

American Board of Criminal Lawyers
THE ROUNDTABLE

Vol. MMXVI, No. 3

March 2016



Fellows,

I just released my new book, *The Art of Trial Warfare: Winning at Trial Using Sun Tzu's The Art of War* - <http://www.amazon.com/Art-Trial-Warfare-Winning-Using/dp/1523635894>

I would greatly appreciate a review on Amazon.com.

Sincerely, **Michael Waddington**

A FATHER'S PRIDE

Dear Fellows,

(2/17/2016)

Within the last thirty minutes **Jon Paul Rion** received not guilty verdicts on all counts. His client was charged with aggravated murder, three counts of murder, and one count of a drive by shooting. Jon Paul asked the Judge to continue the trial so he could go to Cuba, that request was summarily denied. So Jon Paul did the next best thing, he showed up and won the case. The case started with some drama because while the jury was trying to elect a foreman the descendant's brother bull-rushed the defendant in the court room. He will end up doing more time than the defendant. The jury was pleased and proud to hold the Government to its proof and in less than an hour they decided that the government failed to prove its case. Due to the excessive record of the Defendant, Jon Paul chose not to put him on the stand and was left with picking the Government's case apart so completely that it collapsed. The client walked out of the court room a free man. The Descendant died after being shot in the heart from a distance of 25 yards. Now, Jon Paul can get back to farming. The jury is always charmed by his admonition that if he is occasionally late it is because his cows got out. His mother and I are delighted. Chalk up one for the good guys! Kindest personal regards, **John H. Rion**

Bonus Advice From Judge John Hodgman

Michelle writes: My husband complains that I use too much toilet paper. (We measured. I use approximately 20 squares per sitting.) He claims it is a complete waste of money. I think it's fine — and besides, his baby-wipe habit costs even more.

I was going to ask you to explain your husband's habit, but then I realized I do not want to know more. Actually, I wish I knew much, much less. That's his business, just as your bathroom rituals are yours. For all the beauty our minds and bodies create, we are reminded daily that we are, at the same time, just waste-producing meat tubes. Furthermore, some might find your husband's metering your T.P. usage pretty demeaning. If he is that much of a scrooge, I suggest you crowdsource your toilet paper budget with a Kickstarter or something. Put me down for \$100 worth of two-ply.

Dear Steve,

The Ohio House of Representatives, at the urging of The Chairman of The House Judiciary Committee for the Ohio General Assembly, unsolicited, without my knowledge, consent, nor approval has sponsored a Commendation to your President-Elect, which is attached. Life is good!

Hope you can use this as filler in your prestigious Round Table. Stay well. Kindest personal regards, **John H. Rion**



"This is money—get ready to worry about it for the rest of your life."

FROM THE ARCHIVES OF GREAT REFERRALS

From: **Stephen Robert LaCheen** <slacheen@cnc.net>
To: (Referring Counsel)
Sent: Friday, July 31, 2015 (2:15 p.m.)
Subject: Darryl Bey

Friend:

Thanks for referring the above named, who as you will recall was the victim of the seizure by law enforcement personnel of \$99K cash he was carrying at PHL last week.

Alix and I met with Mr. Bey and his 8-year old son on Wednesday and, despite several minor mishaps (both Mr. Bey and his son managed to spill their respective cans of soda on the carpet in my office), everything seemed to go well, up to the point at which I presented Mr. Bey with a proposed fee agreement calling for a small retainer to be applied against a graduated contingent fee agreement. Mr. Bey seemed unable to grasp the concept that the agents who took his money wouldn't just return it to him, nor the fact that he would be required to pay a retainer which would be credited against a contingent fee agreement, nor, the concept of a contingent fee agreement itself.

So, he took the proposed agreement home to try to "get his head around the whole thing," and to finish the lyrics to the "Battle Rap" he has already started writing about the incident.

I'll let you know if I ever hear from Mr. Bey again; but, even if I do not, I will have had the experience of contributing to his creative musical effort, and thank you for that. STEVE

P.S. Did I neglect to mention that Mr. Bey has not had a job in a year, hasn't filed a tax return since 2012, and cannot account for the source of the funds? Or that he was even more shocked that, if he were called upon to swear that the funds were in his possession, he might, if ordered by the Court, over objection to do so, have to answer a few personal questions. SRL



Fellows,

I wanted to share a victory I obtained for my client in a jurisdiction about 60 miles east of Denver known as Logan County.

I believe that winning a case in trial is admirable; that winning a case by motions that limit or exclude evidence is artful; and that winning a case by convincing the filing district attorney that he or she has made a mistake and that a crime was not committed and certainly not by the accused defendant is the ultimate success.

I accomplished that ultimate success today when I received a motion to dismiss from the district attorney. The district attorney, in his motion to dismiss, states, "The defense has presented evidence to the prosecution of multiple alibi witnesses demonstrating that (the defendant) was not at the scene of the alleged crime at the time when (the victim) reported the alleged crime . . . Based upon the above facts, the People cannot present a prima facie case of domestic violence or the underlying act of violence. (The victim's) initial statements to the police were made while intoxicated and after injury and were not clear enough to stand alone and establish all the elements of the alleged crime. (The victim) has also explained to the People that her testimony would do nothing to further the establishment of a prima facie case as she now has a different understanding of the circumstances of the case."

I thought you would enjoy knowing of this most recent success.
LEN CHESLER

Welcome New Members

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From: "Bruce Maloy" <maloy@mjplawyers.com>
To: <abcl-us@googlegroups.com>
Sent: Monday, February 29, 2016 11:49 AM
Attach: Nathan Hardwick's Bond Hearing Sheds Light on His Finances in Wake of Millions in Missing Escrow Funds Daily Report.pdf
Subject: [ABCL-US] Daily Report article
We need to take up collection for ABCL fellows Don Samuel and Ed Garland. According to this article Ed's client owes him one million dollars.

Nathan Hardwick's Bond Hearing Sheds Light on His Finances in Wake of Millions in Missing Escrow Funds

Meredith Hobbs, Daily Report

February 26, 2016

Whether Nathan Hardwick IV is a flight risk was the main issue at a contentious, six-hour bond hearing on Feb. 25 before U.S. Magistrate Judge Justin Anand.

The hearing shed more light on the lawyer's finances—including a shopping bag with \$180,000 in cash allegedly removed from his luxury condo—since millions of dollars in escrow account shortfalls surfaced in July 2014 at his now-bankrupt residential real estate closing firm, Morris Hardwick Schneider.

Federal prosecutors have accused Hardwick of embezzling \$20 million from MHS. Assistant U.S. Attorney David Chaiken wants him to stay locked up until his trial, arguing at the bond hearing that the formerly high-flying lawyer has enough cash secretly stashed and friends with access to private planes to flee the country.

The judge concluded the hearing saying he was inclined to grant bond. He's scheduled another hearing for March 1 to determine if Hardwick can put up enough security.

Anand made the conditional ruling after hours of often heated back-and-forth exchanges between Chaiken and Hardwick's criminal defense lawyer, Ed Garland, in large part over whether Hardwick had the money to flee. Garland said his client is flat broke—and owes him \$500,000 to \$1 million in legal fees.

Chaiken said Hardwick's estranged ex-fiancée, Heather Inman, who is the mother of his 2-year-old child, contacted prosecutors on Feb. 5 to tell them Hardwick often talked about fleeing to avoid prosecution, saying that "he had so many rich friends that he would simply board a jet and the government would never find him." Hardwick learned about nonextradition countries he could flee to by watching an NBC show, "The Blacklist," according to Inman.

After that, Chaiken said, "we moved fast to get before a grand jury."

A federal grand jury indicted Hardwick Feb. 9. He was arrested and the indictment unsealed on Feb. 22. The government has charged Hardwick with bank fraud, making false statements to financial institutions, wire fraud and conspiracy to commit wire fraud. Hardwick has pleaded not guilty to the charges.

Military Officers Association honors two at Granite State Warriors Luncheon

GREENLAND — Col. Allen "Chad" Chadwick, U.S. Army (ret.), president of the New Hampshire chapter of the Military Officers Association of America (MOAA-NH) and the board of directors was pleased to honor this year's award recipients for their service to military members and their families at the fifth annual Granite State Warriors Luncheon this past Saturday.

The luncheon and ceremony was held at the Portsmouth Country Club in Greenland.

The Granite State Warriors Award is presented annually by MOAA-NH to individuals or organizations who have gone above and beyond in their service to the men and women of the U.S. military and their families.

Honored at this year's ceremony was Matthew Albuquerque, president and founder of Next Step Bionics & Prosthetics, Inc., and Tara Sue Myers, executive director along with Larry Vogelmann, legal director of the Veterans Law Project, commonly called Legal Boots on the Ground.

The Veterans Law Project-Legal Boots on the Ground was the brainchild of Larry Vogelmann when he served as president of the NH Bar Association three years ago. Legal Boots on the Ground is a project of the NH Veterans Foundation, the philanthropic arm of the New Hampshire Chapter of Veterans of Foreign Wars, which is a non-profit 503(c)3.

The program, funded by a donor who wishes to remain anonymous, and other donations from private individuals and Easter Seals of New Hampshire aims to match all veterans and members of the reserve components and their family members who need legal services with lawyers who are willing to provide them on a pro-bono or reduced fee schedule.

Since its inception in 2015, over 500 servicemen and women and their families have been the recipients of free legal services. The efforts of the Veterans Law Project have given many of clients a new and fresh start leading to a better life for them and their families. More information is available at <http://vfnh.org/the-veterans-law-project-deploys-legal-boots-on-the-ground>.

Next Step Bionics & Prosthetics was founded in 1996 and prides itself in its dedication of all possible resources to the art and science of precisely fitting artificial limbs. If the connection between device and residual limb lacks a proper fit, the amputee cannot live comfortably, regardless of the technology used. Technicians and scientists at Next Step Bionics & Prosthetics understand that individuals are unique, each Next Step facility is equipped with an on-site fabrication lab where the necessary time to mold, shape and finish every prosthesis to get the right fit for every client is paramount.

Since the beginning of the conflicts in Iraq and Afghanistan, Next Step has served hundreds of the nation's warriors who have lost limbs in the fight against global terrorism. "It is with great

honor and pride that I, on behalf of Next Step Bionics & Prosthetics, accept the Granite State Warrior award from the Military Officers Association of America. Being the son of a retired Navy master chief, it gives me great satisfaction to help in improving the health, morale, welfare and recognition of U.S. military personnel and their families through the creation and delivery of our unique and state-of-the art services. The prosthetic devices we design continue to make a difference in the quality of lives of those who have sacrificed so much for our liberties and freedom." said Albuquerque

For detailed information about Next Step visit their website at <http://nextstepbionicsandprosthetics.com>.

MOAA is the nation's largest and most influential association of military officers. It is an independent, nonprofit, politically nonpartisan affiliation with more than 380,000 members from every branch of service, including active duty, National Guard, Reserve, retired, former officers and their families. It represents a powerful force that speaks for a strong national defense and representing the interests of military officers at every stage of their careers.

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"I wish I had walls as thick as this in my apartment."

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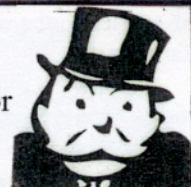
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The RoundTable

Steve LaCheen, Editor

Rita Bognanni, Staff



Future Meetings

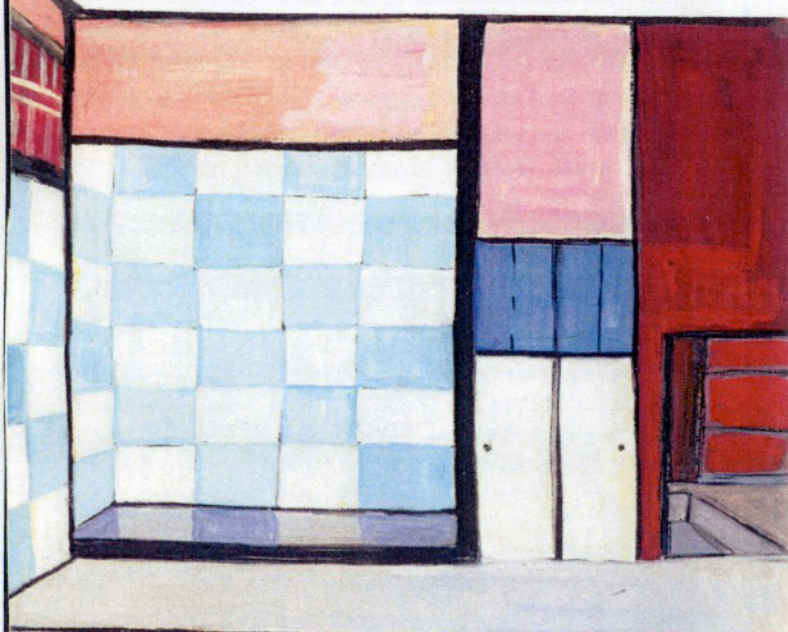
~~Feb. 11-15, 2016: Havana, Cuba~~

May 26-31, 2016: Rome, Italy

October 7 - 9, 2016: Austin, Texas



The RoundTable
Steve LaCheen
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Philadelphia, PA 19102



"The journey
not the arrival
matters."

— TS Eliot