

Supreme Court of New Jersey
Disciplinary Review Board
Docket No. DRB 22-099
District Docket No. XIV-2021-0143E

In the Matter of
Lawrence J. Weinstein
An Attorney at Law

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Decision

Argued: July 21, 2022

Decided: October 17, 2022

Michael Fogler appeared on behalf of the Office of Attorney Ethics.

Kim D. Ringler waived appearance on behalf of respondent.

To the Honorable Chief Justice and Associate Justices of the Supreme Court of New Jersey.

This matter was before us on a motion for reciprocal discipline filed by the Office of Attorney Ethics (the OAE), pursuant to R. 1:20-14(a), following

respondent's January 27, 2020 disbarment by consent, in Pennsylvania,¹ which the Supreme Court of Pennsylvania imposed retroactive to his July 18, 2019 temporary suspension in that jurisdiction. Respondent submitted a "Verified Statement of Resignation" in which he acknowledged that "the material facts which form the basis for his criminal matter are true," and that he had pleaded guilty to one count of possession of a device for intercepting communication; one count of conspiracy to possess a device for intercepting communication; one count of criminal use of a communication facility; one count of false imprisonment; two counts of invasion of privacy – viewing a photograph of a person (two victims) without consent; and one count of recklessly endangering another person.

In his resignation submission, respondent stated his desire to resign because he knew that he could not successfully defend himself against the charges of professional misconduct that the Pennsylvania Office of Disciplinary Counsel brought against him in connection with his criminal conviction. The OAE asserted that respondent's misconduct in his criminal case constitutes a violation of RPC 8.4(b) (committing a criminal act that reflects adversely on a lawyer's honesty, trustworthiness or fitness as a lawyer in other respects).

¹ In Pennsylvania, an attorney who has been disbarred may not apply for reinstatement until the expiration of at least five years from the effective date of the disbarment. Pa.R.D.E. 218(b).

For the reasons set forth below, we determine to grant the motion for reciprocal discipline, and recommend to the Court that respondent permanently be barred from future plenary or pro hac vice admission to the New Jersey bar.

Respondent was admitted in New Jersey, pro hac vice, on June 13, 2017 and, on May 8, 2018, reported to the New Jersey Lawyers' Fund for Client Protection that the matter for which he had been admitted pro hac vice had concluded. He earned admission to the Pennsylvania bar in 2000. As stated above, on January 27, 2020, he was disbarred, on consent, in that jurisdiction, retroactive to July 18, 2019.

As detailed below, respondent's misconduct occurred from October through November 2017. Therefore, the Supreme Court of New Jersey has jurisdiction to discipline respondent for his misconduct, pursuant to R. 1:20-1(a), which provides that "[e]very attorney . . . authorized to practice law in the State of New Jersey, including those attorneys specially authorized for a limited purpose or in connection with a particular proceeding . . . shall be subject to the disciplinary jurisdiction" of the Court.

We now turn to the facts of this matter. This decision contains graphic language because it is critical to understanding the egregious nature of respondent's misconduct.

On October 9, 2018, the Commonwealth of Pennsylvania, Bucks County, filed a criminal complaint against respondent, who is a former member of the Northampton Township Board of Supervisors in Pennsylvania, an elected position. In a supporting affidavit of probable cause, Detective Martin McDonough wrote that, on August 16, 2018, he and Detective Jack Slattery met with G.D.² G.D. was married to K.D. from approximately 1999 until they divorced in 2014. Following their divorce, G.D. and K.D. shared joint custody of their thirteen-year-old child, E.D.

On August 11, 2018, E.D. called G.D. and asked him to pick her up from her friend's house. When G.D. arrived at the friend's home to pick up E.D., he noticed that his daughter had a white, Apple iPhone in her possession. This was out of the ordinary because G.D. had consistently monitored his daughter's cellular phone and internet activities and the devices she used. G.D. asked E.D. for the iPhone so that he could check her activity. G.D. observed many of the same applications that were on the iPhone were also on the devices he provided to his daughter, including a text messaging application.

When G.D. examined the text messaging application, he discovered numerous text messages, photographs, and videos that K.D., his ex-wife and

² We reference G.D. and his family by initials to avoid compounding any negative impact upon E.D.

E.D.'s mother, had exchanged with her boyfriend, respondent. Included within exchanges between respondent and K.D. were numerous nude photographs and videos of K.D. going to the bathroom.

Additionally, in the written text messages, respondent and K.D. referred to a camera they had set up in the bathroom of K.D.'s residence. Respondent referred to the camera by stating that he would "log into the camera," and he discussed the angle of the camera view with K.D.

Respondent and K.D. also referred to a specific female, Victim #1, in their text message exchange. Victim #1 was respondent's subordinate employee during his tenure as the Northampton Township Supervisor.

Beginning on October 30, 2017, respondent and K.D. discussed their plans for Victim #1, referring to the future crimes as a "mission." The mission included K.D. meeting Victim #1 for dinner at a local restaurant, and respondent instructed K.D. to spike the wine in Victim #1's wine glass with "1/2 Everclear"³ in order to intoxicate Victim #1. Respondent directed that K.D. not "let [Victim #1] go to the bathroom until she gets back to your place."

³ The New York Times described 190-proof Everclear, which is 95% alcohol by volume, as "the bartender's equivalent of jet fuel, this high-octane neutral grain spirit is more than twice the strength of standard vodka, and is illegal in 11 states." The balance of the article discussed how Everclear, during the early days of the COVID pandemic, was being used as a substitute for hand sanitizers and other disinfectants. Alex Williams, How Everclear Became a Pandemic Favorite, New York Times, (July 9, 2020), <https://www.nytimes.com/2020/07/09/style/how-everclear-became-a-pandemic-favorite.html>.

Respondent also instructed K.D. regarding what to say to Victim #1 while the two women were out to dinner, including that respondent had noticed “how hard” Victim #1 had been working and “what a good job she does.”

On November 10, 2017, respondent and K.D. exchanged text messages concerning the installation of a wireless, internet protocol (IP) camera⁴ in K.D.’s toilet. The investigating detectives recovered instructions from respondent’s home concerning how to install an IP camera, including how to insert a memory card into the camera. The investigating detectives also located instructions for setting up and operating high-definition camera glasses, commonly referred to as “spy glasses.”⁵ K.D. sent respondent a photograph, using the IP camera, which depicted the toilet in K.D.’s bathroom. According to the affidavit of probable cause, “based on the accompanying texts, it is clear that [respondent] is directing K.D. to change the angle of the camera so that it would better capture a female’s genitalia while using the bathroom,” because he hoped to see, via the IP camera, the labia of the individual using the toilet.

⁴ According to the affidavit of probable cause, an IP camera “is a type of digital video camera commonly employed for surveillance, and which, unlike analog closed-circuit television (CCTV) cameras, can send and receive data via a computer network and the Internet. The computer network can be through Ethernet cable or a wireless network.”

⁵ According to the affidavit of probable cause, “spy glasses” allow the “wearer to record video without arousing any suspicion. According to the instructions the video files stored on the glasses are accessed via a USB cable connected to a computer.”

The same date, respondent instructed K.D. to suggest to Victim #1 that she meet at K.D.'s home so that K.D. could drive to the restaurant, because respondent "was hoping she would getting [sic] bombed first because she is meeting you [at the restaurant] she won't get as drunk cause she has to drive."

From November 10, 2017, beginning at approximately 8:14 p.m., and continuing through November 11, 2017, at approximately 6:30 a.m., respondent and K.D. exchanged text messages while K.D. was at a restaurant and then at K.D.'s home with Victim #1. Respondent ordered K.D. to "keep sober so [she could] make it happen and aren't too drunk to win," but stated that K.D. would need to "drink or pretend a little so she is in mood."

A transcript of the relevant text message exchange between respondent and K.D. is attached as an exhibit to this decision. It is included because it graphically demonstrates respondent's state of mind; his single-minded focus on satisfying his own voyeuristic desires; his depraved indifference to Victim #1's life; and his role in directing the events at issue, which were carefully planned and described by respondent as a "mission." As a part of the planning of the "mission," respondent was not physically present, but was directing K.D.'s activity through text message communications throughout the night.

After K.D. took Victim #1, respondent's subordinate employee, to dinner at a local restaurant, K.D. coaxed Victim #1, who by then was intoxicated, to

return to K.D.'s home, where respondent had arranged the installation of a hidden camera in the toilet of the bathroom. There, respondent repeatedly directed K.D. to persuade Victim #1 to continue drinking alcohol and directed K.D. to spike Victim #1's drinks with Everclear without Victim #1's knowledge. Moreover, through K.D., respondent encouraged Victim #1 to ignore telephone calls from her minor child; to urinate in the bathroom at K.D.'s home (where respondent had ensured the camera was carefully angled ahead of time to capture Victim #1's labia as she urinated); and to encourage Victim #1 to relax and remove her clothes, all while K.D. wore spy glasses to ensure that respondent would be able to view the events.

Indeed, during their text message exchange, K.D. sent respondent several invasive images of Victim #1 that had been taken using the toilet IP camera.

Later, on November 11, 2017, respondent and K.D. exchanged text messages referencing the sexual intercourse they had after respondent arrived at K.D.'s home, and the amount of sexual fluids left on K.D.'s bed. The intercourse occurred between respondent and K.D. on the same bed with Victim #1, after Victim #1 lost consciousness due to the amount of alcohol K.D. had provided to her. Respondent and K.D. also referenced Victim #1 stumbling out of K.D.'s bed and Victim #1's exhaustion.

During a text message exchange between respondent and K.D. three days later, the pair discussed their use of the IP camera and their future plans to find additional victims as a part of their “mission.” Respondent envisioned the additional victims as someone who would “go with [K.D.] shopping or come over and hang out,” or “may be someone just want a drink on way home or something.”

After G.D. brought K.D.’s iPhone to the police, two Bucks County detectives met with Victim #1. Victim #1 confirmed she knew respondent because he was the Northampton Township Supervisor and confirmed she knew K.D. as his girlfriend. The detectives asked Victim #1 if she recalled going to dinner with K.D. in November 2017. Victim #1 “immediately recalled” the evening because she recalled feeling “so sick” the next morning. Victim #1 recalled that K.D. invited her back to her home and was “very persistent,” so Victim #1 agreed to go to the home and followed K.D. back to her home by car. Victim #1 remembered drinking wine that K.D. provided and noted that the wine “didn’t taste right and commented to K.D. about the taste.” Thereafter, Victim #1 stated she had no recollection of what occurred the rest of the night or of going to sleep. However, when she awoke the following morning, she was very sick.

After the detectives reviewed the text message exchange between respondent and K.D. and showed Victim #1 the photographs that respondent and K.D. took, Victim #1 identified herself as the person in the photographs and stated that the photographs were taken without her knowledge.

On August 21, 2018, following their meeting with Victim #1, the detectives conducted a search of K.D.'s home and vehicle, and seized many items, including her cellular telephone, an IP camera, and spy glasses. K.D. told the detectives that she installed the IP camera along with respondent, but that respondent set up the viewing application on their phones so that they could both access the IP camera.

The same date, the detectives conducted a search of respondent's home and vehicle, and seized several cellular phones, an Apple iPad, and computers. Respondent acknowledged to the detectives that he went to K.D.'s home in November 2017 when Victim #1 was there. Respondent claimed that he did so after receiving a telephone call about Victim #1 from K.D. Respondent claimed he was concerned about Victim #1 and was unsure whether to call an ambulance.⁶

⁶ To the contrary, the text messages revealed that respondent was excited that Victim #1 lost consciousness because that enabled K.D. to remove Victim #1's clothes. Thereafter, respondent and K.D. moved Victim #1 to K.D.'s bed, where respondent and K.D. had sexual intercourse beside unconscious Victim #1.

The video and audio recordings that the detectives seized were stored on memory cards. The files contained audio and video from K.D.'s home, including conversations of individuals in the home. From the spy glasses, the detectives recovered fourteen video files, including a video of respondent and K.D. in her bathroom on November 10, 2018.

As a part of their investigation into respondent's criminal conduct regarding Victim #1, the detectives also discovered a series of seventy-two other photographs, from the year 2012, of respondent with an adult female.⁷

On October 21, 2019, before the Honorable Brian T. McGuffin, in the Court of Common Pleas of Bucks County, Pennsylvania, respondent waived his right to a trial and pleaded guilty to count one, possession of a device for intercepting communications, a third-degree felony, in violation of 18 Pa.C.S. §

⁷ The events surrounding Victim #2 occurred outside the time when respondent was admitted pro hac vice in New Jersey. As a result, the Court does not have jurisdiction to discipline respondent for his misconduct. However, details concerning his crime against Victim #2 are included within this decision to provide full context for respondent's guilty plea and the psychological evaluations he underwent. With respect to Victim #2, in one of the photographs seized by the detectives, respondent "took a selfie photo of himself and the female, who appears to be unconscious, lying in bed." In the photographs, Victim #2 is clothed in bed; however, her shirt is pulled up, exposing her breasts, and her shorts are pulled aside, exposing her vagina. Respondent, in the series of photographs, first placed his fingers around Victim #2's vagina, and then inside of Victim #2's vagina, while she was unconscious. On September 24, 2018, the detectives met with Victim #2, who acknowledged knowing both respondent and K.D. The detectives showed Victim #2 the photographs, and Victim #2 indicated that she did not recall that incident and was unaware that it had occurred. Victim #2 added that she did not consent to respondent touching her and did not consent to respondent taking the photographs.

5705(1);⁸ count two, conspiracy to commit possession of a device or intercept communications, a third-degree felony; count three, criminal use of a communication facility, a third-degree felony, in violation of 18 Pa.C.S. § 7512(a);⁹ count six, false imprisonment, a second-degree misdemeanor, in violation of 18 Pa.C.S. § 2903(a);¹⁰ count eleven, invasion of privacy, a second-degree misdemeanor, in violation of 18 Pa.C.S. § 7507.1(a)(1);¹¹ and count thirteen, reckless endangerment of another person, a second-degree misdemeanor, in violation of 18 Pa.C.S. § 2705¹² of Information No. CP-09-CR-

⁸ 18 Pa.C.S. § 5705(1) provides that a person who “intentionally possesses an electronic, mechanical or other device, knowing or having reason to know that the design of such device renders it primarily useful for the purpose of the surreptitious interception of a wire, electronic or oral communication” is guilty of possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices and telecommunication identification interception devices.

⁹ 18 Pa.C.S. § 7512(a) provides that a person “commits a felony of the third degree if that person uses a communication facility to commit, cause or facilitate the commission or the attempt thereof of any crime which constitutes a felony under [Pennsylvania Title 18].”

¹⁰ 18 Pa.C.S. § 2903(a) provides that “a person commits a misdemeanor of the second degree if he knowingly restrains another unlawfully so as to interfere substantially with his liberty.”

¹¹ 18 Pa.C.S. § 7507.1(a)(1) provides that a person “commits the offense of invasion of privacy if he, for the purpose of arousing or gratifying the sexual desire of any person, knowingly [. . .] views, photographs, videotapes, electronically depicts, films or otherwise records another person without that person’s knowledge and consent while that person is in a state of full or partial nudity and is in a place where that person would have a reasonable expectation of privacy.”

¹² 18 Pa.C.S. § 2705 provides that “a person commits a misdemeanor of the second degree if he recklessly engages in conduct which places or may place another person in danger of death or serious bodily injury.”

285-2019. Respondent pleaded nolo contendere as to count 12, invasion of privacy, in violation of 18 Pa.C.S. § 7507.1(a)(1), as it related to his photographs of Victim #2. The State withdrew counts four, five, seven, eight, nine, and ten of the Information. The court also ordered respondent to be placed on the Pennsylvania sexual offender registry.

Although respondent had “some minor disagreements” with the affidavit of probable cause, he consented to the contents of the document serving as the factual basis for his guilty plea.¹³ Following the prosecutor’s recitation of the facts contained in the affidavit of probable cause, respondent admitted that he was guilty of the offenses and stated that he “[took] responsibility, accept[ed] responsibility for my actions. I am both ashamed and embarrassed.” Judge McGuffin deferred sentencing for approximately sixty days to allow counsel to submit information related to the appropriate sentence for respondent’s crimes.

On December 17, 2019, counsel for respondent provided the court with the defense’s sentencing memorandum. The sentencing memorandum detailed respondent’s numerous health issues and evaluations.¹⁴

¹³ Respondent did describe his “minor disagreements.”

¹⁴ The OAE provided us with the defense presentencing memorandum under separate, confidential cover, but was unable to obtain the State’s presentencing memorandum. Although we considered the information contained in the defense presentencing memorandum, the details of respondent’s health issues and the evaluations he underwent are not included here due to the confidential nature of the sentencing memorandum. See In the Matter of Joseph Haldusiewicz, DRB 05-064 (July 7, 2005).

On December 19, 2019, respondent again appeared before Judge McGuffin for sentencing. At the hearing, Victim #1 presented both a written statement and oral testimony regarding the impact that respondent's criminal conduct has had upon her life. Victim #1 explained that she was a veteran of the United States Navy, having enlisted in 1986. She testified that she "survived the [Gulf] War, scud missiles, and the loss of friends," but never felt fear because enlisting in the Navy was "[her] choice and [her] decision."

After her honorable discharge in 1992, Victim #1 married and started a family. Victim #1 explained that she later divorced, her eldest son moved away, her daughter became a senior in high school, and her youngest son was diagnosed with mental health issues. She later began working for Northampton Township, which she believed was a "great place with great people to work with" and where she could see herself retiring. Thus, Victim #1 viewed her employment as her "safety net, [her] solace, as a place where [she] found comfort with friends [she] could confide in."

While employed by Northampton Township, Victim #1 met respondent, who was the Township's auditor, prior to his later election to the office of Township Supervisor. Victim #1 then met K.D., with whom she developed a friendship.

Victim #1 explained that, during her years-long friendship with K.D., the two frequently went out to dinner; to the gym; shopping; and participated in activities with their children, who were the same age. The friends also confided in each other when they were experiencing distress. Victim #1 maintained that, although she had a friendship with K.D., respondent was her “boss, although he would always check to see how work or [her] kids were doing. It never extended [. . .] into anything but a working relationship.”

However, unbeknownst to Victim #1, her relationship with both respondent and K.D. changed in November 2017, when “[K.D.] and Larry took my right to make a choice away from me. What I thought was a dinner like we had done so many times before, turned out to be my worst nightmare.”

Victim #1 testified that, although she did not find out what had occurred the evening of November 10, 2017, until almost one year later when the Bucks County detectives appeared at her home, she “felt something wasn’t right about that night. [She] blamed [herself], even went so far as to apologize over and over to [K.D.] and then to Larry. Both of them patted [her] on the shoulders telling [her] it’s okay, and they hoped [she] had a good time.”

After the Bucks County detectives informed Victim #1 why they were visiting her home, Victim #1 could not “digest or accept” the information they

provided. Victim #1 testified that, since learning of respondent's and K.D.'s criminal activities, her life:

has become distorted beyond recognition. I can't sleep, put on weight, I don't want to go anywhere alone. Where I once prided myself on my independence, I don't want to go to the store or anywhere in Northampton over my lunch hour or after work for fear of running into either Larry or [K.D.]. I've had to take days off work because my self-loathing and self-deprecating took over. I'm too tired to move. I wonder each day, Why me? What did I do or said [sic] that made me their missions? How can I make sure I never repeat those actions that made me their target? For the last two years [K.D.] and Larry have continued on with their lives, going to dinner, the movies, shopping, even voting which happens to take place at the township building. They're able to do all of the things they have taken away from me. I'm constantly looking over my shoulder and gripped in fear of not knowing who I can trust.

[2T11.]¹⁵

Victim #1 explained that, although respondent and K.D. expressed their:

embarrassment and worry about their shattered reputations and having shown no remorse for their actions, I have to wonder each day if my body has been touched or invaded in some way I can't even fathom. They have made me question my values, my relationships, professionally and privately.

[2T12.]

¹⁵ "2T" refers to the transcript of the December 19, 2019 hearing.

Victim #1 emphasized that she was fearful of attending social gatherings with friends, situations in which she used to feel safe.

Additionally, Victim #1 testified that “this was not just an act by a man showing power over a woman, but it was even more degrading and humiliating that a woman would betray another woman by taking my choices and reasoning away. They could have killed me that night, left my children without a mother. The emotional and physical impact, this not only has had on me but on my children, utterly devastates me.”

Ultimately, Victim #1 told Judge McGuffin that she wanted to appear before him to provide her statement because she wanted the court to see that she was a “human being who has been irreversibly hurt by the acts of two people who continue to live in society with no regret for the turmoil they’ve cause me, my family, and their own families.” Consequently, Victim #1 requested that the court impose a sentence that would ensure respondent and K.D. would never hurt anyone else, including their own daughters.

Respondent also addressed the court to “issue [his] apologies” and give the court “sort of a road map of how it got to – I believe, we got to the November 2017 day.” Respondent stated that, on August 4, 2017, after putting his youngest daughter to bed, he tripped on her bed comforter and “cracked [his] head on her solid oak bed frame,” which left him “dizzy and dazed.” He skipped the vacation

he was supposed to go on the following day because he was not feeling well and could not drive. He made an appointment with a neurologist and was seen a few days later.

Upon examination, the neurologist told respondent he needed to undergo invasive tests, as well as diagnostic tests. However, his insurance company denied coverage for the tests, so respondent had to wait approximately four to five weeks before he could undergo the recommended testing. While he was waiting to undergo the testing, respondent continued to feel dizzy, frequently lost his balance, fell, and hit his head several more times.

After respondent underwent the recommended testing, his neurologist called him and told him he needed to have another test the following day. Consequently, respondent underwent additional invasive testing and the same afternoon, received a call from an interventional radiologist who told respondent “he needed to have me come to his office immediately.” Respondent declined, citing a court hearing he had scheduled for that afternoon; thus, according to respondent, the interventional radiologist told him to “down as many aspirin as [he] could before [he] walked into the courtroom.”

When respondent saw the doctor the following day, the doctor told respondent he had suffered a brain dissection, which caused a large blood clot on respondent’s brain, and placed him at heightened risk of suffering a stroke.

Therefore, because of his medical issues, respondent testified that he believed he was going to pass away “very imminently.” Consequently, respondent began “acting recklessly,” and would drive at excessive speeds; send text messages while driving; read the newspaper while driving; and eat while driving, which once caused an accident on his way home from work. Respondent’s work also began to suffer, and he only slept approximately two hours per night.

Respondent denied that he was “thinking rationally” when he sent K.D. text messages the evening of November 10, 2017 and testified that he was “stunned” that he could have sent such messages.

Finally, respondent told the court that he was “forever shamed the rest of my life for my actions. That shame will never go away. And yet that shame pales in comparison to what the victim has had to endure.”

Judge McGuffin, in imposing respondent’s sentence, stated that he found that respondent’s criminal conduct was “sickening, egregious selfishness.” Further, the court found that the contemporaneous text messages respondent exchanged with K.D. were “documented evidence of what was going on in your brains.”

The court was particularly troubled by respondent’s coaching of K.D. to tell Victim #1 to avoid her child, who was calling her while she was out for

drinks with K.D., because respondent thought that would have interfered with his plan to intoxicate Victim #1 and take nude photographs of her without her consent. Further, the court found that the “disgusting commentary about the residue that was left on bed sheets of that evening. Their sickening, discussing [sic] commentary about this being one successful mission and another mission that might not have been successful with whom and when we don’t know. Their commentary about perhaps doing more missions,” was particularly egregious. Ultimately, the court could not “get past the significance and substantial and sickening betrayal of trust. The premeditation, the planning, the sophistication – I can’t get past it. No judge could.”

Consequently, the court sentenced respondent to a term of imprisonment of not less than eleven-and-a-half months, but not more than twenty-three months for his invasion of Victim #1’s privacy and recklessly endangering her life. For his crimes of false imprisonment and possession of a device for interception of communication, respondent was sentenced to one- and five-year terms of probation, respectively. The court deferred imprisonment so that respondent could provide the correctional facility with his medical information.¹⁶

¹⁶ Respondent reported to prison as ordered. Later, by order dated April 7, 2020, over the objection of the Commonwealth, the court granted respondent the ability to serve six months
(footnote cont’d on next page)

In its brief to us, the OAE asserted that respondent's misconduct in Pennsylvania warranted the reciprocal discipline of a two-and-a-half-year suspension from pro hac vice practice, with a bar on readmission until respondent is again licensed and in good standing in Pennsylvania.

The OAE acknowledged that respondent currently is precluded by R. 1:21-2(b)(1)(A)¹⁷ and RPC 5.5(c)(1) from applying for pro hac vice admission in New Jersey due to his Pennsylvania disbarment and lack of a law license in good standing; nevertheless, the OAE correctly argued that, because

of his term of imprisonment under house arrest. The court did so based upon its review of respondent's medical information, and in light of the then-burgeoning COVID pandemic. The court-imposed conditions on respondent's house arrest, including a prohibition on contact with K.D.; a prohibition on access to any video or audio recording devices of any type; a prohibition on the use of the internet, except for the sole purpose of communicating with his medical care providers; and a prohibition on any contact with his children, or any other child, as had been ordered by a family court judge.

Approximately four months later, on August 12, 2020, a hearing occurred before Judge McGuffin because respondent violated the terms of his house arrest order. Specifically, on June 18, 2020, following receipt of information from a third party to the Pennsylvania Department of Adult Probation and Parole about respondent's internet usage, a probation officer visited respondent's home on June 19, 2020. The probation officer searched respondent's bedroom and located a smart phone with internet capability and a laptop computer, both of which demonstrated extensive internet usage. The probation officer's search revealed that respondent had been using social media and accessing online pornography on a daily basis. Respondent also exchanged text messages with an unknown person about respondent's plan to fly an amateur pornography actress from California to Pennsylvania so that he could pay her for a sexual encounter. Respondent also discussed local prostitutes and had accessed websites associated with the solicitation of prostitution. Judge McGuffin found respondent to be in violation of probation, vacated respondent's house arrest order, and sent respondent back to prison for three months.

¹⁷ R. 1:21-2(b)(1)(A) requires that an attorney applying for pro hac vice admission in New Jersey must be a "member in good standing of the bar of the highest court of the state in which the attorney is domiciled or principally practices law [. . .]."

respondent's misconduct occurred during respondent's pro hac vice admission in New Jersey, the Court has jurisdiction to discipline respondent, pursuant to R. 1:20-1(a), and should do so in this matter.

The OAE argued that the appropriate quantum of discipline to be imposed for respondent's criminal conduct could be derived from several distinct decisions, citing the lack of precedent capturing respondent's particular constellation of convictions for possession of an intercept device; false imprisonment; invasion of privacy; and reckless endangerment.

First, the OAE cited In re Jackson, 244 N.J. 193 (2020), arguing that respondent's misconduct was analogous to the misconduct we found in that matter. In Jackson, the attorney was convicted in New York after he took more than fifty-five "upskirt" photographs of women in public without their knowledge or consent. Jackson was convicted of unlawful surveillance, which we found was similar to a violation of N.J.S.A. 2C:14-9(b)(1),¹⁸ invasion of privacy. Jackson received a one-year suspension.

Furthermore, the OAE argued that respondent did not merely surreptitiously photograph Victim #1 but, rather, his escalating misconduct

¹⁸ N.J.S.A. 2C:14-9(b)(1) provides that "an actor commits a crime of the third degree if, knowing that he is not licensed or privileged to do so, he photographs, films, videotapes, records, or otherwise reproduces in any manner, the image of another person whose intimate parts are exposed or who is engaged in an act of sexual penetration or sexual contact, without that person's consent and under circumstances in which a reasonable person would not expect to be observed."

placed her life at risk. The OAE asserted that respondent's reckless endangerment of Victim #1 was analogous to the misconduct we found in In re Braun, 118 N.J. 452 (1990). The OAE conceded that Braun's misconduct – severing a gas pipe in an apartment building – lacked the “sexual component of Respondent's endangerment,” but, nevertheless, provided a meaningful baseline quantum of discipline. The Court suspended Braun for three-months.

Additionally, the OAE maintained that respondent's false imprisonment of Victim #1 was analogous to the misconduct we addressed in In re Edley, 196 N.J. 443 (2008). In Edley, the attorney left threatening voicemails for his then-girlfriend, and subsequently punched her in the face approximately six times, strangled her, and pushed her into the bathtub before she escaped. Edley received a three-month suspension for his misconduct.

Ultimately, the OAE argued that respondent's misconduct was not simply voyeuristic, but rather, a callous, premeditated plan carried out at Victim #1's expense. The OAE did not explicitly address the impact respondent's criminal conduct had on Victim #1. Nevertheless, the OAE asserted that respondent's misconduct warranted a two-and-a-half-year suspension, stating that precedent supported a one-year suspension for each of his invasion of privacy

convictions,¹⁹ a three-month suspension for his false imprisonment conviction, and a three-month conviction for reckless endangerment. However, because respondent is not a member of the New Jersey bar, the OAE recommended that respondent be barred from any future pro hac vice admission in New Jersey for two-and-a-half years and be barred from readmission to New Jersey until he is licensed and in good standing in Pennsylvania.

During oral argument before us, the OAE reiterated the recommendation contained in its submission. Although the OAE did not cite to any aggravating factors within its brief, it noted during oral argument that, in aggravation, respondent failed to report his criminal conduct to the OAE, in violation of R. 1:20-14. Additionally, the OAE argued that respondent's violation of the conditions of his house arrest should serve as an aggravating factor.

In his submission to us, respondent neither opposed the OAE's motion or recommended sanction. Although respondent did not oppose the sanction, he questioned whether the Court had jurisdiction over his misconduct under RPC 8.5(a) (“[a] lawyer admitted to practice in this jurisdiction is subject to the

¹⁹ As previously noted, respondent's invasion of privacy conviction with respect to Victim #2 occurred in 2012, five years before he obtained pro hac vice admission to New Jersey. Thus, the Court would not have jurisdiction to impose discipline for that criminal conduct.

disciplinary authority of this jurisdiction regardless of where the lawyer's conduct occurs").

Beyond jurisdiction, respondent argued that, as a practical matter, he could not apply for pro hac vice admission in New Jersey because he no longer has a license in good standing.

Although respondent, through counsel, waived his appearance at oral argument before us, respondent appeared at oral argument ostensibly so he could provide his "apologies" for his conduct. Because respondent was represented and his counsel was not present, we did not permit respondent to provide a statement.

Following our review of the record, we determine to grant the OAE's motion for reciprocal discipline. Pursuant to R. 1:20-14(a)(5), "a final adjudication in another court, agency or tribunal, that an attorney admitted to practice in this state . . . is guilty of unethical conduct in another jurisdiction . . . shall establish conclusively the facts on which it rests for purposes of a disciplinary proceeding in this state." Thus, with respect to motions for reciprocal discipline, "[t]he sole issue to be determined . . . shall be the extent of final discipline to be imposed." R. 1:20-14(b)(3).

In Pennsylvania, the standard of proof in attorney disciplinary matters is that the "[e]vidence is sufficient to prove unprofessional conduct if a

preponderance of the evidence establishes the conduct and the proof . . . is clear and satisfactory.” Office of Disciplinary Counsel v. Kissel, 442 A. 2d 217 (Pa. 1982) (citing In re Berland, 328 A.2d 471 (Pa. 1974)). Moreover, “[t]he conduct may be proven solely by circumstantial evidence.” Office of Disciplinary Counsel v. Grigsby, 425 A. 2d 730 (Pa. 1981) (citations omitted). Notably, respondent stipulated to his misconduct in that jurisdiction, admitting that he could not successfully defend himself against the charges of professional misconduct that the Pennsylvania Office of Disciplinary Counsel brought against him in connection with his criminal conviction.

Reciprocal discipline proceedings in New Jersey are governed by R. 1:20-14(a)(4), which provides in pertinent part:

The Board shall recommend the imposition of the identical action or discipline unless the respondent demonstrates, or the Board finds on the face of the record on which the discipline in another jurisdiction was predicated that it clearly appears that:

- (A) the disciplinary or disability order of the foreign jurisdiction was not entered;
- (B) the disciplinary or disability order of the foreign jurisdiction does not apply to the respondent;
- (C) the disciplinary or disability order of the foreign jurisdiction does not remain in full force and effect as the result of appellate proceedings;
- (D) the procedure followed in the foreign matter was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; or

(E) the unethical conduct established warrants substantially different discipline.

Subsection (E) applies in this matter because, pursuant to New Jersey precedent, respondent's unethical conduct warrants substantially different discipline. Accordingly, we grant the OAE's motion for reciprocal discipline and find that respondent's misconduct violated RPC 8.4(b) – he recklessly endangered Victim #1's life as a part of his self-described “mission” to intoxicate her to the point where she lost consciousness so that he could photograph and record her – without her knowledge or consent – in various states of non-consensual undress, for his own sexual gratification.

Moreover, before he recklessly endangered Victim #1's life by ordering K.D. to give her an inordinate amount of alcohol, he determined to set his plan into motion by installing a secret camera in K.D.'s toilet and gave K.D. his spy glasses to wear while she disrobed Victim #1 so that he could surreptitiously view pictures of Victim #1 in the nude. Thereafter, respondent and/or K.D. moved an unconscious Victim #1 to K.D.'s bed so that she could lay next to them while respondent and K.D. had sexual intercourse, conduct he pled guilty to in his criminal proceeding.

In sum, we find that respondent committed multiple violations of the equivalent of New Jersey RPC 8.4(b). The only remaining issue for our

determination is the appropriate quantum of discipline to impose for respondent's misconduct.

As a preliminary matter, there is no question the Court has jurisdiction to discipline respondent pursuant to R. 1:20-1(a), which provides that “[e]very attorney . . . authorized to practice law in the State of New Jersey, including those attorneys specially authorized for a limited purpose or in connection with a particular proceeding . . . shall be subject to the disciplinary jurisdiction” of the Court. Respondent's contrary argument completely misses the mark.

The full text of RPC 8.5(a) provides that:

a lawyer admitted to practice in this jurisdiction is subject to the disciplinary authority of this jurisdiction regardless of where the lawyer's conduct occurs. **A lawyer not admitted in this jurisdiction is subject also to the disciplinary authority of this jurisdiction if the lawyer provides or offers to provide any legal services in this jurisdiction.** A lawyer may be subject to the disciplinary authority of both this jurisdiction and another jurisdiction for the same conduct.

[emphasis added.]

When RPC 8.5(a) is read in concert with R. 1:20-1(a), regardless of the type of admission an attorney has to practice in New Jersey, even if it is for a limited purpose, such as pro hac vice admission, an attorney is subject to the disciplinary authority of New Jersey. Here, there is no dispute that respondent's criminal conduct occurred while he was providing legal services in this

jurisdiction, by virtue of his pro hac vice admission, and thus, he is subject to discipline in this state.²⁰

Additionally, respondent's argument that he could not obtain pro hac vice admission because he no longer has a license in good standing is unpersuasive. In fact, we recently considered a matter where the attorney had earned plenary admission to the Pennsylvania bar but had let his license lapse. See In the Matter of Edward Harrington Heyburn, DRB 22-047 (September 13, 2022). Rather than address the deficiencies necessary to reactivate his Pennsylvania license, Heyburn improperly applied for, and was granted, pro hac vice admission in Pennsylvania, after making misrepresentations on the applicable form.

Thus, the Court can and should exercise jurisdiction in this matter to prevent respondent from improperly obtaining pro hac vice admission to New Jersey.

This is the third matter before us in recent months where a male respondent has either egregiously victimized a woman or has relegated the woman to serve as his sexual object. See In the Matter of William H. Lynch, Jr., DRB 21-274 (June 21, 2022); In the Matter of David R. Waldman, DRB 22-012

²⁰ Consistently, an attorney is subject to discipline for misconduct occurring prior to administrative revocation of a law license. In re Allyn, DRB 12-394 (May 2, 2013) at 3 and n.1, so ordered, 214 N.J. 108 (2013); R. 1:28-2(c).

(July 18, 2022). Consistent with our decisions in Lynch and Waldman, we again condemn respondent's depraved conduct against Victim #1.

In Lynch, the attorney pleaded guilty to one count of stalking after he set his romantic sights on a stranger at a train station. Lynch's victim initially welcomed Lynch as a friend, and repeatedly told Lynch she wanted nothing more than a friendship. However, Lynch ignored her clear statements and, instead, projected his sexual desires onto her – repeatedly and incessantly sending her thousands of sexual and abusive text messages. Lynch also left a voicemail on his victim's cellular phone offering to draft a contract to enable him to have unprotected sexual intercourse with her. The majority determined that an eighteen-month suspension, with conditions, was the appropriate quantum of discipline. Chair Gallipoli determined that a three-year suspension, with the same conditions, was the proper sanction. Our decision was transmitted to the Court on June 21, 2022.

In Waldman, the attorney pleaded guilty to one count of cyberstalking following the end of his four-month dating relationship with his victim. After the breakup, Waldman, for the next four years, engaged in a course of conduct that threatened his victim's safety and caused his victim substantial emotional distress. Waldman sent his victim hundreds of harassing and threatening e-mails, created various blogs and posted complaints about the breakup, and repeatedly

threatened violence against his victim. Waldman threatened to kidnap his victim, hold her bound and gagged in his apartment; rape her with a knife; demanded she have sexual intercourse with him; and threatened other acts of violence against his victim. Waldman also contacted his victim's employer and made baseless allegations that his victim abused illegal drugs.

Waldman's victim obtained two restraining orders against him, both of which he violated. Additionally, Waldman's violation of the restraining orders included using increasing sophisticated means to continue his violent threats against his victim, including the creation of blogs using pseudonyms. After Waldman was arrested, federal agents found a large knife in his home, a lock-picking kit, and several diaries that purportedly included instructions on how to conceal IP addresses and post blog pages that were not traceable.

At our March 17, 2022 meeting, a majority determined that a three-year suspension, with conditions, was the appropriate quantum of discipline. Chair Gallipoli and Member Joseph voted to recommend to the Court that Waldman be disbarred. Our decision was transmitted to the Court on July 18, 2022.

Although Lynch and Waldman are analogous to the instant matter because of the attorneys' callous disregard of their female victims' sense of safety, those attorneys pleaded guilty to stalking and cyberstalking, respectively. Here, respondent pleaded guilty to possession of intercept devices; criminal use of a

communication device; reckless endangerment of another person; false imprisonment; and invasion of privacy – a constellation of crimes that are a matter of first impression for us.

The OAE correctly argued that for respondent’s invasion of privacy conviction, Jackson is the most analogous disciplinary case we have considered. However, Jackson’s misconduct in taking “upskirt” photographs of unsuspecting women in New York – although egregious – pales in comparison to this respondent’s conspiracy to exploit and physically endanger Victim #1. Here, respondent intentionally devised a scheme, what he referred to as a “mission,” to take surreptitious photographs of the genitalia of multiple women using K.D.’s toilet. To accomplish this, respondent installed the IP camera in K.D.’s toilet and set up the applications on his phone to view the video in advance.

Respondent’s pre-meditated, manipulative, and exploitive misconduct toward Victim #1 places these facts well beyond the significant psychological harm inflicted in Lynch and Waldman. Respondent instructed K.D. to take Victim #1 out for drinks, to spike Victim #1’s drinks with an increasing amount of Everclear throughout the night (not just one drink), and then, when Victim #1 began vomiting in K.D.’s bathroom, rather than call his “mission” off and seek

help for Victim #1, he ordered K.D. to wear his spy glasses while she removed Victim #1's clothes – all without Victim #1's knowledge or consent.

Thus, respondent's criminal conduct in orchestrating the involuntary intoxication of his victim (who was his subordinate at his place of employment); ordering her stripped naked; disregarding her lack of consciousness; removing her from the bathroom and placing her on K.D.'s bed (rather than a couch or some other location); and then having sexual intercourse with K.D. while Victim #1 lay in the bed next to them, is significantly more depraved than the upskirt photographs Jackson took.

Indeed, respondent recklessly endangered Victim #1's life. However, our precedent addressing reckless endangerment convictions is not factually applicable to respondent's matter. Particularly, we have reckless endangerment fact patterns arising from an attorney's operation of a vehicle while under the influence of drugs or alcohol. See, e.g., In the Matter of Andrew Hurda, DRB 21-178 (January 27, 2022) (deferred four-year suspension); In the Matter of Wayne R. Rohde, DRB 21-169 (January 21, 2022) (six-month bar on future plenary or pro hac vice admission); In re Dempsey, 240 N.J. 221 (2019) (reprimand).

Although we do not condone, in any way, those attorneys' choice to drive while intoxicated, in our view, respondent's conduct is clearly worse.

Respondent demonstrated an extreme disregard for Victim #1's life to pursue his own sexual gratification, as he articulated in the contemporaneous text messages he exchanged with K.D. For example, even when K.D. expressed to respondent that she was worried about Victim #1's condition, respondent's reply was "don't worry about her. Get [the spy] glasses on now [. . .] get her naked." Therefore, respondent's conscious decision, notwithstanding his belief that he was going to pass away imminently, to disregard Victim #1's wellbeing, in favor of his own sexual interests, constitutes agency over his own decision-making, a factor that is not present in the reckless endangerment cases concerning attorneys who drove while intoxicated. That heightened mens rea requires correspondingly, heightened discipline.

Finally, concerning respondent's false imprisonment conviction, the OAE relied on Edley to argue that Edley's domestic violence encompassed a similar offense. Edley was convicted of criminal restraint after he punched his then-girlfriend six times, strangled her, and pushed her into a bathtub before she escaped to a neighbor's home.

Again, respondent's false imprisonment is factually distinguishable from the false imprisonment in Edley. Here, respondent falsely imprisoned a subordinate professional colleague with whom he was not in a domestic

relationship. His “mission” to trap Victim #1 was deliberate and premeditated for his own sexual gratification, rather than the Edley crime of impulse.

Overall, we conclude that the discrete discipline previously meted out in the foregoing factually distinguishable lines of prior cases involving individual convictions would be insufficient to address the totality of respondent’s criminal conduct.

In an analogous, although factually distinct matter involving child victims, the Court held that grave exploitative sexual crimes may result in disbarment. In re Cohen, 220 N.J. 7, 18 (2014). Cohen used his receptionist’s computer to find and print out thirty-four pornographic images of nineteen underage girls. The Court held that disbarment was reserved for circumstances in which the misconduct “is so immoral, venal, corrupt or criminal as to destroy totally any vestige of confidence that the individual could ever again practice in conformity with the standards of the profession.” Id. at 15. In so doing, the Court acknowledged the “pernicious effects of sexual crimes” and “society’s sharper understanding” of the harm caused by the sexual exploitation of children.

Here, we use analogous reasoning in support of respondent’s permanent bar from future pro hac vice or plenary admission to the New Jersey bar. Particularly, we find that respondent’s heinous, premeditated crime against Victim #1 was “so immoral, venal, corrupt or criminal as to destroy totally any

vestige of confidence that the individual could ever again practice in conformity with the standards of the profession.”

We echo the distinction made by the Ohio Supreme Court, which held that:

The most significant distinction between disciplinary cases involving sexual misconduct that resulted in an indefinite suspension and those that resulted in permanent disbarment is that [. . .] the attorneys who were disbarred were either convicted of gross sexual imposition or **used force**, the **threat of force**, or **extreme forms of coercion** to compel their victims to submit to their sexual demands.

[Disciplinary Counsel v. Polizzi, 175 N.E. 3d 501, 508 (Ohio 2021) (emphasis added).]

Extreme coercion certainly is present here.

Respondent’s misconduct in pre-planning how to surreptitiously photograph and view Victim #1 in the nude, by spiking her drink with “the bartender’s equivalent of jet fuel” so that she would be rendered incapacitated constituted an extreme form of coercion in furtherance of a sexual offense. That coercion, his active participation and leadership role in the crimes, and the harm to Victim #1 demand his disbarment.

In further aggravation, Victim #1 was respondent’s subordinate employee at their place of employment, where respondent was an elected public official and held the title of Northampton Township Supervisor. Additionally,

respondent has failed to demonstrate true accountability for his criminal conduct and has failed to express remorse, which is reflected in the confidential presentencing memorandum. Indeed, respondent's statements in the presentencing memorandum demonstrate that respondent does not comprehend the severity of his actions that night and does not take accountability for his role, which is irrefutably established in his contemporaneous text messages.

In further aggravation, respondent's criminal conduct has caused Victim #1 to constantly live in fear. Although Victim #1, a veteran of the Gulf War, once prided herself on her independence, she now, understandably, does not know who she can trust, given the horrific actions respondent and K.D. took against her.

There are no mitigating factors for our consideration.

Thus, we determine that disbarment is the only appropriate discipline to impose for respondent's misconduct. However, respondent is not a licensed New Jersey attorney, and, indeed, is no longer licensed to practice law in any jurisdiction.

Therefore, we recommend to the Court that respondent be permanently barred from future plenary or pro hac vice admission to the New Jersey bar.

We further determine to require respondent to reimburse the Disciplinary Oversight Committee for administrative costs and actual expenses incurred in the prosecution of this matter, as provided in R. 1:20-17.

Disciplinary Review Board
Hon. Maurice J. Gallipoli, A.J.S.C. (Ret.),
Chair

By: /s/ Timothy M. Ellis
Timothy M. Ellis
Acting Chief Counsel

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
VOTING RECORD

In the Matter of Lawrence J. Weinstein
Docket No. DRB 22-099

Argued: July 21, 2022

Decided: October 17, 2022

Disposition: Permanent Bar from Plenary or Pro Hac Vice Admission

<i>Members</i>	Permanent Bar from Plenary or <u>Pro Hac Vice</u> Admission	Absent
Gallipoli	X	
Boyer	X	
Campelo	X	
Hoberman		X
Joseph	X	
Menaker	X	
Petrou	X	
Rivera	X	
Singer	X	
Total:	8	1

/s/ Timothy M. Ellis

Timothy M. Ellis
Acting Chief Counsel

**TEXT
MESSAGE
EXHIBIT
FOLLOWS**

[K.D.]: [Coworker] Came into work and yelled at her to get lots done for tomorrow. [Victim #1] is really upset

Respondent: Right sleeping over, nope pee, tell her drink more and she will forget about the pig

[K.D.]: I will

Respondent: Thank you

[K.D.]: Things looking bad

[K.D.]: [Victim #1's minor child] has called now for the third time

Respondent: Why

[K.D.]: She has had three margaritas

[K.D.]: She is so mad

Respondent: Tell her she has to let [the minor child] stay with his dad and he can suck it up. She had one damn night out

[K.D.]: I'm trying

[K.D.]: She asking for check

Respondent: Tell her if she gives in to him she will never get a night out because he will do it over and over again

[K.D.]: She on phone with [Victim #1's minor child]

Respondent: Tell her she can't give in to him

[K.D.]: I'm trying

Respondent: Is she saying she leaving to get him. Tell her she gotta go back to your place and have a couple more drinks an you will be fine. She can't drive now. Her ex husband will use against her so she needs to let it go and chill at your house

Respondent: You must be persuasive

Respondent: What is the kid Bitching about

[K.D.]: I know

[K.D.]: I have no clue

Respondent: Just keep her drinking

Respondent: And pee at your house no matter what

[K.D.]: I'm trying

Respondent: What she saying

Respondent: What she say she wanted Check

Respondent: Go into her bag and make her keys disappear

[K.D.]: She is coming over for a little bit

Respondent: And then Going Home?

Respondent: She must drink the everclear asap!

Respondent: If she drinks and waits it out he will fall asleep

Respondent: She can't give in

Respondent: She will never have freedom

[K.D.]: I know

Respondent: You can do it

Respondent: He doing it on purpose

Respondent: No let her pee before she leaves restaurant

[K.D.]: Lol

[K.D.]: Home she likes all the wines I have

Respondent: Not laughing matter

[K.D.]: My being nervous

Respondent: Encourage drink so you have Everclear in

[K.D.]: I know

Respondent: What going on now

Respondent: Have her finish your drink

[K.D.]: Drinks and tv

Respondent: Where are you

[K.D.]: Home

Respondent: Did she pee

[K.D.]: Not yet

Respondent: Damn. Did you get her everclear

Respondent: Is She staying

[K.D.]: Working on that

[K.D.]: Idk

[K.D.]: Trying

[K.D.]: We in my room

Respondent: Can spike drinks. Is she drinking?

Respondent: Suggest fruity vodka drink

[K.D.]: I will

[K.D.]: Ok

Respondent: Why waiting

Respondent: Getting myself sick

Respondent: Just make it for her but listen to see if runs in potty

[K.D.]: All good

Respondent: Perfect

Respondent: More drink must pee and pass out

Respondent: Love you

Respondent: Can't wait

[K.D.]: Trying

Respondent: Everclear?

[K.D.]: Yes

[K.D.]: In her wine

Respondent: Perfect. A lot?

[K.D.]: Yes. More than 1/2 glass

Respondent: Is she drinking it?

[K.D.]: Slowly

Respondent: Good. You can refill

[K.D.]: I will

Respondent: She taken off her shoes or anything

Respondent: Can always get her other drinks to if like something different

[K.D.]: Nope shoes on

Respondent: Damn. She gotta get relaxed

Respondent: Worse case scenario spill

Respondent: Or if want

[K.D.]: What want

Respondent: What mean

Respondent: I mean you can spill if she try leave

[K.D.]: You said it if want?

Respondent: If you want

Respondent: Still drinking?

[K.D.]: Oh ok

[K.D.]: Yes

Respondent: Get her drink faster. Top it

Respondent: Off

[K.D.]: Will try

[K.D.]: Please I am

Respondent: OK

Respondent: Can't believe she doesn't pee

[K.D.]: Me too

[K.D.]: Ughhhh

Respondent: What

[K.D.]: Talking to much

Respondent: So get her to relax and take off clothes

Respondent: Get more alcohol

Respondent: Ready to explode

[K.D.]: [Victim #1] saying the public works wants you as there leason to take over to put bob in his place

[K.D.]: Why

Respondent: Can't take anticipation

Respondent: Does she know you texting me

Respondent: Tell her I say wonderful things about her

Respondent: Top off her drink

[K.D.]: No texting

Respondent: Ok

Respondent: Just get her drunk bad

Respondent: Taking too long on drink. She has to be unable to drive

Respondent: Pretend you drinking with her

Respondent: You go get water in yours and chug

[K.D.]: I am

[K.D.]: Love you

Respondent: Me too. I don't get why not drinking more and making self comfortable and no pee

Respondent: Talk about sexy relaxing things

[K.D.]: Idk

Respondent: May be she thinks it too strong or no taste good. Make her another

[K.D.]: Almost done with that one

Respondent: Great. Refill

Respondent: She doesn't seem drunk?

[K.D.]: No

Respondent: How?

Respondent: Gotta do shots or chug

Respondent: Ask her to chug

[K.D.]: Just refill

Respondent: A lot of everclear?

Respondent: Chug

Respondent: And get more

Respondent: Shoes off and pants off in your room

Respondent: Talk about boobs and ask if hers are sagging because you want lift

[K.D.]: Same as last

Respondent: Good

Respondent: I feel like coming over and taking care of shit

[K.D.]: Really

Respondent: Can't wait until so drunk passes out and gets naked

[K.D.]: Come over then

Respondent: When she is passed out unless want threesome

Respondent: I have had adrenaline overload for so long now. Got to wins asleep

Respondent: She needs change before go sleep and shower and gotta see naked

[K.D.]: Wow I Really

Respondent: Wow what

[K.D.]: Threesome

Respondent: My balls are filled. Heart has been racing for hours

[K.D.]: Sorry

[K.D.]: I'm trying

[K.D.]: love your balls

Respondent: Ready to see naked

[K.D.]: She's getting ther

[K.D.]: Drunk

Respondent: Keep it going. Fast

Respondent: If she is staying night for sure then may be change and she will too. but before do get [spy] glasses. May be if you change in front of her she will too. And you take pictures

[K.D.]: You are adorable

[K.D.]: She is making comments about sexual stuff

Respondent: Keep that going. Get her naked and [spy] glasses

Respondent: May be she wants me to come over

Respondent: Ask her about boobs and vagina and butt

[K.D.]: Want me to ask

Respondent: I have been seni hard all night

Respondent: Semi

Respondent: Keep getting her drunk. May be if talk sex stuff she will show something. I don't know if you have to first

Respondent: Only mention me in sexual terms and ask about threesomes

[K.D.]: That's crazy

Respondent: I don't think it happen but can inquire. At this point I would explode in one stroke

Respondent: Just keep her there and super comfortable

Respondent: What sex talking

Respondent: Get her clothes off

Respondent: May be suggest can't believe she hasn't peed if that won't get her leave

[K.D.]: Love

Respondent: Gonna have prostate infection from blue balls

Respondent: What

[K.D.]: I'm trying to keep her drinks going

Respondent: Gonna have heart attack

[K.D.]: Why

Respondent: Heart been reaching

Respondent: Racing

Respondent: Can't even pee

Respondent: What saying sexual

Respondent: Peer pressure to drink!

[K.D.]: I'm not good at that

Respondent: You will be now

Respondent: Get her drunk and sloppy

Respondent: Ask if she is shaved

[K.D.]: Oh my

Respondent: Why not. I literally am not hard but can't pee

Respondent: Ask if she gets bumps on skin if lets it go without shaving

[K.D.]: Ok

Respondent: Is she?

Respondent: Heartburn

[K.D.]: Is she what?

Respondent: Shaved

[K.D.]: She looks like falling asleep

Respondent: Asked her tell her millennial don't anymore you heard

Respondent: Then tell her she needs get changed before falling asleep if really think so. Put on [spy] glasses and just start undressing her

Respondent: Gotta get her clothes off now

Respondent: Just start getting her ready for bed!!!!!!!!!!!!

Respondent: Then spill something on her!!!!!!!!!!!!

Respondent: [Spy] Glasses on and spill something on her!!!!
Take off her clothes 1!!!!!!!!!!!!

[K.D.]: Calm down I'm trying

[K.D.]: Love you

Respondent: Just do it now please !!!!!!

Respondent: Spill all over her head and tits and crotch after [spy] glasses on so you have to get her naked

[K.D.]: Trying

Respondent: Should I head over

[K.D.]: No

[K.D.]: She's up now texting

Respondent: Casually mention I said she was pretty and suggest you think I would have threesome

Respondent: Did you ask about shaving vagina?

Respondent: Texting bad could be son

[K.D.]: No

Respondent: Gotta act

Respondent: When asking her

Respondent: Thought there was sex talk

Respondent: Keep her drinking

Respondent: Peer pressure

Respondent: Be that bully

[K.D.]: Love really I'm not a bully

Respondent: You can be now

[K.D.]: Shhhhhh

Respondent: So far nothing but me worked up and don't now
about even if shaved

Respondent: Take some of my suggestions please

[K.D.]: Sure

[K.D.]: I gave her more to drink

[K.D.]: She said oh my I'm gonna be staying here in this big
comfy chair

[K.D.]: She laughed when I gave her more wine

Respondent: More everclear

Respondent: Give her big glass

[K.D.]: I told her I have pj she can barrow she said she is fine in
her jeans

Respondent: Say she can have your bed

[K.D.]: I will

Respondent: Tell her you have Larry silk boxers

Respondent: Almost spill time

Respondent: She shaved?

[K.D.]: Yes she shaves

[K.D.]: Everywhere

Respondent: Love that

Respondent: You should ask to see but get [spy] glasses first

[K.D.]: She is texting with thom and thought she texted you

[K.D.]: Why

Respondent: Thom who

Respondent: You can ask about bumps from shaving. She might show you and ask to see boobs since you want a lift

[K.D.]: From rails to trails

[K.D.]: She said she is lit

Respondent: Say you want to see how much normal boobs drool

Respondent: Droop

Respondent: Don't know the rails guy

Respondent: But you gotta get spilling or get her to start getting naked

Respondent: Can't just leave the shaving question and not go farther

Respondent: Did you mention me and sexual stuff?

Respondent: Somehow get those boobies out. Spill is good

Respondent: Suggest you drunk too and more drinking

Respondent: And pee

Respondent: Think glasses too small so not much everclear

Respondent: Who fuck is thom from rails

Respondent: Most important naked

[K.D.]: Idk

[K.D.]: Trying

Respondent: More important naked

Respondent: Talk a lot of sexual stuff. My suggestions good

[K.D.]: I offered

Respondent: Offered what

[K.D.]: Boxers and pj

Respondent: Did she comment they were mine

[K.D.]: Nope

[K.D.]: She asked how you were sexually

Respondent: Tell her you can call me and I'll come over

Respondent: Tell her she can see my big cock

[K.D.]: I Love your Big cock

Respondent: Tell her

[K.D.]: Ok

[K.D.]: She just finished another drink

Respondent: Get her more and make suggestions for pee, me coming over sexually, see boobs, see ass, see pussy. Ask about ass cellulite and you want to compare whose ass has more and whose tits are firmer

Respondent: Firmer

Respondent: Gently caress her and tell her I would come over and she can see cock

[K.D.]: What???

Respondent: Just say some or all of those things. Get her naked

Respondent: Have [spy] glasses

Respondent: She asked about me sexually is a good sign

Respondent: More drink?

[K.D.]: Saying I must like it because I'm with you so long

Respondent: So keep conversation going and get her naked

Respondent: And more drink

Respondent: See what she says about me coming over

Respondent: Or just get her naked

Respondent: Hope making progress

[K.D.]: She was peeing

Respondent: And you got pics?

[K.D.]: Yes

Respondent: Can you see anything

[K.D.]: Absolutely

Respondent: Please send them ASAP

Respondent: Please keep her pants down and get her naked

[K.D.]: I told her she could sleep in my bed and I would take the couch

[K.D.]: She said that's silly

Respondent: And just start undressing her. You want her to be comfortable. Want her to shower

[K.D.]: I then said I can sleep with you if prefer

Respondent: That works

[K.D.]: She giggled then said oh you will Sleep with me How Sweet

Respondent: But she has to be naked

[K.D.]: She is sitting down and taking off boots

Respondent: You have allergies and don't want those clothes in your bed. I have allergies to. Ask her please to change just so no allergies

Respondent: Keep her drinking !!!!

[K.D.]: She is throwing up in bathroom

[K.D.]: The lights are off

Respondent: Get her clothes off now!!!! Put them [the spy glasses] on

Respondent: Tell her in her hair and she must shower and drink more to feel better

Respondent: Why allow lights off

Respondent: Go help her with [spy] glasses on and lights on and get her naked !!!! I will reward you

[K.D.]: Calm down

Respondent: Don't worry about texting me justdo it

[K.D.]: I'm trying

Respondent: Just do it

Respondent: Send pics when done

Respondent: Send more pics later

Respondent: Get her naked

Respondent: And [spy] glasses

[K.D.]: Trying

Respondent: Just do it. You can. She will go along

[K.D.]: I'm trying

Respondent: Just take them off

[K.D.]: Omg!!! She is really sick

[K.D.]: I think she is laying on my bathroom floor

Respondent: Great. Get those clothes off

[K.D.]: Blocking the door

Respondent: What mean think? Get in there

Respondent: Force open the door

Respondent: Get her clothes off

Respondent: I will give you present

[K.D.]: I got her jacket off

Respondent: Great

Respondent Get rest off

[K.D.]: I have her clothes

[K.D.]: Trying

Respondent: Get in that room

Respondent: [Spy] Glasses on?

Respondent: Should I come now

Respondent: [Spy] Glasses on. Clothes off

Respondent: Have her clothes?

Respondent: Get her all naked and pictures

[K.D.]: Why come what do I say

Respondent: Whatever you have to do

Respondent: I come when she passed out

[K.D.]: I'm worried about her

Respondent: You get her naked

[K.D.]: I'll try

Respondent: Don't worry about her. Get [spy] glasses on now

Respondent: Get her naked and in shower to make her feel better

[K.D.]: She is not answering me door blocked she snoring

[K.D.]: I need help with her

[K.D.]: What should I do

Respondent: I'll be right over. Get the damn door open

[K.D.]: When you here or now

Respondent: I'm leaving

Respondent: Get her naked and get door open

[K.D.]: Front door is open come in

[K.D.]: I'm working on bathroom door

Respondent: I'm hiding in other bathroom

Respondent: Just let her sleep or get her naked

Respondent: [Spy] Glasses

Respondent: [Spy] Glasses

[Ex.B.]²¹

²¹ "Ex." refers to the exhibits appended to the OAE's June 7, 2022 brief in support of its motion for reciprocal discipline.