

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

IN THE MATTER OF A MEMBER OF  
THE STATE BAR OF ARIZONA,

**BILLIE TARASCIO,**  
**Bar No. 029278**

Respondent.

**PDJ 2018-9062**

**FINAL JUDGMENT AND  
ORDER**

[State Bar No. 17-2357]

**FILED NOVEMBER 15, 2018**

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The Presiding Disciplinary Judge, having reviewed the Agreement For Discipline by Consent filed on November 2, 2018, pursuant to Rule 57(a), Ariz. R. Sup. Ct., accepts the parties' proposed agreement. Accordingly:

**IT IS ORDERED** imposing an admonition on Respondent, **BILLIE TARASCIO**, for her conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents effective the date of this order.

**IT IS FURTHER ORDERED** Ms. Tarascio shall pay the costs and expenses of the State Bar of Arizona in the amount of \$1,200.00, within thirty (30) days from the date of this order. There are no costs or expenses incurred by the disciplinary clerk and/or Presiding Disciplinary Judge's Office in these disciplinary proceedings.

**DATED** this 15th day of November, 2018.

*William J. O'Neil*  
\_\_\_\_\_  
**William J. O'Neil, Presiding Disciplinary Judge**

COPY of the foregoing e-mailed  
on this 15<sup>th</sup> day of November 2018,  
and mailed November 16, 2018, to:

Bradley F. Perry  
Staff Bar Counsel  
State Bar of Arizona  
4201 N 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266  
Email: [LRO@staff.azbar.org](mailto:LRO@staff.azbar.org)

Donald Wilson, Jr.  
Broening, Oberg, Woods & Wilson, P.C.  
P.O. Box 20527  
1122 E. Jefferson Street  
Phoenix, Arizona 85036-0527  
Email: [dwj@bowwlaw.com](mailto:dwj@bowwlaw.com)  
Respondent's Counsel

by: [AMcQueen](#)

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

IN THE MATTER OF A MEMBER OF  
THE STATE BAR OF ARIZONA,

**BILLIE TARASCIO,**  
**Bar No. 029278**

Respondent.

**PDJ-2018-9062**

**DECISION ACCEPTING  
DISCIPLINE BY CONSENT**

[State Bar No. 17-2357]

**FILED NOVEMBER 15, 2018**

Under Rule 57(a), Ariz. R. Sup. Ct.,<sup>1</sup> an Agreement for Discipline by Consent (“Agreement”), was filed on November 2, 2018. A Probable Cause Order issued on June 1, 2018 and the formal complaint was filed on July 12, 2018. Ms. Tarascio is represented by Donald Wilson Jr., *Broening, Oberg, Woods & Wilson, PC* and the State Bar of Arizona is represented by Bradley F. Perry.

Rule 57 requires admissions be tendered solely “...in exchange for the stated form of discipline...” Under that rule, the right to an adjudicatory hearing is waived only if the “...conditional admission and proposed form of discipline is approved...” If the agreement is not accepted, those conditional admissions are automatically withdrawn and shall not be used against the parties in any subsequent proceeding. Ms. Tarascio has voluntarily waived the right to an adjudicatory hearing, and waived all

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<sup>1</sup> Unless otherwise stated all Rule references are to the Ariz. R. Sup. Ct.

motions, defenses, objections or requests that could be asserted upon approval of the proposed form of discipline.

Notice of the Agreement and an opportunity to object within five (5) days pursuant to Rule 53(b)(3), was provided to the complainant by mail and telephone on October 12, 2018. On November 11, 2018, the State Bar filed an objection by the complainant which stated that the agreed upon sanction was insufficient for what the complaint describes as deceptive and illegal conduct of Ms. Tarascio.

The Agreement details a factual basis to support the conditional admissions. It is incorporated by this reference. The 3-page single count complaint alleges Ms. Tarascio violated Rule 42, ER 4.4(a) (respect for rights of others) and 8.4(d) (conduct prejudicial to the administration of justice). Ms. Tarascio admits violating both rules. The parties stipulate to an admonition and the payment of costs of \$1,200.00 within thirty (30) days from this order.

#### *The Preface*

Ms. Tarascio represented Father in a family law matter and believed Mother had kidnapped their baby with the assistance of Mothers' parents. According to the Agreement this ultimately proved to be true. It states that through the efforts of the FBI, and Mesa Police, the baby was eventually located, reunited with Father and both the Grandparents and Mother were found to have taken the child in violation of court orders. They each pled guilty to custodial interference in an associated criminal matter.

### *The Facts*

To obtain information regarding the whereabouts of the child and Mother, Ms. Tarascio contacted a professional acquaintance, Karl Weiss who is a loan officer at Independent Mortgage in Scottsdale. Ms. Tarascio improperly obtained and provided Grandparents' personal identifying information to her acquaintance. She also provided the Mother's information to the same officer. She did not have their permission or court permission to do so. Their ploy was to use the personal credit information of each of their victims to run credit checks/credit under the guise that Mr. Weiss had loan applications from each. Ms. Tarascio says she was unaware there was anything wrong in this. Through that intentional subterfuge the loan officer verbally provided Ms. Tarascio with the credit histories verbally. This gives the strong appearance of the avoidance of an evidentiary trail of these fake applications.

The claimed ignorance by Ms. Tarascio that she did not know that she needed permission to obtain the financial information of apparently any opponent she chooses is more than troubling. Rather than straight up acknowledge that her desperation to help find her client's child clouded her judgment, she instead blames her friend Karl Weiss. She bluntly blame-shifts that he should have known better and informed her of such impropriety. It is apparent from the documentary evidence in Grandparents' objection that neither Ms. Tarascio nor her accomplice Mr. Weiss told his employer

that they knew each other before she sought this financial information and that he was her “professional acquaintance.”

Subterfuge and cover-up is best accomplished without documentary evidence. The objection suggests that Ms. Tarascio obtained the credit history information but was careful not to receive written documentation of that information, but rather only verbal. Regardless, her conduct casts a dark image that lawyers are above the law. In a world where people often pay monthly fees to be alerted of such hacking and where the news often broadcasts the latest breach of client’s financial information, she and her friend used much older tried and true method that is never available to an ethical lawyer; intentionally being untruthful.

She then used the personal credit information to identify which financial institutions to issue subpoenas. Grandparents learned about the credit applications when they received a “Notice to the Home Loan Applicant” from Fairway Independent Mortgage which states, “In connection with your application for a home loan, the lender must disclose to you the score that a consumer reporting agency distributed to users and the lender used in connection with your home loan...” (Emphasis added.)

Their 124-page objection to the Agreement suggests multiple areas of continuing concern, including cover up. When grandparents objected to the invasion of their privacy, Ms. Tarascio apparently told the court there were no loan applications submitted. The evidence is to the contrary. But the stipulated evidence is that

Grandparents received the *loan* rejection from Fairway Mortgage. The objection also points out that the defense by Ms. Tarascio to the court was her factual assertion that there was never a real loan application received. But that is only because there was no real person applying for credit, any more than any hacker turns in a real loan application. That she says she didn't consider its illegality because of her apparent disinclination to research the issue and apparently didn't even ask the question of her banking friend is defenseless.

### *Analysis*

The objection states Ms. Tarascio told the court there was no application for any loans. If true and Ms. Tarascio didn't know the process her friend used, then she violated Rule 11 by making such a certification to the court or she knew it was a fake application and rationalized her certification to the court. The complainants note the subterfuge was likely also a criminal act. Regardless, she acted as a lawyer in dishonestly obtaining the information. The quoted statements of Ms. Tarascio in the objection completely undermine that there was no intent in her conduct and that the fault was with Mr. Weiss' failure to "inform" her.

She is quoted as saying "Counsel for Father (Ms. Tarascio) did request and did obtain credit reports...it was not accomplished through 'false pretenses' and is identify theft as much as (falsely saying you are someone you are not and then) calling an

insurance company for coverage information (for someone you are not) is a ‘HIPPA violation.’”

The complaint allegations are basic and addressed by this Agreement. Most of the objection argues a continuing course of misdirection, coverup and seeming pride in her actions that are stated to be calculated, disturbing and Grandparents argue, violated a court order. Those are not the subject of this complaint. This does not ignore the multiple quotations attributed to Ms. Tarascio or her agents, which if true, are chameleon in her hiding her misconduct in this action.

#### *Standards Analysis*

The parties agree *Standard 6.23, Abuse of the Legal Process* applies and provides that reprimand is generally appropriate when a lawyer negligently fails to comply with a court order or rule and causes injury or potential injury to a client or a party, or interference or potential interference with a legal proceeding.

The Agreement states Ms. Tarascio violated her duty to the legal system and caused potential injury to both Mother and Grandparents. Ms. Tarascio knew she did not have permission to access their personal credit information but negligently believed she did not need it.

The parties agree there are no aggravating factors and stipulate to the following mitigating factors: 9.32(a) absence of prior disciplinary offenses, 9.32 (b) absence of selfish or dishonest motive, 9.32(c) personal or emotional problems (high conflict

divorce), 9.32(e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings, 9.32(g) character or reputation (*See* letters attached to Agreement, Exhibit B) and 9.32(l) remorse.

The objection calls into question the absence of selfish or dishonest motive. However, mitigation properly looks at the misconduct during its occurrence. Solely on that basis it is considered. The PDJ rejects the mitigating factor of remorse. Remorse does not consist of a feigned emotion that is more akin to sorrow that one has been caught. It is demonstrated by actions taken that acknowledge the wrong and seek to mitigate the consequences of that misconduct. There is no remorse. To the contrary there appears to be a pride that the ends justify the means. The character letters are noted but given no weight. Full and free disclosure to disciplinary board or cooperative attitude toward proceedings is always significant. The absence of prior disciplinary offenses has weight.

All cases involving any prosecution revolve around evidence, perception and resources. The State Bar has discretion in its prosecution and determines how best to proceed. This matter appears to warrant a reprimand. The parties agree the mitigation submitted warrants a reduction in the presumptive sanction of reprimand to admonition.

Now Therefore,

**IT IS ORDERED** accepting the Agreement and incorporating it with any supporting documents by this reference. The objection of complainants are incorporated by reference and shall be posted with this decision. A final judgment and order is signed this date.

**DATED** this 15<sup>th</sup> day of November 2018.

*William J. O'Neil*  

---

**William J. O'Neil, Presiding Disciplinary Judge**

COPY of the foregoing e-mailed  
on this 15<sup>th</sup> day of November 2018,  
and mailed November 16, 2018, to:

Bradley F. Perry  
Bar Counsel  
State Bar of Arizona  
4201 N 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266  
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Respondent's Counsel

by: AMcQueen

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OFFICE OF THE  
PRESIDING DISCIPLINARY JUDGE  
SUPREME COURT OF ARIZONA

NOV 2 2018

FILED  
BY 

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Respondent's Counsel

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

**IN THE MATTER OF A MEMBER  
OF THE STATE BAR OF ARIZONA,**

**BILLIE TARASCIO,  
Bar No. 029278,**

Respondent.

**PDJ 2018-9062**

State Bar File Nos. 17-2357

**AGREEMENT FOR DISCIPLINE  
BY CONSENT**

The State Bar of Arizona, through undersigned Bar Counsel, and Respondent, Billie Tarascio, who is represented in this matter by counsel, Donald Wilson, Jr., hereby submit their Agreement for Discipline by Consent, pursuant to Rule 57(a), Ariz. R. Sup. Ct. A Probable Cause Order was entered on June 1, 2018, a formal

Complaint was filed on July 12, 2018, and an Answer was filed on July 31, 2018. Respondent voluntarily waives the right to an adjudicatory hearing, unless otherwise ordered, and waives all motions, defenses, objections, or requests which have been made or raised, or could be asserted thereafter, if the conditional admission and proposed form of discipline is approved.

Pursuant to Rule 53(b)(3), Ariz. R. Sup. Ct., notice of this Agreement was provided to the Complainant(s) by letter and telephone on October 12, 2018. Complainant(s) have been notified of the opportunity to file a written objection to the Agreement with the State Bar. Copies of Complainants' objections, if any, have been or will be provided to the presiding disciplinary judge.

Respondent conditionally admits that her conduct, as set forth below, violated Rule 42, Ariz. R. Sup. Ct., ERs 4.4(a) and 8.4(d). Upon acceptance of this Agreement, Respondent agrees to accept imposition of the following discipline: Admonition. Respondent also agrees to pay the costs and expenses of the disciplinary proceeding, within thirty (30) days from the date of the order, and if costs are not paid within the thirty (30) days, interest will begin to accrue at the legal

rate.<sup>1</sup> The State Bar's Statement of Costs and Expenses is attached hereto as Exhibit

A.

### FACTS

1. Respondent was licensed to practice law in Arizona on April, 13, 2012.
2. Respondent represented Father in a domestic relations matter.
3. On or about June 16, 2017, Mother and Child were reported missing to the Mesa Police Department by the complainants, Grandparents. Respondent and Respondent's client believed Mother kidnapped Child with the assistance of Mother's parents (hereinafter Grandparents). Grandparents reported publically and to police that Respondent's client had kidnapped and murdered Mother.
4. On June 19, 2017, Respondent sought emergency sole legal decision making and the family court judge issued a warrant for the immediate return of he child to Father.

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<sup>1</sup> Respondent understands that the costs and expenses of the disciplinary proceeding include the costs and expenses of the State Bar of Arizona, the Disciplinary Clerk, the Probable Cause Committee, the Presiding Disciplinary Judge and the Supreme Court of Arizona.

5. On June 20, 2017, in an effort to locate Child and Mother, Respondent contacted a professional acquaintance, Karl Weiss, who is a loan officer at Fairway Independent Mortgage in Scottsdale.
6. Respondent, without permission from the Court, Mother, or Grandparents, provided Mr. Weiss with Mother's and Grandparents' personal identifying information in order to obtain financial information about Mother and Grandparents. Respondent believed the financial information could aid in the search for the missing child.
7. Respondent knew she did not have permission from Mother, Grandparents, or the Court to obtain the financial information, but negligently believed she did not need such permission to obtain the information.
8. Respondent negligently believed Mr. Weiss would inform her if she was not able to obtain the information. Respondent took no steps to independently determine whether she was legally able to obtain a person's credit information without permission.
9. Mr. Weiss used the information to run credit checks on Mother and Grandparents and thereafter provided Respondent with information obtained from the credit checks.

10. Respondent did not inform Mother or Grandparents that Respondent obtained their credit information.
11. Respondent used the credit information to identify which financial institutions Mother and Grandparents utilized so Respondent could issue subpoenas.
12. Grandparents engaged counsel who objected to the subpoenas obtained by Respondent.
13. The Court denied Grandparents' objections.
14. Grandparents learned about the credit applications when they received mailed notifications entitled "Notice to the Home Loan Applicant" from Fairway Independent Mortgage. Grandparents subsequently received letters dated August 2, 2017, stating that their mortgage applications were rejected because they did not qualify for the mortgage loan program.
15. Nearly four months later, through the efforts of Respondent, Mesa Police, the FBI, and others, the Child was eventually located and reunited with Father. Grandparents and Mother were found to have taken Child in contravention of custody orders issued by the Court. Mother and Grandparents ultimately pled guilty to custodial interference in an associated criminal matter.

16. Father has retained sole custody and Mother and her parents have no contact with the child.

### **CONDITIONAL ADMISSIONS**

Respondent's admissions are being tendered in exchange for the form of discipline stated below and are submitted freely and voluntarily and not as a result of coercion or intimidation.

Respondent conditionally admits that her conduct violated Rule 42, Ariz. R. Sup. Ct., specifically ERs 4.4(a) and ER 8.4(d).

### **RESTITUTION**

Restitution is not an issue in this matter.

### **SANCTION**

Respondent and the State Bar of Arizona agree that based on the facts and circumstances of this matter, as set forth above, the following sanctions are appropriate: Admonition.

If Respondent violates any of the terms of this Agreement, further discipline proceedings may be brought.

## LEGAL GROUNDS IN SUPPORT OF SANCTION

In determining an appropriate sanction, the parties consulted the American Bar Association's *Standards for Imposing Lawyer Sanctions (Standards)* pursuant to Rule 57(a)(2)(E). The *Standards* are designed to promote consistency in the imposition of sanctions by identifying relevant factors that courts should consider and then applying those factors to situations where lawyers have engaged in various types of misconduct. *Standards* 1.3, Commentary. The *Standards* provide guidance with respect to an appropriate sanction in this matter. *In re Peasley*, 208 Ariz. 27, 33, 35, 90 P.3d 764, 770 (2004); *In re Rivkind*, 162 Ariz. 154, 157, 791 P.2d 1037, 1040 (1990).

In determining an appropriate sanction consideration is given to the duty violated, the lawyer's mental state, the actual or potential injury caused by the misconduct and the existence of aggravating and mitigating factors. *Peasley*, 208 Ariz. at 35, 90 P.3d at 772; *Standard* 3.0.

The parties agree that *Standard* 6.23 is the appropriate *Standard* given the facts and circumstances of this matter. *Standard* 6.23 provides that reprimand is generally appropriate when a lawyer negligently fails to comply with a court rule or order and causes injury or potential injury to a client or other party, or causes

interference or potential interference with a legal proceeding. Respondent's conduct in this matter does not implicate a court rule or order, but still falls under the purview of this *Standard* as a violation of ER 4.4(a).

**The duty violated**

As described above, Respondent's conduct violated her duty to the legal system.

**The lawyer's mental state**

For purposes of this Agreement, the parties agree that Respondent knew she did not have express permission to obtain Mother's and Grandparents' credit information, but negligently believed she did not need permission to do so. Respondent conditionally admits that her conduct was in violation of the Rules of Professional Conduct.

**The extent of the actual or potential injury**

For purposes of this Agreement, the parties agree that there was potential injury to Mother and Grandparents.

### **Aggravating and mitigating circumstances**

The presumptive sanction in this matter is reprimand. The parties conditionally agree that the following aggravating and mitigating factors should be considered.

#### **In aggravation: None**

#### **In mitigation:**

9.32(a). Lack of a prior disciplinary record: Ms. Tarascio has no prior discipline.

9.32(b). Lack of a dishonest or selfish motive: Ms. Tarascio was only motivated to assist the Father in finding his child, and had no dishonest or selfish motive. At the time, Ms. Tarascio believed the 19 year-old Mother was emotionally unstable, and she and the Grandparents had made against the Father sexual molestation and other charges which were determined to be unfounded. The child was approximately 7 months old, the Baby Gabriel tragedy was fresh in the minds of Ms. Tarascio and her client, and she genuinely feared for the safety of the child. The police had no leads. The FBI was involved in the investigation, with witnesses being interviewed in other states. Ultimately, a friend of Mother and Grandparents came to believe that the misinformation being spread by them about the Father was

untrue, and that led to a witness coming forward to give the address in San Diego, where she had driven Mother and the child four months earlier. Mother was recovered from the residence and the child was taken into DCS custody. Father retrieved the child the following day.

9.32(c). Personal or emotional problems: At the time of this engagement, Ms. Tarascio was going through a high conflict divorce with four minor children. The circumstances leading up to the divorce and the ensuing litigation was extremely stressful and caused Ms. Tarascio to seek counseling.

9.32(e). Full and free disclosure to disciplinary board or cooperative attitude toward proceedings: Ms. Tarascio has been forthcoming about what occurred. She voluntarily submitted to an interview with Bar Counsel and arranged for Mr. Weiss to be interviewed by Bar Counsel.

9.32(g). Character or reputation: As the attached letters attest, Ms. Tarascio of good character and has a good reputation. (Exhibit B).

9.32(l). Remorse: Ms. Tarascio has attested that she allowed her emotions to cloud her judgment in her efforts to locate the child. She admits to becoming too emotionally involved with the Father's case and was highly motivated to find the child. At the time, she had no experience with retrieving the type of information she

used to obtain the subpoenas. She has since expressed regret that she did so, and vowed never to do so again. She has stopped taking litigation cases and is currently focusing on managing her firm and ensuring her firm's clients are well represented and any future lapse in judgment is avoided.

### **Discussion**

The parties have conditionally agreed that, upon application of the aggravating and mitigating factors to the facts of this case, the presumptive sanction should be mitigated to an admonition. The parties have conditionally agreed that a greater or lesser sanction would not be appropriate under the facts and circumstances of this matter.

Based on the *Standards* and in light of the facts and circumstances of this matter, the parties conditionally agree that the sanction set forth above is within the range of appropriate sanction and will serve the purposes of lawyer discipline.

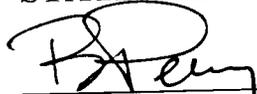
### **CONCLUSION**

The object of lawyer discipline is not to punish the lawyer, but to protect the public, the profession and the administration of justice. *Peasley, supra* at ¶ 64, 90 P.3d at 778. Recognizing that determination of the appropriate sanction is the prerogative of the Presiding Disciplinary Judge, the State Bar and Respondent

believe that the objectives of discipline will be met by the imposition of the proposed sanction of an admonition and the imposition of costs and expenses. A proposed form of order is attached hereto as Exhibit C.

DATED this 20<sup>th</sup> day of October, 2018.

STATE BAR OF ARIZONA



Bradley F. Perry  
Staff Bar Counsel

**This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation.**

DATED this \_\_\_\_\_ day of October, 2018.

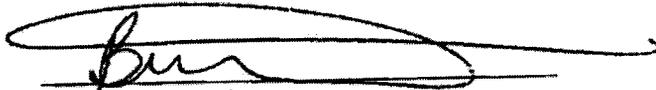
\_\_\_\_\_  
Billie Tarascio  
Respondent

DATED this \_\_\_\_\_ day of October, 2018.

\_\_\_\_\_  
Donald Wilson, Jr.  
Counsel for Respondent  
Broening, Oberg, Woods & Wilson, P.C.

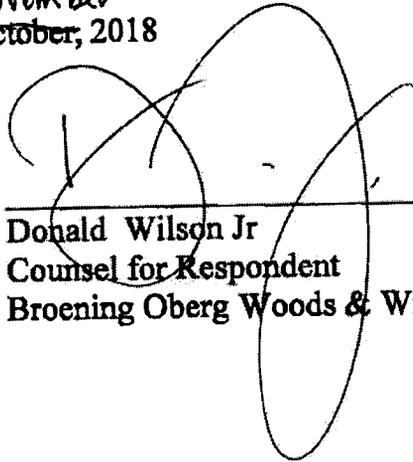
**This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation.**

DATED this 30 day of October, 2018



Bille Tarascio  
Respondent

DATED this 2 day of <sup>November</sup> ~~October~~, 2018



Donald Wilson Jr  
Counsel for Respondent  
Broening Oberg Woods & Wilson PC

Approved as to form and content

\_\_\_\_\_  
Maret Vessella  
Chief Bar Counsel

Original filed with the Disciplinary Clerk of  
the Office of the Presiding Disciplinary Judge  
of the Supreme Court of Arizona  
this \_\_\_ day of Nov 2, 18, 9:08 AM.

Approved as to form and content

Maret Vessella  
Maret Vessella  
Chief Bar Counsel

Original filed with the Disciplinary Clerk of  
the Office of the Presiding Disciplinary Judge  
of the Supreme Court of Arizona  
this 2<sup>ND</sup> day of ~~Oct 29 18 3:41 PM~~  
NOVEMBER, 2018.

Copy of the foregoing emailed  
this 2<sup>ND</sup> day of ~~October~~, 2018, to:  
NOVEMBER,

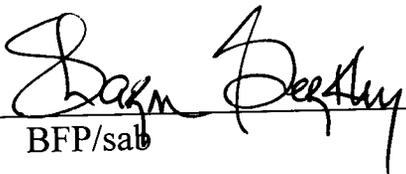
The Honorable William J. O'Neil  
Presiding Disciplinary Judge  
Supreme Court of Arizona  
1501 West Washington Street, Suite 102  
Phoenix, Arizona 85007  
E-mail: [officepdj@courts.az.gov](mailto:officepdj@courts.az.gov)

Copy of the foregoing mailed/emailed  
this 2<sup>ND</sup> day of ~~October~~, 2018, to:  
NOVEMBER

Donald Wilson, Jr.  
Broening, Oberg, Woods & Wilson, P.C.  
P.O. Box 20527  
1122 E. Jefferson Street  
Phoenix, Arizona 85036-0527  
Email: [dwj@bowwlaw.com](mailto:dwj@bowwlaw.com)  
Respondent's Counsel

Copy of the foregoing hand-delivered  
this 2nd day of ~~October~~ NOVEMBER, 2018, to:

Lawyer Regulation Records Manager  
State Bar of Arizona  
4201 N. 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266

by:   
BFP/sab

**EXHIBIT A**

## Statement of Costs and Expenses

In the Matter of a Member of the State Bar of Arizona,  
Billie Tarascio, Bar No. 029278, Respondent

File No. 17-2357

### Administrative Expenses

The Supreme Court of Arizona has adopted a schedule of administrative expenses to be assessed in lawyer discipline. If the number of charges/complainants exceeds five, the assessment for the general administrative expenses shall increase by 20% for each additional charge/complainant where a violation is admitted or proven.

Factors considered in the administrative expense are time expended by staff bar counsel, paralegal, secretaries, typists, file clerks and messenger; and normal postage charges, telephone costs, office supplies and all similar factors generally attributed to office overhead. As a matter of course, administrative costs will increase based on the length of time it takes a matter to proceed through the adjudication process.

*General Administrative Expenses*  
*for above-numbered proceedings* **\$1,200.00**

Additional costs incurred by the State Bar of Arizona in the processing of this disciplinary matter, and not included in administrative expenses, are itemized below.

### Staff Investigator/Miscellaneous Charges

Total for staff investigator charges	\$ 0.00
<b><u>TOTAL COSTS AND EXPENSES INCURRED</u></b>	<b><u>\$ 1,200.00</u></b>

## **EXHIBIT B**



Connecticut  

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TRIAL FIRM, LLC

October 29, 2018

Presiding Judge O'Neil

Re: Attorney Billie Tarascio

Dear Judge O'Neil:

I am an attorney licensed to practice law in Connecticut. I have been licensed for 13 years and am a member in good standing of the Connecticut bar.

I have known Billie Tarascio for 3 years. I met Billie Tarascio through a group of lawyers who invest significant amounts of time and money to improve their practices and better serve their clients and communities.

I am proud to count Billie as one of my closest friends in the practice of law. Billie works tirelessly to improve the lives of all she comes in contact with. She is obsessed with improving the practice of law. Billie is generous with her time and knowledge. And I am grateful to know Billie. Like many lawyers across the country, I hold Billie in the highest esteem. Across the country, her reputation is impeccable.

Billie has made me fully aware as to why I am writing this letter. And I write this without hesitation. Over the past 3 years, I have had near daily contact with Billie. Billie is an attorney of the highest character.

If you have any questions, please do not hesitate to call me (860) 471-8333.

Sincerely,

Ryan McKeen



203.925.9200 : T  
203.925.9207 : F  
RUANEATTORNEYS.COM

October 29, 2018

The Honorable William J. O'Neil  
Presiding Judge  
1501 West Washington, Suite 102  
Phoenix, AZ 85007-3231

**RE: Disciplinary Matter Attorney Billie Tarascio**

Dear Judge O'Neil:

I am pleased today to write this letter in support of Attorney Billie Tarascio. I am attorney in good standing licensed to practice in both Connecticut and New York. I have known Attorney Tarascio for more than 3 years and can attest to her integrity and veracity.

I have known Attorney Tarascio prior to and during the period of time that generated the source of this disciplinary proceeding and I know how this case impacted her both professionally and personally. I also have personally discussed this matter with her since the resolution of the matter and I know she has grown as an attorney and a person.

Billie has become a true confidant to me in my practice and someone I can count on to give me practical, ethical advice when called upon. Her skillset is one that is sorely needed in this profession – that of a lawyer with business skills who works to help other attorneys provide better legal services – all to service the greater needs of the clients.

If you have any questions, or would like to discuss this matter further, please do not hesitate to contact me. My number is 203.925.9200.

Very truly yours,

  
James O. Ruane

Main Office:  
1 Enterprise Drive, Suite 305  
Shelton, CT 06484

Hartford Regional:  
1290 Silas Deane Highway Suite 3F  
Wethersfield, CT 06109

October 31, 2018

The Honorable William J. O'Neil  
Presiding Judge  
1501 West Washington, Suite 102  
Phoenix, AZ 85007-3231

*RE: Billie Tarascio Matter*

Dear Judge O'Neil:

I write this letter in support of Billie Tarascio.

I have worked with Billie in various capacities in the legal tech and innovation space for about the past 4 years. She has a reputation in Arizona and across the country as a forward-thinking, accomplished lawyer. Other solo/small firm lawyers look to her for guidance and as a model for what it means to effectively serve clients, especially in the family law world.

The Arizona Bar is fortunate to have Billie as a member and advocate. She has invested significant time and resources into helping Arizona consumers get easier access to legal services. The public and other lawyers will continue to benefit from Billie's tireless efforts to advance the legal profession.

I am familiar with the allegations in this matter. As a fellow attorney (licensed in Ohio since 2004), I have worked with lawyers across the country to improve client service, along with serving my own clients. I can only hope that other lawyers will put the same energy into helping their clients as Billie did helping to get the baby in the underlying matter home safe and sound.

Please feel free to reach out to me to discuss further.

Regards,

/s/Chad E. Burton

Chad E. Burton  
CuroLegal, CEO  
cburton@curolegal.com

# **EXHIBIT C**

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

**IN THE MATTER OF A MEMBER  
OF THE STATE BAR OF ARIZONA,**

**BILLIE TARASCIO,  
Bar No. 029278,**

Respondent.

**PDJ 2018-9062**

**FINAL JUDGMENT AND  
ORDER**

[State Bar No. 17-2357]

The Presiding Disciplinary Judge, having reviewed the Agreement For Discipline by Consent filed on \_\_\_\_\_, pursuant to Rule 57(a), Ariz. R. Sup. Ct., accepts the parties' proposed agreement. Accordingly:

**IT IS ORDERED** that Respondent, **Billie Tarascio**, is admonished for her conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents.

**IT IS FURTHER ORDERED** that Respondent pay the costs and expenses of the State Bar of Arizona in the amount of \$ \_\_\_\_\_, within thirty (30) days from the date of this Order.

**IT IS FURTHER ORDERED** that Respondent shall pay the costs and expenses incurred by the disciplinary clerk and/or Presiding Disciplinary Judge's

Office in connection with these disciplinary proceedings in the amount of \_\_\_\_\_, within thirty (30) days from the date of service of this Order.

**DATED** this \_\_\_\_\_ day of October, 2018.

---

**William J. O'Neil, Presiding Disciplinary  
Judge**

Original filed with the Disciplinary Clerk of  
the Office of the Presiding Disciplinary Judge  
of the Supreme Court of Arizona  
this \_\_\_\_\_ day of October, 2018.

Copies of the foregoing mailed/emailed  
this \_\_\_\_\_ day of October, 2018, to:

Donald Wilson, Jr.  
Broening, Oberg, Woods & Wilson, P.C.  
P.O. Box 20527  
1122 E. Jefferson Street  
Phoenix, Arizona 85036-0527  
Email: [dwj@bowwlaw.com](mailto:dwj@bowwlaw.com)  
Respondent's Counsel

Copy of the foregoing emailed/hand-delivered  
this \_\_\_\_\_ day of October, 2018, to:

Bradley F. Perry  
Staff Bar Counsel  
State Bar of Arizona  
4201 N 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266  
Email: [LRO@staff.azbar.org](mailto:LRO@staff.azbar.org)

Copy of the foregoing hand-delivered  
this \_\_\_\_\_ day of October, 2018, to:

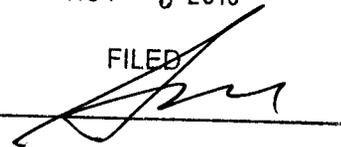
Lawyer Regulation Records Manager  
State Bar of Arizona  
4201 N 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266

by: \_\_\_\_\_  
BFP/sab

Bradley F. Perry, Bar No. 025682  
Staff Bar Counsel  
State Bar of Arizona  
4201 N. 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266  
Telephone (602)340-7247  
Email: [LRO@staff.azbar.org](mailto:LRO@staff.azbar.org)

OFFICE OF THE  
PRESIDING DISCIPLINARY JUDGE  
SUPREME COURT OF ARIZONA

NOV 5 2018

FILED  
BY 

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

**IN THE MATTER OF A MEMBER  
OF THE STATE BAR OF ARIZONA,**

**BILLIE TARASCIO,  
Bar No. 029278,**

Respondent.

**PDJ 2018-9062**

**NOTICE OF FILING OF  
OBJECTION BY  
COMPLAINANT**

[State Bar No. 17-2357]

The State Bar of Arizona, by undersigned Bar Counsel, hereby gives notice that Complainant, Roland Jones, objects to the proposed Agreement For Discipline By Consent. Mr. Jones' objection is attached as Exhibit "A".

**DATED** this 5<sup>th</sup> day of November, 2018.

**STATE BAR OF ARIZONA**

  
\_\_\_\_\_  
Bradley F. Perry  
Staff Bar Counsel

Original filed with the Disciplinary Clerk of  
the Office of the Presiding Disciplinary Judge  
of the Supreme Court of Arizona  
this 5<sup>th</sup> day of November, 2018.

Copy of the foregoing mailed/mailed  
this 5<sup>th</sup> day of November, 2018, to:

Donald Wilson, Jr.  
Broening, Oberg, Woods & Wilson, P.C.  
P.O. Box 20527  
Phoenix, Arizona 85036-0527  
Email: [dwj@bowwlaw.com](mailto:dwj@bowwlaw.com)  
Respondent's Counsel

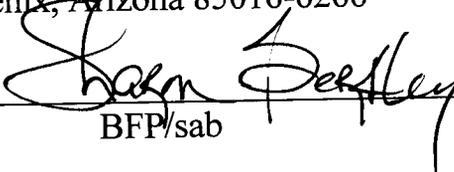
Copy of the foregoing emailed  
this 5<sup>th</sup> day of November, 2018, to:

Hon. William J. O'Neil  
Presiding Disciplinary Judge  
Supreme Court of Arizona  
1501 West Washington Street, Suite 102  
Phoenix, Arizona 85007  
E-mail: [officepdj@courts.az.gov](mailto:officepdj@courts.az.gov)

Copy of the foregoing hand-delivered  
this 5<sup>th</sup> day of November, 2018, to:

Lawyer Regulation Records Manager  
State Bar of Arizona  
4201 N. 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266

by:

  
BFP/sab

**EXHIBIT "A"**

October 18, 2018

Bradley F. Perry  
State Bar of Arizona  
4201 N. 24th Street Suite 100  
Phoenix, AZ 85016-6266

Re: File No: 17-2357  
Respondent: Billie Tarascio

Mr. Perry:

I object to the agreement reached with Ms. Tarascio and believe a more serious sanction should be imposed against her. Ms. Tarascio's illegal and unethical actions have and continue to cause extreme financial, social, emotional, and personal harm to me and my family. Additionally, Ms. Tarascio's illegal and unethical actions intentionally violated our legal rights.

I agree with Mr. Perry's complaint finding that "Respondent's conduct in this matter violated Rule 42 Ariz. R. Sup. Ct., ERs 4.4(a) and 8.4(d)." ER 4.4(a) admits Ms. Tarascio "use[d] methods of obtaining evidence that violate the legal rights" of me and my family and ER 8.4(d) adds by "engag[ing] in conduct that is prejudicial to the administration of justice." Given this finding she also violated ER 8.4(a) by definition.

Where I disagree with the complaint is Ms. Tarascio violated 8.4(b) and 8.4(c) as well. Regarding 8.4(c), I've previously provided statements from Mr. Romness, Associate General Counsel at Fairway Mortgage, "at no point should they have run this credit without the direct authorization from the person whose credit you're running or maybe there's a court order" and "our loan officer was under the impression that Billie was the representative of the missing person" and "he thought this was official because the attorney had social security numbers, birth dates and the necessary information to run the credit." Ms. Tarascio was dishonest and misrepresented the facts of the situation in order to gain the help of Mr. Weiss at Fairway Mortgage. Additionally, Ms. Tarascio has continued to be dishonest, including before Judge Hopkins and within this proceeding, claiming that no mortgage was applied for. However, the production of loan rejection letters referenced in Mr. Perry's complaint prove this is a lie.

ARS 13-2008(a) states:

A person commits taking the identity of another person or entity if the person knowingly takes, purchases, manufactures, records, possesses or uses any personal identifying information or entity identifying information of another person or entity, including a real or fictitious person or entity, without the consent of that other person or entity, with the intent to obtain or use the other person's or entity's identity for any unlawful purpose or to cause loss to a person or entity

whether or not the person or entity actually suffers any economic loss as a result of the offense.

Ms. Tarascio admits and Mr. Romness confirms she possessed and used personal identifying information of three individuals without consent for an unlawful purpose, and that did indeed cause economic loss both in my retaining an attorney to defend against her actions and her use of that information to harass and defame us. Each count is a class 4 felony. Moreover, if there are three individuals' identities taken or if the taking of an identity incurs "an economic loss of one thousand dollars or more," both of which apply in Ms. Tarascio's actions, she should be charged with three class 3 felonies. As she admitted to this in court, her guilt is not in doubt.

The comment on ER 8.4(b) is also telling:

Many kinds of illegal conduct reflect adversely on fitness to practice law, such as offenses involving fraud.... Although a lawyer is personally answerable to the entire criminal law, a lawyer should be professionally answerable only for offenses that indicate lack of those characteristics relevant to law practice. Offenses involving violence, dishonesty, or breach of trust, or serious interference with the administration of justice are in that category. A pattern of repeated offenses, even one of minor significance when considered separately, can indicate indifference to legal obligation.

Ms. Tarascio has demonstrated clear indifference to legal obligation, even to the point that her response to Mr. Baker, my attorney hired to defend against Ms. Tarascio's numerous attacks, was flippant about her illegal actions. Said Ms. Tarascio:

Counsel for Father did request and did obtain credit reports in effort to locate Father's minor child. It was not accomplished through "false pretenses" and is identity theft as much as calling an insurance company for coverage information is a "HIPPA violation."

Ms. Tarascio's self-justification about committing three felonies, subverting due process, and violating our rights reflects adversely on her fitness to practice law. Additionally, she makes a joke of her clients who admitted to unlawfully imprisoning Madeline Jones in Montana, then used my personal identifying information to contact my health insurance provider without permission, falsely claim they had my permission to do so, and then obtain protected information, which IS a violation of HIPPA. Ms. Tarascio also clearly violated 15 USC 619 *Obtaining information under false pretenses* and 15 USC 620 *Unauthorized disclosures by officers or employees* as detailed in Mr. Baker's Expedited Motion of 7/28/17.

Ms. Tarascio's indifference culminates in utterly ignoring her obligations under ER 3.6 and not following Judge Kemp's direct "gag order" in our criminal proceedings. In my initial complaint to the State Bar I provided some evidence of the ER 3.6 violation. However, much more has come to light, especially after my arrest, her client's son being

returned, and ongoing prejudicial statements, stalking, doxing, and lies posted about me and my family including non-party minors, extended family, clergy, and friends. Nothing posted or allowed to remain up after William's return can be claimed to be for legitimate purposes, and most doesn't fall under the legal definition of legitimate even while he was missing. Ms. Tarascio and Modern Law began a Facebook group (ID 133609040580810) and a Facebook community (ID 726624160856596) used primarily to humiliate, harass, and defame my family, as well as violate ER 3.6 by disclosing information likely to have a material prejudicial effect.

Attachment A shows the About page for the Modern Law sponsored Facebook community (ID 726624160856596). Note the Contact Info email (info@mymodernlaw.com). Facebook includes protections to help guard against false representation of identity within their accounts and proves this site was sanctioned and set up by Ms. Tarascio's Modern Law. Facebook requires contact emails to be validated by responding to a confirmation email sent to the claimed email address, and any subsequent changes to the address on file requires confirmation before the email can be displayed on the page (see Attachment B Facebook Help for details). This community can only list info@mymodernlaw.com, the primary email listed on Ms. Tarascio's Modern Law website, as the Facebook community contact because Modern Law confirmed they owned the address by replying from it! Ms. Tarascio is therefore responsible for the activities, posts, and operation of the site as the company owner and attorney representing the client whose interests are discussed there. She is also responsible for those directly posting under the name of the community (admins or moderators) and what they do as her agents per ER 5.3. Note also this page says, "JOIN our group discussion for latest updates" thus also claiming ownership of the Modern Law sponsored Facebook group (ID 133609040580810).

Numerous interactions on both sites show Ms. Tarascio was intimately familiar with what was being posted. For example, on 8/23/17 she said "This is fantastic" regarding "Links to court documents, police reports, videos, crowd funding pages, blogs/groups, news/media" all disseminating information about my family (including minors and a severely disabled mother-in-law) and the criminal investigation (Attachment C). **This includes information gathered by the police but not made publicly available.** Renee Gent asks, "How did you get the info Maddie dyed her hair and dressed baby as a girl?" to which Jennifer Cabaniss Wheeler states, "from what we understand, a very brave witness came forward." Police discovery shows this information was revealed in an email from Kelci Haverland immediately after a private meeting Ms. Haverland had with Ms. Tarascio (I will address Ms. Tarascio's witness tampering later). Having this information to post and respond about at all shows Ms. Wheeler was working closely with Ms. Tarascio. Attachment D shows Ms. Wheeler and Destinee Mack were the site moderator and admin respectively for the Modern Law sponsored Facebook group (ID 133609040580810).

On 4/13/18 Judge Kemp (CR2017-002869) heard argument from Jason Gronski, Seth Apfel, and Jesus Acosta regarding Ms. Tarascio's unethical and illegal use of social media to prejudice the community and harass my family. Judge Kemp said there was

definitely smoke, but would leave it up to the Arizona State Bar proceedings to see if there was a fire regarding Ms. Tarascio's unethical and illegal behavior (we have ordered the audio from the court so we should be able to provide more detail later if needed). In response, however, Judge Kemp issued a gag order which he stated he does not normally do:

IT IS ORDERED issuing a gag order in this case. No one in the case (counsel, victim's attorney's firm, defendants, victim representatives or victim advocate) is to post anything on any social media regarding this case (no images of any defendants/witnesses/persons related to this case, addresses or locations or any discovery, including but not limited to police reports, witness interviews or plea agreements).

Ms. Mack was recognized as being in the court and being admin on the Modern Law sponsored Facebook sites so Judge Kemp added:

IT IS ORDERED Ms. Mack not post anything regarding any aspect of this case on any social media regarding this case.

IT IS ORDERED Ms. Mack close the Facebook group/page and remove any Facebook posts having to do with this case.

IT IS ORDERED counsel be appointed to represent Ms. Mack.

Judge Kemp made it clear ALL the material, especially that shown the court as evidence (police report interviews with names added over redactions, bank account records, discovery materials, information about minor children, etc.) be taken down. A few days later the Modern Law sponsored Facebook community (ID 726624160856596) changed its About page to hide the connection with Ms. Tarascio, but did not remove content or shut down (see Attachment E; still up as of 10/18/18). In fact, they continued to post more about the case including stating Ms. Mack's rights were being violated by the gag order then calling on news media to pick up the story (see Attachment F). But this screenshot shows another problem, the social media account hosting documents used for doxing on the Modern Law supported Facebook sites is also still up (as of 10/18/18). The links referenced (<https://imgur.com/a/nJaiR>) is an album hosted by Modern Law Facebook moderator Jennifer Wheeler at <https://jenspal.imgur.com> (see Attachment H). The Modern Law sponsored Facebook group (ID 133609040580810) also wasn't taken down, it was made private so only the 11,000 members or others invited by them could see it. However, we have been told by friends it has been used to organize stalking of our family and young children, attempts to have us thrown back in jail, and an offer of \$10,000 for whoever can have my wife re-arrested. Before getting into some more disturbing specifics with Ms. Wheeler, note this is a direct violation of Judge Kemp's gag order and Ms. Tarascio is responsible both for the Facebook sites and the actions of Ms. Mack and Ms. Wheeler working on her behalf! And it's clear from the change of the About page to hide the Modern Law validated email address they were aware of the seriousness of the court order but chose not to follow it.

Ms. Tarascio also hired Ms. Wheeler specifically to find, post, or make-up stories Ms. Tarascio could use against us. Earlier I pointed out Ms. Wheeler having access to information Ms. Tarascio had but the Mesa Police Department had not made public. Mr. Acosta, Public Defender for Mrs. Jones, brought on a Superior Court Investigator named "Damien" to look into Mrs. Jones claims and harassment from the Facebook groups. Before Damien was moved to a higher priority case, he was able to meet with Bette Sue Burklund and Keisha Gardner to take their statements and view evidence from Ms. Wheeler confirming Ms. Wheeler claimed to be employed by Ms. Tarascio and Modern Law and was being paid by the word to write stories about the Jones family. We were also later told by Nikki Staley that Ms. Wheeler was the one who urged her to set up a fundraising page for the Jones family that was later used against us. Given how soon after Madeline disappeared that Ms. Wheeler started working for Ms. Tarascio, we believe she had been hired prior to Madeline's disappearance to help advance the child custody case.

The JENSPAL Imgur account currently has 371 albums (pages containing multiple pictures and text descriptions), 114 of which have to do with our case, were used in the Modern Law sponsored Facebook pages, and should have been taken down. This includes all of the documents we specifically referenced with Judge Kemp leading to the gag order. None have been removed. Several JENSPAL posts confirm Ms. Wheeler is the owner of this social media site. For example, consider Attachments I, J, K regarding Ms. Wheeler. Attachment I proves Ms. Wheeler owns the JENSPAL account; she writes "My book was illegally scanned and published..." then includes an email revealing her name and email address. Attachment J once again shows the Facebook user Jennifer Cabaniss Wheeler (moderator for Modern Law) goes by the alias Jennifer Cabaniss Pallone Wheeler, and that she engages in cyberstalking; most of the 257 albums not about our case show Ms. Wheeler illegally harassing others alleged to have done something wrong. Other aliases I found online for Ms. Wheeler include Jennifer S Pallone, Jennifer Spallone, and Jennie Spallone. Attachment K shows another JENSPAL post of Jennifer Wheeler next to the about page for Jennie Spallone, a crime fiction novelist who (other than makeup and lighting) looks like Ms. Wheeler, and explains the JENSPAL (JENnie SPAllone) name she uses for multiple accounts online. Also disturbing, Attachment K shows a threat Ms. Wheeler made to someone in another case:

I don't fight with people. I'm the delete and block kinda gal. Keep pushing me and I destroy behind the scenes in ways people would find shocking. Most never suspect it because I am quiet and, for the most part, professional. Pissing me off is probably the last thing anyone wants to do though. I never strike first but I will not hesitate to strike back fast and hard.

Attachment L is even more chilling. Also from Ms. Wheeler's Imgur account, it shows the secret infighting among a group of organized cyberstalkers working with Ms. Wheeler on another case. Ms. Wheeler shows a message saying, "Jen is another moderator on our page. She is really good at organizing. The link to each thing is in the timeline with the video or police report etc." Ms. Wheeler then writes as explanation, "DM between Joshua Wright and Andi Brook where Andi disclosed who was behind the

youtube account that was archiving Joshua's videos. She did this without consulting us." On this same album Ms. Wheeler also says, "I value my privacy and if I share something privately, I expect it to stay private until we decide when and where it gets shared. I wasn't ready to have that account shared...My tolerance levels decreased after dealing with the baby William case. When I decide to get involved in these cases, I jump with both feet and don't waste any time." In response to a message saying, "Yeah, Is there no way to just shut the page down?" Ms. Wheeler says, "no, we're not doing that. He's not going to silence us. The Jones tried to do that and we didn't back down. Found the baby. The group stays up, we will continue to dig and post the facts there. He's pissed because the facts we are exposing completely contradict his narrative that he's spewed for the last 4 years." Ms. Wheeler's facts are most often just her opinion or a story she's spun to explain a situation, as the disagreement that instigated this album shows. And regardless of if she was being paid to make this up by Ms. Tarascio or volunteered to do it, Ms. Tarascio and Modern Law made her moderator of their Facebook sites where she used the same illegal tactics against us and also refused to follow court orders to take down the prejudicial and defamatory material. And it was specifically to one of these timelines Ms. Wheeler is known for that Ms. Tarascio said, "This is fantastic."

Rather than recognize and attempt to halt a violation of ER 3.6, Ms. Tarascio encouraged more and either ordered or allowed her agents to violate a direct court order. I have documented hundreds of screenshots evidencing Ms. Tarascio's violations of ER 3.6 and can provide them to you if needed. And I continue to find more whenever I look, which should tell you how pervasive the lack of following Judge Kemp's order is. And previously I noted to the Arizona State Bar two other times Ms. Tarascio violated Family Court orders (feeding William during visitations and having our bank records before Judge Hopkins released them to her). Attorney Mike Baker also noted another with Ms. Tarascio using phone records that should have gone to the court instead. There is a clear pattern of Ms. Tarascio breaking court orders or encouraging others to do so when it benefits her or her client.

Regarding the previously mentioned witness tampering, I believe the State Bar should examine evidence that came to light during the police investigation into Madeline's disappearance. By Ms. Tarascio's own statements it's clear she had an unethical and possibly illegal relationship with the police investigation, and police discovery suggest multiple cases of witness tampering as well. This information was not available for my original complaint, but should be considered as showing a pattern of Ms. Tarascio's moral turpitude.

In Ms. Tarascio's response to my original complaint, she indicated she was not working on her client's case, i.e., the divorce and child custody FC2016-090994 when violating ERs 4.4(a) and 8.4(d):

On June 9, 2017, the family court judge ordered joint custody of William. At that point, Ms. Tarascio had successfully procured joint custody on behalf of her client and the matter was, for all intents and purposes, finished. There was no need to

collect any more evidence to be used in the matter, and her actions were not taken to obtain any such evidence. (p. 6)

If Ms. Tarascio was not working for her client, but was working on the missing persons case, then she must have been working with the Mesa Police Department. She has no legal authority on her own. But working for the police opens up additional ethical and legal problems for her and the Mesa Police Department. According to friends and witnesses, Ms. Tarascio often represented herself as working for the police when repeatedly calling, harassing, or showing up at their places of work to obtain information. For example calling Kelci Haverland's boss; Ms. Haverland was a witness against her client in Family Court and became a witness against us. Two other documented instances include:

- An email Ms. Tarascio's paralegal sent to Mr. Kielsky, our first criminal attorney, regarding the subpoenas created on the basis of Ms. Tarascio's illegal credit pull, "We are attempting to obtain the records **due to an ongoing police investigation** involving two missing persons.... This email is intended to serve as a good faith effort to obtain the documents with the parties' cooperation by subpoena. **If the parties do not intend to cooperate with the subpoena process, we will file motion for leave of court** by the end of business day today, June 27th, **to request that Judge Hopkins allow for the deposition and discovery of Roland and Cassie Jones.**" (Attachment M)
- A voicemail Ms. Tarascio left for Nikki Staley, one of the witnesses against her client and the founder of a fundraising page for the Jones family which said, "Hi, Nikki. **I'm calling to get some information about the Maddie Jones investigation and Detective Lawes said that you had been cooperative and someone who would give--had some information about the investigation.** If you wouldn't mind giving me a call back my number is 602-910-5278. Again, that's 602-910-5278. Thank you. Bye." (Attachment N; audio available on request.)

In the first example, Ms. Tarascio's office clearly states the additional discovery through Judge Hopkins was specifically to provide information to the police, who claimed we were uncooperative, and would move onto depositions procured through Family Court. Ms. Tarascio also attempted to have us added as parties to divorce case FC2016-090994 so contempt and other sanctions could be used to force unlimited discovery for "an ongoing police investigation" and against our Fifth Amendment rights. Ms. Tarascio requested the court grant her unlimited deposition power to likewise violate the rights of other potential witnesses.

In the second example, Ms. Tarascio was directed by Sergeant Lawes to question witness Nikki Staley! And this is especially significant as Nikki Staley is a primary witness in additional charges of fraud Ms. Tarascio, Sgt. Lawes, and the Mesa Police Department tried to have brought against us by the County Attorney's Office.

Ms. Tarascio's witness tampering has gone further than the contacts and pressure to change statements I documented in my initial complaint. Mesa Police Department discovery documented two cases of changed testimony due to Ms. Tarascio, and these were witnesses against us in the criminal case. Sgt. Lawes documents this about Kelci Haverland:

On July 18, 2017, I was advised Kelci was bringing in her cellular phone to be extracted to capture the text message from Cassandra's phone to Kelci's phone regarding dying her hair. Kelci was also bringing in Jake's mission journals Cassandra had given her. **Prior to Kelci arriving, she received a call from Jake's attorney asking to depose her.** Kelci called Detective Marquez, who had arranged for her to bring the phone and mission journals in today, **saying she was scared and didn't know what to do about Jake's attorney.** Det. Marquez told Kelci I would talk to her about Jake's attorney when she arrived. (p. 195)

I learned later that **Kelci made an appointment with Jake's attorney for the morning of July 19th. Later, in the evening of the 19th, I received an email from Kelci saying she had remembered something else** regarding Maddie and William. In her email she said as she was walking to her bedroom, she caught a glimpse of William wearing a dress and a bow in his hair. She found it odd, but said she didn't want to ask about it in case it had something to do with Maddie "taking a vacation." (p. 198-199)

It seems highly unlikely Ms. Haverland forgot this detail, especially since the Facebook group created by Ms. Tarascio and Modern Law had been making similar speculations. What is more likely is that Ms. Haverland's changing story over time developed through contact with Ms. Tarascio including misusing deposition power. This is especially concerning since the police also documented how scared Ms. Haverland was of Ms. Tarascio and her client, even having her boyfriend purchase a firearm to protect her. For example, she had been run off the road on two occasions and regularly stalked by unknown people who then fled the scene during the time period leading up to testifying against Ms. Tarascio's client in Family Court. And Ms. Tarascio showed up to her work and had members of Modern Law calling to try and stop her from testifying in the divorce.

Something similar happened with Staci Baird, who began by telling everyone (including Cassandra) she had no idea where Madeline was, but later admitted to police she had been planning a "spontaneous" trip where she would take Madeline somewhere. After several story revisions to the police, and an approved deposition from Ms. Tarascio (p. 265), Ms. Baird agreed to meet with Ms. Tarascio privately rather than face the deposition. Shortly thereafter she contacted the police and explained how she had driven Madeline to California, but now claimed Cassandra asked her to do it. It should also be noted that Ms. Baird told us Ms. Tarascio also represented Mr. Baird in their divorce and was threatening to change child support and visitation to gain her cooperation against us.

Ms. Tarascio also threatened other potential witnesses, like the experience noted by Rachel Gunnell where Ms. Tarascio threatened her with police if she didn't provide Ms. Tarascio with answers, then Ms. Tarascio sent the police to question her (Attachment O). This alone shows manipulation of the law to obtain what she wants, a misuse of the police, and the influence she had over the investigation.

It is also strange that Sgt. Lawes felt the need to explicitly state he did not request Ms. Tarascio obtain the depositions for him in Mesa Police discovery. "On 07/18/17 P/Billie Tarascio advised Sergeant Lawes #12362 she was going to depose S/Cassandra Jones and S/Roland Jones on 08/02/17. This was not a request originating from the Mesa Police Department" (p. 242). However, Ms. Tarascio claiming that she was working on "attempting to obtain the records due to an ongoing police investigation" and her admission she wasn't working on the Family Court case when obtaining our information certainly sounds like she felt she was working at the request of the police. She seemed to think she was working for the police when she contacted Ms. Staley and said Sgt. Lawes had told her to call. And if the sharing of information between Ms. Tarascio and Sgt. Lawes was so frequent he felt he needed to distance the department from Ms. Tarascio's actions, then it seems he saw negative ethical implications.

Lastly, I would like to re-iterate that Ms. Tarascio participated in false reporting to DES Adult Protective Services against us. When Ms. Tarascio was attempting to set up a deposition for Cheron Yusko, Cassandra's severely disabled mother, Ms. Tarascio emailed our attorney Mr. Baker and told him:

You may have a conflict. Adult Protective Services contacted me and stated the Jones' are being investigated for elder abuse. Witnesses have stated they mistreat her and have her secluded.

This email happened on 8/10/17. Four days later we met with DES Adult Protective Services regarding an anonymous report that stated the same thing as Ms. Tarascio. But they confirmed by state law, APS cannot disclose any information about an open case to anyone, including those who reported it. The only way for Ms. Tarascio to know about this anonymous allegation was because she either called it in, assisted her client in false reporting, or knew that someone on the Modern Law sanctioned Facebook sites was doing so. In any of those cases, Ms. Tarascio violated ER 4.1(a) by making "a false statement of material fact" to Mr. Baker in order to depose Mrs. Yusko without counsel or force us to take on additional expense by finding another attorney to represent her in a case where she is a non-party. Again, this goes to show a pattern of deceptive and fraudulent behavior engaged by Ms. Tarascio and her feeling she is justified to do so. The letter clearing us from false allegations to APS is attached.

To summarize, we have Ms. Tarascio, who admits to not using Family Court process for her client and does admit to using it for an official police investigation, moving from identity theft and fraud to witness tampering! Her illegal access of our personal information (SSN, DOB, etc.) led to representing herself as authorized to pull our credit, which led to subpoenas in Family Court (though she was not collecting evidence for her

client's case). In turn, these led to getting authorizations to depose and forcefully violate Fifth Amendment rights (as she stated she was working for the Mesa Police Department), and all through this Ms. Tarascio, her client, and a community of assistants sponsored by Modern Law and the Facebook sites they sanctioned and maintained have published thousands of negative posts to audiences upward of 18,000 registered members (I can document at least 10,800 per Attachment D). And this is all before considering Ms. Tarascio's considerable efforts to make this a high-profile case, get covered in news, and drive people to Modern Law to increase business. This does not even get into the stalking of my family members coordinated on the Facebook group, false reports to media outlets, false reports to the Mesa Police Department attempting to have us re-arrested, contacting those offering housing to have us kicked out, jobs to have us fired, or dozens of other events of day-to-day harassment *after* William was given to his father. There is more, much more I'd like to cover, but this should give a good indication of the false claim that Ms. Tarascio's purposes were not to embarrass, delay, burden, or violate our legal rights. This is exactly what she has done since she was hired!

Ms. Tarascio also claims she does not benefit from this, but this is clearly a lie. Even if she wasn't trying to take out loans in our names, though it's clear from the rejection letters she was, she still benefits greatly in the form of advertising, reputation, recognition, and publicity. Consider that when most Facebook users post or subscribe, friends of those users also see the content they participate in. Just a conservative estimate of the 18,000 users in the single group (this was the peak membership on the Modern Law sanctioned Facebook group) multiplied times the average number of Facebook friends per person in the US (300), Ms. Tarascio and Modern Law easily got over 5.4 million impressions. Facebook calls displaying something to a person an impression, and it generally costs around \$7.19 per 1000 impressions. So 5.4 million impressions would be worth approximately \$39,000 of advertising. Ms. Tarascio has also used this specific case and her manipulation of it as content marketing, generating posts and podcast episodes and interviews on other outlets for her and her supporters and running a massive marketing campaign.

All of this plus the multiple felonies she has admitted to seem to require a much harsher sanction than Admonition. Please consider the pattern of illegal and unethical acts committed against non-parties to her case over the past year and a half even before there was a criminal case involved. Please consider that she ignored our rights and destroyed our good names while we were still supposed to be considered innocent before the law. Please keep her from using this as a template to ruin more lives by imposing a sanction worthy of her actions. Please disbar Ms. Tarascio.

Thank you,

Roland Jones