

COMPLAINT – OFFICIAL MISCONDUCT (18 U.S.C. § 241 & 18 U.S.C. § 242)

2900 S. Waynesville Rd.
Morrow, OH 45152

November 11, 2011

Special Agent Edward J. Hanko
John Weld Peck Federal Bldg.
550 Main Street, Suite 9000
Cincinnati, OH 45202

Re: **Federal Civil Rights Statutes**; Title 18, U.S.C., Section 242, Deprivation of Rights Under Color of Law and Title 18, U.S.C., Section 241, Conspiracy Against Rights.

Dear Special Agent Hanko,

On May 9th 2006 I filed a Civil Lawsuit for redress as entitled under the Constitution, Federal, State and Local Laws with a demand for a trial by jury. This lawsuit was file as a Human Rights remedy of reparations for the loss of personal assets in the form of a \$100,000.00 Certificate of Deposit “CD-4591” and other restitutions and damages.

In the Court of Common Pleas, Civil Division, Warren County, Ohio; Plaintiff Stephen R. Lilley was deprived of rights redress by grievance under Constitution, Federal, State and Local Laws by the impediments of deceptions and trickery, ignored evidence, twisted rules and procedures, obstructed the record, manufactured facts and ignored others, allowed infirm claims and dismissed valid ones, circumvented ethical rules and laws, suborn perjury, mischaracterized pleadings, engaged in ex parte communication, misapplied the laws, and denied admission of evidence prejudicial to their favored parties.

Jurisdiction:

In the past, I have tried to address issues with several DOJ agencies on Color of Law Abuse; Deprivation of Rights under Color of Law, 18 U.S.C. § 242 and Conspiracy against Rights, 18 U.S.C. § 241. Among the agencies were the Federal Bureau of Investigation and the DOJ/Civil Rights Division. Both agencies website asserted that they are the investigating agency for Deprivation of Rights under Color of Law Statute. Both of these agencies disclaimed their authority to open a case to investigate allegations of Color of Law Abuse and depravation of individual rights protected by the Constitution and Laws of the United States.

The FBI does not want to get involved. The Civil Rights Division claims they only investigate certain types of officials acting under Color of Law, like security guards and law enforcement officers, but not other types of officials such as judges or prosecutors. It was my understanding that under the Rule of Law the same laws apply to everyone equally, and under the Equal Protection Clause that everyone is entitled to the same protection.

Federal Civil Rights Statutes

Title 18, U.S.C., Section 242 - Deprivation of Rights under Color of Law

This statute makes it a crime for any person acting under color of law, statute, ordinance, regulation, or custom to willfully deprive or cause to be deprived from any person those rights, privileges, or immunities secured or protected by the Constitution and laws of the U.S.

This law further prohibits a person acting under color of law, statute, ordinance, regulation or custom to willfully subject or cause to be subjected any person to different punishments, pains, or penalties, than those prescribed for punishment of citizens on account of such person being an alien or by reason of his/her color or race.

- United States Constitution
- United States Code
- Federal Rules of Civil Procedure
- Ohio Constitution
- Ohio Revised Code
- Ohio Rule of Civil Procedure
- Ohio Code of Judicial Conduct
- Ohio Rules of Professional Conduct

In the Civil Case filed on 05/9/2006, Case Number 06CV66195, these judicial officers were involved in acting under the color of law in violation of Federal Civil Rights Statute, 18 U.S.C., Section 242 – Deprivation of Rights under Color of Law. In late 2007, Case Number 06CV66195 was refilled as Case numbers 07CV69736, 07CV69823, and 07CV69890.

- **Judge David Sunderland**
 - Judge David Sunderland had enforced and illegal act that was in violation of ORC 2109.301(B)(1)(d), interfering with procedural justice in favor of his friend and colleague depriving the plaintiff of Due Process of Law and Equal Protection of the Law and willfully depriving the plaintiff of procedural fairness to a fair and natural outcome these legal proceedings. Tampering with Evidence, Obstruction Justice, Interfering with Civil Rights, Using a Sham Legal Process.

- **Judge Michael E. Powell**

- Probate Judge Powell had approved and illegal act in violation of ORC 2109.301(B)(1)(d), interfering with procedural justice in favor of his friend and colleague depriving the plaintiff of Due Process of Law and Equal Protection of the Law and willfully depriving the plaintiff of procedural fairness to a fair and natural outcome civil legal proceedings. Tampering with Evidence, Obstruction Justice, Interfering with Civil Rights, Using a Sham Legal Process.

- **Administrator/Chief Magistrate Judge Brenda N. Dunlap**

- Administrator/Chief Magistrate Judge Brenda Dunlap had rendered the Final and Distributive Account on the Estate of Marion G. Lilley while they were a party in a civil action. A violation of ORC 2109.301(B)(1)(d), an illegal act interfering with procedural justice in favor of herself and her friend and colleague depriving the plaintiff of equal protection of the law and willfully altering the fair and natural outcome these legal proceedings. Tampering with Evidence, Obstruction Justice, Interfering with Civil Rights, Using a Sham Legal Process.
- Dunlap had refused to comply with the rules of discovery in violation of FRCP Rule 34; failed to produce the request, Production of Documents and Things, Depositions, and Interrogatories to keep the truth from the probate period out of the records.

The U.S. Supreme Court, in *Scheuer v. Rhodes*, 416 U.S. 232, 94 S.Ct. 1683, 1687 (1974) stated that "when a state officer acts under a state law in a manner violative of the Federal Constitution, he "comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States." [Emphasis supplied in original]. By law, a judge is a state officer. The judge then acts not as a judge, but as a private individual (in his person).

Under Federal law which is applicable to all states, the U.S. Supreme Court stated that if a court is "without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void; and form no bar to a recovery sought, even prior to a reversal in opposition to them. They constitute no justification; and all persons concerned in executing such judgments or sentences, are considered, in law, as trespassers." *Elliot v. Piersol*, 1 Pet. 328, 340, 26 U.S. 328, 340 (1828)

Title 18, U.S.C., Section 241 - Conspiracy against Rights

This statute makes it unlawful for two or more persons to conspire to injure, oppress, threaten, or intimidate any person of any state, territory or district in the free exercise or enjoyment of any right or privilege secured to him/her by the Constitution or the laws of the United States, (or because of his/her having exercised the same).

In the Civil Case filed on 05/9/2006, Case Number 06CV66195, these persons were involved in a conspiracy in violation of Federal Civil Rights Statute, 18, U.S.C., Section 241 to oppress and intimidate Plaintiff Stephen R. Lilley in the free exercise and enjoyment of rights and privileges secured to him by the Constitution and the laws of the United States. In late 2007, Case Number 06CV66195 was refilled as Case numbers 07CV69736, 07CV69823, and 07CV69890

- **Judge David Sunderland**

- Judge David Sunderland had conspired to oppress and intimidate Plaintiff Stephen R. Lilley in the free exercise and enjoyment of rights and privileges secured to him by the Constitution and the laws of the United States. As an accomplice in steering civil proceedings and interfering with procedural justice in the Summary Judgment Scam.

- **Judge Michael E. Powell**

- Probate Judge Powell had conspired to oppress and intimidate Plaintiff Stephen R. Lilley in the free exercise and enjoyment of rights and privileges secured to him by the Constitution and the laws of the United States. As an accomplice in steering civil proceedings and interfering with procedural justice in the Summary Judgment Scam.
- Probate Judge Powell had approved and illegal act interfering with civil proceedings and procedural justice in favor of his friend and colleague depriving the plaintiff of equal protection of the law and willfully altering the fair and natural outcome these legal proceedings. Tampering with Evidence, Obstruction Justice, Interfering with Civil Rights, Using a Sham Legal Process.

- **Administrator/Chief Magistrate Judge Brenda N. Dunlap**

- Administrator/Chief Magistrate Judge Brenda Dunlap had conspired to oppress and intimidate Plaintiff Stephen R. Lilley in the free exercise and enjoyment of rights and privileges secured to him by the Constitution and the laws of the United States. As an accomplice in steering civil proceedings and interfering with procedural justice in the Summary Judgment Scam.
- Chief Magistrate Dunlap had rendered the Final and Distributive Account on the Estate of Marion G. Lilley while they were a party in a civil action. A violation of ORC 2109.301(B)(1)(d), an illegal act interfering with procedural justice in favor of herself and her friends and colleagues, depriving the plaintiff of equal protection of the law and willfully altering the fair and natural outcome these legal proceedings. Tampering with Evidence, Obstruction Justice, Interfering with Civil Rights, Using a Sham Legal Process.
- Dunlap had refused to comply with the rules of discovery in violation of FRCP Rule 34; failed to produce the request for Production of Documents and Things, Depositions, and Interrogatories.

- **Administrator Jackson Hedges**

- Co-administrator Jackson Hedges had conspired to oppress and intimidate Plaintiff Stephen R. Lilley in the free exercise and enjoyment of rights and privileges secured to him by the Constitution and the laws of the United States. As an accomplice in steering civil proceedings and interfering with procedural justice in the Summary Judgment Scam.
- Administrator Jackson Hedges had rendered the Final and Distributive Account on the Estate of Marion G. Lilley while they were a party in a civil action. A violation of ORC 2109.301(B)(1)(d), an illegal act interfering with procedural justice in favor of himself and his friends and colleagues, depriving the plaintiff of equal protection of the law and willfully altering the fair and natural outcome these legal proceedings. Tampering with Evidence, Obstruction Justice, Interfering with Civil Rights, Using a Sham Legal Process.
- Hedges had refused to comply with the rules of discovery in violation of FRCP Rule 34; failed to produce the request for Production of Documents and Things, Depositions, and Interrogatories.

- **Plaintiff's Attorney, F. Harrison Green**

- F. Harrison Green was the attorney for the Plaintiff Stephen R. Lilley from 02/27/2007 – 01/8/2010. During the three years Green was acting as the Plaintiff's attorney. Green had not conducted any discovery what so ever "Production of Documents, Depositions, or Interrogatories.
- F. Harrison Green had conspired to oppress and intimidate Plaintiff Stephen R. Lilley in the free exercise and enjoyment of rights and privileges secured to him by the Constitution and the laws of the United States. As an accomplice in steering civil proceedings and interfering with procedural justice in the Summary Judgment Scam.
- Green refused to provide his client with an expert witness report from the Probate Period and the Co-administrators, Hedges and Chief Magistrate Dunlap.
- The filling of case numbers 07CV69736, 07CV69823, and 07CV69890 by Green was part of the ruse to separate the McGowan's countersuit from the plaintiff's suits. Case numbers 07CV69736, 07CV69823 were now separate cases. On 09/19/2008, Judge Sunderland sustained summary judgment on these two separate cases, then claimed that they would not be appealable until after the trial on McGowan's countersuit. After contacting the Court of Appeals, I had learned that the summary judgments on the separated cases were immediately.

- **Magistrate Crossley-Tate, Page**

- Magistrate Page Crossley-Tate had conspired to oppress and intimidate Plaintiff Stephen R. Lilley in the free exercise and enjoyment of rights and privileges secured to him by the Constitution and the laws of the United States. As an

accomplice in steering civil proceedings and interfering with procedural justice in the Summary Judgment Scam.

- Magistrate Page Crossley-Tate is a Warren County Magistrate Judge on assignment as Judge Sunderland assistant. Page Crossley-Tate is also a friend and colleague of Defendant Co-administrator/Chief Magistrate Judge Brenda Dunlap. I had questioned the conflict of interest and several occasions but never got a response.
- By having Crossley-Tate in this possession would have been crucial to pulling off the Summary Judgment Scam and composing the Decision and Entries for Dunlap and the other defendants.

- **Robert Hojnoski**

- Attorney for Defendant Brenda Dunlap; Hojnoski had conspired to oppress and intimidate Plaintiff Stephen R. Lilley in the free exercise and enjoyment of rights and privileges secured to him by the Constitution and the laws of the United States. As an accomplice in steering civil proceedings and interfering with procedural justice in the Summary Judgment Scam.
- Knowingly, that his client illegally rendered the Final and Distributive Account and Judge Powell illegally approving and settling account was a violation of O.R.C. 2921.52 Using Sham Legal Process; depriving the Plaintiff's rights of Due Processes and interfering with Procedural Justice in the Summary Judgment Scam. Hojnoski willfully participated in the Scam by filing a Motion for Summary Judgment.

- **John Hurst**

- Attorney for Defendant, Co-administrator Jackson Hedges; Hurst had conspired to oppress and intimidate Plaintiff Stephen R. Lilley in the free exercise and enjoyment of rights and privileges secured to him by the Constitution and the laws of the United States. As an accomplice in steering civil proceedings and interfering with procedural justice in the Summary Judgment Scam.
- Knowingly, that his client illegally rendered the Final and Distributive Account and Judge Powell illegally approving and settling account was a violation of O.R.C. 2921.52 Using Sham Legal Process; depriving the Plaintiff's rights of Due Processes and interfering with Procedural Justice in the Summary Judgment Scam. Hurst willfully participated in the Scam by filing a Motion for Summary Judgment.

- **George Jonson**

- Attorney for Defendant Jack McGowan; Jonson had conspired to oppress and intimidate Plaintiff Stephen R. Lilley in the free exercise and enjoyment of rights and privileges secured to him by the Constitution and the laws of the United States. As an accomplice in steering civil proceedings and interfering with procedural justice in the Summary Judgment Scam.

Summary:

In early 1995 to 01/10/1997, Attorney Patricia A. Suttman (guardian of Marion G. Lilley), Pamela A. Lilley (heir to the estate), and Attorney Brenda N. Dunlap (Pamela's private attorney), were involved in a conspiracy for profit. Two of the illegal acts were to remove the names of entitlement from a Certificate of Deposits with rights of Survivorship in the name of Marion G. Lilley or Stephen R. Lilley in the amount of \$100,000 (CD-4591) and Marion G. Lilley or Christopher R. Lilley in the amount of \$50,000. During this same period of time, moneys belonging to Marion were invested in long term annuities in the name of Marion G. Lilley or Pamela A. Lilley, POD. This conspiracy had been verified by reviewing the guardian's records, court documents, and expert witness.

On January 10, 1997, Marion G. Lilley passed away; Christopher R. Lilley became the entitled owner of the original \$50,000 Certificate of Deposit and Stephen R. Lilley became the entitled owner of the original \$100,000 Certificate of Deposit. This had all been verified by Findings and Facts by two judges and by the Court of Appeals, there was no question of the ownership.

Shortly after the passing of Marion Lilley, Pamela's attorney, Brenda Dunlap and attorney Jackson Hedges were appointed as interim co-administrator for the Estate of Marion G. Lilley. By the will, Marion's son Stephen R. Lilley was supposed to be executor of the estate. Stephen was never permitted to assume his rightful position.

Pamela Lilley had received the **Payable on Death** assets from her attorney/Interim Co-administrator Brenda Dunlap. Stephen and Christopher never received their entitled Certificate of Deposit. The \$150,000 of non-probate assets were now in the possession of /Interim Co-administrator Brenda Dunlap. Dunlap refused to surrender the personal property of Stephen and Christopher to the entitled owners.

The appointment of the interim co-administrator caused considerable problems;

1. The appointment was done in secrecy, heirs to the estate Christopher and Stephen Lilley had no knowledge of it and would not have approved of it if known.
2. **Conflict of Interest:** Pamela Lilley owed her attorney, Interim Co-administrator Brenda Dunlap a considerable sum for legal services rendered. The fees were to be paid out of the Pamela's inheritance from the Estate of Marion G. Lilley. The POD annuities were long term investments and not available for cash. Pamela had no cash coming from the estates as they were already in her possession.
3. Interim Co-administrator Brenda N. Dunlap had converted the non-probate personal property of Christopher and Stephen in the amount of \$150,000 to probate property. Because of this one event of Conversion, Fraud, and Civil Conspiracy, committed by

Interim Co-administrator Brenda N. Dunlap, these legal proceedings and cover-ups went on for another thirteen years.

4. The interim co-administrators were paid on a Percentage Fee Base, resulting in charging excessive fees by increasing the estate assets by \$150,000. Estate taxes were also paid on these non-probate assets. Interim Co-administrator Brenda N. Dunlap had cooked the books to cover-up fraudulent activities.

In a 1999 hearing, Probate Judge Mark Clark confirmed through Findings and Facts and Clarification that both Stephen and Christopher were the entitled owners of the original Certificate of Deposits in the amount of \$100,000 and \$50,000. Later the Court of Appeals also confirmed that Stephen and Christopher were the entitled owners of the original Certificate of Deposits. Although Interim Co-administrator Dunlap had gained possession of the \$150,000 of non-probate assets, she refused to surrender them to the entitled owners and refused to revise all of the fraudulent accountings.

In 1999, Interim Co-administrator Dunlap took appointment as a Magistrate Judge for the Warren County Common Pleas Court; she also took appointment from interim Co-administrator to Co-administrator of the Estate of Marion G. Lilley and acting as both the Attorney and the Accountant for the Estate. This was in gross violation of a judge serving as a fiduciary and practicing law for compensation “A Magistrate Judge cannot serve as a Fiduciary or Practice Law: **Canon 4 (D) Fiduciary Positions, (1); Canon 4 (F) Practice Law**”.

In April of 2000, Judge Mark Clark took an early retirement and Judge Michael E. Powell was appointed in his place. Dunlap’s fiduciary inventory did not show any assets labeled non-probate in her possession and Co-administrator/Magistrate Judge Brenda N. Dunlap refused to surrender the non-probate personal property of Stephen and Christopher to the entitled owners.

The appointment and acceptance of Co-administrator/Magistrate Judge Brenda N. Dunlap caused considerable problems

1. First, it is illegal for Magistrate Judge Dunlap to serve as both a Judge and a fiduciary
2. It is illegal for Magistrate Judge Dunlap to practice law for compensation, records show that she was paid twice for the same time; once by the County as a judicial officer and by the estate as a fiduciary and an attorney for the estate, she even paid herself extraordinary fees as an attorney for the estate
3. Magistrate Judge was receiving favoritism from her friend and colleague Probate Judge Michael Powell to cover-up her illegally acts. Judge Powell refused to rule on exception to the account to have Co-administrator/Chief Magistrate Dunlap surrender the non-probate personal property to the entitled owners, Stephen and Christopher Lilley.

Christopher and I continued for the next seven years trying to gain possession of our personal property that was in Administrators/Magistrate Judge Dunlap's possession until September 17, 2003, when Christopher died, never to acquire his entitled personal property.

In December 2003, with objections to the account and appeals pending, and without a Hearing on the Account; Co-administrator/Magistrate Judge Brenda N. Dunlap, Co-administrator Hedges, and Probate Judge Powell distributed the assets, made entry on Approving and Settling Account. Which stated: ***"The fiduciary is discharged from his trust twelve months following the approval of the final and distributive account ORC 2139.32A. 2139.32(A)"***

This was just a clever ruse to cover-up the conversion, fraud, and civil conspiracy, where Co-administrators, Magistrate Judge Brenda Dunlap and Jackson Hedges would claim statutory immunity twelve months later.

Out of the \$150,000 of Stephen and Christopher personal assets, part of it was funneled through Dunlap's client, Pamela Lilley to pay for Magistrate Judge Dunlap for legal services rendered. Dunlap claims that \$40,000 of it that was comingled with probate assets and paid to Stephen as a probate asset, this has never been confirmed. They were just numbers on Dunlap's fraudulent accountings.

We found a memo between Attorney Dunlap, Attorney Suttman, and Pamela where Dunlap wanted to pay Pamela's Columbus lawyer off the top, this has never been confirmed whether it was paid or not. There has never been a Hearing on the Account (Only a Paper hearing); heirs Stephen and Christopher have never been entitled to review the Co-administrators Dunlap's documents.

Note: A paper hearing is not a hearing at all; it is just a date that it is signed. There are no documents to review and no one attending. It is simply a ruse to make it look like there was a hearing on paper, when there really was no hearing at all.

No one except for Dunlap really knows what happened to the original \$150,000 of non-probate assets that was in Co-administrator/Magistrate Judge Brenda N. Dunlap possession or how much of it was embezzled; evidence shows the misappropriation of other estate assets as well. The judges and fiduciaries claim they were comingled with the probate assets of the Estate of Marion G. Lilley. The fiduciaries account does not label them non-probate assets in the inventory. If the fiduciaries account did have them labeled as non-probate assets, Co-administrator/Magistrate Judge Dunlap would have to surrender them to the entitled owners. Regardless, it is still illegally to have non-probate assets in the fiduciaries inventory whether they are labeled as probate or non-probate.

What is clear is that Co-administrator/Magistrate Judge Brenda N. Dunlap, Co-administrator Hedges, and Probate Judge Powell went through a lot of trouble distributing the assets, approving the account, circumventing the Hearing on Account so the heirs of the estate could not review the fiduciaries documents. Sweeping it all under the rug claiming statutory immunity

twelve months later with exception to the account and appeals still pending, the estate was not ripe for distribution or settling of the account.

Apparently, there were a lot of discrepancies in the fiduciaries documents that they did not want anyone to see... how much money was really being embezzled... and where was it all going?

First Ruse to illegally distribute and close the estates

The Administrators of the estate and the probate judge came up with a clever ruse that was supposed to have been an easy way out and to keep from surrendering the \$150,000 in CDs to the entitled owners that was in the possession of Co-administrator/Magistrate Judge Dunlap; wait twelve months and claim Statutory Immunity to avoid lawsuits for conversion, fraud and civil conspiracy along with a few other torts. The ruse was foiled when the Court of appeals remanded for further proceedings.

On 12/30/2004, the reply from the third appeal to the Appellate Court, Opinion stated, "Not ripe for decision... remanding to the Probate Court for further proceedings". This case had gone to the Court of Appeals four times. The Probate Court never complied with the Court of Appeals Opinion, even after the fourth appeal this case was sent to the Court of Appeals; Co-administrator/Magistrate Judge Dunlap would not surrender the personal property of Stephen and Christopher that was in Chief Magistrate Judge Dunlap's possession.

Below are just a few of the reasons for the 2003 Final and Distributive Account, to claim Statutory Immunity, and circumvent the Hearing on Account. Both, Co-administrator Jackson Hedges and Co-administrator/Magistrate Judge Dunlap share equal liability exposure on most of the violations.

a. According to documents, the Co-administrators paid themselves:

- i. Charging Excessive Fees; by commingling non-probate assets with probate assets to increase the Percentage Fee base.
- ii. Extraordinary fees caused by the complication created by the conversion of non-probate assets belonging to Stephen and Christopher.
- iii. Receiving payment from client (Pamela) that came from the conversion of non-probate assets (Stephen's private property), funneled through the estate as administrator to her client as an heir of the estate.
- iv. Doubling fee base, by converting the split percentage fees, base on one administrator acting alone as required by law, to time expended fees, as if both administrators acting independently.
- v. Paid administrator/attorney fees for the same time being paid by the County as Magistrate Judge, while not allowed to practice law for compensation, Cannon 4(F): A judge shall not practice law.
- vi. Unauthorized Extraordinary Attorney fees from the Estate of G. Randall Lilley without the knowledge, consent, or signature of the Executor as required by law.
- vii. Double-Dipping: Paid twice on the same time expenditure; Attorney fees for the Estate of G. Randall Lilley and Attorney fees for the Estate of Marion G. Lilley

a. **According to law it is illegal to:**

- i. Convert the private property of others to probate assets.
- ii. Commingle non-probate assets with probate assets.
- iii. Illegally paying estates taxes on non-probate assets.
- iv. Failure to recover illegally paid estates taxes on non-probate assets.
- v. Pay yourself on the percentage fee guidelines of non-probate assets.
- vi. Funnel the private property of others to your client so your client can pay your attorney fees owed.
- vii. Two fiduciaries paid independently instead of split as if one fiduciary as required by law.
- viii. Judge practicing law for compensation.
- ix. Judge acting in the capacity of a fiduciary.
- x. Falsifying legal documents.
- xi. Intentionally creating complication to charge extraordinary fees.
- xii. Failure to itemize extraordinary fees.
- xiii. Perjury.
- xiv. Representing conflicting interest.
- xv. Civil conspiracy – conspiracy to fraud and cover-up.
- xvi. Civil fraud.
- xvii. Holding onto the private property of others for profit.
- xviii. Causing harm to others for profit.

The Civil Lawsuits for Redress

On May 6, 2006 I filed a Civil Lawsuit in the Court of Common Pleas, Warren County, Ohio. The suit was for the purpose of recovering misappropriated funds, CD-4591, in the amount of a \$100,000 Certificate of Deposit that had been taken more than nine years earlier and held in the possession by Co-administrator/Chief Magistrate Judge Brenda N. Dunlap, plus other damages.

Shortly after the complaint was filed, my attorney Roger Staton reported to me that the Warren County judges were not very happy about the lawsuit he filed. He told me that the judges had circled the wagons around Dunlap and that he was receiving major retaliation for filing the complaint. He had also informed me that he wanted to withdraw from the case.

Assigned presiding judge, Judge Bronson had recused all the judges from Warren County from hearing the case and he asked the Supreme Court to appoint an outside judge. Judge David took the case on assignment. This didn't seem to make any difference as the Warren County judges were still in control; the entire case was scripted to protect their friend and colleague, Chief Magistrate Judge Dunlap; after all, she was one of their own people. Warren County Magistrate Judge Page Crossley-Tate was assigned as Judge Sunderland assistant, a friend and colleague of Defendant Co-administrator/Chief Magistrate Judge Brenda Dunlap. Other legal assistances that worked on the case were also friends and colleagues of Defendant Chief

Magistrate Dunlap. A gross conflict of interest, it was evident this case was doomed before it even got started.

After Roger withdrew, I hired F. Harrison Green as my attorney to take over where Roger left off. A Pretrial date set for March 14, 2008 and Trial Dates set for March 24 – 31 and April 1 – 4 2008. The Scheduling Order was set for filing of Plaintiff Expert Witness List by August 1, 2007, all Discovery completed by February 1, 2008.

Two months after I hired Green the Summary Judgment Scam commenced. My rights guaranteed by the Constitutional; Due Process of Law, Equal Protection of the Law, and Procedural Fairness were just troughed out the window.

We really did not expect this case to go to a trial, and we knew they would never let me testify in court. There was just too much corruption that they would not want the public to hear about. The best we were hoping for was to recover my losses in a fair settlement. We soon learned that was not going to happen.

The Summary Judgment Scam:

The Summary Judgment Scam was a conspiracy to willfully deprive or cause to be deprived from Plaintiff Stephen R. Lilley those rights, privileges, or immunities secured or protected by the Constitution and laws of the U.S. while the civil lawsuits were pending. Very similar to the scam they attempted in 2003 – 2004.

According to case documents, Plaintiff Stephen R. Lilley was deprived of his entitlement of redress by grievance by denying his rights as guaranteed by the Constitution, Federal, State and Local Laws and failing to conform by the laws and statutes of the United States Constitution, United States Code, Federal Rules of Civil Procedure, Ohio Constitution, Ohio Revised Code, Ohio Rule of Civil Procedure, Ohio Code of Judicial Conduct, and Ohio Rules of Professional Conduct.

Steering the legal proceedings to a predetermined decision where a motion for summary judgments would be file by the opposing parties. All summary judgments would be granted. This case was decided before it had ever started. Summary Judgments were granted on Statute of Lamination that did not exist, case laws that were misapplied, and judgment that were not legal. i.e. While a lawsuit is pending against the fiduciaries for fraud, they will go head and close the estate, file for Summary Judgment, steer the case to wait 12 months after the filing, Claim that the Probate Court had jurisdiction over Civil Courts proceedings and claim statutory immunity for fraud because the 12 months had passed. Of course, it is not legal, but as long as there is no oversight authority intact, anything goes...

According to court documents, the Summary Judgment Scam went a follows;

- Phase 1: The Summary Judgment Scam was for Co-administrator/Chief Magistrate Judge Brenda N. Dunlap, Co-administrator Jackson Hedges, and Probate Judge Michael Powell to illegally render the Final, Distributive Account, approving and settling account, and claiming *“The fiduciary is discharged from his trust twelve months following the approval of the final and distributive account ORC 2139.32A. 2139.32(A)”*.
- i. It was illegal for Dunlap and Hedges to render an account while civil actions were pending. ORC 2109.301(B)(1)(d): administrators and executors shall render an account unless they are a party in a civil action.
 - ii. It was illegal for a Judge to interfere or alter the outcome of another case.
 - iii. It was illegal for Chief Magistrate Judge Dunlap to be serving as a fiduciary and practicing law for compensation.
 - iv. It was illegal for Chief Magistrate Judge Dunlap to alter the outcome of her own case in her favor herself and the other defendants.
- Phase 2: All defendants would file for Summary Judgment which would be granted twelve months later. Depriving the plaintiff of his rights to a trial by jury.
- i. On 7/31/2007, Judge Powell approved the account stating the fiduciary would be discharged from their trust in twelve months. On the same day, Chief Magistrate Dunlap’s client, Pamela Lilley filed a motion for Summary Judgment. The very next day, Dunlap and McGowan filed a Motion for Summary Judgment.
- Phase 3: F. Harrison Green filed three separated complaints with Jury Demand that was intended not to ever go to trial, but to separating Dunlap, Hedges, Suttman, and Pamela from the original lawsuit, leaving McGowan on the original for his countersuit.
- i. The separation of lawsuits was to keep appeals from being filed after granting Summary Judgment, Judge Sunderland claiming they were not appealable when they actually were appealable.
 - ii. These judgments were never appealable in the first place because the entire legal proceedings were staged to deprive the plaintiff Procedural Justice.
- Phase 4: March 14, 2008, Scheduled Pretrial... Rescheduled Pretrial date to a date twelve months after the approval of the account.
- i. There was no Production of Documents, Depositions, Interrogatories, or Expert Witness Reports from my attorney or any of the defendants attorneys at this time, except for McGowan’s countersuit. This gave them an excuse for rescheduling the Pretrial and Trial dates
 - ii. New Pretrial date was scheduled for: 9/19/2008

Phase 5: Keep all evidence out of the records on the Conversion, Fraud, Civil Conspiracy, and other acts of misconduct.

- i. F. Harrison Green had done no discovery what so ever on the probate period and the misconduct of Co-administrator/Chief Magistrate Judge Brenda N. Dunlap or Co-administrator Jackson Hedges.
- ii. There was no Production of Documents, Depositions, Interrogatories, or Expert Witness Reports for the probate period.
- iii. Chief Magistrate Dunlap refused to produce documents requested and refused to give her deposition.
- iv. Judge Sunderland would not compel documents requested.

Phase 6: On 9/19/2008, Judge Sunderland sustained all summary judgments with the exception of McGowan's countersuit which was rescheduled, "I will cover this later in part 2 of this complaint".

- i. Co-administrator/Chief Magistrate Judge Brenda N. Dunlap or Co-administrator Jackson Hedges had claimed they were entitled to statutory immunity in their role as co-administrators of the Marion Lilley estate, as twelve months have passed from the approving of the account.
- ii. The entire process of paper passing was just to make it look like real legal proceedings and kill time, while the decisions to sustain summary judgments of all the defendants were made more than a year in advance.

Phase 7: On 05/13/2010 Jury Trial – 2921.52 using sham legal process.

- i. Countersuit of McGowan – "I will cover this later in part 2 of this complaint"

Phase 8: On 09/16/2010 Final appealable order – does not exist

- i. Not appealable – "I will cover this later in part 2 of this complaint"

Time Line:

1. 05/6/2006, Civil Lawsuit filed, Case Number 06CV66195, against, Defendants, Co-administrator/Chief Magistrate Brenda Dunlap, Co-administrator Jackson C. Hedges, Attorney Patricia Suttman, Attorney Jack C. McGowan, and Pamela Lilley.

2. On 08/4/2006 I received the following e-mail from Roger Staton. Roger had also informed me that the Warren County judges had circled the wagons to protect Chief Magistrate Dunlap...

Steve:

Judge Bronson has recused all the judges from Warren County from hearing your case and he has asked the Supreme Court to appoint an outside judge. I have received major retaliation from the judges as a result of my involvement in these cases and I will most likely file a motion to withdraw from your case on Monday morning. I feel that my continued involvement in your case will be detrimental to you. I can read the handwriting, or let us say the huge lettering on the wall. I will provide you with a copy of my motion, but you need to think about getting a replacement lawyer soon.

Roger Staton

3. On 02/27/2007, I hired F. Harrison Green as my replacement lawyer to continue with the lawsuit. The following is a reply to my request.

Dear Mr. Lilley,

The types of actions that you have described are in line with the type of representation our office provides. Please feel free to contact my office at your earliest convenience.

Sincerely,

F. Harrison Green

4. 04/30/2007, Co-administrator/Chief Magistrate Dunlap, Co-administrator Hedges initiated the Summary Judgment Scam
5. 06/18/2007, Fiduciaries Dunlap and Hedges rendered Final and Distributive Account on the Estate of Marion G. Lilley while they were a party in a civil action. A violation of ORC 2109.301(B)(1)(d) and Tampering with Evidence, Obstruction Justice, Interfering with Civil Rights, Using a Sham Legal Process.
 - a. ORC 2109.301(B)(1)(d): administrators and executors shall render an account unless they are a party in a civil action.
 - b. An illegal act to willfully deprive the plaintiff of his right to procedural justice. This act was intended to alter the fairness of the final outcome of these legal proceedings in favor of Dunlap and the other defendants.
 - c. Chief Magistrate Dunlap had used her position as a judicial officer to give herself an advantage to a predetermined outcome in her favor and depriving the plaintiff rights to procedural justice. Grounds for default in favor of the plaintiff.
6. 06/21/2007, Notice of Hearing on Account
 - a. Note: there was no Hearing on Account, only what they call a paper hearing.
7. On 07/31/2007 with lawsuit pending and without a Hearing on the Account; Probate Judge Powell made entry on Approving and Settling Account. Which stated: "The

fiduciary is discharged from his trust twelve months following the approval of the final and distributive account ORC 2139.32A. 2139.32(A)".

- a. Probate Judge Powell had just approved and illegal act interfering with procedural justice in favor of his friend and colleague depriving the plaintiff of equal protection of the law and willfully altering the fair and natural outcome these legal proceedings. Tampering with Evidence, Obstruction Justice, Interfering with Civil Rights, Using a Sham Legal Process.
8. 07/31/2007, Motion for Summary Judgment Filed by Dunlap's Client (Pamela Lilley)
 - a. Note: same day as Approving Account – To be sustained on 9/19/2008
9. 08/1/2007, Motion for Summary Judgment Filed by Dunlap and McGowan
 - a. Note: next day after Approving Account – To be sustained on 9/19/2008
10. 08/20/2007, Motion for Vacation Settling Account filed by Stephen R. Lilley
 - a. Judge Michael Powell failed to comply with Statutory Law O.R.C. 2109.35
11. 11/7/2007, F. Harrison Green refilled Lawsuit, Case Number 07CV69736; Lilley, Stephen R. vs. Suttmann, Patricia; Dunlap, Brenda; Lilley, Pamela ... with Jury Demand
12. 11/15/2007, F. Harrison Green refilled Lawsuit, Case Number 07CV69823; Lilley, Stephen R. vs. Dunlap, Brenda; Hedges, Jack... with Jury Demand.
13. 11/21/2007, F. Harrison Green refilled Lawsuit, Case Number 07CV69890; Lilley, Stephen R. vs. McGowan, Jack C. ... with Jury Demand.
14. 02/29/2008, the original Pretrial date of March 14, 2008 was rescheduled to September 19, 2008 so they could claim statutory immunity one year after the filing date.
15. 7/21/2008, I received an e-mail from Harrison Green
 - a. "Per the rules of discovery and rules of professionalism, we have sent a letter to counsel prior to **filing a motion to compel**, which the rules of discovery require. The **judge will order counsel** to deliver the documents should they fail to provide them."
16. 9/12/2008, I received and e-mail from Harrison Green
 - a. "documents you have requested from Dunlap **cannot be compelled**... We may take Dunlap's deposition pending rulings by Judge Sunderland"
17. 9/19/2008 At the Pretrial, for Case Number 06CV66195, on September 19, 2008; Judge Sunderland sustained Summary Judgments for all Defendants for Case Numbers: 07CV69736 and 07CV69823. Some were for statute of limitations which did not exist. McGowan's was sustained on a Case Law that was intentionally misapplied, and on case number: 07CV69823, the Decision and Entry for Dunlap and Hedges were sustained on the bases that the illegal closing of the estate on 7/31/2007, had jurisdiction over the civil lawsuit filed on 5/09/2006.

- a. The Decision and Order case number: 07CV69823 further states, “**Dunlap argues** that she is entitled to statutory immunity in her role as co-administrator of the Marion Lilley estate by virtue of R.C 2113.56... Section 2109.35 provides that an order of the Probate Court shall have the effect of a judgment and may be vacated under the following circumstances: first, for fraud if the motion is filed within **one year** of the discovery. That time has passed as the final account settlement order was filed on **August 21, 2007.**”
 - b. On 8/20/2007, a Motion for Vacation of Order Settling Account was filed for fraud. Probate Judge Powell failed to comply with, R.C 2113.56... Section 2109.35.
 - c. The Plaintiff Stephen R. Lilley had been deprived his rights under the Fourteenth Amendment to Due Process of Law and Equal Protection of the Law
 - d. Defendants, Co-administrators, Chief Magistrate Dunlap and Jackson Hedges had defaulted by failing to comply with Ohio Revisited Code Rules, and the United States Code. Obstructing Justice by failing to comply with the rules of discover “Production of Documents and giving Depositions”. Denying the Plaintiff’s rights to Due Process of Law and Procedural Fairness.
 - e. Judge Sunderland ruled that the Summary Judgment Order was not an appealable order and would not be appealable until after the McGowan trial. Case Number 07CV69823 was a separate case and not combined with the McGowan case. The Summary Judgment Order was immediately appealable.
18. 07/13/2009 Notice of complaint filed with the US Dept. of Justice, US Attorney and FBI.
- a. After the Plaintiff Stephen Lilley’s attorney, F. Harrison Green learned that the FBI may be investigation these legal proceedings for corruption, the plaintiff’s attorney immediately withdrew.
 - b. The Plaintiff Stephen Lilley was then order to act pro-se by Judge Sunderland with no discovery (documents, depositions, etc.) and was not allowed to conduct any discovery.
19. 01/06/2010 Notice Civil Rights complaint filed; US Dept. of Justice – Deprivation of Rights Under Color of
- a. For being a Whistle Blower and exposing corruption; for filing Civil Rights Complaints, I was now being victimized as a Whistle Blower by severer retaliation.
20. 05/13/2010 Jury Trial – 2921.52 using sham legal process.
- a. Countersuit of McGowan – will be covered at a later time
21. 09/16/2010 On 09/16/2010 Final appealable order – does not exist
- a. Not appealable – will be covered at a later time

Retaliation as a Whistle Blower & for Filing a Civil Rights Complaint

The Department of Justice, Civil Rights Division and the Federal Bureau of Investigation give instruction of filing a Color of Law complaint to report of a potential civil rights violation and enforcing civil rights laws.

The Whistleblower Protection Act of 1989 also protects citizens who report these crimes and file complaints from retaliation. Under Section 3771 of Title 18 of the U.S. Code, Crimes and Criminal Procedure, federal crime victims also have “The right to reasonable protection from the accused” and “The right to be treated with fairness and with respect for the victim's dignity and privacy”

Not only have I been victimized by public officials, violating my rights under Federal Civil Rights Statutes, but my rights as a crime victim have also been violated after filing Federal Civil Rights Complaints. I have received major retaliation, Cruel, Inhuman, and Degrading (CID) treatment in violation of the Whistleblower Protection Act of 1989 and Title 18 U.S.C. Section 3771, Crime Victims Rights.

Excerpt from: the DOJ/Civil Right Division

The Criminal Section prosecutes cases involving the violent interference with liberties and rights defined in the Constitution or federal law. The rights of both citizens and non-citizens are protected. In general, it is the use of force, threats, or intimidation that characterize a federal criminal violation of an individual's civil rights.

Our cases often involve incidents that are invariably of intense public interest. While some violations may most appropriately be pursued by the federal Government, others can be addressed by either the federal Government or by state or local prosecutors. Our ultimate goal is to ensure that acts constituting federal criminal civil rights violations are sufficiently remedied, whether prosecuted federally or by local authorities.

Excerpt from: the FBI website on Color of Law Abuse

U.S. law enforcement officers and other officials like judges, prosecutors, and security guards have been given tremendous power by local, state, and federal government agencies—authority they must have to enforce the law and ensure justice in our country. Preventing abuse of this authority, however, is equally necessary to the health of our nation's democracy. That's why it's a federal crime for anyone acting under “color of law” willfully to deprive or conspire to deprive a person of a right protected by the Constitution or U.S. law.

Failure to keep from harm: The public counts on its law enforcement officials to protect local communities. If it's shown that an official willfully failed to keep an individual from harm, that official could be in violation of the color of law statute.

Filing a Complaint

To file a color of law complaint, contact your local FBI office by telephone, in writing, or in person. The following information should be provided:

Conflict of Interest

Probate Period – Conflict of Interest

Conflict of Interest has been a problem from the very beginning, both in the probate period and the civil lawsuit period. Attorney Brenda N. Dunlap was Pamela's (heir of the estate) personal attorney. In 1997, Dunlap took appointed as an interim administrator of the estate. Pamela owed Dunlap a signify sum for legal services rendered which was to come out of the estate that Dunlap was an administrator. Pamela had already misappropriated more than her share of estate assets and invested them in a long term annuity account that could not be touched for several years. In 1999 Dunlap took appointment as a Magistrate Judge in the Warren County Common Pleas Court; she also took appointment as Co-administrator for the Estate of Marion G. Lilley and an attorney for the estate where she was still in illegal possession of the \$150,000 of non-probate assets of the personal property of Stephen and Christopher Lilley.

If the \$150,000 of Stephen and Christopher's non-probate assets were not converted to probate assets, Pamela would have had to pay back to the estate moneys that she did not have liquid to pay Co-administrator/Magistrate Judge Dunlap for legal services rendered. Pamela also had not paid her Columbus attorney and had a reputation on not paying her legal representatives.

In April 2000, Dunlap's Friend and Colleague Michael E. Powell took the appointed position as Warren County Probate Judge. In 2003, by circumventing Probate Laws, labeling non-probate assets as probate assets, Dunlap was able to funnel the personal property of Stephen and Christopher through her client as inheritance to pay for legal fees owed to Pamela's attorney Co-administrator/Magistrate Judge Dunlap.

Magistrate Judge Dunlap served as an Administrator for the estate and a Warren County Judge simultaneously for nearly eight years.

Code of Judicial Conduct, (A): Anyone, whether or not a lawyer, who is an officer of a judicial system performing judicial functions, including an officer such as...magistrate, is a judge for the purpose of this Code...

Canon 4 (D) Fiduciary Positions, (1): A judge shall not serve as executor, administrator, or other personal representative, trustee, guardian, attorney in fact, or other fiduciary

Civil Suit Period – Conflict of Interest

The Conflict of Interest during the Civil Suit Period are many, listed below are just a few.

Dunlap serving as a Warren County Magistrate Judge and an Administrator of the Estate of Marion G. Lilley

While Civil Suits were pending, As a judicial officer, Dunlap was able to render the estate account in violation of, "ORC 2109.301(B)(1)(d)" influence her friend and colleague, Warren County Probate Judge Michael Powell approving it. Influence to delay the civil proceedings for 12 months and then claim Statutory Immunity.

As a judicial officer, Dunlap was able to organize the Summary Judgment Scam by not producing documents, depositions, and complying with statutory laws without repercussion from the judge.

As a judicial officer, Dunlap was able to assist her friends and colleagues in drafting her own Decision and Orders in her favor and the Decision and Orders in the favor of the other Defendants.

As a judicial officer, Dunlap was able to assist in altering the fair and natural outcome of the civil proceedings in favor of her friends, Defendants, Dunlap's Client (Pamela Lilley), Co-Administrator Jackson Hedges, Patricia Suttman, and Jack McGowan.

According legal documents, Dunlap was the key player in orchestrating the Fraud and Civil Conspiracy during the Guardianship Period, the Conversion of the \$150,000 of non-probate assets and illegal distribution during the Probate Period, and the Summary Judgment Scam during the Civil Suit Period.

Conclusion:

All together there were nearly a quarter million dollars of misappropriated funds that Co-administrators (Dunlap and Hedges) were involved in. \$150,000 was non-probate assets; \$100,000 was the personal property of Stephen Lilley and \$50,000 was the personal property of Christopher Lilley. According to court documents, there was about \$100,000 of probate assets that had been taken or mishandled in various ways; charging excessive fees, doubling fee base, etc.

It has never been determined on the exact whereabouts of the stolen quarter million. Dunlap, Hedges, and Powell circumvented statutory laws ORC 2109.32 "Hearing on fiduciary's account" and 2115.16 "Hearing on inventory". The heir of the estate, Stephen R. Lilley was never allowed to review the fiduciaries accountings. Dunlap also refused to comply with Federal Law (U.S.C. Rule 34) "Production of Documents and Things"; again, the Plaintiff Stephen R. Lilley was not allowed to review the fiduciaries accountings. These are both violations under 18, U.S.C., Section 242 Deprivation of Rights under Color of Law and 18, U.S.C., Section 241 Conspiracy against Rights.

Although the Co-administrators, Court of Appeals, and two other judges confirmed that the \$150,000 of non-probate assets were comingled with the probate assets, the fiduciaries did not disclose the non-probate assets in their inventory. Dunlap had fabricated both federal and

state documents in order to conceal the true identity of ownership in violation of federal and state statutory laws.

Awards and Judgments Entitled by Plaintiff

Awards and Judgments entitled by Plaintiff Stephen R. Lilley per Lawsuits and Expert Witness Report filed by F. Harrison Green (see Appendix: i)

1. Case Number 07CV69736
 - a. AN ORDER that all money and property converted and misappropriated by defendants, all proceeds thereof, be impressed with a constructive trust in favor of plaintiff.
 - b. An award against defendants of \$2,000,000
 - c. An award equitable and at law, to which it may be entitled as found to be fair, equitable and appropriate.
2. Case Number 07CV69823
 - a. AN ORDER that all money and property converted and misappropriated by defendants, all proceeds thereof, be impressed with a constructive trust in favor of plaintiff.
 - b. An award against defendants of \$2,000,000
 - c. An award equitable and at law, to which it may be entitled as found to be fair, equitable and appropriate.
3. Case Numbers 06CV66195/07CV69890
 - a. An award of \$700,000
 - b. An award equitable and at law, to which it may be entitled as found to be fair, equitable and appropriate.

Appendix: i

LAWSUITS FILED

Case Number 06CV66195

May 9, 2006, Plaintiff Stephen R. Lilley filed a Complaint for Professional Tort, Case Number 06CV66195; Lilley, Stephen R. vs. Dunlap, Brenda... with Jury Demand.
(Pending)

Plaintiff: Stephen R. Lilley
Vs.
Defendants: Brenda Dunlap
Jackson C. Hedges
Patricia Suttmann
Pamela Lilley
Jack C. McGowan

Case Number 07CV69736

November 7, 2007, Plaintiff Stephen R. Lilley filed a Complaint for Civil Professional Tort, Case Number 07CV69736; Lilley, Stephen R. vs. Suttmann, Patricia ... with Jury Demand.
(Pending)

Plaintiff: Stephen R. Lilley
Vs.
Defendants: Patricia Suttmann
Brenda Dunlap
Pamela Lilley

Relief from Complaint on Case Number: 07CV69736

WHEREFORE, Plaintiff Stephen R, Lilley, hereby respectfully requests that this Court enter judgment in his favor and against all defendants as follows:

- A. AN AWARD against defendants, jointly and severally, for plaintiff's damages in the first, second, and third causes of action herein, along with interest and costs thereon.
 - B. AN ORDER that all money and property converted and misappropriated by defendants, all proceeds thereof, be impressed with a constructive trust in favor of plaintiff.
 - C. AN AWARD against defendants, jointly and severally, of punitive damages and exemplary damages of \$1,000,000.
 - D. As to defendants, an accounting of all monies handled by them from the plaintiff or on behalf of plaintiff, or received for the plaintiff by the defendants.
 - E. AN AWARD against defendants, jointly and severally, for judgment of fraudulent conduct in an amount in excess of \$1,000,000.
 - F. Plaintiff further prays that this Court grant to its any and all further relief, equitable and at law, to which it may be entitled as found to be fair, equitable and appropriate.
-
-

Case Number 07CV69823

November 15, 2007, Plaintiff Stephen R. Lilley filed a Complaint for Civil Professional Tort, Case Number 07CV69823; Lilley, Stephen R. vs. Dunlap, Brenda... with Jury Demand. **(Pending)**

Plaintiff: Stephen R. Lilley

Vs.

Defendants: **Brenda Dunlap**, individually, and as Co-Administrator of the Estate of Marion G. Lilley, Deceased
Jackson C. Hedges, individually, and as Co-Administrator of the Estate of Marion G. Lilley, Deceased

Relief from Complaint on Case Number: 07CV69823

WHEREFORE, Plaintiff Stephen R, Lilley, hereby respectfully requests that this Court enter judgment in his favor and against all defendants as follows:

- A. AN AWARD against defendants, jointly and severally, for plaintiff's damages in the first and second causes of action herein, along with interest and costs thereon.

- E. That the plaintiff is awarded his costs and attorney fees in this matter and interest on any award from the date of filing this complaint.

Settlement Value of the Underlying Causes of Action – from Phillip’s Expert Witness Report, March 27, 2008 – Malpractice of Jack C. McGowan

Due to the premeditated and malicious nature of the action committed by Patricia Suttman and Pamela Lilley, I further have the opinion with the reasonable degree of legal certainty that the case had significant settlement value. Given the potential for a likely verdict in the amount of \$400,000 plus attorney’s fees, and an unlikely but possible risk of a verdict in excess of \$700,000, it is the opinion of this attorney within a reasonable degree of legal certainty.

RESPECTFULLY SUBMITTED this 11th day of November, 2011

By: _____

Stephen R. Lilley
2900 S. Waynesville Rd.
Morrow, OH 45152