

Robin C. DesCamp

Stacy Owen
Oregon State Bar
May 23, 2016
Sent via email to: cao@osbar.org

Regarding: SRO 1600413/Basic Rights Oregon

Dear Ms. Owen:

It is my greatest pleasure to once again have the opportunity to correspond with you on this matter. This communication is offered in response to the letter you recently received from Jeana Frazzini and Nancy Haque of Basic Rights Oregon, asserting that I violated unspecified ethical rules of the Oregon State Bar.

A portion of the letter also contains allegations against attorney Brett Engel that are demonstrably false and show a reckless disregard for the truth, but I'll leave answering that nonsense to Mr. Engel and his "big boy pants" referenced in my response to the underlying bar complaint. I won't attach that response here, as I am certain you have it handy as it acts as both my defense to those charges and as a doorstop in your office.

The section of the Basic Rights Oregon complaint pertaining to me alleges the following (Complainant's name redacted):

Additionally, during the proceedings it was learned that Mr. Engel covertly employed Attorney Robin DesCamp. This is significant because Ms. DesCamp took two steps that are highly unethical. First, she sought to contact [redacted] to advise her not to continue paying her attorneys under the guise of saving her money. Secondly, her posted blogs about the case were inflammatory, abusive and misleading designed to damage the reputation of [redacted]. They also further promote the estrangement of the children from [redacted] and within children's support networks.

I am assuming that the Basic Rights Oregon complainants believe that I violated RPC 4.2 and RPC 8.4(a)(7). Complainants are wrong.

I Was Not Acting as an Attorney

This is a fairly straightforward legal analysis that even an SKH divorce lawyer can understand: RPC 4.2 and RPC 8.4 apply only to attorneys who engage in certain conduct in the course of rep-

representing clients or, with respect to 4.2 only, in the course of representing the lawyer's own interests.

I have been on inactive status for several years, I do not represent clients or provide legal advice, and I did not represent either Complainant or her ex-spouse. Not only did I not act in my own interest, the fact I am putting these words to paper this moment clearly indicates quite the opposite.

I was not employed as an attorney, "covertly" or otherwise, by her ex-wife's attorneys. I provided unpaid expert advice to the ex-wife via conversations with her attorney Mr. Engel relating to the fee petition hearing. Those conversations occurred months after the alleged October "contact" referred to in the Complaint, which was in fact not contact at all. They are also protected by the attorney-client privilege so I decline to define them here.

Because I had no client and did not act in my own interest, RPCs 4.2 and 8.4 are inapplicable.

There Was No Attempted Contact by Me

Nevertheless, I will state *once again* that the record clearly shows I never sought to contact Complainant. Complainant's ex-wife reached out to me in October of 2015 through a mutual Facebook friend, Julie Vhay. Ms. Vhay knew that Complainant was represented by the SKH (Stahancyk, Kent and Hook, a.k.a. "Sociopathic Killers of Hope") firm and she also knew that I had written criticisms of the firm's billing practices in general and Laurel Hook's struggles not to cheat her clients in particular.

Those struggles are summarized neatly (but by no means completely!) in the Formal Complaint (Case # 13-118) filed against Hook by the Oregon State Bar on 10/22/2014 and the resulting SOW (Slap On the Wrist), also known as Hook's Diversion Agreement with the Oregon State Bar, signed by Hook on 8/24/2015. I have attached both to this email submission as well and ask that they are entered into the record on this matter.

I believe Hook continues to flout that Diversion Agreement, as evidenced by the declaration of a fee expert, filed in lieu of testimony, which labeled her billing practices "obscene." Unfortunately, the Oregon State Bar and Ms. Hook's timekeeping babysitters appear utterly uninterested in those reported continuing violations and I expect Ms. Hook to graduate from her Naughty Billing College on schedule and with honors.

Complainant's ex-wife called me in October, 2015 based upon our mutual friend and my well-earned reputation as knowing a thing or two about spotting unethical billing. She asked if I would consider speaking to Complainant about her bills. At that time I mistakenly assumed Complainant had smartly fired the firm, owed them money, and was (as so many do) coming to the realization that she was likely over-billed.

Based upon that erroneous assumption I agreed I'd speak with her and help her review her fee statements. That offer existed only momentarily and until I realized that Complainant was still suffering from Stockholm Syndrome/represented by the SKH firm, at which point I immediately demurred.

This is proven by her own text message exchanges with her ex-wife, submitted to you in her complaint, and yet *unbelievably* she offered those in support of her claims I was clamoring to meet with her. I most certainly was not, but not for the reasons you might think.

I declined to contact her not out of any concerns of a possible violation of RPC 4.2, mind you, but because it was clear Complainant, at the behest of her lawyers, wanted to engage me in a conversation and actions that they might later be able to (unsuccessfully) use against me in a lawsuit or ethics charge.

Those poor people - they actually think they are clever. How **do** they manage to get themselves to and fro each day?

Complainant's own "evidence" submitted with her complaint of my alleged attempts to contact her shows that she asked her ex-wife to have me call her and her ex-wife relayed to her I would do no such thing. I wonder, *has the bar ever bothered to ask Complainant whether I contacted her?* I will wager the answer is no, which is both incredibly disappointing and not at all surprising.

Again, I was not an attorney involved in this case. For a limited period of time, and in connection with the attorney fee motions, I performed non-legal services for the ex-wife through communications with her attorney, Brett Engel. She has not waived any work product privilege associated with my services, therefore I am not able to provide detailed information about my limited involvement in the attorney fee matter. I can tell you, unequivocally, that my involvement in the attorney fee portion of this dissolution case was extremely limited, not at all as Complainant speculates, and occurred months after the non-contact "contact" in October.

Was it Something I Said? If So, What?

The Basic Rights Oregon complainants assert that I made statements on my blog about the case that were "inflammatory, abusive and misleading designed to damage the reputation of (Complainant)." Our new complainants unwisely eschew the Oxford comma, as they too eschew something I like to call "substantiation," also known as "examples." They declined to quote, identify, or refer to *a single statement* that they believe to be unethical.

Nor do they identify a single statement that I made that they believe to expose transgender persons to abuse, prejudice, or ridicule. I don't know how to respond to their allegation that I made inflammatory, abusive, and misleading statements when they don't identify anything I wrote that

they believe to be inflammatory, abusive, and misleading. As a factual matter, I cannot have violated RPC 8.4 by making a statement that doesn't exist.

Of course, no such documentation exists for this claim or any of the others, which should have led Basic Rights Oregon to question whether they should file this very serious and public defamatory complaint prior to doing any sort of investigation into the allegations.

Complaint Specifics:

I am responsible for the children's estrangement from "Children's Support Networks"

The complaint states my writing "...further promotes the estrangement of the children from (Complainant') (sic) and within children's support networks."

I have no idea what that means.

I am unaware of which "children's support networks" are being referred to and have never promoted the children's estrangement from anyone or anything. Since the Basic Rights Oregon complaint provided *no explanation or substantiation* for this allegation, I cannot respond specifically except to say simply: that is not true and it does not make any sense. Was this complaint also ghostwritten by the fat-fingered incompetents who made such an impressive guest appearance on Complainant's complaint?

Complaint Specifics:

I am responsible for Complainant's estrangement from her children

The Basic Rights Oregon complaint mirrors Complainant's in that it inconceivably links my *Anatomy of a Disaster* series (along with Mr. Engel's "tactics") to the fact that these children continue to insist, as they have for two years, they do not want to see their father. The complaint makes this allegation without provision of a single piece of supporting evidence, which is both reprehensible and consistent with their other charges and the underlying complaint.

This is the most insidious and hurtful allegation in the original complaint and the Basic Rights Oregon complaint: that I am orchestrating the alienation of the children through my blog and the clear inference that the children are reading it and refusing contact with their father because of it. Not only that, it utterly discounts the feelings of those children, which is par for the course for Complainant and her attorneys in this disaster of a case.

I am blamed for the separation of Complainant from her kids even though I have no reason to promote the emotional embargo, I have never met the kids, they have never read my blog, and their relationship with Complainant broke down years ago. When I met their mom late last year the relationship between Complainant and her kids not only showed no hints of reconciliation, but in fact was in steep decline. The children were and remain deeply conflicted and hurt by

years of their father's selfish and narcissistic behavior, much of which is wholly unrelated to her transgendered status.

When I answered Complainant's complaint in April, I contacted her ex-wife to inquire whether the children had any inkling of my blog. Not surprisingly, they did not. Just this morning I did the same and she confirmed the children are not aware of the series, which has been on hiatus since March.

Although Complainant attempted to steer her son to my blog by texting him a message advising him not to believe everything written about her, he had no idea to what his father was referring. None.

Complainant's son then asked his mom what the text message from his dad meant. She informed him a writer (whom she did not name) was writing a story using pseudonyms about the divorce. He shrugged his shoulders, as teenagers do, and was utterly uninterested. Even if he had wanted to read it on his own, I'm not sure how he could have found it. If you Google Complainant's name there are no results that lead to my blog. If Basic Rights Oregon had taken any steps whatsoever to verify the claims in their complaint, even just a five-second Internet search, they would know those claims were false.

Clearly Complainant wants desperately for her children to read the blog so she can further blame a stranger for her estrangement from her kids, even though nothing I've written would encourage them to continue refusing to see her. She also is hopeful she can sue me, which shows such a lack of understanding of the law that I momentarily mistook her to be a lawyer at her own counsel's firm. Should she proceed with such poppycock, I look forward to answering post-haste her pointless pro se paranoiac pleadings when they are prepared and presented.

Understandably, the estrangement from her kids is devastating to Complainant.

I have a son whom I love and adore. We enjoy an amazing and very connected relationship, perhaps because I have always put him first and I made certain my divorce was as painless as it could possibly be. I have never spoken ill of his father or dragged his dad through emotionally devastating and excruciatingly expensive litigation. As a result, we have a very happy blended and reorganized family.

You can read all about that in my book - I'll send you a copy so you have another doorstep.

My son is my **first priority**, my greatest love, and I would step in front of a train for him. If he rejected me, refused to see me, and told people I was dead, as Complainant's children have done to her, I would suffer pain that I am presently trying to imagine, but cannot. It is simply too great to conjure. Happily, I don't believe I will ever have to imagine such pain. My divorce and post-divorce choices, ordering of priorities, and parenting have resulted in my son's emergence as a

confident and kind young man who loves me deeply because he knows his well-being is the most important thing in the world to me.

Thus, I know Complainant is in pain, as anyone else would be in her situation. I can see why a woman so averse to navel-gazing, self-reflection, accountability, and empathy could see her angst assuaged somewhat if she could blame me, Mr. Engel, her ex-wife, the grocer, or anyone else for this regrettable state of affairs.

Unfortunately, this pattern of finger-pointing and blame-shifting will almost certainly continue her unhappy familial status. I wonder if Complainant ever for a moment engaged in deep thinking about how things came to this point which finds her attempting to *force* her children to spend time with her via ongoing ugly and expensive litigation against their mother.

Rather than my blog that her children have never read, here are some things that may have led up to her estrangement from her kids:

- Being absent from the children's lives 70-80% of the time, including extending business trips so she could enjoy private time away from her family.
- When home, Complainant's temper created a very stressful and unpleasant environment for her entire family.
- Complainant chose to deliver the news to her son that she was a transgendered woman by blindsiding him with it in a drunken and tearful explosion when her son was visiting home from boarding school. She did this despite an agreement with her then-wife not to tell the son yet because they did not want him to have to process the news while he was living away from home, which he then had to do without the love and support of his family around him.
- Complainant insisted upon moving the family back to Portland, Oregon, despite their being settled and happy in North Carolina. The children were once again ripped from their home, friends, school, and activities to suit the needs of their father. This move was pushed by Complainant with no regard for her kids because she (rightly) believed the laws in Oregon would be more favorable to her in the event she found herself needing to litigate certain matters in her life. In legal circles we call this "forum shopping." In this family's case we can call this "forum shopping in lieu of and in opposition to your children's happiness."
- Complainant broke a promise to her children for a two-week vacation (prior to her full transition) during which she assured them she would present during that time only as the dad they knew and understood. "Samantha" appeared unannounced on the third day and the immediate result was an abruptly-truncated vacation marking the terrible beginning of the estrangement that continues to this day.
- Both children overheard their father repeatedly blame their mother for the divorce and the breakup of the family. Hearing their father speak so viciously about their mom was very hurtful to the kids. Complainant seems to believe that changing one's gender mid-marriage is but a trifling event that should not result in the other spouse wanting a divorce. While that may be true in rare cases and highly unusual marriages, most of us would agree that to blame your spouse for a divorce when you chose to transition to another gender is so unfair and ridiculous

as to make me wonder: does Complainant believe she is responsible for anything in her life? Has she ever?

- Complainant and her lawyers dragged this case out as long as possible, eviscerating family resources both emotional and financial.
- Once the divorce was final, Complainant soon resumed litigation against the mother of her children, instigating yet more strife, stress, and worry into their lives when they were optimistic all the fighting was finally over.
- Complainant badgers their mom constantly and blames her (and me, and Mr. Engel) for the estrangement, going so far as to sue her to force the kids to see their dad.
- Complainant has likely caused her children financial insecurity by filing a motion seeking to reduce her spousal and child support only six months after losing her job. Such attempts to modify are likely confusing to the children given her photos on Facebook of a fancy new car and a luxurious trip to Whistler.

These children are so angry with their father that both announced, long before I met their mom, an intention to change their last names from their dad's to that of their mother. That level of estrangement develops over years. It is terrible and I hope someday the chasm between Complainant and her children can be bridged. If she continues to ignore the facts and blame everyone else besides herself for her nonexistent relationship with her kids, I predict great difficulty in mending this particular fence.

But it bears repeating: none of this is my fault in any way, shape, or form. To assert such a claim is ludicrous, thoughtless, dangerous, defamatory, delusional, ignorant, irresponsible, and just plain rude.

This type of blame-shifting, aversion to personal responsibility, and refusal to deal in facts and reality is expected from Complainant in her current state of mind. It is not, however, expected from a well-regarded and powerful organization that purports to wisely and methodically do good work on behalf of our state's LGBTQ community and the greater Oregon community as a whole.

My Use of Pseudonyms

The Basic Rights Oregon complaint alleges I made statements on my blog series designed to damage the reputation of Complainant. That's an interesting charge, given that nowhere there do I identify her by her current or former name. She is mentioned only as "Sam" before she transitioned and as "Samantha" after she transitioned. Nowhere on my blog do I identify her employer or her industry, or give other information by which a stranger could plausibly identify her.

Even after she filed the bar complaint against me, I did not use her name in my response. I also did not, despite nearly 100 people urging me to do so, share it on my blog. I did not want to give her the attention she so doggedly seeks from me. Believe it or not, I have more pressing issues

in my life that take precedence over repeatedly wrangling with in writing an unstable and apparently deeply bored woman who has more than a passing obsession with every word I type.

In fact, Complainant's continuing one-sided war in this matter, into which she has now drawn a politically powerful ally with no apparent knowledge of or interest in the actual facts in this case or the feelings of the children, shows that she wants nothing more than for all of this to spill out into a more mainstream media outlet than my little blog.

Did I mention my little blog never named her in the series to which she and Basic Rights Oregon object so strenuously? Yes, I know I am repeating myself, but this fact does bear repeating.

And repeating.

And repeating some more.

More to the point, I did not malign Complainant and I have absolutely no interest in damaging her reputation. Much to my dismay and that of her family, she has undertaken to do exactly that through this bar complaint process and the utterly misplaced insertion of Basic Rights Oregon into it. Complainant does not seem to understand the damage she could be doing to her own reputation, but it is neither my place nor my responsibility to point out her self-defeating and flagrantly hypocritical behavior.

Complainant, for her own reasons, has chosen a path that will almost certainly lead to people being able to identify her from my *Anatomy of a Disaster* series - something she claims to be deeply worried about and yet something she is pushing forward on a daily basis with Sisyphean determination. For her sake given her continuing barrage of accusations against me, I could not possibly care less. For the sake of her family, however, I am horrified.

It isn't the series' description of Complainant that is troubling, mind you. It's the bar complaint she co-drafted, along with her ghostwriters, that some would feel indicates the presence of very significant and profound issues. Besides coming off somewhat unhinged and making claims that were quite literally impossible given her own documentation in support, Complainant's bar complaint against me illustrates within her lies a striking malignancy of character:

Complainant possesses absolutely no sense of personal responsibility whatsoever.

None.

Nary a whit.

As I have noted, along with other commenters on my blog, the bar complaint is not a good look for Complainant. She accused me not only of unethical conduct that never happened, but of a felony crime: extortion. In support, she provided evidence that proved her charges to be false,

which I will admit was courteous to me but probably not the best plan of attack for her. I am not the only one who believes that in her search for new employment, the discovery of her bar complaint and my response which eviscerates every single claim within it could have serious negative repercussions for her.

And yet, she and her attorneys have now upped the ante by persuading Basic Rights Oregon to pile on and file a complaint of their own complete with provably false and utterly unsubstantiated defamatory accusations against me and Mr. Engel. While I have no interest in hashing out this bullshit in a more public forum, I can see how it could be an interesting media story on a larger scale.

At that point, in my opinion, Complainant will be utterly unemployable at the level she used to enjoy. Therefore, I do hope the SKH firm and Basic Rights Oregon are willing to hire Complainant so she can adhere to the court order (they now seek to modify) to financially support the family members she and her lawyers continue to attack through omnipresent legal wars.

This is to say nothing of how her children will feel if and when her continued pursuit and public airing of these imagined grievances bring this matter to the level at which other publications may wish to report on it. Unfortunately, I am left with the impression, as are many of my readers, that Complainant does not consider her children's feelings near often enough. This ongoing and unintentionally amusing bar battle is a perfect example of dad putting dad first; kids and their mother be damned.

You will recall I asked the bar to read the *Anatomy of a Disaster* series and inspect it for words that support these claims that first appeared in Complainant's complaint against me and now are echoed in the Basic Rights Oregon complaint. I ask again that you do so, as I ask Basic Rights Oregon to, because clearly the leaders of Basic Rights Oregon are complaining about a blog series that they did not read. If they did, it appears their political position is so intransigent and singular and their strange allegiance to SKH so profound that they have blindly chosen to assign meaning and intent to my words that they simply and quite obviously do not have.

While I did not engage in any of the actions ascribed to me in this latest complaint, I will confess that I clearly pointed out that counsel for Complainant charged her far more in attorney fees – in fact, **more than double** – than a reputable law firm charged her cisgender former spouse for their divorce, which may implicate RPC 1.5.¹

Basic Rights Oregon might rightly complain if lawyers are charging transgender clients more than cisgender clients. Small wonder they haven't done that.

¹ RPC 1.5 prohibits a lawyer from charging or collecting a clearly excessive fee, for which one factor is the amount involved and the results obtained. Through September 11, 2015, the lawyers for ex-wife had charged her \$47,467.50, as shown by a public record pleading filed on October 6, 2015. The lawyers for Complainant filed a statement of attorney fees on the same date, also public record, showing that they had charged Complainant \$93,356.50 of fees.

I also don't know how complainants' statement that transgender people are "four times more likely to live in poverty and 90 percent report experiencing harassment or discrimination in their workplace" relates to the situation of this woman or anything that I wrote about her.

Complainant was not living in anything remotely approaching poverty; prior to her separation from her employer she was a high-ranking executive. Her lawyers stated on the public record on March 27, 2015 that she earned \$519,708 in 2014.² She continued to hold her job for months after she transitioned.

If such an income level indicates poverty, please let me know where I can sign up for this terrible state of affairs.

If the Oregon State Bar does believe that RPC 8.4(a)(7) applies to any of my conduct, which I vigorously dispute, then RPC 8.4(c) also applies, and that rule specifically allows a lawyer to engage in legitimate advocacy with respect to the bases set forth in RPC 8.4(a)(7).

Taken as a whole, my posts about the divorce bring to light that the lawyers for a transgender person took advantage of her, overcharged her for their work, and instigated conflict instead of resolution, all to the detriment of their client, their client's spouse, and most especially, their client's children.

Whether or not the firm did these things based upon their client's status is debatable, although I'll argue in their favor this appears to be the way they treat most of their clients. Therefore, I shan't report SKH for violation of 8.4(a)(7) because there does not appear to be any status, legally-protected or otherwise, that precludes that firm's vicious provision of its special brand of "client services."

In other words, they may be assholes, but they are assholes to everyone.

I agree with Basic Rights Oregon that all the attorneys (of which I was never one) in this matter should have treated Complainant with "dignity and respect," regardless that she and her attorneys did not extend the same basic courtesy to the other side in this tragedy of a divorce case. This continuing drama fueled by her inability to assume personal responsibility for her actions and her apparent disregard for the well-being of her former wife and her children indicates she cares little about anyone else's "dignity and respect," save her own.

I wrote about the case respectfully. I gave a voice to a broken woman being torn apart, along with her children, by despicable litigation tactics and a narcissistic and unreasonable ex-spouse.

² In September 2015 the court found that Complainant was employed full time and was earning an annual gross income of \$418,694, still distinctly above the poverty line.

Not one of my observations or criticisms of Complainant was based upon or in any way critical of her transgender status.

I can't imagine how difficult struggling with gender identity must be. This is especially true in today's political climate that is obsessed with imaginary dangers surrounding where people take a shit while not at all concerned with the very valid issues facing transgendered people that were duly noted in Basic Rights Oregon's complaint against me.

I have deep sympathy and respect for everyone who faces this challenge. I have never and I will never make any statements that contradict my own personal beliefs on this issue. And that leads me to this:

Conclusion: Motivation, Curious Choices, and Request for Retraction and Apology

Basic Rights Oregon must now, as they should have initially, ask themselves the simple questions that would have led them to file their complaint not with the bar, but in the trash where it belongs:

Why?

Why would Robin DesCamp, who has for years written on the need for equality for everyone in general and LGBTQ people in particular, be acting in a hateful and discriminatory manner towards Complainant based upon her transgendered status?

Why would Robin DesCamp, who writes consistently against the evils of parental alienation (a practice honed by SKH counsel so perfectly that they should teach CLEs on it) and who has voiced hope on her blog that this family can be reunited, dedicate such an enormity of time, effort, and words to prevent such reunification?

Why would I turn my back on years of passionate advocacy and take opposite positions on my long-held ideals in order to destroy Complainant, someone whom I have never met? The simple fact that she is represented by a firm about which I have written in an effort to expose their troublesome practices? No offense, but that's fucking lunacy.

Why does she think I initially offered in October of last year to examine her bills and alert her to problems? Was that part of my grand scheme to destroy her life, or was I actually trying to help her?

Why, indeed.

As my legal mentor Judge Judy is wont to say:

If it doesn't makes sense, it isn't true.

None of the false and defamatory allegations against either me or Mr. Engel are true, and I'm alarmed that Basic Rights Oregon does not seem to care. The claims are easily disproven with numerous available documentation of irrefutable facts in the form of emails, texts, trial transcripts, dictionaries, and the concept of how time works.

Mr. Engel treated Ms. Complainant with dignity and respect. Her own counsel did not.

Perhaps the Oregon State Bar and Basic Rights Oregon should expend some efforts looking into **that**, whether or not it be politically, personally, financially, and professionally expedient.

Perhaps Basic Rights Oregon can explain to its board of directors, its staff, its members, and its donors why it sought to file this bar complaint against me and Mr. Engel without a cursory review of the facts, outreach to either one of us, or the submission of an iota of supporting documentation - such documentation not submitted because it does not exist in the real world within which most of us are compelled to dwell.

Perhaps Basic Rights Oregon and its two complaint signatories can further explain why they chose to file this meritless piece of garbage against a writer who has repeatedly and vocally supported LBGTQ causes in her work and in her household personal contributions, as opposed to filing a bar complaint against Vance Day: a judge who refused to perform same-sex marriage ceremonies after gay marriage was recognized in Oregon.

Perhaps Basic Rights Oregon can next ponder why they wrote this defamatory complaint against me, as opposed to one against Laurel Hook and the SKH firm for charging excessive and potentially unethical fees to a transgendered and emotionally vulnerable client as well as promoting a litigation strategy that *any reasonable person* could see would further estrange Ms. Complainant from her children.

Perhaps Basic Rights Oregon could inquire of SKH why a former employee strenuously maintains Complainant was repeatedly ridiculed behind her back *based upon her status as a transgendered woman* and that unflattering photos of her were posted in the office and openly mocked.

Perhaps given that Basic Rights Oregon fired first and aimed second when they filed this document (which not only publicly defames me and shows a reckless disregard for the truth but also has the direct potential to impact my income and reputation), they will consider a retraction and an apology to me, as well as to Mr. Engel.

I shan't hold my breath, but I make the request anyway.

In closing, I'll leave you with this to ponder:

“Prejudices are what fools use for reason.”

-Voltaire

Those seven words have more than one interpretation, do they not?

Very truly yours,

Robin DesCamp