

Leonard G. Horowitz



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January 12, 2017

Assistant Disciplinary Counsel Jane Preece
Office of Disciplinary Counsel
201 Merchant Street, Suite 1600
Honolulu, Hawaii 96813
Phone: (808) 521-4591

RE: Rejected-Neglected Complaint by Leonard G. Horowitz, Complainant v. Paul J. Sulla, Jr, Respondent

Dear Ms. Preece,

This letter follows our December 22, 2016 telephone discussion regarding the numerous complaints I and others have filed against attorney Paul J. Sulla, Jr. that have gone either neglected by ODC officials, or rejected by ODC officials.

Subsequent to our discussion, I was informed that you act as a virtual “gate-keeper” on incoming complaints to the ODC in your non-board position and capacity as the Assistant Disciplinary Counsel. Consequently, and in accordance with the transcript of our discussion provided below, you are personally accountable for not simply “negligence,” but what amounts to aiding-and-abetting by *willful blindness* first degree real property theft; for which you may be held liable for comparative damages with Mr. Sulla, and brought up on charges of misprision of felony and criminal complicity under color of law. This allegation is based on the information you provided regarding the evidence submitted to you, and evaluated by exclusively you, as your recorded admissions infer.

INTEROGATORY TRANSCRIPT OF DECEMBER 22, 2016 TELEPHONE CALL

Ms. Kane asked you if the ODC was in receipt of the filed Complaint, and you replied:

“Oh we have it.”

[When Ms. Kane asked what the status is, you replied,] “I’m trying to figure that out.”
“I think you have, Mr. Horowitz on the line.” [And you desired to speak with me personally, so I cordially acknowledged.]

“I have that the case was opened,” [you stated.] “But there is . . . there . . . I don’t know why . . . there ahh. It doesn’t show where the closing is.”

I asked “Why?” [and you replied,] “It probably should have been because this case is a repeat. You made the same complaint apparently a few times.”

[I objected,] “Actually, there has been new evidence coming all along. Just because if something in the past” [was filed with insufficient evidence, should not preclude further inquiry reasonable on subsequent complaints containing new evidence.] “In fact, if you look at the record, the ODC chief had said that there is *insufficient evidence* at the time the initial, ahh, withdrawal of the ODC from the Complaint occurred. Subsequent to that we have prima facie evidence of foreclosure fraud by securities fraud; by fraudulent transfers of Mortgage and Notes that have been certified by an FBI-trained leading forensic document analyst and handwriting expert; evidencing that the signatures were forged, photocopied, and attached in an altered set of Articles of Inc. . . .”

“You know, I read it, I read it.” [you interrupted.] “I did look at it all,” [you defended.] “So I don’t know why, but. . . Ahmm. I recommended that it . . . there . . . **there wasn’t any sufficient evidence to open it.** . . . I don’t know why they haven’t gotten that closing letter. But I don’t see any evidence that you did, or that it went to investigators.” [Emphasis added.]

[After objecting and explaining the substantive and material new evidence you responded,] “. . . The main thing about the Declaration [of Beth Chrisman] of the . . . ahh . . . altered signature, and ahmm, if you want to make any new complaints, you said you have a new issue with him being on title, ahmm, you are welcome to make that, but we have investigated this, yah, a few times already, ahhh.”

ANALYSIS and CONCLUSION

Your position as ODC “gate keeper,” and recorded admission that you caused the Complaint to be neglected/disregarded having decided alone that Beth Chrisman’s Declaration was insufficient probable cause to open an investigation is actionable.

It should be further noted that Beth Chrisman’s Declaration evidencing Sulla’s “alterations” in the foreclosing mortgagee’s incorporation papers pursuant to fraudulently transferred and manufactured securities was not only submitted to the ODC in my Complaint, but also by Hawaii licensed attorney Ivan Van Lee in July, 2015. Van Leer informed me that he also has yet to receive any reply from the ODC on this matter, after urging an investigation into the matter of Sulla’s alleged securities and foreclosure fraud.

Attached hereto are copies of a Motion for Judicial Notice filed by attorney Margaret Wille on our behalf in State appellate case CAAP 16-0000162, containing the evidence of Mr. Sulla being on title in the name of his new sham company, Halai Heights, LLC. Also attached is a copy of Ms. Wille’s recent joinder motion to join Sulla as the “proper party” in the State cases. In

addition, I am attaching two other records—Beth Chrisman’s Declaration, once again—and a very clear, simple, and concise pleading filed by Ms. Wille opposing Mr. Sulla’s dilatory and diversionary shenanigans corrupting due process, my rights, and the administration of justice by trial on the merits. That is, “Appellants’ Memorandum in Opposition to Appellee’s Motion for (10 day) Third Extension of Time to File Answering Brief,” dated December 2, 2016.

In effect, your decision to disregard my Complaint, attorney Van Leer’s complaint, and the prima facie evidence presented in our complaints and legal filings, makes you personally liable, as an individual, for civil and criminal claims, inter alia, misprision of felony and aiding-and-abetting by willful blindness Sulla’s first degree theft.

Accordingly, I believe it would be in your best interest, and the best interest of the Supreme Court of the State of Hawaii, Office of Disciplinary Counsel, to reopen this case against Mr. Sulla, perform a competent inquiry reasonable under the circumstances, or otherwise be held liable for damaging the public’s trust in your administration, and my damages as well.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Leonard G. Horowitz", written in dark ink on a light background.

Leonard G. Horowitz

Victim of attorney Paul J. Sulla, Jr., et al.’s white collar organized crimes.

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OFFICE OF DISCIPLINARY
COUNSEL
201 Merchant St
#1600, Honolulu HI 96813



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