DISTRICT OF COLUMBIA COURT OF APPEALS
BOARD ON PROFESSIONAL RESPONSIBILITY

In the Matter of	)	
	)	
LAWRENCE J. JOSEPH,	)	
(Bar Number 464777)	)	**Disciplinary Docket No. 2021-D045**
	)	
A Member of the Bar of the	)	
District of Columbia Court of Appeals.	)	
	)	

ANSWER OF RESPONDENT LAWRENCE J. JOSEPH

Pursuant to the Board on Professional Responsibility's Order dated February 2, 2024, and Board Rule 7.5, respondent Lawrence J. Joseph respectfully answers the Specification of Charges filed by Office of Disciplinary Counsel ("ODC") in the above-captioned matter.

1. Every allegation of the Specification of Charges not expressly admitted is denied.

2. Paragraph 1 of the Specification of Charges and its preceding unnumbered paragraph allege as follows: "Jurisdiction for these disciplinary proceedings is prescribed by D.C. Bar Rule XI. Pursuant to D.C. Bar Rule XI, § l(a), jurisdiction is found because: [¶] Respondent Lawrence Joseph is a member of the Bar of the District of Columbia Court of Appeals, having been admitted by motion on October 1, 1999, and assigned to the Bar. No. 464777."

3. Answering Paragraph 1 and the preceding unnumbered paragraph, respondent admits that he is a member of the Bar of the District of Columbia Court of Appeals, having been admitted by motion on October 1, 1999, and assigned to the Bar. No. 464777. Respondent denies that jurisdiction is found for this proceeding pursuant to D.C. Bar Rule XI, § l(a). Respondent denies that jurisdiction is found with respect to allegations that respondent violated the District of Columbia Rules of Professional Conduct in federal litigation conducted in Texas, in the U.S. Court

of Appeals for the Fifth Circuit, or in the United States Supreme Court.

4. Paragraph 2 of the Specification of Charges and its preceding unnumbered paragraph allege as follows: "The conduct and standards that Respondent violated, and the relevant facts, are as follows: [¶] On December 27, 2020, after the elected, qualified, and certified Presidential electors for Arizona and every other state and the District of Columbia had convened and cast their ballots for president and vice president, Respondent and his co-counsel filed a federal lawsuit against then-Vice President Michael Pence in the United States District Court for the Eastern District of Texas. *Gohmert v. Pence*, Case No. 6:20-cv-00660-JDK. In the pleadings, Respondent provided his D.C. Bar license number and a D.C. address."

5. Answering Paragraph 2 and the preceding unnumbered paragraph, the unnumbered paragraph preceding Paragraph 2 is not entirely grammatical (*e.g.*, "[t]he conduct … that Respondent violated" does not convey a clear meaning), and the unnumbered paragraph states a legal conclusion to which no answer is required. Respondent denies that he filed the *Gohmert* litigation or provided anything in the *Gohmert* pleadings. Respondent admits that the *Gohmert* complaint includes his D.C. Bar license number. To the extent that litigation remained pending against the election results of any of the states listed or referenced in Paragraph 2, the allegation in Paragraph 2 states a legal conclusion to which no answer is required, and respondent denies the implication that—on December 27, 2020—the election results from those states had been determined in a final and conclusive manner for purposes of the *Gohmert* litigation.

6. Further answering Paragraph 2, the Specification of Charges' reliance on the results of election challenges in individual states fundamentally misunderstands the distinctions between *Gohmert* and election litigation challenging state-specific election results. Although some of the state-specific challenges remained pending on appeal when *Gohmert* was filed, *see*, *e.g.*, *In re*

Bowyer, 141 S.Ct. 1509 (2021) (denying writ of *certiorari* with respect to Arizona's election), and it has been historically possible to switch Electoral College voters (as happened with Hawaii in January of 1961 for the 1960 Kennedy-Nixon election), the bigger issue is that there has not been such a widespread challenge by members of Congress in connection with the vote-counting procedures under the Twelfth Amendment since the 1886 election. Members of Congress swear to uphold the Constitution every bit as much as judges, U.S. CONST. art. VI, cl. 3, and they had a right to question the lawfulness of the 2020 election under the Elections and Electors Clauses, which many courts declined to do because of perceived limits on voters' or candidates' lack of "standing" under U.S. CONST. art. III to bring those claims. *See*, *e.g.*, *Bowyer v. Ducey*, 506 F. Supp. 3d 699, 711 (D. Ariz. 2020) ("Elector Plaintiffs have not established they can personally bring suit, and therefore, they do not have standing to bring Count One."). Similarly, most court challenges to state election results did not claim fraud because of short timelines (with limited if any discovery) and the need to plead fraud with particularity. FED. R. CIV. P. 9(b). Notably, neither Article III nor Rule 9(b) apply to members of Congress. Finally, the legislative solution to the chaotic election of 1886—the Electoral Count Act of 1887 ("ECA")—relied on bicameral resolutions (*i.e.*, Congress acting without presentment to the President), which Congress believed it had authority to do until the Supreme Court invalidated that theory in *INS v. Chadha,* 462 U.S. 919, 946 (1983). Notwithstanding the large body of scholarly work arguing that the then-applicable ECA was unconstitutional, that question was not presented for federal courts to review until the 2020 election. Significantly, rival slates of electors are not required for members of Congress under the ECA—or the Vice-President under the Twelfth Amendment—to question the results in a State's election (*i.e.*, the presence or absence of rival slates was not material to the gravamen of *Gohmert* about the ECA's dispute-resolution process being unconstitutional).

7. Further answering Paragraph 2, the legal work that became the *Gohmert* litigation predated respondent's involvement with the non-Texas plaintiffs' counsel in *Gohmert*, and most claims and the joint resolution with which the Specification of Charges takes issue predated respondent's involvement. Moreover, whereas *Gohmert* was filed on December 27, 2020, by the only plaintiffs' counsel admitted to practice before the U.S. District Court for the Eastern District of Texas, respondent was not admitted to practice *pro hac vice* in that Court until December 29, 2020. Significantly, members of the Texas Bar and public unaffiliated with the *Gohmert* litigation filed complaints against the lead counsel with the Texas Bar, the Texas Bar dismissed the complaints. No court involved in *Gohmert* sanctioned plaintiffs or their counsel, and no other party in *Gohmert* sought sanctions against the *Gohmert* plaintiffs or their counsel.

8. Paragraph 3 of the Specification of Charges alleges as follows: "Respondent and his co-counsel named as plaintiffs Republican Congressman Louis Gohmert from Texas, and the Republican slate of electors in Arizona – the same Republican slate of electors who were included as plaintiffs in the federal court action that Respondent's co-counsel filed in the United States District Court for the District of Arizona, *Bowyer v. Ducey*, Case No. 2 :20-cv-02321-DJH (D. Ariz), and which the District Court dismissed on December 9, 2020."

9. Answering Paragraph 3, respondent denies that he named anyone as a plaintiff in *Gohmert*. At the time that the *Gohmert* complaint was filed, respondent was not authorized to file documents in the United States District Court for the Eastern District of Texas, and he did not file or sign the *Gohmert* complaint within the meaning of federal law. *See* FED. R. CIV. P. 5(d)(3). As explained in Paragraph 7, *supra*, and except for naming then-Rep. Gohmert (which was done closer to the filing but still prior to respondent's admission *pro hac vice*), the draft complaint made the relevant allegations regarding the Arizona plaintiffs prior to respondent's involvement and thus

also prior to his admission *pro hac vice* in *Gohmert*.

10. Paragraph 4 of the Specification of Charges alleges as follows: "In the complaint filed in Texas, Respondent claimed that the Republican slate of electors in Arizona, whom he referred to as '[t]he Arizona Electors,' had convened in the Arizona State Capitol with the knowledge and permission of the Republican-majority Arizona Legislature and, pursuant to the requirements of applicable state laws and the Electoral Count Act, had cast their votes for Trump. Respondent made the same allegation with respect to the Republican electors in Georgia, Pennsylvania, and Wisconsin and claimed that the Michigan Republican electors met on the grounds of the State Capitol, not in the Capitol."

11. Answering Paragraph 4, respondent denies that he claimed, referred to, or alleged anything in the *Gohmert* complaint. At the time that the *Gohmert* complaint was filed, respondent was not authorized to file documents in the United States District Court for the Eastern District of Texas, and he did not file or sign the *Gohmert* complaint within the meaning of federal law. *See* FED. R. CIV. P. 5(d)(3). As explained in Paragraph 7, *supra*, the draft complaint made the allegations referenced in the Specification of Charges' Paragraph 4 prior to respondent's involvement and thus also prior to his admission *pro hac vice* in *Gohmert*.

12. Paragraph 5 of the Specification of Charges alleges as follows: "Respondent knew that the claims about a 'competing slate' of electors in Arizona (as well as the slates in other 'Contested States') had no factual basis and was false."

13. Answering Paragraph 5, as relevant to the *Gohmert* litigation, the general reference to "the claims" is unclear and therefore not subject to response. To the extent that respondent understands the allegation in the Specification of Charges' Paragraph 5, respondent denies Paragraph 5. As indicated in Paragraph 6, *supra*, the act and procedure for counting electoral votes

differs pursuant to the Twelfth Amendment and the Electoral Count Act of 1887 differs from the acts and procedures for resolving elections in the States.

14. Paragraph 6 of the Specification of Charges alleges as follows: "The state legislature in Arizona had not permitted, authorized, or endorsed the Republican slate of electors as competing or alternative electors for the state."

15. Answering Paragraph 6, with the caveats that the allegations in Paragraph 6 were not material to *Gohmert*, that "permitted" means by affirmative act rather than passively allowing, and that "[t]he state legislature in Arizona" refers to official acts of Arizona' Legislature, respondent admits Paragraph 6.

16. Paragraph 7 of the Specification of Charges alleges as follows: "Nor had any of the state legislatures in any of the other 'Contested States' permitted, authorized, or endorsed the Republican slate of electors as competing or alternative electors for their states."

17. Answering Paragraph 7, reference to "the Republican slate of electors" is unclear and thus not due a response. On the understanding that "the Republican slate" means "a Republican slate," and with the caveats that the allegations in Paragraph 7 were not material to *Gohmert*, that "permitted" means by affirmative act rather than passively allowing, and that "the state legislatures" refers to official acts of one or more state Legislatures pursuant to the laws of the relevant State, respondent admits Paragraph 7.

18. Paragraph 8 of the Specification of Charges alleges as follows: "Respondent referred to and attached as an exhibit to the complaint a document entitled 'A Joint Resolution of the 54th Legislature, State of Arizona ... .' Respondent stated:

> On December 14, 2020, members of the Arizona Legislature passed a Joint Resolution in which they: (1) found that the 2020 General Election "was marred by irregularities so significant as to render it highly doubtful whether the certified result accurately represents the

> will of the voters;" (2) invoked the Arizona Legislature's authority under the Electors Clause and 5 U.S.C. § 2 to declare the 2020 General Election a failed election and to directly appoint Arizona's electors; (3) resolved that the Plaintiff Arizona Electors' "11 electoral votes be accepted for ... Donald J. Trump or to have all electoral votes nullified completely until a full forensic audit can be conducted;" and (4) further resolved "that the United States Congress is not to consider a slate of electors from the State of Arizona until the Legislature deems the election to be final and all irregularities resolved.'"

19. Answering Paragraph 8, respondent denies that he referred to anything in the *Gohmert* complaint or attached anything to the *Gohmert* complaint. At the time that the *Gohmert* complaint was filed, respondent was not authorized to file documents in the United States District Court for the Eastern District of Texas, and he did not file or sign the *Gohmert* complaint within the meaning of federal law. *See* FED. R. CIV. P. 5(d)(3). As explained in Paragraph 7, *supra*, the draft complaint made the allegations and attachments referenced in the Specification of Charges' Paragraph 8 prior to respondent's involvement and thus also prior to his admission *pro hac vice* in *Gohmert*.

20. Paragraph 9 of the Specification of Charges alleges as follows: "Respondent's claims about the 'Joint Resolution' had no basis in fact and were false, as Respondent knew. The document that Respondent referred to in the Complainant and attached as an exhibit was a five-page document (although Respondent included only the first four pages) signed by just 22 members of the Republican state legislators – 17 of the 60 members of the Arizona House, and five of the 30 members of the Arizona Senate (with eight 'Members-Elect,' who were not part of the Arizona legislature at the time, concurring)."

21. Answering Paragraph 9, respondent denies that he made any claims about the joint resolution (or knew of such claims' falsity) and that he referenced anything in or attached anything to the *Gohmert* complaint. At the time that the *Gohmert* complaint was filed, respondent was not

authorized to file documents in the United States District Court for the Eastern District of Texas, and he did not file or sign the *Gohmert* complaint within the meaning of federal law. *See* FED. R. CIV. P. 5(d)(3). As explained in Paragraph 7, *supra*, the draft complaint made the allegations referenced in the Specification of Charges' Paragraph 9 prior to respondent's involvement and thus also prior to his admission *pro hac vice* in *Gohmert*.

22. Further answering Paragraph 9, respondent denies the allegation that the claims about the joint resolution "had no basis in fact and were false, as Respondent knew."

23. Paragraph 10 of the Specification of Charges alleges as follows: "The Arizona Legislature had not 'passed' the 'Joint Resolution.' The Arizona Legislature is deemed to act only upon the vote of a 'majority of all members elected to each house.' And the bicameral majority vote is necessary to 'pass' any bill or joint resolution, which is then presented to the Governor for his approval or disapproval. None of these things happened, which Respondent knew."

24. Answering Paragraph 10, the phrase "[n]one of these things happened" is ambiguous and thus not due a response. To the extent that respondent understands the allegation, as further explained in Paragraph 6, *supra*, respondent did not understand the *Gohmert* complaint to allege that the Legislature passed the joint resolution. With the caveat that the allegations in Paragraph 10 about legislative passage of the joint resolution were not material to *Gohmert*, respondent admits that the Arizona Legislature had not "passed" the joint resolution as an official legislative act. As explained in Paragraph 7, *supra*, the draft complaint made the allegations referenced in the Specification of Charges' Paragraph 10 prior to respondent's involvement and thus also prior to his admission *pro hac vice* in *Gohmert*.

25. Paragraph 11 of the Specification of Charges alleges as follows: "On December 4, 2020, weeks before Respondent filed the action with the District Court in Texas, Arizona House

Speaker Rusty Bowers, a Republican, issued a news release stating that people representing Trump came to Arizona and made what he described as a 'breathtaking request' – 'that the Arizona Legislature overturn the certified results of last month's election and deliver the state's electoral college votes to President Trump.' Bowers stated that the 'rule of law forbids us to do that.' Bowers went on to state that Arizona Legislature can act only when it is in session, and it could be called into a special session only with the support of a bipartisan supermajority of its members, which had not happened. But even if it had, Bowers explained that the Legislature could not deliver the state's electoral votes to Trump because, under Arizona law, the state's electors are required to cast their votes for the candidates who receive the most votes in the official statewide election canvass."

26. Answering Paragraph 11, respondent denies that he filed *Gohmert*, and respondent lacks any knowledge of the other allegations in Paragraph 11, which— as set out in Paragraph 6, *supra*—are immaterial to respondent's understanding of *Gohmert*. To the extent the allegations speak for themselves, no answer is due or required. To the extent that a statement by a single member of the Legislature—even the alleged Speaker—is not an act of the Legislature or even of the house of the Legislature to which the member is elected, no response is due.

27. Paragraph 12 of the Specification of Charges alleges as follows: "In other pleadings, Respondent referred to the Republican slate as the Arizona Electors, and falsely claimed they were 'duly qualified.' Respondent knew that the Arizona legislature had never qualified or authorized another slate of electors, but he never corrected his claims or withdrew as an exhibit the Joint Resolution, which he knew had not even been presented to, much less passed by the Arizona legislature."

28. Answering Paragraph 12, the phrase "other pleadings" is vague and thus an answer is not due. Respondent denies that there were "other pleadings" in *Gohmert* beyond the complaint.

See FED. R. CIV. P. 7(a)(1)-(7) (listing the types of pleadings in federal litigation). To the extent that the Specification of Charges intended "other pleadings" to mean "other filings," respondent denies that using the defined term "Arizona Electors" for the Arizona *Gohmert* plaintiffs (*i.e.*, to distinguish them from then-Rep. Gohmert) was improper. Moreover, given that the *Gohmert* filings—including without limitation the *Gohmert* complaint—referred to the Arizona *Gohmert* plaintiffs as the "Arizona Electors" prior to respondent's admission *pro hac vice*, revising the defined term after his admission *pro hac vice* would cause confusion without providing any clarity. Respondent denies that the defined term "Arizona Electors" caused any confusion or led any competent counsel or judge to believe that the Arizona *Gohmert* plaintiffs were duly qualified or duly elected with respect to the 2020 general election.

29. Further answering Paragraph 12, to the extent that the Specification of Charges intended "other pleadings" to mean "other filings," the Specification of Charges remains vague for failing to specify *where* respondent allegedly claimed that the Arizona *Gohmert* plaintiffs were "duly qualified," so no response is due. To the extent that the Specification of Charges refers to Plaintiffs' Reply in Support of Emergency Motion for Expedited Declaratory Judgment and Emergency Injunctive Relief (ECF #30), respondent denies that the Reply states what the Specification of Charges has characterized and alleged as claiming that the Arizona Electors were "duly qualified."

30. Further answering Paragraph 12, because it was immaterial to *Gohmert* that "the Arizona legislature had never qualified or authorized another slate of electors," *see* Paragraph 6, *supra*, no correction of any claims or withdrawal of the joint resolution as an exhibit in *Gohmert* was required or warranted. Further, even if required or warranted, respondent lacked authority to correct past statements without the permission of the lead counsel. *See* E.D. Tex. Local Rule CV-

11(b) ("[e]very document filed must be signed by the lead attorney or by an attorney of record who has the permission of the lead attorney"). For the foregoing reason of immateriality, and because respondent did not understand the *Gohmert* complaint and joint resolution to claim an official act of the Arizona Legislature, it simply and reasonably did not occur to respondent to request the lead counsel's permission to correct the record with respect to the immaterial joint resolution.

31. Paragraph 13 of the Specification of Charges alleges as follows: "Based on the 'competing slates' of electors, Respondent asked the District Court in Texas to declare the Electoral Count Act unconstitutional and further declare that Pence had 'exclusive authority and sole discretion' to determine which electoral votes should count."

32. Answering Paragraph 13, respondent denies Paragraph 13's allegation of what the issues on which the *Gohmert* plaintiffs "[based" their requests for relief, as further explained in Paragraph 6, *supra*. Further, as explained in Paragraph 7, *supra*, the references in the complaint to the Vice-President's "exclusive authority and sole discretion" predated respondent's involvement with *Gohmert* and thus also prior to his admission *pro hac vice* in *Gohmert*. Similarly, claims about the Vice-President's "exclusive authority and sole discretion" in the motion (ECF #2) were made prior to respondent's admission *pro hac vice* in *Gohmert* and not—to respondent's knowledge—made again after his admission *pro hac vice*. As part of the *Gohmert* effort, respondent argued for the Vice-President's authority being subject to mandamus relief in Court, but respondent's position on mandamus was rejected by the supervising counsel.

33. Paragraph 14 of the Specification of Charges alleges as follows: "On January 1, 2021, the District Court in Texas dismissed Respondent's lawsuit because the plaintiffs lacked standing."

34. Answering Paragraph 14, the term "Respondent's lawsuit" is vague and thus a

response is not due. Respondent admits that U.S. District Court for the Eastern District of Texas dismissed the *Gohmert* complaint for lack of standing, but respondent denies that *Gohmert* was "Respondent's lawsuit." No court sanctions any party or counsel in *Gohmert*, and the Texas Bar dismissed ethical complaints filed against the *Gohmert* plaintiffs' lead counsel—Mr. Sessions—for his role in *Gohmert*.

35. Paragraph 15 of the Specification of Charges alleges as follows: "That same day, Respondent and his co-counsel filed a notice of appeal with the United States Court of Appeals for the Fifth Circuit."

36. Respondent admits Paragraph 15.

37. Paragraph 16 of the Specification of Charges alleges as follows: "On January 2, 2021, the Fifth Circuit affirmed the judgment of the District Court and denied Respondent's motion for an expedited appeal as moot."

38. Answering Paragraph 16, respondent admits that U.S. Court of Appeals for the Fifth Circuit affirmed the judgment of the District Court and denied the appellants' motion to expedite the appeal as moot.

39. Paragraph 17 of the Specification of Charges alleges as follows: "On January 6, 2021, Respondent and his co-counsel filed with the Supreme Court of the United States an emergency application for a stay and interim relief pending the resolution of their petition for a writ of certiorari (which they had not filed). In the application to the Supreme Court, Respondent repeated his false claims that there were 'competing slates of Republican and Democratic electors' not only in Arizona, but in Georgia, Michigan, Pennsylvania, and Wisconsin. Respondent attached to the application to the Supreme Court the 'Joint Resolution' which falsely purported to be of the 54th Legislature of the State of Arizona."

40. Answering Paragraph 17, respondent admits that no petition for a writ of *certiorari* was filed with the U.S. Supreme Court. Respondent denies that he filed an emergency application with the Supreme Court and further denies that he repeated false claims or attached anything making false purports.

41. Further answering Paragraph 17, respondent denies that the emergency application made or repeated false claims and denies that including the *Gohmert* complaint and the joint resolution exhibit in the emergency application's appendix provided any false documents or information.

42. Paragraph 18 of the Specification of Charges alleges as follows: "On January 7, 2021, the Supreme Court denied the emergency application."

43. Answering Paragraph 18, respondent admits that the *Supreme Court* (*i.e.*, not the Circuit Justice) denied the emergency application after the Circuit Justice referred the *Gohmert* application to the full Court in an exercise of the Circuit Justice's discretion (*i.e.*, the Circuit Justice concluded that the application merited the full Court's consideration).

44. Paragraph 19 of the Specification of Charges alleges as follows: "Respondent's conduct violated the following Texas and/or D.C. Rules of Professional Conduct and constituted conduct unbecoming an attorney (*see* Rule 46(c) of the Federal Rules of Appellate Procedure and Rule 8 of the Rules of the Supreme Court of the United States):

> a. Texas Rule 3.01 / D.C. Rule 3.1, in that Respondent brought a proceeding and asserted issues therein when there was not a non-frivolous basis for doing so;
>
> b. Texas Rule 3.03 / D.C. Rule 3.3, in that Respondent made false statements of material fact and/or failed to correct false statements of material facts to a tribunal;
>
> c. Texas Rule 8.04(a)(l) / D.C. Rule 8.4(a), in that Respondent violated or attempted to violate the Rules, knowingly assisted or induced another to do so, or did so through the acts of another;

d. Texas Rule 8.04(a)(3) / D.C. Rule 8.4(c), in that Respondent engaged in conduct involving dishonesty, fraud, deceit, and/or misrepresentation; and

e. D.C. Rule 8.4(d), in that Respondent engaged in conduct that seriously interfered with the administration of justice."

45. Answering Paragraph 19, respondent denies that his conduct violated the applicable rules of professional conduct, the Federal Rules of Appellate Procedure, or the Rules of the U.S. Supreme Court. Further, respondent denies that the District of Columbia rules apply to federal litigation in Texas, the Fifth Circuit, or the U.S. Supreme Court.

AFFIRMATIVE DEFENSES

Respondent Lawrence J. Joseph asserts the following affirmative defenses to the Specification of Charges.

First Affirmative Defense: Preemption

Federal law prohibits sanctioning or disadvantaging a person without prior actual notice of an applicable requirement flowing from the federal rules.

Second Affirmative Defense: Failure to State a Claim

The Specification of Charges fails to state a claim upon which relief can be granted.

Third Affirmative Defense: Choice of Law

The charges in the Specification of Charges are barred in whole or in part by the choice-of-law provision of the applicable ethical rules.

Fourth Affirmative Defense: First Amendment

The charges in the Specification of Charges are barred in whole or in part by the First Amendment to the United States Constitution.

Fifth Affirmative Defense: Due Process

The charges in the Specification of Charges are barred in whole or in part by the Due

Process Clause to the United States Constitution.

Sixth Affirmative Defense: Equal Protection

The charges in the Specification of Charges are barred in whole or in part by the Equal Protection Component of the Due Process Clause to the United States Constitution.

Seventh Affirmative Defense: Invalid Charges

The Specification of Charges alleges violations of both the District of Columbia and Texas rules for the same alleged litigation conduct, rendering the allegations invalid.

Eighth Affirmative Defense: Illegal Tribunal

Referring this matter to the Hearing Committee reference has no statutory authorization.

Ninth Affirmative Defense: Politically and Prejudicially Motivated Charges

Disciplinary Counsel is violating obligation to discharge his duty neutrally and without political or prejudicial motivation, which is not the case here.

Tenth Affirmative Defense: D.C. Human Rights Act

Respondent is being discriminated against in violation of D.C. Human Rights Act, § 2-1401.01, on account of his political affiliation and beliefs.

Eleventh Affirmative Defense: Supervised Lawyer

Respondent complied with Texas Rule 5.02 (Responsibilities of a Supervised Lawyer) in his capacity as a supervised lawyer in *Gohmert*.

Dated: March 8, 2024

Respectfully submitted,
Lawrence J. Joseph, Esq.

/s/ Christopher A. Byrne

Christopher A. Byrne, Esq.
Byrne Law PLLC
1050-30th St Northwest
Washington, DC 20007
(202) 487-6800
cabesq@protonmail.com
[DC Bar. No. 928424]

Counsel for Respondent

CERTIFICATE OF SERVICE

I certify that, on March 8, 2024, I caused to be delivered to the below-named parties the foregoing via email.

Julia L. Porter, Deputy Disciplinary Counsel
Office of Disciplinary Counsel
515 5th Street, NW
Building A, Room 117
Washington, D.C. 20001
<porterj@dcodc.org>

Jason Horrell, Esq.
Office of Disciplinary Counsel
515 5th Street, NW
Building A, Room 117
Washington, D.C. 20001
<horrellj@dcodc.org>

Respectfully,

/s/ Christopher A. Byrne
Christopher A. Byrne, Esq.