



ORIGINAL

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

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

JAN 09 2017

**MICHAEL S. RICHIE
CLERK**

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

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RESPONSE TO MOTION TO STRIKE

COMES NOW the Respondent, Jasen Elias, and enters his response and objection to the Oklahoma Bar Association's Motion To Strike dated December 16, 2016. In support, Respondent states as follows:

1. Respondent has a constitutional right to be heard. In the interest of fair play and justice, Respondent should be allowed to state his defense and objection to the subject allegations, particularly given the method in which the Oklahoma Bar Association ("OBA") obtained a default in this matter.

2. The emails the OBA attached to its Motion To Strike corroborate Respondent's account, rather than contradict it. They confirm that the OBA did not serve Respondent with its notice of allegations, then quickly obtained a default against Respondent before he could file a response.

3. In the same time period in which the above events occurred, OBA Assistant General Counsel Katherine Ogden personally informed Respondent that she would have a process server deliver the above-referenced notice of allegations to Respondent, who would

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have given him the opportunity to respond. Respondent, who was by then residing in Florida, relied upon the OBA's representation. Respondent personally telephoned this process server and arranged to meet her upon his then-upcoming visit to Oklahoma. While this meeting was pending, the OBA instead moved ahead and obtained a default without notifying Respondent.

4. In March, 2015, Ms. Ogden notified Respondent that a default had been entered, and that he would be responsible for OBA expenses if the OBA had to conduct any post-default proceedings. To avoid that expense, Ms. Ogden instructed Respondent that he needed to sign an affidavit she had drafted. Ms. Ogden emailed Respondent this affidavit and Respondent promptly executed it as ordered.

5. Respondent had already submitted his voluntarily written resignation from the active practice well before this exchange occurred.

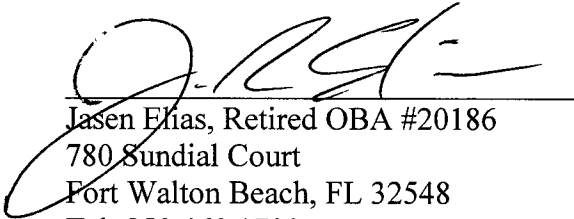
6. Respondent has still received no notice of any of the alleged costs indicated in Paragraph 9 of the OBA's Motion.

7. As to the general allegation that Respondent has made any contradictory statements, this is false. Respondent has been forthcoming about his engagement with the complainant since it began in 2005, and in fact repeatedly sought out and relied upon the advice of the OBA, as well as numerous other attorneys, in his attempts to manage this exceedingly difficult client. It is in fact the complainant who repeatedly and provably perjured herself by making false statements under oath, and to police investigating her, about Respondent and/or his law firm. Complainant made similar false allegations against numerous other attorneys before being placed in a psychiatric institution. Her level of credibility is self-evident.

8. The OBA originally investigated and dismissed this same matter, prior to obtaining the subject default on the same complaint five years later. *See* DC 10-232.

WHEREFORE, Respondent requests this Court deny the OBA's Motion To Strike.
Respondent has a right to be heard. The OBA owes more to its attorneys.

Respectfully,



Jasen Elias, Retired OBA #20186
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