Judge Gamble,

I am writing this letter with concerns I have regarding recent judicial practices I have observed in Polk County. I have practiced in both Polk County and the rural counties for 8 years, I have never before been so shocked at what I believe are clear disregard for the rules of civil procedure, clear bias against an individual and a complete disregard for basic standards of practice.

In the winter of 2015-2016 I met and began assisting Jaysen McCleary with his personal cases as well as on cases involving the City of Des Moines and the Animal Rescue League. Now I realize, your first inclination is likely to say "Well, if you are working with Jaysen that is the problem." And that is the point of this letter. When I first began working with him he warned me about how he had been treated in Polk County. He believed that judges were ruling against him because the do not like him. I assured him I had always found the Judges in Polk County more than fair. I further assured him that even though I had my fair share of disagreements and head butting with judges, I have always found them to be able set aside personal feelings and rule based solely on the facts and the law. I am no longer able to say that.

Let me be clear, this is not about adverse rulings. Even Jaysen can see when a judge rules against him based upon law. I have witnessed many adverse rulings over the last several months. During that time I began to wonder whether there was truth to his concern that the judges did not like him and were ruling against him because of their personal feelings. Now, it has become extremely apparent that because I am working with him I will face the same adversity and the same bias.

Here are a list of the recent events that have led me to draft this letter:

The Iowa Rules of Civil Procedure allow for resistance to motions to be filed not less than 10 days after said motion is filed. In the last few months in these cases, and quite frankly in only cases involving Jaysen, that rule does not apply. If counsel for the other side files a motion it will be granted within 48 hours, no questions asked, no hearing, and without supporting evidence . In more specific cases

EQCE Rumsey v. City of Des Moines, ARL

The Court set a hearing on several motions for March 29, 2016 at 8:30 AM. Judge Porter entered an order advising that if Jaysen wanted to appear via phone he needed to file a proposed order prior to the hearing. Jaysen filed the proposed order late Sunday March 27, 2016. However, on the day of the hearing Jaysen called me at about 8:40 to tell me he couldn't get through. I happened to be handling a criminal case in 109 so I ran up to Judge Porter's courtroom and interrupted the hearing to advise Jaysen could not get through. Judge Porter claimed Jaysen hadn't followed his order and would not be allowed at the hearing. I could not stay because I had multiple criminal hearings to get to. Judge Porter never allowed Jaysen to attend the hearing. Judge Porter denied all of Jaysen's motions and

granted all of the Defendant's motions and in his order he stated the reason for his ruling was based on what was said at the hearing. This forced Jaysen to have to pay for a transcript to find out what the court's reasoning was but not before the court ordered that Jaysen could not email his court reporter for the transcript but instead ordered that he file a motion for all communications with the court.

Jaysen filed a motion to reconsider asking to be reheard. Judge Porter, denied his motion to reconsider except he granted a hearing on the Defendant's motion for summary judgment.

Jaysen filed a motion to obtain the transcript however, Judge Porter's court reporter only emailed me because she was instructed not to respond to Jaysen regarding the transcript. Jaysen, however, was the lead attorney and the one who was going to pay for the transcript. Jaysen had to make another motion to allow his court reporter to speak with him.

Jaysen filed a motion to recuse Judge Porter where he admitted having ex parte communications about Jaysen and stated he had read the Attorney Doe case but was not treating him any differently.

July 8, 2016 I filed a notice of depositions for July 18, 2016. My notice affected one employee of the ARL. July 15, 2016 the attorney for the ARL filed a motion to quash claiming there is a stay on discovery. There is no stay on discovery in this matter. Jaysen filed a resistance July 15, 2016 pointing out there was no stay on discovery. This was the second time both Jaysen and I have brought to the Court's attention the fact that Defense counsel had misrepresented the record to the Court. The Court seems unconcerned with this.

July 18, 2016, approximately 4 hours before depositions were set to commence, the Court granted the Motion to quash but did not articulate any reason for the basis of his decision.

Pesce v. City of Des Moines, ARL

April 7, 2016 Jaysen filed an Application for Return of Seized Property, Emergency Request for Stay, Declaratory Relief, Conversion and Damages under 42 USC 1983 and 1988.

April 7, 2016 Judge Rosenberg entered a stay in the seized property case preventing the ARL from destroying or adopting Pesce's dogs away without further order of the Court but not before her right to appeal any adverse decision.

April 11, 2016 Defendant ARL filed a motion to vacate the stay or modify the order.

May 9, 2016 the Court set a hearing from May 26, 2016.

May 23, 2016 Jaysen filed a Motion for Continuance due to the fact that he was extremely ill. On May 24, 2016 the defendant filed a resistance to the continuance and requested a sanction in the amount of $840 for a bond.

May 25, 2016 with no hearing nor any evidence the Court ordered Plaintiff to file a bond in the amount of $840.00 by noon May 27, 2016. A hearing was set for June 2, 2016.

On June 1, 2016 Judge Porter denied the return of seized property application in which the stay was entered by Judge Rosenberg. This was the stay the ARL wanted to vacate. On June 2, before 8 am Jaysen perfected an appeal on the seized property case to the Supreme Court and he filed notice of this with the Court indicating that having a hearing on modifying the stay was moot because the case had been appealed. In addition, Jaysen asked if the court believed the hearing should still occur that he needed a continuance due to the unexpectedly receiving a baby bison at his animal rescue that was dying and needed to go to the emergency room. The Court denied his motion to continue stating it was unrelated to a need for his request for continuance.

June 6, 2016, despite having lost jurisdiction, Judge Porter shockingly vacated the stay.

June 15, 2016 Defendant ARL filed a motion for Sanctions against Jaysen. A hearing was set on this for July 14, 2016.

July 12, 2016 at 7:53 PM the attorney for the ARL filed a Motion to Continue the hearing. Said attorney also sent an e-mail indicating he had forgotten about the hearing and scheduled himself to be out of town. July 13, 2016 at 9:30 AM the Court granted the Motion to Continue which was an hour before Jaysen filed a resistance on July 13, 2016 10:06am.

Meanwhile Jaysen had filed a motion for a supersedeas bond to protect the lives of Ms. Pesce's dogs and this has been continued as well despite the ARL stating they did not intend to continue that matter and the City was prepared to address it at the scheduled hearing.

LACL130973 McCleary v. Morgan:

April 22, 2016 at a hearing for summary judgment, Defense moved for a settlement conference. I advised the Court Jaysen had withdrawn all offers and settlement was unavailable after he incurred additional expenses and the defendants ignored his previous offers. I further advised the court I did not believe it would be beneficial. The Court ordered it anyway and ordered everyone to be present.

May 4, 2016 I advised Jaysen that since the order stated "present" at the settlement conference and not "personally present" he could appear over the phone. I further e-mailed Judge Paulsen that Jaysen would be present via phone.

May 6, 2016 I appeared at the settlement conference with Jaysen on the phone. Judge Paulsen did not know Jaysen would be appearing via phone. She admitted she had not read the e-mail.

We began as a group and then broke off meeting with Judge Paulsen individually. To my disbelief, upon Jaysen advising Judge Paulsen that he was not interested in reducing his offer further, Judge Paulsen immediately stated "I may have to sanction you for not being present." I could not believe a judge threatened my client with sanctions for not being present because he did not wish to reduce his settlement offer. Jaysen immediately said "you can't sanction me into settlement". I was so shocked he spoke before I did.

Despite Jaysen's desire not to be present he continued to negotiate. We were unable to settle the matter but at the end Judge Paulsen again brought up the issue of sanctions and stated she would leave it to the trial court's discretion.

Defense Counsel jumped on that and asked for sanctions not only for Jaysen not being personally present but for sanctions against me for 3 questions I asked at a two-hour deposition regarding whether his client had seen a settlement letter from my client. I had a different trial run over to when the hearing was scheduled for these sanctions by Judge Romano and I requested a continuance. However, I have been unable to find out the status.

LACL131441 McCleary v. Starbuck

March 25, 2016 Judge Porter held a hearing on our Motion in Limine. We still have yet to get a ruling.

May 6, 2016 I filed a notice to renew three motions I had previously withdrawn.

June 22, 2016 Judge Porter set the hearing for July 7, 2016 for 45 minutes and directed counsel to immediately ask for additional time if needed.

June 24, 2016 I filed a motion asking for 2 hours to make sure we had enough time.

July 5, 2016 Judge Porter continued to the hearing on the motion for summary judgment until July 29, 2016. Our trial was set to commence July 25, 2016.

July 8, 2016 I sent an e-mail to Judge Porter and Mr. Larson (counsel for Defendant) pointing out the hearing on our Motion for Summary Judgment was after the trial and asking if we could find time to hear it before trial.

July 11, 2016 Judge Porter filed an order continuing trial claiming someone had moved for a continuance and granting the motion to continue. No Motion to Continue had been filed.

I could go on and on with the repeated violations of civil procedure and Iowa law as well as the continued obvious bias against Jaysen. I am now certain that my association with Jaysen has opened me up to bias to the point that I am now concerned whether my other clients will be able to get a fair chance in Polk County. Taken individually, it could just seem that we have gotten a few bad rulings. Looked at as a whole, it is clear to me that there is a concerted effort by some judges to rule against Mr. McCleary to the best of their ability. I didn't want to believe him but having witnessed this with my own eyes now, I just can no longer ignore it and I concur with his concerns.

I appreciate you reviewing this. I realize there will always be personality issues but [redacted]hat. I also believe it bears mentioning. [redacted] are shocked which leads me to believe these