-SAKAUYE and RONALD GEORGE at the
13 Defendant SUPREME COURT, had unethically and unlawfully placed
14 certain "politically disfavored" attorneys such as DYDZAK on a
15 "hit list" for severe discipline, including disbarment.
16 Moreover, DYDZAK learned after his disbarment that Ms. Jay had
17 illegally, unethically met weekly with the then Chief Trial
18 Counsel of the State Bar of California, Scott Drexel, to "frame"
19 certain disliked attorneys in the disciplinary process,
20 including DYDZAK.

21 48. The aforesaid credible sources and witnesses also put
22 DYDZAK on notice that Defendant SUPREME COURT does not even
23 consider or read any of the briefs submitted by aggrieved
24 attorneys in disciplinary cases, rubber-stamps the
25 recommendations of the Review Department of the State Bar Court,
26 and has unconstitutionally never granted review since its
27 majority holding in In re Rose (2000) 22 Cal.4th 430 ["ROSE
28 DECISION"]. The majority decision thereof was authored by

1 Defendant RONALD GEORGE.

2 49. By this action, inter alia, DYDZAK seeks to have the
3 ROSE DECISION declared void, unconstitutional and ultra vires in
4 its application and usage towards DYDZAK and attorneys similarly
5 situated since 2000 and continuing to the present, as alleged
6 and set forth in the Third and Fourth Causes of Action of this
7 Complaint.

8 50. Plaintiff is informed and believes, and thereon
9 alleges, that Defendants MILLER and GIRARDI are, and were at all
10 times herein mentioned, well-known attorneys and politically
11 connected "power brokers" within the California State Bar
12 hierarchy and in legal and judicial circles. Similarly,
13 FUJIE, until her recent appointment as a judge to the
14 Los Angeles Superior Court, was a long-time practicing attorney,
15 a former State Bar President and politically connected.

16 51. Plaintiff is informed and believes, and thereon
17 alleges, that Defendants RONALD GEORGE, ERIC GEORGE and others,
18 by and through their "banker", Defendant ROTHENBERG, were
19 involved in the theft, misappropriation, misuse, conversion and
20 money-laundering of taxpayers monies and bar funds belonging to
21 the State of California, California Bar Foundation, State Bar of
22 California, California Judicial Council and California
23 Administration of the Courts ("AOC"). DYDZAK did not discover
24 this information until in or about mid-July, 2011, when he
25 happened to peruse and research various media sources and public
26 records related to Defendant ERIC GEORGE, FIRST CENTURY BANK,
27 Defendant ROTHENBERG and 1st CENTURY BANCSHARES, INC.

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1 52. In or about mid-July, 2011, certain witnesses also
2 came forward and advised DYDZAK about the startling and
3 illegal financial improprieties and conduct, as alleged and
4 described in Paragraph 51 herein.

5 53. Upon information and belief, FUJIE is, and was
6 at all times herein mentioned, well cognizant of the aforesaid
7 financial corruption and misuse of funds before, during the
8 period and after she was President of the State Bar of
9 California from 2008-2009. Nevertheless, while she was State Bar
10 President and afterwards, FUJIE, in order to gain personal
11 advantage and influence and benefit her law firm, turned a blind
12 eye to and acquiesced in the laundering, conversion, kickbacks
13 and misappropriation of taxpayer, AOC, Judicial Council, state
14 bar foundation and state bar monies, as herein alleged. In
15 derogation of her ethical and professional duties and
16 responsibilities as an attorney, FUJIE did not report the
17 financial transgressions and misconduct by Defendant RONALD
18 GEORGE and others, including, without limitation, said unlawful
19 conduct by state bar employees and individuals connected to the
20 California Judicial Council and AOC, such as Defendant JUDY
21 JOHNSON.

22 54. Plaintiff is informed and believes, and thereon
23 alleges, that Defendants ERIC GEORGE and GIRARDI, were able to
24 influence and vote for FUJIE's appointment to the bench because
25 of such acquiescence by her to the aforementioned unlawful
26 activities, which activities these Defendants condoned.

27 53. When DYDZAK informed FUJIE about the misconduct of
28 State Bar Judge Miles towards him in or about mid-2009, FUJIE

1 blew him off in a curt telephone conversation and advised him
2 she could do nothing about the matter. FUJIE further stated that
3 her tenure as State Bar President would soon be ending. FUJIE
4 claimed she had no influence with the Board of Governors of the
5 State Bar of California to inquire into Miles' misconduct.

6 55. DYDZAK did not know at the time of this conversation
7 that FUJIE was part of the ongoing cover-up of the financial
8 corruption rampant in the State Bar hierarchy and the money-
9 laundering and conversion of taxpayer, judicial council and bar
10 funds by Defendants RONALD GEORGE, ERIC GEORGE and ROTHENBERG,
11 as herein alleged. DYDZAK further did not know at the time of
12 his conversation with FUJIE that FUJIE was and is close,
13 intimate friends with Defendants RONALD GEORGE, ERIC GEORGE,
14 ROTHENBERG, GIRARDI and MILLER through her bar activities and
15 her involvement with Bet Tzedek, the predominantly jewish legal
16 and charity organization, and the downtown LA legal fraternity,
17 the Chancery Club.

18 56. Like FUJIE, Defendant MILLER turned a blind eye to the
19 illegal financial shenanigans and misconduct alleged above while
20 he was State Bar President for the term 2009-2010. When DYDZAK
21 attempted to talk to Defendant MILLER a few months after his
22 conversation with Defendant FUJIE about the misconduct of State
23 Bar Judge MILES, Defendant MILLER arrogantly stated to him:
24 "I can't talk to you" and hung up the phone.

25 57. Plaintiff is informed and believes, and thereon
26 alleges, that Defendant MILLER is, and was at all times herein
27 mentioned, intimate friends with FUJIE, Defendants GIRARDI,
28

1 RONALD GEORGE, ERIC GEORGE and ROTHENBERG, and heavily involved
2 in the Bet Tzedek charity. Moreover, like FUJIE, Defendant
3 MILLER has and had no interest in assisting DYDZAK with respect
4 to the irregular and illegal bar proceedings against Plaintiff,
5 because said Defendant was and is part of the cover-up of the
6 unlawful financial dealings of the GEORGES and ROTHENBERG, as
7 herein alleged.

8 58. Moreover, Plaintiff is informed and believes, and
9 thereon alleges, that Defendant ERIC GEORGE and Defendant
10 MILLER's law firm, GIRARDI and KEESE, have been and are co-
11 counsel on many legal cases and therefore Defendant MILLER has a
12 vested interest in keeping the GEORGES happy and not upsetting
13 the lucrative and influential apple cart that benefits him and
14 Defendant GIRARDI.

15 59. Plaintiff is informed and believes, and thereon
16 alleges, that Defendant GIRARDI rigged the election for the
17 State Bar Presidency for his partner, Defendant MILLER, in or
18 about 2009, through influence peddling and bribes, in complicity
19 with Defendant DUNN and FUJIE, to ensure that Defendant MILLER
20 was elected unopposed. All other candidates dropped out of the
21 race, and Defendant MILLER became State Bar President by
22 unopposed acclamation.

23 60. Plaintiff is informed and believes, and thereon
24 alleges, that Defendants GIRARDI and MILLER, operating through
25 the law firm GIRARDI & KEESE based in Los Angeles and San
26 Bernardino, have for years engaged in the following unlawful and
27 / / /
28 / / /

1 unethical conduct, without limitation: (a) money laundering,
2 conversion and misappropriation of client and Bar funds; (b)
3 giving financial incentives, illegal contributions and kickbacks
4 to certain attorneys and judges to influence the outcome of
5 cases and the selection of judges for the state judiciary; (c)
6 free jet airfare, expensive meals and hotel/tourist junkets to
7 California state bar officials and judges, such as Defendant
8 RONALD GEORGE, Scott Drexel, FUJIE and Defendant DUNN; and (d)
9 Had and have improper, extrajudicial communications and contacts
10 with individuals such as Sarah Overton, Esq., Beth Jay, Drexel,
11 Defendant ERIC GEORGE, Defendant RONALD GEORGE, Defendant
12 ROTHENBERG, A. Howard Matz, Stephen V. Wilson, Margaret Morrow
13 and Mariana Pfaelzer to affect the prosecution and outcome of
14 disciplinary cases.

15 61. Upon information and belief, Defendants MILLER and
16 GIRARDI were able to gain such influence by virtue of their
17 being former members of the Judicial Council, their major
18 friendships, professional relationships and association and
19 financial ties with FUJIE, Defendant RONALD GEORGE, Defendant
20 CANTIL-SAKAUYE, Defendant ROTHENBERG, Howard Rice operatives,
21 JEROME FALK and DOUGLAS WINTHROP, Defendant ERIC GEORGE and
22 several members of the state and federal judiciary, especially
23 in Los Angeles County, State of California.

24 62. Upon further information and belief, at all times
25 herein mentioned, Defendants MILLER and GIRARDI are and were
26 extremely active in State Bar and California Bar Foundation
27 matters, and influencing certain judges and bar officials from
28 their base at the GIRARDI & KEESE law firm and from the

1 "establishment" Chancery Club in downtown Los Angeles.
2 Defendants MILLER and GIRARDI, upon information and belief
3 pending discovery, place their monies in and have bank accounts
4 at Defendant ROTHENBERG's entities, FIRST CENTURY BANK and 1st
5 CENTURY BANCSHARES, INC. Defendants MILLER and GIRARDI are, and
6 were at all times herein mentioned, close to Defendants WILSON
7 and MATZ through their legal work and activities with jewish
8 charities in Los Angeles and elsewhere.

9 63. Upon reasonable information and belief, approximately
10 eleven months ago, Defendant GIRARDI bragged to a shocked female
11 attorney in his Los Angeles office that he could rig and
12 influence state bar disciplinary cases due to his friendships
13 and political and financial connections to the State Bar of
14 California, the Chief Trial Counsel's Office, and certain
15 members of the state and federal judiciary. After making such a
16 representation, Defendant GIRARDI proceeded to show such
17 influence by calling a L.A. Superior Court Judge directly,
18 ostensibly to discuss a state bar matter or function.

19 64. In another telling event, in early 2012, Defendant
20 GIRARDI and his law firm got hit with a major malpractice
21 verdict of several million dollars from a Los Angeles Superior
22 Court jury over their mishandling of a major personal injury
23 case. However, the trial judge declared a mistrial and set aside
24 the verdict. Upon information and belief, through Defendant
25 GIRARDI's and MILLER's influence and political clout with the
26 Los Angeles judiciary, this trial judge subsequently was given a
27 judicial appointment to the prestigious "complex litigation"
28 division of the L.A. Superior Court on Commonwealth Avenue.

1 65. Major press coverage and public records show that
2 Defendant GIRARDI was recently disciplined and publicly
3 reprimanded by the Ninth Circuit Court of Appeals for
4 unprofessional conduct involving overseas litigation against the
5 DOLE companies. Defendant GIRARDI was also exposed with attorney
6 Jerome Falk for unethically using his influence to not be
7 disciplined by the State Bar of California, along with attorney
8 Walter Lake. The then Chief Trial Counsel for the State Bar of
9 California, Defendant TOWERY, was embarrassed in press coverage
10 that he did not ethically reveal a conflict of interest which
11 existed between Falk, who had been picked by the State Bar as
12 special investigator or prosecutor, and Defendant GIRARDI. This
13 revelation led in part to Defendant TOWERY's hasty decision to
14 resign as Chief Trial Counsel after only one year of service in
15 that position.

16 66. Plaintiff is informed and believes, and thereon
17 alleges, that, at all times relevant hereto, Defendants MILLER
18 and GIRARDI, Defendant ROTHENBERG, HOWARD RICE operatives,
19 Kenneth Hausmann, Bernard A. Burk, Sean Selegue, Jerome Falk and
20 Douglas Winthrop had improper and unethical communications and
21 contacts with Scott Drexel, Beth Jay, Donald F. Miles, Stephen
22 V. Wilson, A. Howard Matz, and others to ensure that DYDZAK was
23 severely disciplined and disbarred in the State of California
24 and certain federal courts.

25 67. Plaintiff is informed and believes, and thereon
26 alleges, that Bet Tzedek is, and was at all times herein
27 mentioned, used as a vehicle for Defendants ROTHENBERG, ERIC
28 GEORGE and RONALD GEORGE to money-launders and hide certain of

1 the misappropriated and converted sums by the GEORGES, since
2 Bet Tzedek has major bank accounts in Defendant ROTHENBERG's
3 financial institutions, FIRST CENTURY BANK and 1st CENTURY
4 BANCSHARES, INC.

5 68. Plaintiff is informed and believes, and thereon
6 alleges, that FUJIE, her former law firm, BUCHALTER, NEMER,
7 Defendants GIRARDI and MILLER, Defendant ERIC GEORGE, Margaret
8 Morrow, Mariana Pflazer, Jerome Falk, A. Howard Matz, Stephen V.
9 Wilson and Defendant RONALD GEORGE, have, and had at all times
10 relevant hereto, bank accounts and other financial holdings at
11 Defendant ROTHENBERG's financial institutions, FIRST CENTURY
12 BANK and 1st CENTURY BANCSHARES, INC. Upon information and
13 belief, the accounts controlled by Defendants ERIC GEORGE and
14 RONALD GEORGE contain unlawful monies and funds converted and
15 misappropriated from the taxpayers of California, the State Bar
16 Foundation, the AOC and the State Bar of California.

17 69. Upon information and belief, because Defendants ERIC
18 GEORGE and RONALD GEORGE are, and were at all times herein
19 mentioned, beholden to their banker, Defendant ROTHENBERG, to
20 hide and process their illicit and stolen monies, as herein
21 alleged, and are further 10 percent equity owners of
22 ROTHENBERG's financial entities, clearly RONALD GEORGE had no
23 incentive to be fair and impartial towards DYDZAK with respect
24 to any rulings by him in DYDZAK's state bar proceedings.
25 As well, Plaintiff is informed and believes, and thereon
26 alleges, that Defendant ERIC GEORGE has been since 2008 a
27 director of 1st CENTURY BANCSHARES, INC. with major stock
28 therein, per public and SEC documents and BANCSHARES' own public

1 records. The GEORGES were original investors in 2004.

2 70. Plaintiff is informed and believes, and thereon
3 alleges, that Defendants RONALD GEORGE and ERIC GEORGE have
4 converted and allowed the conversion and misappropriation of
5 millions of dollars of taxpayer funds and monies of the State of
6 California, California Bar Foundation and AOC. For example, in a
7 transaction or transactions implicating Defendant DUNN in
8 financial misconduct along with the GEORGES, approximately
9 \$ 780,000.00 or more was misappropriated through the sham, non-
10 profit entity, CaliforniaALL. Upon information and belief,
11 Defendant RONALD GEORGE, while Chief Justice of Defendant
12 SUPREME COURT, used his control and supervision of the Judicial
13 Council and AOC as a means to garner California taxpayer monies
14 and surreptitiously convert and misappropriate vast sums to his
15 own personal use, enrich persons who allowed such illicit
16 agenda, such as Defendant ERIC GEORGE, ran up major bills on his
17 expense accounts out of AOC funds for his own personal use, and
18 used Defendant ROTHENBERG and his bank entities for the purpose
19 of the aforementioned fraudulent and nefarious scheme.

20 71. Defendants ROTHENBERG, GIRARDI and MILLER, FUJIE and
21 Jerome Falk benefited from their "cozy" relationship with
22 Defendant RONALD GEORGE. For example, Defendants GIRARDI and
23 ROTHENBERG were, at various times, members of the Judicial
24 Council and appointed by Defendant RONALD GEORGE. FUJIE recently
25 got appointed to the Los Angeles Superior Court. Falk and other
26 HOWARD RICE attorneys received preferential rulings from
27 Defendant SUPREME COURT under GEORGE's tenure. Defendants
28 GIRARDI and MILLER have, and had at all times herein mentioned,

1 influence as to which California attorneys get appointed to the
2 federal and state judiciary. In fact, Defendant GIRARDI likes to
3 spread the word that he, of Italian heritage, is akin to a
4 "Godfather" bestowing favors--for instance, his and his
5 wife's large contributions to judicial nominees and politicians
6 such as Senator Patrick Leahy of the Judiciary Committee.

7 72. Plaintiff is informed and believes, and thereon
8 alleges, that Defendant ERIC GEORGE has hidden and laundered
9 substantial amounts of illicit funds and monies for his father,
10 Defendant RONALD GEORGE, through FIRST CENTURY BANK and 1st
11 CENTURY BANCSHARES, INC., with ROTHENBERG's unlawful blessing,
12 supervision and assistance. Defendant ERIC GEORGE has been amply
13 rewarded by Defendant ROTHENBERG for such conduct by receiving
14 income, stock ownership, dividends and directorship status with
15 his bank, FIRST CENTURY BANK, and holding company, 1st CENTURY
16 BANCSHARES, INC.

17 73. Plaintiff is informed and believes, and thereon
18 alleges, that much of the aforementioned income and other
19 financial incentives to Defendant ERIC GEORGE came about in the
20 fall of 2008 onward, whilst Plaintiff was bringing up the issue
21 of Defendant ROTHENBERG's misconduct towards him and litigating
22 in the State Bar Court, Defendant SUPREME COURT and federal
23 courts to save his California bar license and his standing as a
24 federally licensed attorney in a number of jurisdictions.
25 Until approximately July, 2011, DYDZAK did not know about the
26 extensive influence-peddling and improper ex parte
27 communications and contacts between Defendant CANTIL-SAKAUYE,
28 Defendant RONALD GEORGE, Defendant ERIC GEORGE, Stephen V.

1 Wilson, A. Howard Matz, Beth Jay, Defendant ROTHENBERG,
2 Defendant GIRARDI, Defendant MILLER, Holly Fujie, Scott Drexel
3 and others to obstruct that process. These individuals are, and
4 were at all times herein mentioned, well aware that Defendant
5 RONALD GEORGE should not have ruled on matters involving
6 DYDZAK'S disciplinary case because he and his son, ERIC, had
7 financial interests and other factors adverse to DYDZAK,
8 demonstrating his bias and conflicts of interest towards DYDZAK
9 or the appearance of same. The breach of judicial ethics by
10 Defendant RONALD GEORGE and attorney ethics by Defendant ERIC
11 GEORGE are obvious.

12 74. Plaintiff is further informed and believes, and
13 thereon alleges, that much of the AOC funds and monies converted
14 by Defendant RONALD GEORGE resulted because he was not
15 sufficiently audited while Chief Justice of Defendant SUPREME
16 COURT. Moreover, upon information and belief, during Defendant
17 GEORGE'S tenure, and continuing to the present under the watch
18 of Defendant CANTIL-SAKAUYE, the monies from criminal fines and
19 traffic fines in the Los Angeles Superior Court illegally and
20 improperly find their way into AOC coffers, are not properly
21 accounted for and audited, and were illegally siphoned off by
22 Defendant GEORGE, with the knowing participation of Defendants
23 ROTHENBERG, ERIC GEORGE and GIRARDI.

24 75. At all times relevant hereto, Plaintiff is informed
25 and believes, and thereon alleges, that Defendant ERIC GEORGE
26 was used as a conduit and "front" to transfer RONALD GEORGE'S
27 illicit gains to him in the form of major ownership, funds and
28 stock in FIRST CENTURY BANK and FIRST CENTURY BANCSHARES, INC.

1 Upon information and belief, much of Defendant ERIC GEORGE's
2 holdings in FIRST CENTURY BANK and FIRST CENTURY BANCSHARES,
3 INC. are in fact the ill-gotten and unlawful funds converted and
4 misappropriated by Defendant RONALD GEORGE, as herein alleged.
5 Major financial irregularities with respect to California
6 taxpayer monies overseen by Defendants RONALD GEORGE
7 and CANTIL-SAKAUYE, mainly through the AOC, have recently been
8 highlighted in newspapers such as the Sacramento Bee and media
9 blogs such as the Leslie Brodie Report.

10 76. Upon information and belief, an Independent Alliance
11 of Superior Court Judges ("ALLIANCE"), numbering 200 or more
12 California judges, along with numerous members of the California
13 Legislature, have pushed for legislation that control of the
14 financial strings of the AOC and Judicial Council be taken away
15 from Defendant CANTIL-SAYAUYE and Defendant SUPREME COURT. The
16 subject bill has been passed by the California Assembly (AB
17 1208), but is being held up in the Senate by Darrell Steinberg,
18 a law school friend of Defendant CANTIL-SAYAUYE and an ally of
19 Defendant DUNN. The final passage of this financial reform bill
20 into law has been unduly delayed in the California Senate,
21 through extensive and unbecoming lobbying by Defendant CANTIL-
22 SAKAUYE. To "hold onto the money", she unconvincingly claims the
23 California Legislature is interfering with Defendant SUPREME
24 COURT's Separation of Powers. Upon information and belief, she
25 has promised Steinberg her efforts to get him appointed to the
26 Court of Appeal in the future if he obstructs passage of AB 1208
27 into law. By contrast, ALLIANCE is aware of the aforesaid
28 financial corruption and mismanagement of funds, and have

1 strongly voiced their dissatisfaction with the disturbing
2 situation.

3 77. Plaintiff is informed and believes, and thereon
4 alleges, that Defendant DUNN has benefited tremendously and
5 financially from the misappropriation and laundering of AOC
6 funds, knowing full well and turning a blind eye to the
7 misconduct of the GEORGES and ROTHENBERG herein alleged.

8 78. Defendant DUNN has the full support of Defendant
9 CANTIL-SAKAUYE in this cover-up. Upon information and belief,
10 Defendant CANTIL-SAKAUYE tolerates the situation and does not
11 want an independent, thorough and fair audit by the State of
12 California or Governor Jerry Brown's office because it would
13 reveal the widespread financial corruption and conversion by the
14 GEORGES and ROTHENBERG, as herein alleged. Moreover, upon
15 information and belief, Defendant CANTIL-SAKAUYE may herself
16 have concerns about an independent, thorough and fair audit by
17 the State of California or Governor Jerry Brown's office because
18 she is possibly sending suspect monies to the Philippines, her
19 ancestral homeland, through an influential and connected
20 financial advisor or middleman in Beverly Hills, California.
21 Upon information and belief, this advisor or middleman is the
22 same person whom Imelda and Fernando Marcos used to illegally
23 move around funds absconded from the Philippines government and
24 people.

25 79. Plaintiff is informed and believes, and thereon
26 alleges, that Defendant DUNN was a former Senator in the state
27 legislature and received campaign benefits, contributions and
28 lobbying fees related to the State Bar of California for

1 maintaining the corrupt "status quo." As presently Executive
2 Director of the State Bar of California, he is also allowed to
3 continue his law practice in Anaheim at the same time, picking
4 up tremendous lobbyist and attorney's fees to hide the financial
5 mismanagement and conversion of AOC, state bar and taxpayer
6 funds, as herein alleged. In addition, being an active
7 practicing attorney and Executive Director at the same time
8 raises ethical and conflict of interest implications.

9 80. Defendant DUNN is, and was at all times herein
10 mentioned, well aware of the unlawful disbarment of DYDZAK.
11 While he marginally cleaned up shop to look politically correct
12 and ridded the Chief Trial Counsel's office of unethical and
13 unscrupulous state bar attorneys implicated in misconduct in
14 DYDZAK's disciplinary proceedings, such as Victoria Molloy and
15 Russell Weiner, he did nothing at all to assist DYDZAK in being
16 reinstated as an attorney in the State of California despite
17 demand therefor by Plaintiff.

18 81. Like Defendant DUNN, Defendants CANTIL-SAKAUYE, RONALD
19 GEORGE, ERIC GEORGE, ROTHENBERG, BABCOCK and others, who have
20 benefitted career-wise, politically and financially, from not
21 disrupting the illicit, now entrenched state of affairs set in
22 motion by Defendant RONALD GEORGE over a decade ago, as herein
23 alleged, fear the AOC and Judicial Council being abolished or
24 taken over by the Legislature. They fear what a thorough, fair
25 and independent audit would reveal.

26 82. Upon information and belief, Defendant RONALD GEORGE
27 would never allow reputable, honest accountants to fully access
28 and review AOC monies he handled while Chief Justice for the

1 administration of the California judiciary. Defendant CANTIL-
2 SAKAUYE, upon information and belief, apparently continues in
3 this vein of non-access to financial records.

4 83. Plaintiff is informed and believes, and thereon
5 alleges, that Defendant CANTIL-SAKAUYE owes her ascendancy as
6 Chief Justice to Defendant RONALD GEORGE. Other qualified
7 candidates for Chief Justice were passed over, because Defendant
8 RONALD GEORGE knows, and knew at all times herein mentioned,
9 that Defendant CANTIL-SAKAUYE would not expose his
10 mismanagement, conversion and misappropriation of funds, as
11 herein alleged. Now, ALLIANCE judges have justifiably revolted
12 against her and her business-as-usual cover up. Defendant
13 CANTIL-SAKAUYE fears losing her financial clout and having
14 exposed the financial mismanagement, conversion and
15 misappropriation of government and taxpayer funds by Defendant
16 RONALD GEORGE, as herein alleged.

17 84. The injustice done to Plaintiff does not end with the
18 machinations and unlawful conduct of Defendant RONALD GEORGE,
19 ERIC GEORGE and others, as hereinbefore alleged. Defendants
20 SCHWAB and DW, in complicity with Defendant KATHRYN WERDEGAR,
21 have also injured Plaintiff and entered DYDZAK's
22 life path, to his severe damage and detriment.

23 85. Plaintiff is informed and believes, and thereon
24 alleges, that Defendant SCHWAB is, and was at all times herein
25 mentioned, active in the CHARLES SCHWAB FOUNDATION and has
26 himself and through this Foundation and other related companies
27 made major financial and charitable contributions in the San
28 Francisco-Bay area. Upon information and belief, these

1 contributions include major monies paid to and benefiting his
2 long-time friends Defendants KATHRYN WERDEGAR and DW, her
3 husband-doctor.

4 86. In or about mid-February, 2012, upon information and
5 belief, Plaintiff first discovered that Defendant DW's Institute
6 of Aging, a major medical center and facility in San Francisco,
7 receives, and has received at all times relevant hereto,
8 millions of dollars in contributions and monies from Defendant
9 SCHWAB over the last ten (10) years or more, including in or
10 about May, 2011. Until very recently, whereby Defendant DW is
11 alleged to have retired from said Institute of Aging, Plaintiff
12 is informed and believes, and thereon alleges, that Defendant DW
13 was long-time CEO thereof and received considerable income,
14 stock and other financial benefits and incentives, directly or
15 indirectly, from Defendant SCHWAB or his Foundation, including
16 in or about May, 2011. The aforesaid financial consideration and
17 monies benefitted both Defendant DW and Defendant KATHYRN M.
18 WERDEGAR, including in or about May, 2011.

19 87. Plaintiff is informed and believes, and thereon
20 alleges, that Defendants SCHWAB, DW and KATHYRN M. WERDEGAR
21 were aware in or about May, 2011, and at all other times
22 relevant hereto, that Defendant SCHWAB's financial contributions
23 and monies to Defendant DW also clearly benefitted Defendant
24 KATHYRN M. WERDEGAR. Upon information and belief, Defendants
25 SCHWAB, DW and Defendant KATHYRN M. WERDEGAR were also aware in
26 or about May, 2011, and at all other times relevant hereto, that
27 DYDZAK's disciplinary proceedings were pending for adjudication
28 and consideration by Defendant SUPREME COURT. These Defendants,

1 and each of them, were further cognizant that Defendant DW's
2 financial dealings with Defendant SCHWAB created an ethical
3 and judicial conflict of interest for Defendant KATHRYN M.
4 WERDEGAR. This conflict arose because DYDZAK had previously
5 represented one Shanel Stasz in LASC litigation, had sued
6 CHARLES SCHWAB & CO., one of SCHWAB's prior attorneys, Bernard
7 A. Burk, and the Estate and Living Trust of SCHWAB's co-founder,
8 Hugo Quakenbush. Defendant KATHRYN WERDEGAR, in not
9 disqualifying herself in DYDZAK's disciplinary case, for bias
10 and conflict of interest, or the appearance of same, violated
11 her oath as a judge and aided and abetted both Defendants DW and
12 SCHWAB to injure Plaintiff.

13 88. In or about mid-February, 2012, upon information and
14 belief, Plaintiff discovered that Defendant SCHWAB's attorneys
15 at MORRISON & FOERSTER ("M&F") in San Francisco gave, and
16 continue to give, considerable financial support, monies and
17 contributions to Defendant DW and his Institute of Aging.
18 Plaintiff is further informed and believe, and thereon allege,
19 that this financial support, monies and contributions have
20 benefited Defendant DW and his wife, creating another conflict
21 of interest and bias for Defendant KATHRYN M. WERDEGAR towards
22 DYDZAK. Since Defendant SCHWAB, behind the scenes, had earlier
23 used his influence and financial clout to get DYDZAK disciplined
24 and disbarred, through his attorneys at HOWARD RICE, Defendant
25 WERDEGAR has, and had at all times herein mentioned, a bias and
26 conflict of interest, or the appearance of same, in ruling on
27 DYDZAK's disciplinary matters before Defendant SUPREME COURT.
28

1 89. The failure by Defendant KATHRYN WERDEGAR to disclose
2 her and her husband's financial relationship and friendship with
3 Defendant SCHWAB and her friendships and relationship with
4 Howard Rice and Morrison Forester attorneys, Defendant SCHWAB's
5 main counsel in numerous legal matters, is, and was at all times
6 herein mentioned, an ethical breach of the highest order towards
7 DYDZAK, especially since Defendant SUPREME COURT was called upon
8 to consider and adjudicate several writs and a motion to reopen
9 his disciplinary case from in or about November, 2008 to
10 February 15, 2012.

11 90. In particular, Defendant KATHRYN WERDEGAR, CANTIL-
12 SAKAUYE and the other associate Justices of Defendant SUPREME
13 COURT perpetrated a "fraud upon the court" in not reopening
14 DYDZAK's disciplinary case (Case No. S179850) and reinstating
15 him as an attorney when the misconduct of Defendant RONALD
16 GEORGE and his financial conflicts of interest with Defendant
17 ERIC GEORGE and ROTHENBERG were brought to their attention in or
18 about January 11, 2012. Because of their relationship and close
19 friendship with Defendant RONALD GEORGE, Defendant SUPREME COURT
20 should have referred this reinstatement motion to seven (7)
21 independent, Article VI judges of the Court of Appeal.

22 91. A true and correct copy of the "Fraud Upon the Court"
23 Reinstatement Motion is marked and attached hereto as Exhibit
24 "A" and made a part hereof by reference. Exhibit "A" was filed
25 on the docket of Defendant SUPREME COURT on or about January 11,
26 2012.

27 92. Exhibit "A" was UNOPPOSED by the State Bar of
28 California.

California.

1 93. On or about January 23, 2012, DYDZAK submitted a
2 proposed Order. A true and correct copy of said proposed Order
3 is marked and attached hereto as Exhibit "B" and made a part
4 hereof by reference.

5 94. After a number of filed requests by DYDZAK for a
6 ruling forthwith, Defendant SUPREME COURT denied the Motion on
7 or about February 15, 2012, without any explanation nor reasoned
8 decision or Order, and without affording DYDZAK oral argument.
9 The language on the pleading was: "The motion to reopen the
10 disciplinary proceeding filed on January 11, 2012 is denied."

11 95. The aforesaid 2/15/2012 Order is, and was at all times
12 herein mentioned, invalid, unconstitutional and void ab initio,
13 inter alia, because Defendant SUPREME COURT covered up the
14 corruption and misconduct of Defendant RONALD GEORGE, violated
15 due process, involved Associate Justice WERDEGAR who should have
16 disqualified herself, and was not a signed and dated Order by
17 Defendant CANTIL-SAKAUYE.

18 96. On or about May 12, 2010, the date that DYDZAK was
19 summarily and illegally disbarred, Plaintiff was assessed
20 purported disciplinary costs of \$ 15,209.31. At all times herein
21 mentioned, at no time whatsoever, and continuing to the present,
22 Defendant SUPREME COURT and the State Bar of California did not
23 provide DYDZAK with a cost bill nor itemization pertaining to
24 said claimed costs which he could contest. As the costs of
25 \$15,209.31 constitute a penal or criminal fine, and DYDZAK
26 contends his disbarment is unlawful, DYDZAK is, and was at all
27 times herein mentioned, entitled to a jury trial under both the
28

1 U.S. and California Constitutions to contest said costs.

2 97. On or about February 15, 2012, Plaintiff received
3 correspondence from an alleged agency or entity entitled
4 California Combined Courts Judicial Recovery Unit ("CCCJRU"),
5 alleging that \$ 15,209.31 was owed either to it or their
6 purported referring client, State Bar of California. Said
7 correspondence made no required reference that this is an
8 attempt to collect a debt and that Plaintiff has a certain
9 amount of statutory time to contest the debt.

10 98. On or about February 17, 2012, after several phone
11 calls to 877-89200324 which were repeatedly not answered,
12 Plaintiff reached an individual, identifying herself as a Ms.
13 Marlowe. She claimed that CCCJRU was a legitimate collection
14 agency located in Colorado. Ms. Marlowe refused to give her full
15 legal name to Plaintiff. DYDZAK advised her that his review of
16 Secretary of State record with the State of Colorado revealed
17 that no such entity existed, either as a company, partnership,
18 corporation or fictitious business person. Plaintiff further
19 advised her that it appeared that CCCJRU was engaged in
20 fraudulent and deceptive collection practices, that he contested
21 the purported debt, and that there was no "Default Judgment"
22 against him, as represented in the aforementioned
23 correspondence. Ms. Marlowe grew irritated at these statements
24 and would not speak to Plaintiff further about the matter.

25 99. On or about February 17, 2012, DYDZAK subsequently
26 found out that the fraudulent moniker, CCCJRU, is apparently a
27 front for Wakefield & Associates, a collection agency based out
28

1 of the State of Colorado. Plaintiff left two messages with
2 representatives or employees of Wakefield & Associates to
3 contact him to discuss the purported debt. In bad faith and
4 unlawfully, these messages were not returned.

5 100. Plaintiff contends that the alleged debt is not a
6 default judgment. He further contends that CCCJRU and Wakefield
7 & Associates have engaged in unfair debt collection practices
8 under the Fair Debt Collection Practices Act ("FDCPA").

9 101. Plaintiff is informed and believes, and thereon
10 alleges, that from May 12, 2010, and continuing to the present,
11 Defendants GEORGE, CANTIL-SAKAUYE, KENNARD, BAXTER, WERDEGAR,
12 CHIN, LIU, CORRIGAN and SUPREME COURT, and each of them, in
13 concert with Sarah Overton, Esq., have knowingly perpetrated a
14 financial scam and assessed and adopted the illegal collection
15 practices of the purported cost assessment against DYDZAK to
16 injure him financially, cause him emotional distress and trauma,
17 ruin his credit rating and otherwise violate his civil and
18 constitutional rights. Said Defendants knew, or reasonably
19 should have known, upon reasonable inquiry and investigation,
20 that CCCJRU is not a valid legal entity, that the State Bar of
21 California and Defendant SUPREME COURT has and had no legal
22 right to pursue costs against DYDZAK in view of his illegal
23 disbarment, and that DYDZAK was denied his fundamental
24 constitutional right to contest this criminal or penal fine in
25 front of a jury.

26 102. Plaintiff is informed and believes, and thereon
27 alleges, that on or about February 21, 2012, an improper,
28 unlawful and baseless search and seizure ["FISHING EXPEDITION

1 SEARCH AND SEIZURE"], without any reasonable or probable cause,
2 was conducted by agents and officers of the Yolo County District
3 Attorney's office. FISHING EXPEDITION SEARCH AND SEIZURE was
4 effectuated upon a male writer, journalist, investigative
5 reporter and researcher ("JOURNALIST"), exact identity unknown.
6 Upon further information and belief, JOURNALIST is, and was at
7 all times herein mentioned, a man of great principle, ethics,
8 integrity and spirituality, living in said County and working
9 for, writing for and associated with the Leslie Brodie Report
10 ("LBR") and other related publications and journalistic blogs,
11 disseminated primarily on the Internet. LBR writings and
12 research materials, emails and documents from sources, are, and
13 were at all times herein mentioned, clearly privileged and
14 protected by the Reporter's Shield statutes of California and
15 other applicable law.

16 103. A true and correct copy of the Search Warrant and
17 Affidavit pertaining to the foregoing is marked and attached
18 hereto as Exhibit "C" and incorporated by reference herein.

19 104. Plaintiff is informed and believes, and thereon
20 alleges, that LESLIE BRODIE ("LR") is, and was at all times
21 herein mentioned, a well-respected journalist and reporter based
22 out of London, England, whose articles and publications are
23 widely distributed and disseminated, primarily on the World Wide
24 Web, not only to the California public but an international
25 audience of millions. Upon information and belief, JOURNALIST is
26 but one of several journalists and writers writing articles
27 and providing information to LR.

28 105. LBR is of particular interest to attorneys, judges and

1 others in the legal arena and concerned with the fair
2 administration of justice, because many of its writings are
3 devoted to subjects, such as judicial and attorney corruption,
4 the workings of Defendant SUPREME COURT, the State Bar of
5 California, the California Bar Foundation, the Judicial Council,
6 the California Legislature, profiles on jurists and
7 attorneys, and the results of litigation, with behind-the-scenes
8 coverage which is often not reported by traditional media
9 outlets. As a result of such scrutiny and investigative
10 reporting, LBR has sometimes been, regrettably, the subject of
11 hostile and antagonistic reactions from persons being profiled
12 for their unlawful and unethical actions, including high-level
13 government officials and attorneys. Upon information and belief,
14 LB aims to disclose misconduct and illegal actions by jurists,
15 attorneys and individuals who betray the public trust and act
16 not judiciously. LBR coverage has contributed to the resignation
17 or firing of key persons from the judiciary and State Bar of
18 California, including, without limitation, Defendant RONALD
19 GEORGE and Defendant JOHNSON.

20 106. Plaintiff is informed and believes, and thereon
21 alleges, that JOURNALIST was improperly detained at his Yolo
22 County residence on the day of the FISHING EXPEDITION SEARCH AND
23 SEIZURE. His personal computer was confiscated and all his LBR
24 work product and confidential and privileged journalist and
25 reporter writings and materials were seized. JOURNALIST informed
26 Plaintiff shortly after the raid by some five or six personnel
27 that all of Plaintiff's written communications and emails to him
28 and LBR, as well as DYDZAK's written work product, such as court

1 pleadings and private, privileged writings and comments to LB
2 and other third parties and persons [hereinafter collectively
3 "DYDZAK PRIVATE & PRIVILEGED COMMUNICATIONS"], had been
4 illegally seized. JOURNALIST was upset that this event had taken
5 place, and apologized to DYDZAK and others that their privacy
6 rights had been compromised and violated. JOURNALIST further
7 notified DYDZAK that his computer, emails and materials,
8 including DYDZAK PRIVATE AND PRIVILEGED COMMUNICATIONS, have not
9 been returned to him or LB. To date, even though it has been
10 more than a month since the raid, JOURNALIST has not been
11 arrested, arraigned, charged with any purported or actual
12 infraction, misdemeanor or felony, or directed to report to law
13 enforcement or the District Attorney's Office of Yolo County.
14 No criminal charges, upon information and belief, have been
15 filed against JOURNALIST or LB.

16 107. Plaintiff is informed and believes, and thereon
17 alleges, that the FISHING EXPEDITION SEARCH AND SEIZURE was
18 nothing more than a blatant, unlawful, unfounded, unjustified
19 and capricious exercise by the complainants identified on
20 Exhibit "C" to identify the sources of JOURNALIST and LB and
21 obtain their protected work product and materials. These persons
22 are Defendants ENGLISH, HAWLEY, BABCOCK, DUNN, TOWERY, GIRARDI,
23 DICKSTEIN, MILLER, CHANG, JOHNSON, YEE, TORRES-GIL and GRUNBERG
24 and Holly Fujie [collectively "PRIVACY OFFENDERS"]. Evidently,
25 PRIVACY OFFENDERS have, and had at all times herein mentioned,
26 the misguided, malevolent and wrongful aim of shutting down the
27 LBR by gaining access to confidential and privileged materials,
28 intimidating sources and scaring JOURNALIST and LB from

1 exercising their legitimate First Amendment rights. Plaintiff
2 has even been advised that the aforementioned individuals have,
3 and had at all times relevant hereto, the untenable notion that
4 Plaintiff was one of the masterminds behind LBR, when LB is and
5 was a legitimate reporter and journalist. The reality is that
6 DYDZAK's privacy and constitutional rights have been egregiously
7 violated by the FISHING EXPEDITION SEARCH AND SEIZURE, as herein
8 alleged. At all times herein mentioned, Plaintiff had an
9 expectation of privacy, especially with respect to his
10 confidential emails to LB. Some of his emails contained
11 privileged litigation strategy and critical statements about
12 defendants he is or was suing, clearly not intended for public
13 consumption. The illegal seizing and disclosure of DYDZAK's
14 emails and work product undermine the exercise of his legal
15 remedies and further have the damaging effect of offending his
16 First Amendment and Privacy rights.

17 108. The PRIVACY OFFENDERS have been featured on LBR and
18 its related blogs and sites articles related to their
19 misconduct, ethical lapses, and fraudulent behavior. In the past
20 few months, for instance, LBR has reported:

21 (a) Defendant HAWLEY will not investigate Defendant DUNN on
22 an ethics complaint submitted by LR and falsely claims that the
23 Office of the Chief Trial Counsel has not received it.

24 (b) Senator John McCain has reported on the troubling,
25 questionable 26 million dollars in fees charged by
26 Defendant DICKSTEIN to the Thunder Valley Casino.

27 © Defendant DICKSTEIN and his wife, Defendant ENGLISH,
28 reportedly have conflicts of interest with respect to the

Hoover Commission.

1 (d) Defendant ENGLISH falsely claimed that LB filed a
2 complaint against her with the California Board of Accountancy.

3 (e) The State Bar of California did not process an ethics
4 complaint against Defendant TOWERY and Jerome Falk, because of
5 their favored, special status with the Bar.

6 (f) Defendant GIRARDI and his firm were hit with a
7 multimillion dollar malpractice verdict when they mishandled a
8 major personal injury case. This case is now being retried.

9 (g) Defendants GIRARDI, MILLER and DUNN were involved in
10 the sham charity, CaliforniaALL, where \$780,000 or more is
11 reported misappropriated or missing from CA Bar Foundation
12 monies. There then was a cover up by State Bar attorney Jill
13 Sperber pertaining thereto. See Exhibit "D" pertaining to DUNN.

14 (h) There are reports of money-laundering and overbilling
15 re: Defendant DICKSTEIN related to 18.6 million disappearing
16 from Thunder Valley Casino.

17 (i) Defendant DUNN's Voice of OC is an on-line publication
18 which was illegally established with California Bar Foundation
19 monies, with the assistance of Defendant GIRARDI and James
20 Brosnahan, a Morrison & Foerster attorney (see Exhibit "D").

21 (j) Defendants MILLER, GIRARDI and DUNN were all involved
22 in the formation of the sham entity CaliforniaALL, and
23 \$780,000 or more is not accounted for in the records of the
24 California Bar Foundation and the IRS has been ignored thereto.

25 (k) Defendants BABCOCK, HAWLEY, DUNN, YEE, TORRES-GIL and
26 GRUNBERG are all actively involved in hiding the corruption and
27 incompetence of the State Bar hierarchy, covering up the money-
28

1 laundering and misappropriation of funds from the AOC and
2 California Bar Foundation, and not disclosing the improper
3 political prosecution of individuals such as DYDZAK. LB has
4 exposed that they tolerate and encourage the OCTC's fabrication
5 and distortion of evidence, inflating disciplinary charges,
6 improper ex parte communications, and multiple due process
7 violations.

8 109. Given that PRIVACY OFFENDERS are mostly attorneys plus
9 one judge, it is even more shocking that they would violate the
10 Rule of Law and DYDZAK's privacy rights. Clearly, their
11 motivation towards Plaintiff, aside from damaging him directly,
12 was and is to quash any public disclosure of their misdeeds,
13 continue their pattern of enriching themselves and keeping their
14 employment, with no regard to due process.

15 110. Plaintiff is informed and believes, and thereon
16 alleges, that Defendant RONALD GEORGE since his retirement from
17 the bench has engaged in improper, extrajudicial communications/
18 contacts with Beth Jay, Defendant TANI CANTIL-SAKAUYE, Defendant
19 ROTHENBERG and Defendant ERIC GEORGE to ensure that Exhibit "A"
20 was not granted and that DYDZAK was not reinstated to the State
21 Bar of California, despite his "fraud upon the court", as herein
22 alleged. Upon information and belief, this includes conspiring
23 with Defendant ROTHENBERG and Defendant ERIC GEORGE to have them
24 communicate and interact with judges such as William F. Fahey,
25 Mariana Pfaelzer, Margaret Morrow, Audrey B. Collins, A. Howard
26 Matz and Stephen V. Wilson to affect the outcome of DYDZAK's
27 past and present litigation, including a federal lawsuit
28 seeking to have his state disbarment overturned, Case No.

1 CV 11-5560-JCC, DYDZAK V. CANTIL-SAKAUYE et al. DYDZAK has
2 credible evidence and information that Defendant ROTHENBERG is
3 best friend and professionally connected to Judge Stephen V.
4 Wilson. Margaret Morrow, an influential federal District Judge,
5 is friends with the GEORGES and Defendant ROTHENBERG. Pfaelzer
6 likewise is friends with the GEORGES and Defendant ROTHENBERG.
7 Pending further discovery, several, if not all of, these state
8 and federal judges, have financial interests in and accounts
9 with FIRST CENTURY BANK and/or its holding company, 1st CENTURY
10 BANCSHARES, INC. Certain of these judges belong with Defendants
11 ROTHENBERG and ERIC GEORGE to the Chancery Club in downtown Los
12 Angeles and socialize with them on a regular basis.

13 111. Plaintiff is informed and believes, and thereon
14 alleges, that federal judges Audrey B. Collins and Stephen V.
15 Wilson, and their support staff, have actively assisted in
16 "ghostwriting" Orders for the Seattle Judge, John C. Coughenour,
17 who was specially assigned by Chief Judge Alex Kozinski of the
18 Ninth Circuit Court of Appeals to hear and adjudicate DYDZAK V.
19 TANI CANTIL-SAKAUYE et al. Moreover, upon information and
20 belief, these federal judges and their support staff have
21 engaged, and continue to engage in, improper, ex parte and
22 extrajudicial communications concerning DYDZAK, even though they
23 have been disqualified and are parties in the above-referenced
24 litigation. They were influenced to do so because of the
25 GEORGES' and ROTHENBERG's influence over and communications with
26 them. Collins is obstructing the placing of pleadings on PACER.

27 112. Plaintiff is informed and believes, and thereon
28 alleges, that in or about November, 2008, and continuing to the

1 present, Defendants SCHWAB and DW communicated concerning DYDZAK
2 and his state bar proceedings before Defendant SUPREME COURT.
3 Furthermore, Plaintiff is informed and believes, and thereon
4 alleges, that the financial dealings between Defendants SCHWAB
5 and Defendant DW, and their close friendships and relationships
6 with HOWARD RICE and M & F attorneys, created a conspiracy
7 between them to harm DYDZAK, as herein alleged.

8
9 **FIRST CAUSE OF ACTION**

10 **(INVASION OF PRIVACY)**

11 **(AGAINST DEFENDANTS DUNN, TORRES-GIL, TOWERY, BABCOCK,**
12 **GRUNBERG, CHANG, GIRARDI, MILLER, DICKSTEIN, JOHNSON,**
13 **ENGLISH, HAWLEY, and YEE)**

14
15 113. Plaintiff refers to, and incorporates as though
16 fully set forth herein, the preceding Paragraphs and allegations
17 of the Complaint.

18 114. Defendants DUNN, TORRES-GIL, TOWERY, BABCOCK,
19 GRUNBERG, CHANG, GIRARDI, MILLER, DICKSTEIN, JOHNSON, ENGLISH,
20 HAWLEY and YEE, and each of them, knew, or reasonably should
21 have known, that their unlawful complaints about the JOURNALIST
22 and LB, and causing the baseless and unfounded FISHING
23 EXPEDITION SEARCH AND SEIZURE, would result in DYDZAK's
24 privileged and confidential personal emails, work product and
25 other writings being seized, since a number of articles had
26 appeared on LBR about him and the unlawful actions taken against
27 him by State Bar Judge Donald F. Miles, Defendant SUPREME COURT,
28 Defendant ROTHENBERG, Defendant RONALD GEORGE, Defendant ERIC

1 GEORGE, the State Bar of California and HOWARD RICE.

2 115. Moreover, Danielle A. Lee, an attorney in the Office
3 of General Counsel, and a colleague of Defendants DUNN, TORRES-
4 GIL, TOWERY, BABCOCK, YEE, HAWLEY and GRUNBERG, had indicated in
5 the past to DYDZAK that LB was a reporter in Northern California
6 and that DYDZAK was involved in providing information to LBR.
7 Lee further indicated her extreme irritation that LBR was doing
8 articles about unethical actions by State Bar judges, attorneys
9 and others who were insiders with the State Bar of California.
10 As well, Plaintiff is informed and believes, and thereon
11 alleges, that an attorney or representative of the Yolo County
12 District Attorney's Office recently advised a female third party
13 that LB did not exist and that DYDZAK was a key writer,
14 researcher and contributor to LBR.

15 116. The aforesaid Defendants, and each of them, purposely
16 intruded upon the solitude and seclusion of DYDZAK's person and
17 private affairs by their acts of invasion of privacy, as herein
18 alleged.

19 117. As a direct, legal and proximate result of the
20 invasion of privacy by the aforesaid Defendants, and each of
21 them, Plaintiff has suffered, and continues to suffer, harm to
22 his interest in privacy from the invasion of his solitude and
23 seclusion. Plaintiff has also suffered physical and mental pain
24 and anguish, including severe emotional distress. The foregoing
25 has caused him general and special damages, according to proof
26 at or before trial.

27 118. The actions of the aforesaid Defendants, and each of
28 them, in invading Plaintiff's right of privacy were done with

1 malice and oppression. Therefore, DYDZAK is entitled to an award
2 of punitive damages, according to proof.

3 **SECOND CAUSE OF ACTION**

4 **(VIOLATION OF CALIFORNIA CIVIL CODE SECTION 1708.8)**

5 **(AGAINST DEFENDANTS DUNN, TORRES-GIL, TOWERY, BABCOCK,**
6 **GRUNBERG, CHANG, GIRARDI, MILLER, DICKSTEIN, JOHNSON,**
7 **ENGLISH, HAWLEY AND YEE)**

8
9 119. Plaintiff refers to, and incorporates as though fully
10 set forth herein, Paragraphs 1 through 118, inclusive, of the
11 Complaint.

12 120. In invading Plaintiff's right of privacy, as herein
13 alleged, Defendants DUNN, TORRES-GIL, TOWERY, BABCOCK, GRUNBERG,
14 CHANG, GIRARDI, MILLER, DICKSTEIN, JOHNSON, ENGLISH, HAWLEY and
15 YEE, and each of them, violated C.C. 1708.8, including, without
16 limitation, subsection (b) thereof.

17 121. Said Defendants, and each of them, knew, or reasonably
18 should have known, that there was no reasonable or probable
19 cause for their complaints against JOURNALIST and the search
20 warrant in question, and that they had misused their positions
21 as attorneys to wrongfully, unlawfully and "politically" go
22 after LB, LBR and JOURNALIST. In particular, Defendants TOWERY
23 and DICKSTEIN have, and had at all times herein mentioned,
24 political and legal clout with the Yolo County District
25 Attorney's Office to influence it to carry out its bogus,
26 unlawful and ill-conceived FISHING EXPEDITION SEARCH AND
27 SEIZURE, as herein alleged. Defendant TOWERY's wife also, upon
28

1 information and belief, impermissibly and illegally used her
2 influence as a senior District Attorney in Santa Clara County to
3 persuade the Yolo County District Attorney's Office to pursue
4 LB, LBR and JOURNALIST, without justification and against the
5 California Shield Law, as herein alleged. To date, JOURNALIST's
6 computer and materials have not been returned, showing the
7 extreme bad faith and illegal actions of the aforesaid
8 Defendants in invading Plaintiff's right of privacy.

9 122. As a direct, legal and proximate result of the
10 violation of C.C. Section 1708.8, Plaintiff has suffered general
11 and special damages, according to proof. Pursuant to C.C.
12 Section 1708.8(d), the aforesaid Defendants, and each of them,
13 are liable for up to three times any general and special damages
14 awarded.

15 123. Plaintiff is also entitled to an award of punitive
16 damages, subject to proof according to C.C. Section 3294. Since
17 the aforesaid Defendants, and each of them, acted with malice
18 and oppression, punitive damages are warranted.

19 **THIRD CAUSE OF ACTION**

20 **(DECLARATORY RELIEF TO DECLARE IN RE ROSE UNCONSTITUTIONAL**
21 **AS VIOLATING CALIFORNIA CONSTITUTION'S RIGHT TO JURY TRIAL)**

22 **(AGAINST DEFENDANTS SUPREME COURT, RONALD GEORGE,**
23 **CANTIL-SAKAUYE, CHIN, BAXTER, LIU, CORRIGAN, KENNARD AND**
24 **WERDEGAR)**

25 124. Plaintiff refers to, and incorporates as though fully
26 set forth herein, Paragraphs 1 through 123, inclusive, of the
27 Complaint.

28 125. An actual controversy has arisen and now exists

1 between Plaintiff and the above-referenced Defendants, and each
2 of them, concerning their respective rights and duties as to the
3 following contentions:

4 (1) Plaintiff contends, and said Defendants dispute, that
5 the ROSE DECISION be declared void, unconstitutional and ultra
6 vires in its application towards DYDZAK and attorneys similarly
7 situated since 2000 and continuing to the present, because it
8 denies them the right to a jury trial pursuant to Article I,
9 Section 16 of the California Constitution.

10 (2) Plaintiff contends, and said Defendants dispute, that
11 the ROSE DECISION be declared void, unconstitutional and ultra
12 vires in its application towards DYDZAK and attorneys similarly
13 situated since 2000 and continuing to the present, because it
14 unlawfully assesses a criminal or penal fine against disciplined
15 attorneys, such as the \$ 15,209.31 illegally assessed against
16 DYDZAK, without allowing them the right to a jury trial pursuant
17 to Article I, Section 16 of the California Constitution.

18 126. A judicial declaration is necessary and appropriate at
19 this time under the circumstances in order that Plaintiff may
20 ascertain his rights and duties as to the two contentions set
21 forth in Paragraph 125 above.

22 127. Plaintiff is entitled to have a judicial declaration
23 that his right to a jury trial has been violated and the ROSE
24 DECISION is void, unconstitutional and ultra vires, as
25 hereinbefore alleged.

26 / / /

27 / / /

28 / / /

FOURTH CAUSE OF ACTION

**(DECLARATORY RELIEF TO DECLARE IN RE ROSE UNCONSTITUTIONAL
AS VIOLATING CALIFORNIA CONSTITUTION'S RIGHTS TO DUE
PROCESS AND EQUAL PROTECTION OF LAWS)**

**(AGAINST DEFENDANTS SUPREME COURT, RONALD GEORGE, CANTIL-
SAKAUYE, CHIN, BAXTER, LIU, CORRIGAN, KENNARD AND WERDEGAR)**

128. Plaintiff refers to, and incorporates, as though fully set forth herein, Paragraphs 1 through 127, inclusive, of the Complaint.

129. An actual controversy has arisen and now exists between Plaintiff and the above-referenced Defendants, and each of them, concerning their respective rights and duties as to the following contentions:

(1) Plaintiff contends, and said Defendants dispute, that the ROSE DECISION be declared void, unconstitutional and ultra vires in its application towards DYDZAK and attorneys similarly situated since 2000 and continuing to the present, because it denies them the right to due process pursuant to Article I, Sections 1 and 7 of the California Constitution.

(2) Plaintiff contends, and said Defendants dispute, that the ROSE DECISION be declared void, unconstitutional and ultra vires in its application towards DYDZAK and attorneys similarly situated since 2000 and continuing to the present, because it denies them the right to equal protection of laws pursuant to Article I, Section 7 of the California Constitution.

130. A judicial declaration is necessary and appropriate at this time under the circumstances in order that Plaintiff may

1 ascertain his rights and duties as to the two contentions set
2 forth in Paragraph 129 above.

3 131. Plaintiff is entitled to have a judicial declaration
4 that his rights to due process and equal protection of laws have
5 been violated and that the ROSE DECISION is void,
6 unconstitutional and ultra vires, as hereinbefore alleged.

7
8 **FIFTH CAUSE OF ACTION**

9 **(DECLARATORY RELIEF TO DECLARE ORDER DENYING MOTION**
10 **FOR FRAUD UPON THE COURT VOID AB INITIO, AGAINST**
11 **CALIFORNIA GOVERNMENT CODE, AND AGAINST CALIFORNIA**
12 **JUDICIAL CANONS OF ETHICS)**

13 **(AGAINST DEFENDANTS SUPREME COURT, CANTIL-SAKAUYE, CHIN,**
14 **BAXTER, LIU, CORRIGAN, KENNARD AND WERDEGAR)**

15 132. Plaintiff refers to, and incorporates, as though fully
16 set forth herein, Paragraphs 1 through 131, inclusive, of the
17 Complaint.

18 133. An actual controversy has arisen and now exists
19 between Plaintiff and the above-referenced Defendants, and each
20 of them, concerning their respective rights and duties as to the
21 following contentions:

22 (1) Plaintiff contends, and said Defendants dispute, that
23 the Order denying the Motion for Fraud upon the Court (Exhibit
24 "A") is and was void ab initio because these Defendants cannot
25 ethically condone and cover up the judicial misconduct, bias and
26 financial conflicts of interest of Defendant RONALD GEORGE.

27 (2) Plaintiff contends, and said Defendants dispute, that
28

1 said Defendants, and each of them, themselves committed a "fraud
2 upon the court" and violated their oaths as judges to be fair
3 and impartial in not granting unopposed Exhibit "A".

4 (3) Plaintiff contends, and said Defendants dispute, that
5 Defendant CANTIL-SAKAUYE and Beth Jay engaged in improper, ex
6 parte communications with Defendant RONALD GEORGE to affect the
7 outcome of Exhibit "A" and denial of same.

8 (4) Plaintiff contends, and said Defendants dispute, that
9 the subject Order is and was invalid and void, because there is
10 no signed and dated Order by Defendant CANTIL-SAKAUYE, showing
11 there was not even a vote by Defendant SUPREME COURT re: the
12 Motion.

13 (5) Plaintiff contends, and said Defendants dispute, that
14 DYDZAK's rights to due process and equal protection of laws was
15 violated by the summary Order, since there was no written,
16 reasoned Order on the merits and no oral argument provided to
17 Plaintiff by Defendant SUPREME COURT.

18 (6) Plaintiff contends, and said Defendants dispute, that
19 Defendant RONALD GEORGE violated the California Government
20 Code, including, without limitation, Section 81002© and Section
21 87100 thereof, by not disqualifying himself with regard to
22 DYDZAK's disciplinary proceedings and not disclosing his
23 financial conflicts of interest with Defendants ERIC GEORGE and
24 ROTHENBERG.

25 (7) Plaintiff contends, and said Defendants dispute, that
26 Defendant RONALD GEORGE violated the California Code of Judicial
27 Ethics towards DYDZAK, including, without limitation, Canons 1,
28 2, 3 and 4 thereof.

1 (8) Plaintiff contends, and said Defendants dispute, that
2 they themselves violated their oath as judges pursuant to the
3 California Code of Judicial Ethics, including, without
4 limitation, Canons 1, 2, 3 and 4 thereof, by ruling on Exhibit
5 "A" as they should have disqualified themselves and appointed
6 seven (7) independent, impartial and fair Article VI judges for
7 said adjudicatory task.

8 134. A judicial declaration is necessary and appropriate at
9 this time under the circumstances in order that Plaintiff may
10 ascertain his rights and duties as to the eight contentions set
11 forth in Paragraph 133 above.

12 135. Plaintiff seeks in equity a judicial declaration
13 as to the foregoing contentions.

14 **SIXTH CAUSE OF ACTION**

15 **(DECLARATORY RELIEF TO DECLARE WERDEGAR**
16 **COMMITTED FRAUD UPON THE COURT TOWARDS DYDZAK**
17 **AGAINST CALIFORNIA GOVERNMENT CODE AND CALIFORNIA**
18 **JUDICIAL CANONS OF ETHICS)**

19 **(AGAINST DEFENDANT KATHRYN WERDEGAR)**

20 136. Plaintiff refers to, and incorporates, as though fully
21 set forth herein, Paragraphs 1 through 135, inclusive, of the
22 Complaint.

23 137. An actual controversy has arisen and now exists
24 between Plaintiff and Defendant KATHRYN WERDEGAR concerning
25 their respective rights and duties as to the following
26 contentions:

27 (1) Plaintiff contends, and said Defendant disputes, that
28

1 she committed a "fraud upon the court" towards DYDZAK by making
2 several rulings related to his state bar disciplinary case and
3 not divulging her actual bias and financial conflicts of
4 interest, or the appearance of same, as herein alleged.

5 (2) Plaintiff contends, and said Defendant disputes, that
6 Defendant KATHRYN WERDEGAR violated the California Government
7 Code, including, without limitation, Section 81002© and Section
8 87100 thereof, by not disqualifying herself with regard to
9 DYDZAK's disciplinary proceedings and not disclosing her
10 financial conflicts of interest with Defendants SCHWAB and DW,
11 as herein alleged.

12 (3) Plaintiff contends, and said Defendant disputes, that
13 Defendant KATHRYN WERDEGAR violated the California Code of
14 Judicial Ethics towards DYDZAK by not disclosing her actual bias
15 and financial conflicts of interest, or the appearance of same,
16 as alleged herein.

17 (4) Plaintiff contends, and said Defendant disputes, that
18 Defendant KATHRYN WERDEGAR and her husband have had improper and
19 unlawful ex parte, extra judicial communications about DYDZAK
20 with Defendant SCHWAB and his attorneys, as herein alleged.

21 138. A judicial determination is necessary and appropriate
22 at this time under the circumstances in order that Plaintiff may
23 ascertain his rights and duties as to the four contentions set
24 forth in Paragraph 137 above.

25 139. Plaintiff seeks in equity a judicial declaration as to
26 the foregoing contentions.

27 / / /

28 / / /

1
2 **SEVENTH CAUSE OF ACTION**3 **(CONSPIRACY BETWEEN CHARLES SCHWAB AND DAVID WERDEGAR)**4 **(AGAINST DEFENDANTS SCHWAB AND DAVID WERDEGAR)**
5

6 140. Plaintiff refers to, and incorporates as though fully
7 set forth herein, Paragraphs 1 through 139, inclusive, of the
8 Complaint.

9 141. In or about November, 2008, and continuing to the
10 present, Defendants SCHWAB and DW knowingly and willfully
11 conspired and agreed among themselves to injure DYDZAK, as
12 herein alleged. DYDZAK did not become aware of such conspiracy
13 until in or about mid-February, 2012, as herein alleged.

14 142. Defendants SCHWAB and DW did the acts and things
15 herein alleged pursuant to, and in furtherance of, the
16 conspiracy and above-alleged agreement. Defendant KATHRYN
17 WERDEGAR knowingly cooperated in the conspiracy, since it is,
18 and was at all times herein mentioned, in her financial
19 interests to do so.

20 143. As a direct, legal and proximate result of the
21 wrongful and unlawful acts herein alleged, Plaintiff has
22 suffered general damages, in an amount unknown at this time but
23 according to proof at or before trial.

24 144. The conspiracy alleged herein was done maliciously,
25 fraudulently and to oppress DYDZAK. Plaintiff is therefore
26 entitled to exemplary or punitive damages, according to proof.

27 / / /

28 / / /

EIGHTH CAUSE OF ACTION**(CONSPIRACY BETWEEN ALAN I. ROTHENBERG, RONALD M. GEORGE
AND ERIC GEORGE)****(AGAINST DEFENDANTS ROTHENBERG, RONALD GEORGE AND ERIC GEORGE)**

145. Plaintiff refers to, and incorporates as though fully set forth herein, Paragraphs 1 through 144, inclusive, of the Complaint.

146. From January 3, 2011, and continuing to the present, Defendants ROTHENBERG, RONALD GEORGE and ERIC GEORGE knowingly and willfully conspired and agreed among themselves to injure DYDZAK, as herein alleged. DYDZAK did not become aware of such conspiracy until in or about mid-July, 2011, as herein alleged.

147. Defendants ROTHENBERG, RONALD GEORGE and ERIC GEORGE did the acts and things herein alleged pursuant to, and in furtherance of, the conspiracy and above-alleged agreement.

148. As a direct, legal and proximate result of the wrongful and unlawful acts herein alleged, Plaintiff has suffered general damages. The exact amount of such damages is unknown at this time but will be ascertained at or before trial, according to proof.

149. The conspiracy alleged herein was done maliciously, fraudulently and to oppress DYDZAK. Plaintiff is therefore entitled to exemplary or punitive damages, according to proof.

NINTH CAUSE OF ACTION**(VIOLATION OF RACKETEER INFLUENCED AND CORRUPT
ORGANIZATIONS ACT (RICO))****(AGAINST DEFENDANTS RONALD GEORGE, ERIC GEORGE AND ROTHENBERG)**

1 150. Plaintiff refers to, and incorporates as though fully
2 set forth herein, Paragraphs 1 through 149, inclusive, of the
3 Complaint.

4 151. This is a cause of action brought under the RICO laws
5 promulgated in 18 U.S.C. Sections 1961-1968. Plaintiff is
6 informed and believes, and thereon alleges, that this Superior
7 Court has concurrent jurisdiction to entertain and adjudicate
8 the instant RICO cause of action. Tafflin v. Levitt, 493 U.S.
9 455 (1990).

10 152. Since 2004 and continuing to the present, Defendants
11 ROTHENBERG, RONALD GEORGE and ERIC GEORGE engaged, inter alia,
12 in obstruction of justice, money-laundering, mail and wire
13 fraud, and conversion of funds and monies of the State of
14 California, as herein alleged. They did so, directly or
15 indirectly, through an interest in and control of a RICO
16 enterprise of individuals managing and supervising FIRST CENTURY
17 BANK and a holding company, 1st CENTURY BANCSHARES, INC.

18 153. Said Defendants, and each of them, did and continue to
19 do the following, without limitation:

20 (1) Acquired and maintained an interest in and control of
21 an enterprise or enterprises engaged in a pattern of
22 racketeering activity (18 U.S.C. Sections 1961(5), 1962(b)).

23 (2) Conducted and participated in a RICO enterprise or
24 enterprises through a pattern of racketeering activity (18
25 U.S.C. Sections 1961(5) and 1962©).

26 (3) Conspired to engage in a pattern of racketeering
27 activity (18 U.S.C. Sections 1961(5), 1962(d)).

28 154. Defendants ROTHENBERG, RONALD GEORGE and ERIC GEORGE

1 cooperated, jointly and severally, in the commission of two or
2 more RICO predicate acts that are itemized in the RICO laws at
3 18 U.S.C. Section 1961, in violation of 18 U.S.C. Section 1962.

4 155. Plaintiff further alleges that the RICO offenses and
5 violations by the aforementioned Defendants, and each of them,
6 were done in a manner which they calculated and premeditated
7 intentionally to threaten continuity, i.e., a continuing threat
8 of their respective racketeering activities, in violation of 18
9 U.S.C. 1962.

10 156. Plaintiff requests that this Honorable Court find that
11 Defendants ROTHENBERG, RONALD GEORGE and ERIC GEORGE have
12 actively engaged in RICO violations; that they be required to
13 account for all gains, profits and advantages derived from their
14 several acts of racketeering activity; that they pay to
15 Plaintiff treble damages, under authority of 18 U.S.C. 1964, for
16 any gains, profits or advantages attributable to all violations
17 of 18 U.S.C. 1962, according to proof; that they pay to
18 Plaintiff all damages sustained by him caused by Defendants'
19 several violations of 18 U.S.C. 1962 and illegal interference
20 with his legal career and standing as an attorney, according to
21 proof; that Plaintiff be awarded all reasonable costs of suit,
22 according to proof; that the damages, gains, profits and
23 advantages caused by said Defendants' racketeering activity and
24 interference with DYDZAK's legal rights be deemed to be held in
25 constructive trust, for the benefit of Plaintiff, his heirs and
26 assigns; and that the Court award other such relief as warranted
27 in the premises.

28

1 TENTH CAUSE OF ACTION

2 (DECLARATORY RELIEF TO DECLARE STATE BAR ACT UNCONSTITUTIONAL
3 AND ULTRA VIRES AS DENYING FUNDAMENTAL RIGHTS TO JURY TRIAL, DUE
4 PROCESS AND EQUAL PROTECTION OF LAWS)

5 (AGAINST DEFENDANT STATE OF CALIFORNIA)

6 157. Plaintiff refers to and incorporates, as though fully
7 set forth herein, Paragraphs 1 through 156, inclusive, of the
8 Complaint.9 158. An actual controversy has arisen and now exists
10 between Plaintiff and Defendant State of California concerning
11 their respective rights and duties as to the following
12 contention:13 (1) Plaintiff contends, and said Defendant denies, that the
14 State Bar Act (California Business & Professions Code, Section
15 6000 et seq. is, and was at all times herein mentioned, since
16 2000 and continuing to the present, ... unconstitutional and
17 ultra vires, on its face and as it is applied and enforced to
18 DYDZAK and attorneys similarly situated, in that said Act
19 violates constitutional, due process and equal protection rights
20 and privileges secured and guaranteed by the California and U.S.
21 Constitutions, including, without limitation, rights and
22 privileges under the 5th, 6th and 14th Amendments.23 (2) Plaintiff contends, and said Defendant denies, that
24 Plaintiff and attorneys similarly situated cannot obtain fair
25 and impartial pretrial, trial and post-trial disciplinary
26 proceedings in the State Bar Court, Review Department, and
27 Defendant SUPREME COURT because of constitutional violations in
28

1 the State Bar Act, such as defective default procedures, the
2 lack of a jury trial, insufficient discovery provisions, non-
3 adherence to basic evidentiary rules of procedure, the lack of
4 any meaningful review, oral argument and reasoned decision in
5 Defendant SUPREME COURT, and the lack of any meaningful
6 mechanism or rules to challenge prosecutorial misconduct, the
7 fabrication of evidence and improper invasion of federal
8 jurisdiction by state authorities.

9 159. A judicial declaration is necessary and appropriate at
10 this time under the circumstances in order that Plaintiff may
11 ascertain his rights and duties as to the two contentions set
12 forth in Paragraph 158 above.

13 160. Plaintiff hereby seeks a judicial declaration that the
14 State Bar Act has been unconstitutional and ultra vires since
15 2000 and continuing to the present, as herein alleged.

16 **WHEREFORE**, Plaintiff prays as follows:

- 17 1. For general and special damages, according to proof;
18 2. For appropriate declaratory relief, as alleged and set
19 forth herein, according to proof;
20 3. For appropriate statutory remedies and damages, as
21 alleged and set forth herein, according to proof;
22 4. For RICO remedies, relief and damages, as alleged and
23 set forth herein, according to proof;
24 5. For costs of suit incurred herein; and
25 6. For such other relief as the Court deems proper in the
premises.

26 Dated: March 28, 2012

BY: 

DANIEL D. DYDZAK
Plaintiff In Pro Per