

1 of the Federated States of Micronesia indicated at approximately the same relevant time period, that Mr.
2 Zvenia was not a member of the Bar of the Federated States of Micronesia. **Exhibit 3.**

3 Based upon the fact that Mr. Zvenia has been convicted of practicing medicine without a license,
4 it is apparent to the State Bar that there is an issue concerning the truthfulness surrounding any
5 professional status or professional degree that Mr. Zvenia may claim he possesses. In addition, as is
6 apparent above, in this same vain evidently Mr. Zvenia has claimed to be a member of a foreign bar of
7 which he is not. Based upon these concerns, the State Bar believes there is reason to question the
8 legitimacy of Mr. Zvenia's representations of holding of advanced degrees or professional status. In
9 addition to the above, of relevant note, Mr. Zvenia has represented that he is a PH.D. as is evident by
10 the labeling of his name followed by the designation "PH.D." on a check written to the State Bar of
11 Nevada on or about December 5, 1997 as payment prior to his attendance at the Arbitration Training
12 Program. **Exhibit 4.** In addition, Mr. Zvenia has indicated he is a law graduate in paperwork submitted
13 to the State Bar which accompanied his request to participate in Arbitration Training. **Exhibit 5.**

14 Based upon the above, the State Bar believes it is fair to inquire with a curious eye as to whether
15 Mr. Zvenia in fact holds a PH.D. or similar advanced degree, or is in fact a law graduate.

16 As spelled out in the Affidavit of Rob W. Bare, Bar Counsel, on September 23, 1998, at
17 approximately 2:50 p.m., Bar Counsel had a personal conversation with Benjamin Zvenia, which followed
18 Bar Counsel's phone call to him. **Exhibit 6.** Bar Counsel asked him if he was a law school graduate and
19 he said that he was and he had graduated from a law school that is recognized by the California Bar. He
20 stated it is in Burbank, California known as Kensington College School of Law.

21 Bar Counsel asked him about his purported status as to holding a PH.D., he indicated that he
22 graduated and received a PH.D. from a school in Puerto Rico. Bar Counsel asked that he forward to the
23 Bar by September 25, 1998, the paperwork evidencing that. He indicated he would, as he was "just
24 across the street and he would run it right over."

25 On September 28, 1998, Office of Bar Counsel contacted Kensington University, College of Law,
26 located in Glendale, California. The office of Bar Counsel spoke with Norma Machulla, Law School
27 Administrator, and she informed that there is no record of a Benjamin Zvenia graduating from their
28


1 school. She also stated that Mr. Zvenia did submit his application to their University in June, 1994 and
2 he never completed enrollment.

3 Further, as of the filing of the instant Recommendation and Report, no documents concerning Mr.
4 Zvenia's "PH.D." or any other documents have been received by the Office of Bar Counsel.

5 Based upon the above, the State Bar agrees that Benjamin Zvenia is not qualified to be listed as
6 an Arbitrator in the State of Nevada. This is because there appears to be serious questions as to his
7 character for honesty and truthfulness concerning his professional background and/or status.

8 DATED this 29th day of September, 1998.

9 STATE BAR OF NEVADA

10
11 
12 _____
13 ROB W. BARE, Bar Counsel
14 Nevada Bar No. 4914
15 600 E. Charleston Blvd.
16 Las Vegas, NV 89104
17 (702) 382-2200
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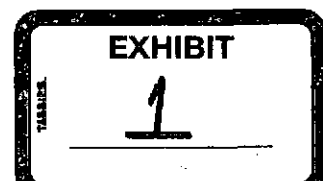
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 CP153 MPD FELONY UNAUTH USE ACC DEV (FED) 89 NV 122989 REGISTERED
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 AR254 USM 002 011889 FED FLSE INFO T/FED RD2 030389MPD
 AR255 ZZZ 001 120888 FUG LARC/GT/FRAUD RBK NCF 011489MPD
 FL FUG-FL



PASSO, ZVENIA & ASSOCIATES

a Professional Association

Richard A. Passo, Esq.

(Member-California Bar)

601 E. Charleston Blvd.
Las Vegas, Nevada 89104
Telephone: (702) 384-0991
Fax: (702) 384-4329

["Principals not registered with Nevada Bar"]

Benjamin Zvenia, Esq.

(Member Federated States of Micronesia Bar)

141 S. Frontage Road, Ste. B
Pahrump, Nevada 89048
Telephone: (702) 751-8800
Fax: (702) 751-8686

VIA FACSIMILE AND U.S. MAIL

March 24, 1998

The Honorable Judge Mullins
EOIR - Immigration Court
3365 Pepper Lane
Las Vegas, NV 89120

Re: Bar admissions of Ben Zvenia and of Passo, Zvenia & Associates

Dear Judge Mullins:

Enclosed please find documentation which should allay any concerns on your part, the INS and the DOJ concerning my formal admission last November 1997 to the Bar of the Federated States of Micronesia (which, as you know, is part of the 9th Circuit Court of Appeals of the United States of America). This documentation includes (1) correspondence from Salomon Saimon, name partner and Trial Counselor of the Law Offices of Hollinrake and Saimon. (Incidentally, this firm is the largest and most prestigious law firm in the Federated States of Micronesia.) and (2) the home page of the web site of the Law Offices of Hollinrake and Saimon (its URL is <http://www.fsm/hollinrake>). This Internet information is provided as adequate background material to confirm our belief for the authenticity of my Bar Admission there.

As my partner, Rick Passo, and I indicated to your staff and as I personally indicated to you yesterday, the Federated States of Micronesia is 17 hours ahead of Las Vegas time. I was able to contact personally the office this morning, but Mr. Saimon and the office associates were either tied up or out of the office. As indicated in the aforementioned documentation, my bar license hangs in his office in Kolonia, Pohnpei, in the Federated States of Micronesia. As soon as is humanly possible, a copy will be sent to you to be placed in your files. In the interim, as was also detailed to your staff, if there is truly a problem, I should be covered by my admission to the Duckwater Shoshone Tribal Court (Bar No. 0009) and the Inter-Tribal Court of Appeals of Nevada, which are Courts of Federal Jurisdiction (documentation of these admissions is also enclosed). Furthermore, my partner Rick Passo is a member of the State Bar of California, the 9th Circuit Court of Appeals and the United States Districts Court for the Central, Eastern and Southern Districts of California. If necessary, as I discussed with you yesterday, Rick is willing to supervise all my immigration files, until you, the INS and the DOJ are satisfied with my bar status.

Additionally, as in indicated in the enclosed correspondence from Salomon Saimon of the Law Offices of Hollinrake and Saimon, Mr. Saimon intends to be in the Las Vegas area "sometime in late March or early April 1998 to develop [our] Las Vegas Office as a correspondent office for [the Law Offices of Hollinrake and Saimon]." I am sure that Salomon would be happy to meet with you at that time should you still require any further clarification or the legitimacy of the ongoing, and developing, relationship between the largest law firm in the Federated States of Micronesia and Passo, Zvenia & Associates.

MAR-24-1998 16:18
09-21-98 23:17

RECEIVED FROM:

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Ltr. to Judge Mullins
Re: Passo, Zvenia & Assoc.
Dtd. 3/24/98
Page 2

I trust that you share the concerns of both Rick and I that my professional reputation -- and that of Passo, Zvenia & Associates -- not be tarnished by what is at most a clerical error. Both Rick and I hold and cherish deeply the highest canons of professional ethics as attorneys. I trust that you have always found that my professional conduct has always been of the highest order and that my zealous advocacy for all of my immigration clients has always been beyond reproach. Please rest assured that both Rick and I will endeavor to do whatever you require to address your concerns. All we ask is for the professional courtesy of having adequate time to gather any further information that might be required -- especially given the geographic separation between Las Vegas and the Federated States of Micronesia.

The bottom line for me, for Rick and for Passo, Zvenia & Associates always has been and always will be what is best for our clients and what is best for the professional ethical standards which we hold dearly. With that as our sole goal, Rick and I request your advice on how to best handle the multiple cases that Passo, Zvenia & Associates have on calendar for Thursday, March 26, 1998. If necessary, Rick is willing to step in for me at that time. However, since I am most familiar with immigration law and with these particular cases, that would not necessarily be the best for these clients. (Plus, this would require Rick to clear an entire day's calendar of clients which has long been set in order to accommodate this request. However, Rick would be happy to do so at some personal and client expense, if absolutely necessary.)

Please call with respect to guidance for Thursday's calendar.

Very truly yours,



Benjamin Zvenia, Esq.

cc:
1-file
1-S. Saimon, FSM

encl:
-material from FSM
-material from Tribal Courts

01/25/1995 12:22 30150

03/15/98 WED 09:48 FAX 3202780

FSM SUPREME CT

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SUPREME COURT of the FEDERATED STATES OF MICRONESIA

Richard H. Evanson Associate Justice

Andres L. Anorich Chief Justice

Martha C. Ylous Associate Justice

CHAMORRA STATE P.O. Box 10000 Chamorro Station P.O. Box 10000 P.O. Box 10000

KOROR STATE P.O. Box 10000 Koror Station P.O. Box 10000 P.O. Box 10000

POWERS STATE P.O. Box 10000 P.O. Box 10000 P.O. Box 10000

YAP STATE P.O. Box 10000 Yap City Station P.O. Box 10000 P.O. Box 10000

March 18, 1998

Mr. James Stovall, Special Counsel FSM Embassy 1725 W. Street, N.W. Washington D. C. 20023

Fax: (202) 223-4391-

Dear Mr. Stovall:

Greetings from Palikir. I have reviewed the roll of attorneys certified to practice law before the Supreme Court of the Federated States of Micronesia, and that Mr. Benjamin Iwanis is not a member of the FSM Bar.

Sincerely,

Handwritten signature of Kohsak N. Keller, Chief Clerk of Court





BENJAMIN ZVENIA, PH.D.
1025 SIERRA VISTA, #70 PH. 702-734-3468
LAS VEGAS, NV 89109

94-162-349
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949004194

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DATE Dec 5, 1997

State Bar of Nevada

PAY TO THE ORDER OF

One hundred seventy-five dollars & 00/100

\$ 175.00

DOLLARS

U.S. BANK 1-800-US BANKS
U.S. BANK OF NEVADA
MAYLAND SQUARE OFFICE

MEMO *Arbitration CLE*

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EXHIBIT
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DEC 04 1997

STATE BAR OF NEVADA

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ARBITRATION TRAINING

Please photocopy this page before you mail it to us, and keep it for your records.

No confirmations will be sent, unless requested below.

Please sign the following:

I have practiced my profession for eight years or more. Please sign on the line below.

[Signature] Health Care & Law Graduate

Please check the location where you will attend:

- Reno • Thursday, December 4, 1997 • The National Judicial College
- Las Vegas • Friday, December 5, 1997 • CCSN High Desert Conference Center

Nevada Bar Card Number _____

Name Benjamin Zvenia

Where do you work? _____

Address 141 So Frontage Rd

City/State/ZIP Dahome 89048

Telephone 702-751-9800 FAX 751-8686

E-mail Dr.Zvenia@aol.com

NOTE: Add \$25 Late Fee to the prices below if paying after Tuesday, December 2, 1997.

All registrants receive a complete set of written materials.

- \$225 tuition.
- \$150 tuition for those who have to travel over 100 miles round trip to attend.
- Check here if you would like to be faxed a conformation.

175 **Total enclosed** Please make checks payable to: State Bar of Nevada

Paying by plastic

Please indicate the type of card: Visa MasterCard American Express

Account Number _____ Expiration _____

Date _____

Name as it appears on card _____

Signature _____

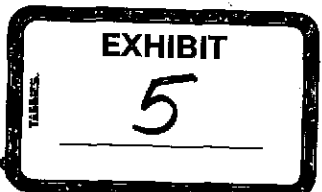
Mail to:

Arbitration CLE-- State Bar of Nevada
 600 E. Charleston
 Las Vegas, Nevada 89104

I am also licensed in California and wish to apply this seminar toward the MCLE requirements of the State Bar of California.

Course #538

Course Level: Intermediate



AFFIDAVIT

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STATE OF NEVADA }
COUNTY OF CLARK } ss:

ROB W. BARE, under penalty of perjury, being first duly sworn, deposes and says as follows:

1. That your Affiant is a licensed attorney in Nevada and currently employed as Bar Counsel for the State Bar of Nevada.

2. That on September 23, 1998, I personally contacted Benjamin Zvenia, by telephone, to determine what law school he had graduated from and where he received his PH.D.

3. That during the telephone conversation, Benjamin Zvenia stated he was a graduate from a law school recognized by the California Bar. According to Mr. Zvenia, the law school is located in Burbank, California and is known as Kensington University, College of Law. Mr. Zvenia also indicated that he graduated and received a PH.D. from a school in Puerto Rico.

4. That I requested Mr. Zvenia provide to me by September 25, 1998 the paperwork evidencing the same. Mr. Zvenia indicated he would, as he was "just across the street and he would run it right over."

5. That on September 28, 1998, the office of Bar Counsel contacted Kensington University, College of Law located in Glendale, California. The Law School Administrator, Norma Machulla stated that there was no record of a Benjamin Zvenia graduating from their school. She also stated that Mr. Zvenia did submit an application to the University in June, 1994 and he never completed enrollment.

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6. As of the date of filing of the instant Recommendation and Report, no documents concerning Mr. Zvenia's "PH.D." or any other documents have been received by the Office of Bar Counsel from Mr. Zvenia.

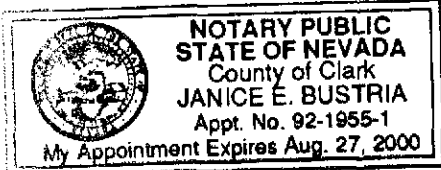
Further affiant sayeth naught.

DATED this 29th day of September, 1998.


ROB W. BARE

Subscribed to and sworn before me
this 29th day of September, 1998.


Notary Public



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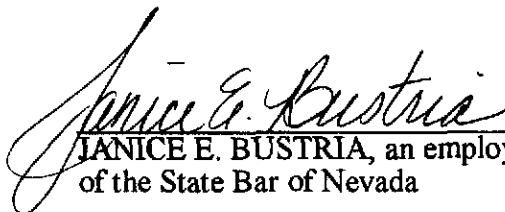
CERTIFICATE OF MAILING

I, hereby certify that on the 30th day of September, 1998, the foregoing

RECOMMENDATION AND REPORT PURSUANT TO ORDER OF REFERRAL RE:

BENJAMIN ZVENIA was served on the below party by mailing a copy thereof, first class mail, postage prepaid, to:

Benjamin Zvenia
601 E. Charleston Blvd.
Las Vegas, NV 89104



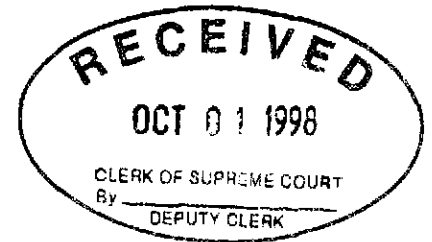
JANICE E. BUSTRIA, an employee
of the State Bar of Nevada

STATE BAR OF NEVADA

REPLY TO RENO LAS VEGAS

September 30, 1998

Ms. Janette Bloom
Clerk of the Supreme Court
201 S. Carson Street
Carson City, NV 89710




*RE: Recommendation and Report Pursuant to Order of Referral:
Re: Benjamin Zvenia
ADKT: 126*

Dear Ms. Bloom:

Enclosed are an original and three copies of the **RECOMMENDATION AND REPORT PURSUANT TO ORDER OF REFERRAL RE: BENJAMIN ZVENIA** for filing in this matter. Please file stamp our copy and return it to me in the self-addressed, stamped envelope I have provided for your convenience.

Thank you.

Very truly yours,


Janice E. Bustria
Assistant, Ethics Department

Enclosures