

FILED

MAY 27 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: *[Signature]*
DEPUTY CLERK

IN THE SUPREME COURT OF THE STATE OF

ALI SHAHROKHI,

Appellant,

vs.

KIZZY BURROW.

Respondent.

District Court Case # D-18-581208-P
Supreme Court Case # 81978

**“MOTION to DISQUALIFY YVONNE RUIZ.ESQ, THOMAS STANDISH, ESQ., PHILLIP
SPRADLING, ESQ., & STANDISH LAW FIRM for COMMITTING PERJURY &
BRINGING FRAUD UPON THE COURT.”**

COMES NOW, Petitioner. ALI SHAHROKH, appearing in *proper person*, hereby moves for an ORDER disqualifying Yvonne Ruiz, Esq., Thomas Standish, Esq., Phillip Spradling, Esq. and Standish law firm for committing perjury and bringing fraud upon the Court.

ISSUES PRESENTED TO THIS COURT

1. Should a Lawyer have his/her's law license revoked if they commit perjury in the Supreme Court of Nevada:
2. Should a lawyer be referred for criminal charges of perjury to the district attorney's office:
3. ~~Should a lawyer be disqualified if he/she is just a "front" & "Straw man" for another lawyer or~~

3. Should a lawyer be disqu

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another law firm;

4. Should a lawyer of a law firm be banned to ever practice in the Supreme Court of Nevada or any appellate courts in Nevada if they have committed perjury and signed false affidavits into the Supreme Court of Nevada;

5. What should be the proper punishment/discipline of an attorney that directly and boldly commits perjury and presents false information and brings fraud upon the court into the Supreme Court of Nevada;

6. Did Standish know Jerome Tao should have disqualified himself from participating in Shahrokhi's cases as there were a conflict of interest?

LEGAL ARGUMENT

To prevail on a motion for disqualification, the moving party must establish: (1) "at least a reasonable possibility that some specifically identifiable impropriety did in fact occur," and (2) "the likelihood of public suspicion or obloquy outweighs the social interests which will be served by a lawyer's continued participation in a particular case." *Brown*, 116 Nev. at 1205, 14 P.3d at 1270 (quoting *Cronin v. Eighth Judicial Dist. Court*, 105 Nev. 635, 641, 781 P.2d 1150, 1153 (1989), *disapproved of by Nevada Yellow Cab Corp.*, 123 Nev. at 54 n.26, 152 P.3d at 743 n.26).

***Richman v. Eighth Judicial Dist. Court of State*, 2013 Nev. Unpub. LEXIS 687, *4-5, 2013 WL 3357115 (Nev. May 31, 2013)**

District courts are faced with a "difficult task of balancing competing Interests: the right to be represented by counsel of one's choice, each party's right to be free from the risk of even inadvertent disclosure of confidential information, and the public's interest in the scrupulous administration of justice." *Id.* at 1205, 14 P.3d at 1269-70. A motion to disqualify counsel is a serious matter, which must be decided on a case-by-case basis. This is so because two significant interests are implicated by

a disqualification motion: the client's free choice of counsel and the maintenance of the highest ethical and professional standards in the legal community.

Nevertheless, the guiding principle in considering a motion to disqualify counsel is safeguarding the integrity of the court proceedings. Thus, a court must not weigh the competing issues with hair-splitting nicety but, in the proper exercise of its supervisory power over the members of the bar and with a view of preventing an appearance of impropriety, the court is to resolve all doubts in favor of disqualification.

We know that the integrity of court proceedings has been violated, on the highest level possible. What Standish law has done here, is so *egregious* that there is no example of an attorney, an officer of the court, lying in a witness capacity, to a *state supreme court*. Such behavior brings a cloud of impropriety to the integrity of the legal field. If this state is willing to allow such behavior, without immediate action, the public can have no faith in the integrity of the legal field in the state of Nevada. The state of Nevada considers an attorney an "officer of the court", with this comes a duty to the people of Nevada. Such a title demands integrity.

"The client's free choice of counsel and the maintenance of the highest ethical and professional standards in the legal community." *Tessier [v. Plastic Surgery Specialists, Inc.]*, 731 F. Supp. [724] at 729 [(E.D.Va. 1990)]; *Buckley*, 908 F.Supp. at 304. Nevertheless, "the guiding principle in considering a motion to disqualify counsel is safeguarding the integrity of the court proceedings.

NRCP Rule 8.4. Misconduct. It is professional misconduct for a lawyer to:

- (a) Violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- (b) Commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;
- (c) Engage in conduct involving dishonesty, fraud, deceit or misrepresentation;
- (d) Engage in conduct that is prejudicial to the administration of justice;

(e) State or imply an ability to influence improperly a government agency or official or to achieve results by means that violate the Rules of Professional Conduct or other law; or

(f) Knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law.

Rule 3.3. Candor Toward the Tribunal.

(a) A lawyer shall not knowingly:

(1) Make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;

(2) Fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or

(3) Offer evidence that the lawyer knows to be false. If a lawyer, the lawyer's client, or a witness called by the lawyer, has offered material evidence and the lawyer comes to know of its falsity, the lawyer shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal. A lawyer may refuse to offer evidence, other than the testimony of a defendant in a criminal matter, that the lawyer reasonably believes is false.

(b) A lawyer who represents a client in an adjudicative proceeding and who knows that a person intends to engage, is engaging or has engaged in criminal or fraudulent conduct related to the proceeding shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal.

(c) The duties stated in paragraphs (a) and (b) continue to the conclusion of the proceeding, and apply even if compliance requires disclosure of information otherwise protected by Rule 1.6.

(d) In an ex parte proceeding, a lawyer shall inform the tribunal of all material facts known to the lawyer that will enable the tribunal to make an informed decision, whether or not the facts are adverse.

[Added: effective May 1, 2006.]

BURROW'S case for relocation was completely predicated on her new boyfriend who she had met only two months prior to filing for a TPO application where days later she filed a petition for paternity. BURROW presented to the court that Donald H. Pearson had a significant income and worked for Intel Corp. but purposefully left out the fact Donald H. Pearson is a **DRUG DEALER**.

An attorney is an officer of the court; as such, an attorney owes a duty of loyalty [*820] to the court . . . [which] demands integrity and honest dealing with the court. Id. at 654-55, 218

P.3d at 858-59 (internal quotation marks omitted). And when [an attorney] departs from that [***8] standard in the conduct of a case [,] he perpetrates fraud upon the court. Id. at 655, 218 P.3d at 859 (internal quotation marks omitted). Even then, relief from a judgment based on fraud upon the court is rare and normally available only to prevent a grave miscarriage of justice. [*United States v. Beggerly*, 524 U.S. 38, 47, 118 S. Ct. 1862, 141 L. Ed. 2d 32 (1998); see also *Bonnell v. Lawrence*, 128 Nev. 394, 400, 282 P.3d 712, 715 (2012)].

Standish Law knew and covered up Donald H. Pearson true livelihood, keeping the court away from the truth and a real trial on the issues. There has been a grave miscarriage of justice in this case, as not knowing that BURROW'S new life involved drug culture, where children are active participants in cultivating drugs, and that B.E.s is frequently left alone with a drug dealer, who deceived this very court.

Docket No. 81218—Fraud upon the Court of Appeals

PROCEEDINGS IN THE MATTER OF JUDGE JEROME TAO: Shahrokhi filed a motion to disqualify Judge Jerome Tao in docket 81218 on 5/21/2020, on many factors including the fact that Judge Tao had previously recused himself on multiple appeals involving the Standish law firm.

On 5/29/2020, the Supreme Court of Nevada, ordered Judge Tao to respond to Shahrokhi's motion to disqualify and gave BURROW three (3) days to file any response. That same day on 5/29/2020, the Declaration of Jerome Tao was filed. In his declaration Tao explains that the conflict is directly related to Bob Cerceo. Noting that, at this time, the billing statements showing otherwise had not been filed into the underlying record. Judge Tao declares that he "recused because one party had been represented by another one of my ex-wife's attorneys (Robert Cerceo) although he was not involved in the appeal."

Standish and Spradling stated that Robert Cerceo had no involvement in this case and furthered the lie in stating that all associations and consulting engagements with Robert Cerceo, Esq., had ceased in February 2018. We now see that this was a lie! On Nov. 26, 2018, Standish law did consult Robert Cerceo, ESQ., and even more egregious, CERCEO consulted Standish law firm on the particular matter before the court. SPRADLING and Standish blatantly lied to the Nevada Supreme Court regarding any involvement of Robert Cerceo, ESQ., in their statements and declarations.

Spradling and Standish committed irrefutable perjury in declarations filed in the Supreme Court of Nevada, in the matter of disqualifying Judge Jerome Tao. On page 46 of the exhibits filed in support of the motion for attorney's fees, the billing record shows that on 11/26/2018 there were "two telephone calls with Bob Cerceo, Esq. [redaction] telephone call with Don regarding." The legal fees attributed to this billing item amounts to over \$600. (v20:3965)

11/26/2018	TS	Legal Research/Analysis	Review email from client regarding [redacted] [redacted] research regarding [redacted] [redacted] [redacted] two telephone calls with Bob Cerceo Esq. regarding [redacted] telephone call with Don regarding [redacted] [redacted]
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The amount of misconduct on the part of Burrow and her attorneys in this matter has been overwhelming to overcome in Shahrokhi reuniting with his son. This is plain **"PERJURY"** by Standish and Spradling, two officers of the Court boldly lying to the highest Court, Supreme Court of Nevada.

This is not acceptable!

YVONNE RUIZ IS JUST A “FACE” FOR STANDISH LAW FIRM

Yvonne Ruiz is just a “front” to make Standish law firm disconnected from this case, yet this is far from the truth. Shahrokhi was re-assigned by Court administration from department N to department W. Judge Stacy Rocheleau on Jan. 11, 2021.

Standish law firm decided to withdraw from the case on 2/2/2021 and substituted Yvonne Ruiz so SHAIROKHI could not move toward a disqualification of Judge Ochoa because they desperately needed a judge to continue to do them favors and continue to violate SHAIROKHI'S rights and deny SHAIROKHI access to court so SHAIROKHI does not expose them. This was a strategic move by Standish law firm to make it look on the record they were NOT associated with this case. It is quite interesting just 2 weeks after SHAIROKHI was assigned to Ochoa's courtroom. Standish law firm suddenly decides to drop out. BURROW has claimed she spent over \$186,000 to litigate this case so far and Standish has conspired with Harter in department N to kidnap and remove the minor to Oregon. why would she suddenly stop working with them?

Yvonne Ruiz used to work from Standish law firm and has litigated on behalf of Standish. This has been a very complex case with the case being on appeal and BURROW having everything online to lose the appeal and be compelled to return the minor to Nevada. Ruiz becomes the attorney on record, where as Standish law firm can ghost-write all the motions and responses into the Supreme Court as there are no oral arguments or in person hearings.

On Feb. 18, 2012 suddenly Ruiz files to represent BURROW in the Supreme Court as well, where as there are well over 4100+ pages of legal documents and filings into the custody dispute case # D-18-581208-P. It is **IMPOSSIBLE** for any attorney to jump in on Feb. 2, 2021 to take over this lengthy, complicated case and be ready to continue the appeal just 16 days later without exterior help, such as Standish law firm. No one attorney can go through 4100+ pages of legal filings in just 16 days and be fully prepared to file responses into the Supreme Court of Nevada without asking this court for an extension of a time since they just got

substituted in.

This is a true sham by Standish law firm to keep the case in Ochoa's courtroom and have Ruiz who used to work for Standish become the new attorney for the record just to make it look as everything is ethical and by the books. Standish and Spradling have lied to this court and committed **perjury**. That is a FACT and this court witnessed that firsthand.

By allowing Ruiz to stay on as a Counsel of the record, this Court only not allowing the frauds and perjury into this case, they are in fact telling other lawyers it is ok to lie to the highest court in Nevada and commit perjury into this court without any consequences.

The fraud and shenanigans by Standish and Standish law firm and all his associate lawyers ***MUST STOP!***

Conclusion & Relief Requested

The evidence is clear and right before this honorable Court. Thomas Standish and Phillip Spradling have violated the Nevada Code of Professional Conduct in front of this honorable court without any concern.

Standish and Spradling have committed perjury right into this honorable Court, acting in their capacities as Officers of the Court. This type of violation should never be allowed or acceptable by officers of the Court. Proper sanctions and discipline should be brought against Standish, and Spardling and Standish law firm so there is a loud and clear message to the legal community such behavior has no place in the Court rooms.

It is beyond obvious Ruiz is just a "front" and "Strawman" for Standish and Standish law. Ruiz is a rookie lawyer with only couple of years under her belt practicing law and only 3 cases ever worked on in the Supreme Court Dockets. Why would BURROW suddenly drop her very well experience and connected law firm for a rookie lawyer on 2 serious appeals before this court where she has a lot at stake?

Ruiz works for Standish, she has close relationship with Standish, and she is just a "front" for the Standish law firm.

SHAIROKHI respectfully request the following relief from this Court:

- A) An Order recommending Standish and Spradling for criminal charges of perjury committed in front of this honorable Court to the Clark County District Attorney's Office;
- B) An Order recommending Standish and Spradling to State of Nevada Bar for proper investigation and proper discipline and license revocation;
- C) An order denying Standish and Spradling to ever practice in front of the Nevada Supreme Court or Nevada Court of Appeals due to the perjury they have committed;
- D) An order denying Standish and Spradling to ever represent BURROW in any legal proceedings in State of Nevada;
- F) An Order immediately disqualifying Yvonne Ruiz from representing BURROW in the District Court in case # D-18-581281-P as well as any pending appeals or writs of mandamus before the Supreme Court of Nevada or Nevada Court of Appeals;
- G) An Order compelling Ruiz to submit an affidavit under the penalty of the perjury to this honorable Court how she learned 4100+ pages of legal filings in just 16 days ;
- H) An Order compelling Ruiz to produce Burrow's and Pearson's complete billing statements since the time she was retained until now and submit proof of evidence on all of payments received from BURROW or her boyfriend Donald H. Pearson in regards to BURROW's custody dispute matters;
- I) An Order recommending Ruiz to state bar of Nevada for proper disciplinary action and license revocation for conspiring with Standish law firm to bring fraud upon the Court through a sham substitution of attorney;
- J) An Order for BURROW to pay all SHAIROKHI'S cost and expenses for this motion.
- K) An Order for any other relief this court deems proper.

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Dated: This 26th day of May 2021

DocuSigned by:
Ali Shahrokhi
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Ali Shahrokhi

Plaintiff, ALI SHAHROKHI
10695 Dean Martin Dr. #1214
Las Vegas, NV 89141

es AFFIDAVIT of ALI SHAHROKHI *so*

My name is ALI SHAHROKHI. I am a co-Plaintiff herein. All facts herein alleged are true and correct of my own personal knowledge; and as to those matters alleged on information and belief, I reasonably believe them true. If called upon to testify, I could and would give competent and truthful evidence.

I declare under penalty of perjury, pursuant to the laws of the United States, the foregoing is both true and correct.

Dated: May 26, 2021

DocuSigned by:
Ali Shahrokhi
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Ali Shahrokhi


Plaintiff, ALI SHAHROKHI
Affiant

Certificate of Service

I, Ali Shahrokhi, do hereby declare that I am over the age of 18 and a party to this action, and that I have placed a true and correct copy of this *Petition* into a sealed envelope and mailed it, postage prepaid, *via* United States Postal Service, addressed as follows:

Eighth Judicial District Court
Vincent Ochoa, Dept. S
601 N. Pecos Rd.
Las Vegas, NV 89101

Yvonne Ruiz, esq
170 S. Green Valley Pkwy.
Suite 300
Henderson, NV 89012

DocuSigned by:

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SERVED THIS 26th day of May, 2021.
ALI SHAHROKHI,
In Proper Person