

**ORIGINAL**



IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

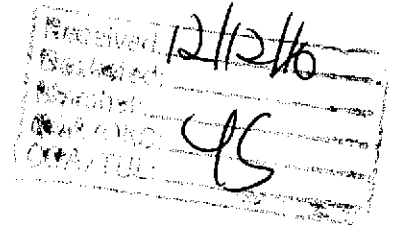
In Re: )  
 )  
 Oklahoma Bar Association, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 Jasen R. Elias, )  
 )  
 Respondent. )

**FILED**  
SUPREME COURT BAR DOCKET  
STATE OF OKLAHOMA

**DEC 12 2016**

**MICHAEL S. RICHIE  
CLERK**

SCBD-6235  
OBA Grievance No. DC-13-25  
(previously DC-10-232)



**RESPONSE**

COMES NOW Jasen Elias and enters his response in the above-captioned grievance.

**Introduction**

On an unknown date in 2015, the Oklahoma Bar Association (“OBA”) mailed notice of the above-captioned professional grievance to a closed post-office box that had previously belonged to the law practice of Oklahoma attorney Jasen Elias (“Respondent”). Respondent had closed this post-office box upon his retirement from law, and the attempted mailing was returned to the OBA. Upon receipt of the returned mailing, the OBA promptly entered a default disciplinary finding in which all of the allegations contained in the grievance were deemed admitted due to the lack of a response.

Respondent did not admit to said allegations. Respondent was never served.

The grievance was initiated by Mrs. Elizabeth Stambaugh, and was just one in a series of falsehood-laden complaints she had made against Respondent, numerous other Oklahoma attorneys, and other professionals, all of which were dismissed. Stambaugh was then placed in Laureate Psychiatric Hospital. Her level of credibility is self-evident.

**RECEIVED**  
**DEC 12 2016**  
**CLERK'S OFFICE**

The OBA previously investigated Stambaugh's allegations against Respondent and formally dismissed them in their entirety upon the recommendation of the OBA general counsel and the vote of the OBA's Professional Responsibility Committee. *See* Grievance No. DC-10-232. The above-captioned grievance, No. DC-13-25, which resulted in the present default entry, was simply a resubmission of her already-dismissed complaint.

The interests of justice and fair play ensure Respondent's right to be heard, despite his not being served. Accordingly, Respondent hereby submits his response for the record.

### **Summary<sup>1</sup> of Complainant-Respondent Engagement**

The *de facto* complainant, Elizabeth Stambaugh, first engaged Respondent as counsel nearly 12 years ago, in 2005. Respondent was then a first-year attorney, having just graduated from law school and passed the bar exam months prior. Almost immediately, Stambaugh flooded Respondent with work and began relying upon him on a daily basis for counsel in numerous matters. Over the ensuing years, Respondent worked on civil lawsuits, criminal cases, family law cases, appeals, easements, guardianship cases, real estate disputes, auto negligence litigation, mediations, and many other matters for Stambaugh and her network of employees, relatives, associates, real properties, and interests.

Though a retired senior citizen, Stambaugh was a strong, independent, healthy, and extremely active woman. She was also incomparably demanding and controlling, forcefully inserting herself into Respondent's law practice and day-to-day life. She telephoned him excessively throughout each day, commonly more than 40 and 50 times in a single day, and hundreds of times each month. On one particular day when Respondent chose to count the calls, Stambaugh had called him more than 70 times. For years she also demanded in-person meetings

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<sup>1</sup> A more detailed history follows in Appendix 1.

with Respondent, averaging more than one a week. Stambaugh repeatedly attempted to hire Respondent to work exclusively for her and her family, and protested Respondent's acquisition and servicing of other clients. On most days, Stambaugh filled up all of Respondent's voicemail message boxes with her own messages, precluding other existing or prospective clients from contacting Respondent. Stambaugh's behavior interfered with and significantly stifled Respondent's legal career.

Stambaugh often boasted of a net worth in excess of \$30 million. Her financial affairs were carefully safeguarded by a team of independent professionals, including the Senior Vice-President of a local bank's Trust Department who served as her primary trustee and personally reviewed and approved all transactions. At all pertinent times, Stambaugh's team also included independent attorneys, accountants, and financial advisors. Stambaugh's preferred compensation and gifting practices, which predated her engagement of Respondent, were administered and approved by the independent professionals who controlled her finances.

Respondent ultimately attempted to terminate the engagement due to the behavior of Stambaugh. In response to his attempt, Stambaugh openly vowed to retaliate by destroying Respondent's "reputation," thereby preventing him from procuring new clients and forcing him to return to serving her. She made these threats on the record, some of which statements are still preserved, and promptly began to make a series of provably false accusations which called into question her own mental health. Stambaugh's behavior became unhealthy, obsessive, harassing, and threatening in nature. She began to physically stalk Respondent and his wife, place disturbing notes in their home mailbox, and shower the couple with lewd and derogatory verbal harassment. In 2012, Stambaugh began making explicit death threats against Respondent and his wife.

Throughout this engagement Respondent repeatedly sought counsel from the OBA, at least four senior attorneys, Stambaugh's own independent attorneys, and ultimately the police and court system.

In 2014, Stambaugh was finally placed in a psychiatric institution.

In 2015, the OBA entered a default finding in which it treated all of Stambaugh's previously-dismissed allegations as true.

### **Respondent's Admissions of Mistake**

Respondent freely acknowledges and admits that he made mistakes, both professionally and personally, in his handling of his relationship with Stambaugh. Accordingly, Respondent was amenable to an agreed sanction the first time the OBA investigated this engagement more than six years ago. However, the OBA instead elected to dismiss the matter.

Before enumerating specific mistakes, Respondent more generally admits that in his zeal to open his own practice, he failed to ready himself for two very important aspects of the practice of law: the administrative/billing side of the practice, and the importance of maintaining boundaries with clients. As context and not an excuse, the subject relationship and events began in 2005, when Respondent was a first-year attorney fresh out of law school. In retrospect, Respondent didn't yet know what he didn't know. Had he insisted on maintaining traditional client boundaries and adhering to traditional billing practices, there would have been no opportunity for the after-the-fact interpretation which later ensued.

Had the OBA asked Respondent, either before it dismissed the original Stambaugh complaint in 2011, or before it entered a default finding against Respondent in 2015 on the same matter, Respondent would have volunteered specific admissions of mistakes, including the following:

1. Respondent acknowledges, in retrospect, that he erred when he ceased producing monthly invoices for Stambaugh and elected to allow her and her team to dictate the compensation schedule. *See App. 1.* He erred in not submitting invoices that reflected every telephone call, meeting, and time demand. Respondent should have adhered to traditional billing practices, logging each phone call, meeting, and other time expenditure, and billed Stambaugh monthly for each event. Furthermore, Respondent admits he was generally inadequate in maintaining thorough time sheets for other hourly-rate clients as well, often costing himself fees as a result, as he struggled with the organization and record-keeping required for the diligent operation of a law practice. Respondent would have been better served to delegate time sheets and all record-keeping to either administrative staff or a third-party professional.

2. Respondent acknowledges, in retrospect, that he erred in agreeing to accept sporadic lump-sum payments and/or gifting in lieu of traditional monthly payments directly commensurate with billed time. Respondent erred in concluding, more than a decade ago, that the existence of independent safeguards was sufficient to allow for Stambaugh's compensation practices. As an attorney, Respondent's duties went above and beyond those of Stambaugh's other professional advisors and financial managers, and Respondent should have exercised more discretion regardless of any safeguards, independent reviews, or other legally permissive circumstances. Respondent should have also ensured and memorialized in writing that any and all compensation, in any form, always corresponded with the precise amount of time expended or services rendered for Stambaugh and her network. The question is not as simple as whether Respondent was undercompensated or overcompensated for the amount of overall time Stambaugh demanded, as Respondent himself wrongfully rationalized for several years;

Respondent should have avoided the question altogether by proactively eliminating the appearance of impropriety.

3. Respondent acknowledges that he would have been better served by obtaining more guidance, including specific written guidance, than what he obtained from attorneys, the OBA, and the law professors he consulted for advice on how to manage Stambaugh's behaviors and compensation. He should have memorialized each consultation in written letters to each advisor, noting specific questions and answers, and where appropriate copy the OBA in this long-running dialogue.

4. Respondent admits he allowed Stambaugh's promises of future financial compensation or benefits, including her tax-free annual gifting and the promise of a \$3 million death benefit, to influence his decision-making. *See* App.1. Respondent acknowledges he would not have tolerated Stambaugh's behavior had it come from other clients who did not carry the same offers of long-term financial reward. Candidly, Respondent recognizes in retrospect that as a single father with student loans years ago, he made rationalizations that were likely result-oriented and placed the needs of himself and his family first, ahead of duties he owed by virtues of his profession.

5. Respondent also now understands, much more than he did in his first few years of practice, the risk of allowing close friendships to form with clients. Respondent acknowledges that he should not have allowed a close friendship with Stambaugh to develop while also working for her. While very few people have a first-hand understanding of how persistent and demanding Stambaugh was, Respondent should have been stronger and more forceful in his dealings with her. He would have better fulfilled his duties, and avoided most of the difficulties that ensued, had he insisted upon maintaining a rigid attorney-client boundary from day one, in

2005, and not allowed Stambaugh to become close with himself and/or his children. Respondent further acknowledges that keeping clients at an arms-length distance was a recurring failure for him in his first few years of practice, and not only with Stambaugh: he allowed himself to become too personally invested in the successes and struggles of many clients. This tendency most likely contributed to Respondent's own sense of litigation burnout, and was also very likely a factor triggering the stroke Respondent suffered just before he retired from active practice in 2014. Respondent believes the need to establish boundaries with clients is an important topic that is overlooked in the legal training of law students and young lawyers, addressed this very concern in a book he recently wrote, and would like to counsel others about this particular challenge of the practice.

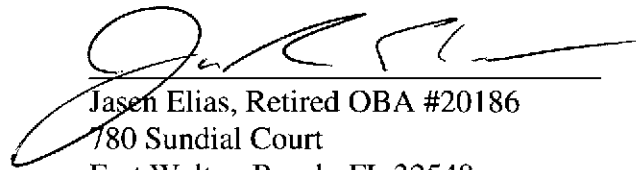
6. Respondent also failed to properly protect himself in the ways a responsible attorney should. He should have memorialized in writing more of his decisions and agreements with Stambaugh and her team of independent professionals. He should have required Stambaugh's trustees, attorneys, and financial managers to sign off in writing confirming their informed consent as to material decisions and transactions. He also feels he erred in agreeing to the request of Stambaugh's attorney to dismiss his three pending cases against Stambaugh in December, 2012, given the actions that ensued despite said mutual agreement. *See App. 1.*

7. Respondent also admits he erred in his dealings with the OBA on its most recent re-examination of this matter. He admits he erred in not formally notifying the OBA that he had shut down his practice, which included terminating his practice's post office box, in 2014. He admits he erred in somewhat glibly brushing off the OBA's inquiry and not treating it with more deference and respect. He admits he erred in believing the Constitutional protection against double jeopardy protected him in a disciplinary inquiry, given the previous investigation and

dismissal of this matter. He also believes he erred in failing to move to vacate the default entry upon learning from a third party about its entry and inaccuracies.

WHEREFORE, having now filed this Response for the purpose of making a record, Respondent asks for no particular relief at this time. He will notify the OBA if he ever desires to reactivate his law license in Oklahoma and, in that event, welcome whatever process follows therefrom.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jason Elias', is written over a horizontal line.

Jason Elias, Retired OBA #20186  
780 Sundial Court  
Fort Walton Beach, FL 32548  
Tel: 850.460.1700



## **APPENDIX 1: DETAILED FACTUAL HISTORY**

### **Stambaugh's Engagement of Respondent**

1. The *de facto* complainant, Elizabeth Stambaugh, first engaged Respondent in 2005. Respondent had recently graduated from law school and passed the bar exam.
2. Though a retired senior citizen, Stambaugh was a remarkable, capable, energetic, intelligent, active, and strong person. On a typical day, Stambaugh would leave her upscale midtown home and drive to her second home on her large, scenic ranch near Mannford, where she would assertively supervise her ranch staff, occasionally cut grass herself on a large riding mower, ride around the grounds on her golf cart, and even scare off unwanted animals with her trusted shotgun. She also golfed, traveled, gardened and landscaped, cooked, and dined out often. She faithfully attended every University of Oklahoma home football game, packing coolers full of alcohol and food beforehand, proudly watching games in what she called "the best seats in the house," and basking in her status as one of the program's significant boosters.
3. For more than eight full years, Stambaugh was a daily and dominant presence in Respondent's life, as well as the lives of his family members. Stambaugh assigned Respondent work on civil lawsuits, criminal cases, family law cases, appeals, easements, guardianship cases, real estate disputes, auto negligence litigation, mediations, and many other matters for Stambaugh and her network of employees, relatives, associates, real properties, and interests.
4. As a client, Stambaugh was incomparably demanding, even domineering. Stambaugh demanded much, and often most, of Respondent's time and resources. Stambaugh commonly insisted on numerous updates and discussions each day about the wide variety of matters for which Respondent was assisting her, her employees, or others in her network. She typically called Respondent *hundreds of times each month* from her home phone, cell phone, ranch phone,

and other phones. It was not uncommon for Stambaugh to telephone Respondent more than 40 or 50 times in a single day. Respondent noted on one particular day that Stambaugh had telephoned him more than 70 times between dawn and dusk. Respondent would typically return fewer than 10 percent of Stambaugh's calls. Stambaugh insisted on knowing Respondent's whereabouts and demanded in-person meetings on an almost daily basis. When Respondent would turn off his cell phone during court appearances, he would typically have between 10 and 30 messages from Stambaugh the moment he turned his phone back on afterward, said messages often becoming angrier in tone due to his failure to answer her calls. Stambaugh also often showed up unannounced at Respondent's home or law practice. Stambaugh's constant demands made it difficult for Respondent to service, or even communicate with, his other clients. Respondent's other clients usually could not leave a message on either Respondent's personal or business telephone lines, because Stambaugh had filled up both mailboxes with her own messages.

5. In addition to affecting Respondent's ability to perform work for other clients, Stambaugh's daily demands, and monopolization of his time and telephone availability, also diminished Respondent's ability to acquire new clients. Prospective new clients would regularly be unable to leave Respondent voicemails due to Stambaugh's monopolization.

6. To date, Stambaugh has called Respondent more than 20,000 times, based on calculations of telephone records. Stambaugh frequently stated that she would pay Respondent for each telephone call; some of said assurances are still preserved in recordings.

7. To date, Stambaugh has demanded several hundred in-person meetings with Respondent. Stambaugh frequently stated that she would pay Respondent for the time expended on each meeting as well; some of said assurances are still preserved in recordings.

8. To date, Stambaugh has demanded and consumed nearly 6,000 hours of Respondent's time.

9. Traditional billing practices would have typically generated monthly invoices of between \$10,000.00 and \$20,000.00 for time Respondent and his law practice committed to the demands of Stambaugh and her network.

10. Had Stambaugh demanded similar hours from a typical Oklahoma law firm over the same time period, the legal fees would have totaled between \$2,000,000.00 and \$3,000,000.00.

11. To date, the math supports the argument that Stambaugh has failed to fully compensate Respondent at a rate commensurate with standard hourly fees for the time she has consumed.

12. While Stambaugh was an extremely demanding client, Respondent found Stambaugh to be a largely enjoyable and inspiring presence in his life for years. Stambaugh took an active interest in Respondent and his children and became a fixture in their lives. Respondent was a single father raising three children full-time, and Stambaugh enjoyed doting on his children, cooking for his family, sending the children birthday gifts, and even attending their youth sporting events. Stambaugh, as was her tendency, gave Respondent unsolicited directions about child rearing, relationships, life, work, and even his golf game. Respondent joined Stambaugh for golf and/or a meal typically once or twice each month. Respondent, a professional journalist prior to attending law school, found Stambaugh so interesting that he occasionally discussed with her the possibility of writing a book about her and her life; they even had given the book a working title. Stambaugh's own family embraced this relationship, even directing Stambaugh in writing to add Respondent to her estate planning. Respondent and his children in turn embraced Stambaugh as part of their family.

13. Stambaugh often boasted to Respondent that she had a net worth in excess of \$30,000,000.00 (thirty million dollars). Her finances, including all payments to Respondent, were monitored by a team of independent professionals throughout her entire engagement of Respondent. This team consisted of independent attorneys, financial trustees and co-trustees, certified public accountants, bankers, and financial advisors. According to Stambaugh and her advisors, she was a named trustee and/or beneficiary of numerous family and charitable trusts, all of which were maintained and closely monitored by these independent professionals. Ms. Billie Coffee, senior vice-president of the trust department of a local bank, served as co-trustee of some or all of Stambaugh's trusts, actively managed Stambaugh's financial affairs in an extremely protective and hands-on manner, and personally reviewed and approved Stambaugh's transactions with Respondent.

14. Respondent had no control over these trusts, no first-hand knowledge of their details or how they operated, and was not sufficiently trained to even attempt to handle Respondent's wealth and tax management affairs.

15. Beginning in 2005, Stambaugh began asking, and eventually pressuring, Respondent to work for her family full time and no longer accept any other clients. Respondent declined and attempted to submit traditional billable-hour invoices to Stambaugh. Ms. Coffee further discussed this proposal with Respondent.

16. Respondent admittedly struggled to maintain an accurate time log reflecting the frequency of Stambaugh's incessant demands. Attempting to halt his ongoing daily work to manually log a Stambaugh phone call – on 30 to 60 separate instances on a given day, for instance – was burdensome and distracting from his attempts to service other clients. Stambaugh

often rejected the invoices Respondent did submit, for instance voicing her personal resentment that Respondent was jotting down the minutes of each telephone call.

17. Stambaugh ultimately insisted on compensating Respondent at her own schedule, rather than paying monthly invoices which reflected each call or meeting. Respondent met personally with Stambaugh's independent professionals, including on multiple occasions Ms. Coffee, to ensure that Stambaugh's preferred course was transparent and properly approved.

18. Respondent sought and received advice from four senior attorneys, OBA ethics attorneys, OBA staff, and even a law school ethics professor, as to how to best handle Stambaugh's demands, including the billing and compensation preferences proposed and carried out by Stambaugh and Ms. Coffee.

19. Stambaugh's forceful insertion into Respondent's life and law practice was not a dynamic Respondent had foreseen, desired, or needed. Respondent's law career was on an extremely promising trajectory without Stambaugh's employment.<sup>2</sup>

20. While Respondent worked hard to build his law practice and professional standing, Stambaugh increasingly attempted to assert more control over his work and personal life. This created a daily struggle for Respondent, which would continue unchecked for years. Stambaugh

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<sup>2</sup> Just prior to Stambaugh's engagement of Respondent, he had graduated with highest honors from law school, where he was named the top student in numerous classes and the school's outstanding trial advocate in two consecutive years. He was also named to a top position on the law review, where his article was selected for publication and later named one of the nation's ten best law review articles of the year by a legal writing association. He had also completed a federal judicial internship and paid internships with the firms Crowe & Dunlevy, Doerner Saunders, and Brewster & De Angelis. In his early years of practicing, while also working for Stambaugh, Respondent procured multiple six- and seven-figure settlements, jury verdicts, judgments, and arbitration awards, and had developed excellent relationships with business clients which had established a strong foundation for the long-term success of his law practice. He also was named or elected to leadership positions with the Oklahoma Bar Association and Tulsa County Bar Association, as well as various community organizations.

consistently voiced her displeasure with Respondent's servicing of other clients, complained when Respondent was in court for another client, and began more strongly urging Respondent to refuse all other work and work for her and her family's interests full time. Stambaugh often offered to "triple" what Respondent could earn in a law firm salary. Respondent rejected these offers.

21. Stambaugh chronically used her financial position as a means of asserting control over her employees and relatives, which led to angry estrangements and abrupt severances of longtime relationships. She eventually began to do this with Respondent as well.

22. Prior to engaging Respondent, Stambaugh had for years practiced what she and Ms. Coffee described as "gifting" numerous employees and relatives, a financial maneuver they explained provided Stambaugh with certain tax benefits. Ms. Coffee informed Respondent of Stambaugh's request to include him in this strategy for her tax purposes. Respondent also personally met with Stambaugh's certified public accountant to ensure that Stambaugh's practices were as she and her trustee had described. Accordingly, Stambaugh's financial team began including Respondent in her annual lump-sum "gifting" strategies.

23. Respondent did not consider the gifting to be excessive in light of the amount of time Stambaugh demanded from his practice on a daily, weekly, monthly, and annual basis. At numerous points over the course of Stambaugh's engagement of Respondent, any traditional calculation of hourly fees commensurate with Stambaugh's time demands would have resulted in an arrearage in the multiple six figures.

24. At one point, one of Stambaugh's independent attorneys, whom Respondent had never met, drafted a proposed new trust agreement pursuant to which \$500,000.00 in funds would be redirected to Respondent – but on one condition: Respondent was required to close his law

practice, work full-time for Stambaugh, and be physically present in her home on a daily basis. Stambaugh's attorney presented this written proposal to Respondent. Respondent declined the offer.

25. Stambaugh continually urged Respondent to accept the standing \$500,000.00 offer. Respondent repeatedly rejected it.

26. On another occasion, one of Stambaugh's out-of-state relatives, with whom Respondent had no relationship, wrote Stambaugh a letter giving her specific directions as to how he wanted her to restructure her estate planning. In this letter he also urged Stambaugh to include Respondent as a significant beneficiary of her estate plan. Respondent understood this was likely a byproduct of the family's recognition that Stambaugh was an exceedingly difficult person to please, and their gratitude that Respondent had been shouldering the burden on a daily basis for years. It was well known among Stambaugh's relatives, friends, and associates that she relied heavily on Respondent, adored him and his children, and that these relationships brought her happiness.

27. Stambaugh instructed Respondent himself to amend her estate planning to add himself as a beneficiary. Respondent rejected this request. He reviewed the pertinent rules and bar opinions, and again sought advice from a more experienced attorney. He then sent Stambaugh a letter in which he memorialized his refusal to make said changes, advised her to hire an independent estate-planning attorney (which she did), then suggested to her new attorney that Stambaugh undergo an independent mental examination before making any changes to her estate planning (which she also did). Stambaugh's new attorneys did eventually amend one of Stambaugh's numerous trusts to name Respondent as one of the beneficiaries. Stambaugh reminded Respondent on many occasions that this death benefit to him was in excess of \$3,000,000.00

(three million dollars), and very frequently threatened to remove the benefit if Respondent did not sufficiently satisfy her communication and time demands.

28. Stambaugh's engagement of Respondent gradually shifted in tone from a traditional attorney-client relationship to a more general employer-employee relationship, with Stambaugh expecting Respondent to assist her and her network on a daily basis with a wide variety of tasks. Respondent attempted to accommodate her demands. But her behavior would gradually become intolerable.

#### Stambaugh's Behavior Changes

29. In 2008 and 2009, Stambaugh began more aggressively interjecting herself into Respondent's life. For instance: one evening when Respondent arrived at home from work, he was surprised to see Stambaugh in his front yard rearranging his landscaping to her liking, barking instructions at a laborer she had brought with her; Respondent became aware that Stambaugh had gone through mail in his home's mailbox on multiple occasions; Respondent suspected that Stambaugh hired a private investigator to follow or research him and later his fiancé; Stambaugh announced in 2008 that she "forbid" him from again going to his family's vacation home in Florida, and later purported to "forbid" him from vacationing in other areas; Stambaugh would become angry if Respondent played golf with his friends, expressing her resentment that he had not instead golfed with her at her country club; Stambaugh often asked about Respondent's dating life, voiced her disapproval of any women in his life, and was extremely upset about Respondent marrying and having a baby in 2010.

30. In 2009, Stambaugh observed that a new family had moved in to the house next door to Respondent. Stambaugh was upset because the family was African-American. She began driving to Respondent's house, observing the neighbors, and reporting back to Respondent about things



she claimed to have seen. For instance, she alleged that the family's adolescent son was "dealing drugs" out of his parked car. Respondent did not agree with Stambaugh or share in her bigotry. Stambaugh continued to be highly agitated about the neighbors and began pressuring Respondent to move away from them. Stambaugh began sending Respondent the real estate section from the local newspaper with certain entries circled in ink, urging him to move. Stambaugh even hired a realtor of her own and directed her realtor to show Respondent houses which were, as Stambaugh described, "on streets without the blacks." After several months of this effort, Respondent ultimately agreed to allow the funds earmarked for the long-pending trust/employment offer, which Respondent had repeatedly rejected, to be applied to a residential move. Prior to this move, Respondent again consulted directly with Ms. Coffee to ensure that the decision was independently reviewed and approved. Ms. Coffee, not Stambaugh, personally handled this entire transaction.

31. Around the same time period, Stambaugh became more demanding and controlling, and often became irate and threatening, when Respondent was not immediately available to accommodate her. Stambaugh became more and more possessive of Respondent – both his law practice and his personal life. She regularly threatened to remove Respondent "from my trust" if he did not adhere to her increasingly strict demands. Upon information and belief, she carried out that threat on multiple occasions, angrily removing Respondent from her trust and taunting him about the removal, only to reinsert him later after he had earned his way back into her good graces. She had long engaged in similar behavior with others, resulting in her eventual estrangement from nearly every single one of her relatives.

32. Stambaugh, who enjoyed traveling and fine dining, attempted several times to take Respondent with her on a vacation. She would book trips to exotic locations, islands, golf

resorts, and sporting events, then tell Respondent later that they were “booked,” implying that Respondent had no choice but to accompany her. The tactic never worked, as Respondent declined each attempt and never once traveled with her.

33. Beginning in or about 2010, Stambaugh began subjecting Respondent to unwanted romantic overtures, proposals, and lewd comments. This behavior usually accompanied Stambaugh’s consumption of alcohol. She often spoke of not having made love for more than “50 years,” boasted of her sexual abilities, and attempted to convince Respondent to engage in “at least one” lovemaking session with her before her death. Some of these statements were recorded and preserved. Respondent obviously refused these advances. Stambaugh would react angrily to Respondent’s rejection of her overtures, often expressing her belief that Respondent must be a “homosexual” to rebuff her advances. Stambaugh even underwent cosmetic surgery on her face, which third parties told Respondent they believed was an effort to make herself physically attractive to Respondent. Respondent warned Stambaugh that he could not continue to work for her if the sexual harassment continued. Following such warnings, Stambaugh would typically cease this behavior for a period of time. Respondent learned to avoid communicating with Stambaugh when she was drinking.

34. On July 28, 2010, Respondent’s new wife gave birth to the couple’s daughter. The birth of their child triggered Stambaugh to react with behavior that greatly alarmed Respondent and his wife. Respondent perceived that Stambaugh was angry because she had previously attempted to order Respondent to not be intimate with his wife, and had also repeatedly urged him to leave her. Stambaugh responded to the birth of Respondent’s daughter with a series of irate threats to “destroy” Respondent and harm his “reputation.” In one angry voicemail, which is still preserved, Stambaugh made the following threat:

“If *you* got her pregnant, I want nothing more to do with you and I will hurt you in any way I can, and that’s a threat. I’m not going to kill you, but I will make sure your reputation is gone.”

35. Following these threats, Respondent formally terminated his relationship with Stambaugh in writing and instructed her to cease all contact with him.

36. Respondent made this decision while fully aware the termination would cost him not only significant annual compensation but the death benefit of at least \$3,000,000.00.

37. Stambaugh responded to the termination by repeatedly threatening Respondent that she would “make sure your reputation is gone.” She immediately carried out these threats: within days of the birth of Respondent’s daughter, Stambaugh sent a letter to the OBA containing numerous false and defamatory statements about Respondent, and filed a frivolous civil lawsuit against Respondent containing many of the same defamatory falsehoods. Her vengeful allegations damaged Respondent’s professional reputation. Stambaugh later gloated about the damage she had caused Respondent’s reputation, and voiced her pleasure that he would need to resume working for her out of necessity.

38. Stambaugh also taunted Respondent with telephone calls and voicemail recordings about his decision to give up her estate-planning death benefit, even at times theatrically singing the words “three million dollars” over the telephone. In one preserved recording, Stambaugh states the money “was going to be yours if you wanted it. How does that grab you? Right at three and a half million.”

39. The OBA thoroughly investigated Stambaugh’s 2010 complaint letter. *See* Grievance No. DC-2010-232. Respondent provided a detailed statement to the OBA investigators, pertinent documents and records, and answered all questions. In 2011, upon the conclusion of the

investigation, the OBA's general counsel recommended dismissal, and the OBA's Professional Responsibility Committee voted to dismiss the grievance.

40. Stambaugh also dismissed her lawsuit. She then accused the law firm that filed it of having deceived her into filing it and stolen money from her.

41. Stambaugh apologized in writing to Respondent for her defamation attempts and retracted her allegations.

42. Stambaugh quickly resumed her incessant telephoning of Respondent and demands for in-person meetings. Respondent did not desire to resume communications given Stambaugh's previous behavior.

43. However, Stambaugh repeatedly told Respondent that she would commit suicide if Respondent did not communicate with her. In one recorded statement, Stambaugh told Respondent: "I was going to kill myself... because I figured you were no longer going to be in my life." In another: "It's prison. It's like I'm in prison when I don't see you." In one of the many handwritten notes she placed in Respondent's home mailbox, she wrote of her "need to be part of your life." In another: "I am interested in [Respondent's children]. . . . Know you are special. I have had a miserable personal life, understand that." She admitted many times to being "obsessed" with Respondent.

44. Given Stambaugh's suicide threats, Respondent felt compelled to at least attempt the cordial communications she said she needed to not carry out the threat. Respondent felt additional pressure to appease Stambaugh due to her retaliatory behavior the last time Respondent had ceased communications, which had caused harm to Respondent and his family. Nonetheless, Respondent refused to continue serving as her attorney given her previous behavior.

45. Respondent asked the OBA for guidance as to how best to move forward given Stambaugh's behavior and threats. OBA ethics attorney Travis Pickens advised Respondent to work for Stambaugh as a "general manager," receiving a flat monthly fee to provide some compensation for her extreme time demands, but to not perform any legal services for her. Respondent attempted this suggested arrangement for a few months before terminating it after Stambaugh's behavior again became intolerable. Despite the OBA's suggestion, Respondent refused further compensation.

46. During 2011 and 2012, Stambaugh continued to telephone Respondent constantly, demand meetings, and show up at his home. Respondent told Stambaugh he would not communicate with her unless she had independent counsel monitoring the relationship. Stambaugh thus hired a new Tulsa law firm to represent her, and Respondent regularly reached out to said firm for assistance in handling Stambaugh.

47. Stambaugh later accused this same firm of stealing money from her, and accused one of the firm's senior partners of attempting to become physically intimate with her.

48. Throughout 2011 and 2012, Stambaugh and Respondent repeatedly engaged in the same cycle: (i) Stambaugh would call Respondent dozens a time a day and/or show up at his home; (ii) her behavior would progress from friendly to tolerable to angry to aggressive and harassing in nature; (iii) Respondent would then attempt to terminate all communications, which Stambaugh would refuse to accept (for instance, if Respondent "blocked" her telephone numbers from calling him, Stambaugh would use or even purchase a new telephone to call him, and/or drive to his home); (iv) Stambaugh would beg Respondent for what she would usually call a "truce" and promise to behave if he resumed communications; and finally (v) Respondent would give her another chance in an attempt to both keep her calm and protect his family from her harassment.

49. Throughout 2011 and 2012, Stambaugh continued to forcibly consume a significant amount of time and attention from Respondent on a daily basis, pulling him away from paying clients and other matters. If billed traditionally, Stambaugh's time demands would once again have generated monthly invoices regularly in the five figures.

50. For instance: in the month of October, 2012, alone, phone records reflect that Stambaugh telephoned Respondent more than 700 times.

51. Stambaugh's behavior frightened and disturbed Respondent's blended family, which now included five teenagers and a toddler. She became more frequently angry at Respondent for what she alleged was his failure to give her enough attention.

52. Stambaugh routinely harassed Respondent and his family throughout 2011 and 2012. She often called Respondent a "Lebanese nigger" and Respondent's wife a "whore" or "prostitute." She often made sexually explicit and lewd comments about Respondent and his wife, leaving graphic voicemail messages and handwritten notes in the family's mailbox referencing, for example: "oral sex," "penile exercises," and asking if Respondent's wife was "better than a hole in the mattress." Stambaugh also revealed knowledge about personal and professional details pertaining to Respondent's wife, suggesting that she had likely engaged a third party to investigate her. Stambaugh made disparaging remarks about the couple's children. Stambaugh taunted Respondent about his father's health problems. Stambaugh actively monitored a high-profile case on which Respondent was working, and frequently taunted Respondent about the client using derogatory and graphic slurs.

53. In the summer of 2012, Stambaugh began making death threats against Respondent and his wife. Stambaugh spoke in detail about hiring a professional to kill Respondent. In one recorded voicemail she pondered whether this hit man should "kill you" or just "beat the tar out

of you. . . . The killing is a little extreme. I think I would rather see you suffer than to kill you.” In another voicemail she said: “You’re not going to live long enough to see [Respondent’s wife] take you to the cleaners. I’m taking great delight in that.” In another: “I hope you have someone good writing your obituary. You’ll be needing it.” She told Respondent: “tell your wife I have a gun and I know how to use it.”

54. During this same time period Stambaugh would park her car on Respondent’s street, sit in it and wait, then follow Respondent or his wife in her vehicle. Respondent was aware that Stambaugh did in fact possess numerous firearms.

55. Respondent reported this behavior to Stambaugh’s attorney. Said attorney responded by mocking Respondent for being afraid of someone of Stambaugh’s age.

56. Respondent then reported Stambaugh’s behavior to the police.

57. At least one Tulsa police officer was familiar with Stambaugh, having personally responded to multiple false police reports Stambaugh had made about Respondent and his wife. In some of these reports, Stambaugh told police she was the “mother” of Respondent. In others, she falsely accused Respondent’s wife of engaging in domestic violence. Tulsa police officers responding to Stambaugh’s calls began noting in their reports, *sua sponte*, that it was actually Respondent and his wife who were victims of Stambaugh’s ongoing harassment. Responding officers witnessed Stambaugh’s aggressive behavior first hand, as she would blatantly lie to and harass them and openly refuse to follow their orders.

58. In 2012, the Tulsa Police Department launched an investigation into Stambaugh’s harassment of Respondent’s family. At an in-person meeting, a veteran detective told Respondent that Stambaugh’s behavior was the worst case of harassment she had seen in her

entire career, and told Respondent that she would recommend the District Attorney's office file felony harassment charges against Stambaugh.

59. During the police investigation of Stambaugh, Respondent gave her attorney a courtesy "heads up" that he and his wife were also going to obtain a protective order against Stambaugh. Rather than attempt to help this situation, or keep Stambaugh from contacting Respondent, said attorney chose to respond tactically by rushing to the courthouse first to file for an ex parte temporary protective order *against Respondent*, falsely alleging it was actually *Respondent* who had been the one initiating the continual contacts. Upon learning of this sham filing, Respondent transmitted records to Stambaugh's attorney, including voluminous phone records, which established the plain truth. Stambaugh's attorney acknowledged his mistake, apologized to Respondent, and promptly dismissed the sham and defamatory filing.

60. Respondent obtained his own emergency protective order against Stambaugh, which barred her from contacting or coming near him or his family. Rather than accept this court-ordered cessation of communications, Stambaugh and her attorneys chose to file an objection and fight. Respondent found their continued efforts to enable Stambaugh's obsessive efforts to contact him and his family to be extremely misguided and ironic. The court held an evidentiary hearing on the matter in December, 2012. Stambaugh took the stand and repeatedly perjured herself by denying her own actions, audio recordings of which Respondent would simply play in open court after each attempted denial.

61. During a break in this hearing, Stambaugh's attorney approached Respondent and proposed a mutual settlement agreement in which: (i) Respondent would dismiss the protective order and criminal charges, and agree to not file a civil lawsuit he had prepared asserting claims for harassment, threats, defamation, and unpaid fees; and (ii) Stambaugh's attorneys would



personally ensure that she would no longer contact, bother, or burden Respondent in any way (“You won’t hear her name again,” one attorney promised with a handshake.) Respondent accepted the offer and honored his promises. Stambaugh did not.

62. Despite the agreement, only days later another letter arrived at the OBA repeating the same allegations Stambaugh had already made against Respondent, which the OBA had already investigated and dismissed. To circumvent the settlement agreement, her recycling of the already-dismissed complaint was signed not by Stambaugh, but by *her next-door neighbor*.

63. Respondent was indifferent to her newest letter, already under the belief that Stambaugh had continued to submit such complaints against him and others as something of a hobby, and that they were now rejected as a matter of course. Along with the previously dismissed complaint against Respondent, at least two other attorneys had told Respondent that Stambaugh had filed bar complaints against them, which they said were also investigated and dismissed. She had also openly accused multiple other attorneys of theft, fraud, sexual advances, and assorted crimes and improprieties.

64. Along with the refiling of her old bar complaint, Stambaugh continued to directly harass Respondent and his family through 2013 despite her attorney’s promise that she would not be able to contact him. In some of her 2013 calls she threatened to again defame Respondent with “newspaper articles,” aware of the injury her previous round of vengeance had caused Respondent and his family. She even referenced the name of a specific local newspaper reporter she would use to carry out her next round. Respondent repeatedly asked Stambaugh’s attorneys to step in to help stop her behavior, which they failed to do.

65. The last time Respondent heard from Stambaugh was in 2014. She was calling him from Laureate Psychiatric Hospital, where she was now an inpatient.

### The Most Recent OBA Inquiry

66. In late 2014, nearly two full years after Stambaugh's most recent letter to the OBA, an OBA attorney named Katie Ogden met with Respondent to ask him questions about Stambaugh's letter(s) on the record. Ms. Ogden explained that the OBA attorneys and employees who had previously examined the dismissed Stambaugh claims, and those who had long advised Respondent on the matter, were no longer employed by the OBA. In their dialogue, it was abundantly clear that Respondent did not share Ogden's perspective on what was now a 10-year history of his ordeal with Stambaugh. Respondent answered her questions honestly, but admittedly failed to take the matter as seriously as he should have. Respondent's relative indifference was partly because he felt the matter had already been fully examined and dismissed, and partly because he had already announced his retirement from law and thus found the inquiry irrelevant.

67. Respondent retired from law in 2014 and began his long-planned return to his original career as a writer. This move was not related to any of Stambaugh's old letters or Ogden's new questions. This transition was consistent with his long-stated plans, as previously announced on his law practice's website, Facebook page, and to numerous clients, attorneys, relatives, and other parties. To wit, Respondent did not obtain any CLE credits for 2014, knowing he was retiring at year's end and would not need them. In this midst of this 2014 transition, Respondent unexpectedly suffered a stroke, whereupon he was hospitalized for days and diagnosed with a heart defect. His cardiologist explained that given Respondent's excellent overall health, stress would be the likeliest trigger for another stroke. This diagnosis accelerated Respondent's plan to retire from active practice: upon his hospital discharge, Respondent turned over his one

remaining case to new counsel and closed his law practice's telephone and fax lines, emails, and post-office box. When the Bar sent Respondent the standard license renewal form at year's end, he declined and instead mailed his voluntary written resignation. By then Respondent was a Florida resident, working on his first novel and no longer practicing law.

68. In 2015, Ogden telephoned Respondent in Florida. She stated that she had just mailed Respondent a notice of a formal grievance related to the Stambaugh letter from two years prior, and that the post office had rejected and returned her mailing. Respondent explained that he had closed his post office box the previous year, and Ogden said she would thus have the notice hand delivered to him.

69. But soon after, Ms. Ogden telephoned Respondent again and informed him that she had instead decided to enter a default finding against Respondent, without his knowledge, which treated every allegation in the Stambaugh letter as having been "deemed admitted." Ms. Ogden explained to Respondent that under OBA rules, her recent attempt to mail the grievance notice to his expired post office box, despite it being returned to her, technically constituted valid service because it was still Respondent's official address on OBA records.

70. Ms. Ogden also informed Respondent he had resigned during an "active" matter, as only the original submission of the Stambaugh complaint had been formally "closed," not the later resubmission signed by Stambaugh's neighbor. Accordingly, Ms. Ogden said, Respondent was required to sign an OBA resignation form stating that he was aware he had resigned while a complaint was active, or face liability for OBA expenses in the matter going forward. Ms. Ogden emailed Respondent a resignation form to sign on the spot; Respondent quickly signed the signature page upon receipt and instantly emailed it back to her via his cell phone. Respondent

gave the matter little thought and did not comprehend the implications, which was a mistake on his part.

71. To this date, Respondent has still not received the default finding, the transcript of his recorded Ogden interview, or any related documents. In 2015, an attorney with knowledge of Stambaugh's history and behavior notified Respondent that she had read a default entry in the appellate court database, and that it contained numerous statements said attorney knew to be false. Respondent has elected not to read the entry, following his cardiologist's advice to avoid stressors, but will review it and address any specific falsehoods not addressed herein in the event he ever wishes to reactivate his Oklahoma law license.