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10 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

11 JOSEPH S. GILBERT, ESQ.,

12 Petitioner

13 vs.

14 STATE BAR OF NEVADA,

Respondent.

Case No.

OBC No. OBC21-0136

15 **PETITIONER'S APPENDIX (VOL 1 OF 1) TO PETITION FOR WRIT OF**
16 **MANDAMUS, OR ALTERNATIVELY PROHIBITION AND REQUEST**
FOR STAY OF DISCIPLINARY PROCEEDINGS PENDENTE LITE

17 CLARK HILL PLLC
DOMINIC P. GENTILE
18 Nevada Bar No. 1923
Email: dgentile@clarkhill.com
19 3800 Howard Hughes Pkwy., #500
Las Vegas, Nevada 89169
20 *Attorney for Joseph S. Gilbert, Esq.*

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APPENDIX

Exhibit	Description	Vol.	Date	Pages
1	Email Regarding Letter of Reprimand	1	12/8/21	GILBERT_000001-000006
2	Complaint	1	9/28/21	GILBERT_000007-000014
3a-3n	Affidavits of Gilbert's Employees	1	1/4/22	GILBERT_000015-000059
4	██████████ - Retainer Refund Check	1	2/1/21	GILBERT_000060-000061
5	Letter of Reprimand	1	8/27/21	GILBERT_000062-000070
6	Declaration of Dominic P. Gentile, Esq.	1	1/14/22	GILBERT_000071-000073
7	Email from Dan Hooze, Esq. to Dominic Gentile, Esq.	1	12/13/21	GILBERT_000074-000078
8	Multiple Publications Regarding Gilbert Reprimand	1	12/2021	GILBERT_000079-000136

EXHIBIT 1

EXHIBIT 1

AP: Letter of Reprimand

Metz, Samuel <SMetz@ap.org>

Wed 12/8/2021 3:50 PM

To: Info <info@joeygilbertlaw.com>

📎 1 attachments (3 MB)

Gilbert Reprimand.pdf;

Dear Mr. Gilbert & Andrea,

I hope you're well. The Nevada Bar just verified the authenticity of a letter of reprimand that Mr. Gilbert received in August 2021. I'm going to write a story about it and was wondering if you'd like to comment.

Will you be appealing the letter?

Has the firm ever been disciplined for similar infractions before?

What does it say about a candidate running on their legal acumen that the Bar believes they harmed a client?

Please find the letter attached and let me know if you have any questions,

Sam

AP

Sam Metz

Nevada Statehouse Reporter

Associated Press / Report for America Statehouse News Initiative

102 N. Curry St.

Carson City, NV 89703

Cell: (775) 339-1456

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THE ASSOCIATED PRESS

Advancing the Power of Facts

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STATE BAR OF NEVADA

August 27, 2021

LETTER OF REPRIMAND

Joseph Gilbert, Esq.
405 Marsh Ave.
Reno, NV 89509



Re: Disciplinary Grievance OBC21-0136 (James Cranfield)

Dear Mr. Gilbert:

A Screening Panel of the Northern Nevada Disciplinary Board has reviewed the above-referenced grievances and unanimously determined that a Letter of Reprimand be issued for violations of Supreme Court Rule 49.5 and Rules 1.3, 5.5, 5.3, and 1.16 of the Rules of Professional Conduct ("RPC").

3100 W. Charleston Blvd.
Suite 100
Las Vegas, NV 89102
phone 702.382.2200
toll free 800.254.2797
fax 702.385.2878

9456 Double R Blvd., Ste. B
Reno, NV 89521-5977
phone 775.329.4100
fax 775.329.0522

GRIEVANCES

www.nvbar.org

In the Summer of 2020, Tara [REDACTED] contacted Carlos Salmoran, a staff member in your office, regarding her husband, James's legal issue. Tara discussed the matter multiple times with Salmoran to make sure that the office would want to take their case. Salmoran assured Tara that theirs was just the type of case the firm was very good at handling.

When James finally decided to pursue the matter, he met with Salmoran on September 11, 2020 and signed a contract for representation with your office. James paid the full retainer of \$3,500 to have the firm submit a petition with the court to either reduce or eliminate the requirement that he continue to register as a Tier 3 Sex Offender. James did not meet with an attorney when he signed the representation contract.

Thereafter, Tara communicated on a regular, if not daily, basis with Salmoran and one of the firm's law clerks, John Durney, regarding the procedure and substance for the petition and its filing. Durney was certified to practice law, pursuant to SCR 49.3, under your supervision.

On November 20, 2020, Durney emailed the client that the research and drafting of the petition had been completed and it would be filed with the court the following week. On January 7, 2021, Durney emailed the clients to update them that he was waiting on information from the criminal paralegal in your office regarding a hearing date, implying that James's petition had been filed.

On January 14, 2021, Durney emailed the client to let them know he would be returning to law school which would limit his time in the office. Durney provided new contacts for the case moving forward; the clients were advised to contact either attorney Roger

GILBERT_000003

ex-girl.
on him

O'Donnell or Salmoran (the Criminal Case Manager). Durney also let the clients know that he would be consulting with the attorney at the next possible opportunity regarding the matter. Although you are Durney's supervising attorney, you were not included in any of the email correspondence with the client.

On January 25, 2021, Tara called your office and eventually spoke with Durney who relayed that he was very sorry, but Joey Gilbert Law was going to refund the entire deposit because the firm had not drafted or filed a petition in James's case. Durney explained that they were sorry but there was a horrible lack of communication at the firm, and they never should have taken the case in the first place as the firm does not handle their type of specialized case. That same day, Durney sent an email apologizing again for the bad news, said the clients should expect the full refund to take a few weeks, and provided a list of recommendations for post-conviction relief attorneys specializing in cases like James's.

The following day, Tara emailed Durney, Salmoran, and O'Donnell about the decision to terminate the representation. She requested an official letter of withdrawal, including citing the reason why they made the decision four months after James signed the fee agreement and paid the full retainer. Tara also asked for the return of the complete file and the original character reference letters that the provided to the firm.

VIOLATION OF THE RULES OF PROFESSIONAL CONDUCT

Your conduct, related to representation of the foregoing client, violated SCR 49.5 (Limited Practice for Law Students). SCR 49.5 requires that a supervisory lawyer, who is not employed by Boyd School of Law:

- (1) Personally assume professional responsibility for all work undertaken by the student while under the lawyer's supervision.
- (2) Assist and counsel the student in the activities permitted by this rule and review such activities with the student, to the extent necessary for the proper training of the student and protection of the client.
- (3) Read, approve, and personally sign any pleadings, briefs, or other papers prepared by the student before filing; read and approve any documents prepared by the student for execution by any person before submission to that person; and read and approve any correspondence prepared by the student before mailing.
- (4) Be present for any appearance by a student before a court or administrative tribunal.

The rule also requires that any supervisory lawyer, who is not employed by Boyd School of Law, "be continuously personally present throughout the activities permitted under subsection 5 (a), (b), and (c)," which includes when the student gives legal advice to clients.

You were not present for, or aware of, the legal advice Durney gave to the [REDACTED]. Alternatively, if you were aware of Durney's representations at the time that they were made, under SCR 49.5, you are responsible for their misleading content.

Your conduct also violated the Nevada Rules of Professional Conduct as follows:

RPC 1.3 (Diligence): You failed to diligently and promptly determine that you did not want to represent Cranfield. Further, you made this determination one month after your subordinate law student told the client that you would be filing his petition imminently. Finally, after you determined you would terminate the representation, you failed to diligently and promptly convey that information to the client.

RPC 5.5 (Unauthorized Practice of Law): You allowed Salmoran to meet with Cranfield, without a licensed lawyer present, when Cranfield initially retained the office and signed the retainer agreement.

Rule 5.3 (Responsibilities Regarding Nonlawyer Assistants): As Salmoran and Durney's supervisor you failed to ensure that (i) Salmoran did not engage in practice of law and (ii) Durney accurately and timely communicated with the Cranfields.

Rule 1.16 (Declining or Terminating Representation): For at least one month after you made the decision, you failed to (i) tell the client that you terminated the representation and (ii) return the unearned fee and client's papers to him.

**APPLICATION OF THE ABA STANDARDS FOR IMPOSING
LAWYER SANCTIONS**

ABA Standard 7.2 provides that "suspension is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional and causes injury or potential injury to a client, the public or the legal system." ABA Standard 4.42 states that suspension is appropriate when a lawyer engages in a pattern of neglect which causes

Joseph Gilbert, Esq.
August 27, 2021
Page 4 of 4

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injury or potential injury to a client. Standard 4.62 states that "suspension is generally appropriate when a lawyer knowingly deceives a client, and causes injury or potential injury to the client."

You knew, or should have known, that your nonlawyer assistant was engaging in the practice of law and that the law student you supervised had deceived the client regarding the status of the matter. You also knew, or should have known, that you failed to timely terminate the representation and return the retainer and papers to the client. Your misconduct actually injured your client, albeit not substantially because he had no formal deadline for filing the petition. Your misconduct actually injured the integrity of the profession as well.

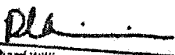
Taking into consideration that you were cautioned in 2018 regarding allowing nonlawyer assistants meeting with clients for substantive purposes, it is appropriate to apply Standard 7.2 in particular. However, the Panel balances this notice with the minimal nature of the injury and your lack of prior related discipline and finds that it is appropriate to deviate downward from a suspension to issuance of a reprimand.

REPRIMAND

Based upon the foregoing, you are hereby **REPRIMANDED** for your knowing violation of SCR 49.5, RPC 1.3 (Diligence), RPC 5.5 (Unauthorized Practice of Law), RPC 5.3 (Responsibilities Regarding Nonlawyer Assistants) and RPC 1.16 (Declining or Terminating Representation).

Finally, in accordance with Nevada Supreme Court Rule 120 you are assessed costs in the amount of \$1,500.

Sincerely,


Richard Williamson (Aug 27, 2021 09:53 PDT)

Richard Williamson, Esq.,
Screening Panel Chair
Northern Nevada Disciplinary Board

RW/rkf

GILBERT_000006

EXHIBIT 2

EXHIBIT 2



FILED

SEP 28 2021

STATE BAR OF NEVADA
BY *[Signature]*
OFFICE OF BAR COUNSEL

Case No: OBC21-0136

STATE BAR OF NEVADA

NORTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,

Complainant,

vs.

JOSEPH S. GILBERT, ESQ.,

BAR NO. 9033

Respondent.

COMPLAINT

TO: Joseph S. Gilbert, Esq.
405 Marsh Ave.
Reno, Nevada 89509

PLEASE TAKE NOTICE that pursuant to Supreme Court Rule ("SCR") 105(2) a VERIFIED RESPONSE OR ANSWER to this Complaint must be filed with the Office of Bar Counsel, State Bar of Nevada, 9456 Double R Boulevard, Ste. B, Reno, Nevada, 89521, within twenty (20) days of service of this Complaint. Procedure regarding service is addressed in SCR 109.

Complainant, State Bar of Nevada ("State Bar"), by and through its Assistant Bar Counsel, R. Kait Flocchini, is informed and believes as follows:

1 1. Attorney Joseph S. Gilbert, Esq. ("Respondent"), Bar No. 9033, is currently an
2 active member of the State Bar of Nevada and at all times pertinent to this complaint had his
3 principal place of business for the practice of law located in Washoe County, Nevada.

4 2. On September 11, 2020 James [REDACTED] ("Client" or "Clients" when referenced
5 with wife Tara [REDACTED]) signed a contract for representation with Respondent's office.

6 3. Client paid the full retainer of \$3,500 to have the firm submit a petition with the
7 court to either reduce or eliminate the requirement that Client continue to register as a Tier 3
8 Sex Offender.

9 4. Client met with Carlos Salmoran ("Salmoran"), a nonlawyer in Respondent's
10 office prior to signing the contract. Although the contract appears to have been signed by
11 Respondent, Client did not meet with an attorney prior to, or when, he signed the
12 representation contract.

13 5. Thereafter, Tara, Client's wife, communicated on a regular, if not daily, basis
14 with Salmoran and one of the firm's law clerks, John Durney, regarding the procedure and
15 substance for the petition and its filing.

16 6. Durney held a level 2 certification for the limited practice of law under Gilbert's
17 supervision pursuant to SCR 49.3.

18 7. Durney asked the Clients to gather letters of support for the petition, which
19 required Clients to inform friends and family of Client's past conviction.

20 8. On November 20, 2020, Durney emailed the Clients that he completed the
21 research and drafted the petition and he would file it the following week.

22 9. In December 2020, Respondent decided that he would decline to represent
23 Client.

1 10. On January 7, 2021, Durney told the Clients by email that he was waiting on a
2 hearing date, which implied that he had filed Client's Petition.

3 11. On January 14, 2021, Durney notified the Clients by email that he would return
4 to law school and limit his time in the office. Durney advised the Clients to contact either
5 attorney Roger O'Donnell or Salmoran (the Criminal Case Manager). Durney also told the
6 Clients that he would consult with the attorney about the case.

7 12. On January 25, 2021, Tara called Respondent's office and eventually spoke with
8 Durney. Durney apologized to Tara and notified her that Joey Gilbert Law would refund the
9 Clients' deposit. The firm had not drafted or filed a petition in Client's case. Durney apologized
10 to Tara for the lack of communication at the firm. He told her that the firm never should have
11 taken the case because the firm does not handle sex offender registration cases.

12 13. That same day, Durney emailed apologizing again for the bad news, said the
13 Clients should expect the full refund to take a few weeks, and provided a list of
14 recommendations for post-conviction relief attorneys specializing in cases like Client's.

15 14. The following day, Tara emailed Durney, Salmoran, and O'Donnell about the
16 decision to release Client from his contract with the firm. She requested an official letter of
17 withdrawal, including citing the reason why they made the decision four months after Client
18 signed the fee agreement and paid the full retainer. Tara also asked for the return of the
19 complete file and the original character reference letters that they provided to the firm.

20 15. On February 1, 2021, more than a month after deciding to decline the
21 representation, Respondent's office issued a check for \$3,500 to refund Client.

22 ///

23
24 ///

1 **COUNT ONE- SCR 49.3 (Limited Practice for Law Students)**

2 16. SCR 49.3 provides, in relevant part,:

3 4. **Supervision.** A “supervising lawyer” shall mean either a lawyer or law
4 professor employed by the William S. Boyd School of Law in a clinical program
5 and certified to practice in Nevada, or a member of the state bar in active
6 practice.

7 (a) A supervising lawyer shall:

8 (1) Personally assume professional responsibility for all work
9 undertaken by the student while under the lawyer’s supervision.

10 (2) Assist and counsel the student in the activities permitted by this rule
11 and review such activities with the student, to the extent necessary for the proper
12 training of the student and protection of the client.

13 (3) Read, approve, and personally sign any pleadings, briefs, or other
14 papers prepared by the student before filing; read and approve any documents
15 prepared by the student for execution by any person before submission to that
16 person; and read and approve any correspondence prepared by the student
17 before mailing.

18 (4) Be present for any appearance by a student before a court or
19 administrative tribunal.

20 (b) In addition to the above, a supervising lawyer who is not employed by the
21 William S. Boyd School of Law in a clinical program shall:

22 (1) Be an active resident member of the state bar, and, before supervising
23 the activities specified in subsection 6, shall have actively practiced law in
24 Nevada as a full-time occupation for at least five (5) years.

25 (2) Supervise not more than one student, unless the students are
participating in a William S. Boyd School of Law externship program.

(3) Be continuously personally present throughout the activities
permitted under subsection 6(a), (b), and (c).

(4) Before commencing supervision of any student, file with the state bar
a notice in writing and signed by the supervising lawyer that states the name of
the student and the period during which the lawyer expects to supervise the
activities of the student.

(5) Notify the state bar in writing promptly whenever supervision of the
student pursuant to this rule ceases.

1 . . .

2 **6. Activities permitted under level 2 certification.** A student with level
3 2 certification under this rule may engage in the following activities with the
4 written consent of the client on whose behalf the student is performing the
activities, and with the approval and under the supervision of a supervising
lawyer:

5 (a) Appear in any court or before any administrative tribunal in this state on
6 behalf of any client.

7 (b) Counsel and give legal advice to clients.

8 (c) Negotiate and mediate the settlement of claims and disputes.

9 (d) Prepare documents to be filed in court or with a legislative or
administrative body.

10 (e) Prepare transactional documents such as contracts, incorporation papers
11 and by-laws, and filings required by a state, federal, or other governmental body.

12 In all instances where, under this rule, a student is permitted to appear in
13 court or before an administrative tribunal, the student shall file with the court or
14 tribunal a copy of the written consent of the client required by this subsection
and shall bring that consent to the attention of the judge of the court or presiding
officer of the tribunal.

15 17. In light of the foregoing, including without limitation paragraphs 2 through 15,
16 Respondent has violated SCR 49.3 (Limited Practice for Law Students) because he failed to
17 properly supervise Durney's work product and communication with the Clients.

18 **COUNT TWO- RPC 1.3 (Diligence)**

19 18. RPC 1.3 requires a lawyer to "act with reasonable diligence and promptness in
20 representing a client."

21 19. In light of the foregoing, including without limitation paragraphs 2 through 15,
22 Respondent has violated RPC 1.3 (Diligence) by failing to prepare the promised petition for
23 over four months and promptly notify the client when he decided to decline the representation.

1 **COUNT THREE- RPC 5.5 (Unauthorized Practice of Law)**

2 20. RPC 5.3 states:

3 (a) General rule. A lawyer shall not:

4 (1) Practice law in a jurisdiction where doing so violates the regulation
5 of the legal profession in that jurisdiction; or

6 (2) Assist another person in the unauthorized practice of law.

7 21. In light of the foregoing, including without limitation paragraphs 2 through 15,
8 Respondent has violated RPC 5.5 (Unauthorized Practice of Law) by allowing Salmoran to
9 meet alone with the client when he was initially retained.

10 **COUNT FOUR- RPC 5.3 (Responsibilities Regarding Nonlawyer Assistants)**

11 22. RPC 5.3 states:

12 With respect to a nonlawyer employed or retained by or associated with a lawyer:

13 (a) A partner, and a lawyer who individually or together with other lawyers
14 possesses comparable managerial authority in a law firm shall make reasonable
15 efforts to ensure that the firm has in effect measures giving reasonable assurance
16 that the person's conduct is compatible with the professional obligations of the
17 lawyer;

18 (b) A lawyer having direct supervisory authority over the nonlawyer shall
19 make reasonable efforts to ensure that the person's conduct is compatible with
20 the professional obligations of the lawyer; and

21 (c) A lawyer shall be responsible for conduct of such a person that would be
22 a violation of the Rules of Professional Conduct if engaged in by a lawyer if:

23 (1) The lawyer orders or, with the knowledge of the specific conduct,
24 ratifies the conduct involved; or

25 (2) The lawyer is a partner or has comparable managerial authority in the
law firm in which the person is employed, or has direct supervisory authority over
the person, and knows of the conduct at a time when its consequences can be
avoided or mitigated but fails to take reasonable remedial action.

26 23. In light of the foregoing, including without limitation paragraphs 2 through 15,
Respondent has violated RPC 5.3 (Responsibilities Regarding Nonlawyer Assistants) by failing

1 to (i) ensure that Salmoran did not engage in the practice of law and (ii) ensure that Durney
2 was timely and accurately communicating with the Clients.

3 **COUNT FIVE- RPC 1.16 (Declining or Terminating Representation)**

4 24. RPC 1.16 states, in relevant part,:

5 (d) Upon termination of representation, a lawyer shall take steps to the extent
6 reasonably practicable to protect a client's interests, such as giving reasonable
7 notice to the client, allowing time for employment of other counsel, surrendering
8 papers and property to which the client is entitled and refunding any advance
9 payment of fee or expense that has not been earned or incurred. The lawyer may
10 retain papers relating to the client to the extent permitted by other law.

11 25. In light of the foregoing, including without limitation paragraphs 2 through 15,
12 Respondent has violated RPC 1.16 (Declining or Terminating Representation) by failing to
13 inform the Clients that he was declining the representation for more than a month and failing
14 to refund the fee for weeks thereafter.

15 WHEREFORE, Complainant prays as follows:

- 16 1. That a hearing be held pursuant to Nevada Supreme Court Rule 105;
17 2. That Respondent be assessed the costs of the disciplinary proceeding pursuant
18 to SCR 120; and
19 3. That pursuant to SCR 102, such disciplinary action be taken by the Northern
20 Nevada Disciplinary Board against Respondent as may be deemed appropriate under the
21 circumstances.

22 Dated this 28th day of September, 2021.

23 STATE BAR OF NEVADA
24 DANIEL M. HOOGE, Bar Counsel

25 By: Kait Flocchini
R. Kait Flocchini, Assistant Bar Counsel
Nevada Bar No. 9861
9456 Double R Boulevard
Reno, Nevada 89521
(775) 329-4100

EXHIBIT 3

EXHIBIT 3

EXHIBIT 3a

EXHIBIT 3a

DECLARATION OF JOSEPH S. GILBERT

I, Joseph S. Gilbert, do declare and state as follows:

1. I am the Respondent, in matter styled *State Bar of Nevada vs. Joseph S. Gilbert, Esq.*, Case No.: 0BC21-0136, filed with the State Bar of Nevada;

2. I am over the age of 18 and am mentally competent to testify. I have personal knowledge of the facts stated herein. If called upon to testify as to the matter herein, I could and would do so;

3. I make this Declaration as an Exhibit to a Petition for Writ of Mandamus or Prohibition that will be filed in the Supreme Court of Nevada based upon procedures employed in the matter referenced in paragraph 1, above;

4. I have been licensed by the Supreme Court of Nevada to practice law before all Nevada courts since 2004;

5. I started Joey Gilbert Law in 2009 as a solo practice and it now regularly employs between sixteen and twenty lawyers, law clerks, paralegals, legal assistants and support personnel;

6. At the commencement of Joey Gilbert Law I initiated a marketing program to assist in attracting clients to the firm and have continued to do so;

7. As we were given an opportunity to supply legal services to our original clients and satisfied them with the quality of our work, they became an important source of business because they referred people, they knew to us who became new clients;

8. Today, although we continue to utilize a multimedia marketing approach to attract clients, it has become more important as a mode of reinforcing our brand and identity than as a source for new clients;

9. Shortly after the COVID-19 pandemic came into being, I commenced working remotely and conducted most, but not all, of my client interaction vis videoconferencing of telephone;

10. In September 2020 it came to my attention that James and Tara [REDACTED] had spoken on prior occasions with Carlos Salmoran and others from Joey Gilbert Law with regard to possibly engaging us to provide them with legal services relating to James's desire to be relieved from a more rigorous form of reporting his status derived from a 1998 criminal conviction for an

1 offense which requires it;

2 11. On September 11, 2020, I spoke on the telephone with James [REDACTED] and Carlos
3 Salmoran regarding representing Mr. [REDACTED] on the matter for which he sought assistance;

4 12. During that discussion the [REDACTED] were unable to provide us with documents
5 detailing the 1998 criminal conviction other than it required him to register as a sex offender;

6 13. During that discussion I recalled that an attorney who had recently left my law firm
7 had represented a client on a similar matter and I believed that the papers from that event were still
8 in my law firm's possession;

9 14. Based on the limited information provided by the client at that time, I believed our
10 firm could be of assistance;

11 15. I advised Mr. [REDACTED] and Mr. Salmoran as to the amount of the fee and agreed
12 to represent Mr. [REDACTED] in the matter;

13 16. Another attorney in our firm, Roger O'Donnell, and a law student who was
14 supervised by both Mr. O'Donnell and I, John Durney, were assigned to work together with me in
15 representing Mr. [REDACTED];

16 17. I have it on information and belief that my staff retrieved the file from the earlier
17 client's matter that was like Mr. [REDACTED] shortly after we were engaged by Mr. [REDACTED];

18 18. It is my memory that we could not go forward with the matter due to a lack of
19 specific information about the original charges and conviction of Mr. [REDACTED] and that it was not
20 retrievable by us from the Clerk of the Second Judicial District Court due to COVID imposed
21 limitations combined with the age of the file itself;

22 19. I have it on information and belief that we requested the [REDACTED] to search their
23 records for the file or seek it from the clerk of the court directly;

24 20. Mr. [REDACTED] did not present our offices with the file from the 1998 criminal
25 conviction until mid to late October 2020;

26 21. Based upon conversations that I had with Roger O'Donnell during the months of
27 November and December 2020, and based upon my own examination of the proposed motion
28 drafted by Mr. Durney under our supervision, it was my impression that Mr. [REDACTED] matter

1 required a degree of experience regarding the nuances of registration requirements that we simply
2 did not possess;

3 22. I made the determination that Mr. [REDACTED] should be referred to a lawyer with
4 experience in post-conviction matters and/or defending cases involving allegations of sexual
5 misconduct, neither of which fit the description of anyone in our firm;

6 23. I recall a discussion with Roger O'Donnell occurring the night of our office
7 Christmas party on December 18, 2020 in which I directed that a full refund issue to the [REDACTED]
8 and that they be referred to lawyers with experience in those areas;

9 24. I have it on information and belief that there was a delay of a several weeks between
10 my directive in December 2020 and the [REDACTED] being informed of it. It is my understanding
11 that the delay was inadvertent and due to the holiday schedule and COVID issues among my office
12 personnel;

13 25. The next time the [REDACTED] came to my attention was on February 8, 2021, when
14 I read a letter from Respondent advising me that the [REDACTED] had filed a grievance and directing
15 that I respond in writing. Until that moment I had no idea that they were dissatisfied in any manner
16 with our decision to refer them out to lawyers more competent and experienced in a matter such
17 as that of James;

18 26. I responded to the grievance letter on February 18, 2021 and provided proof of
19 refund by way of a copy of the cleared check endorsed by the [REDACTED];

20 27. In May 2021 I informally announced by candidacy for the Republican Party
21 nomination for Governor in the 2022 elections and more formally announced it in August 2021;

22 28. Shortly after I made my formal announcement, on August 27, 2021 I received a
23 letter of reprimand growing out of the [REDACTED] grievance, accompanied by a cover letter;

24 29. A copy of the letter of reprimand and cover letter are provided as an exhibit to the
25 Petition for Writ of Mandamus or Prohibition to which this Declaration is attached;

26 30. In accordance with the instructions contained in the cover letter, and on September
27 10, 2021 I timely filed objections to the letter of reprimand and findings and conclusions of the
28 screening panel and perfected my right to a formal hearing on the disciplinary matter;

31. On December 10, 2021 I received an email from an Associated Press reporter advising me that the State Bar of Nevada had authenticated to him a copy of a letter of reprimand that was attached to the email to me;

32. A copy of the email and attachments received from the Associated Press reporter are provided as an exhibit to the Petition for Writ of Mandamus or Prohibition to which this Declaration is attached;

33. On and after December 17, 2021, I am aware of much adverse publicity directed at my being reprimanded by the State Bar of Nevada and there has been an adverse impact on all aspects of my personal and professional life;

34. For example, there has been a notable reduction in the number of incoming new professional matters for clients;

35. I have received person-to-person statements throughout my travels in Nevada regarding harm to my clients;

36. My daughter has been confronted by her schoolmates regarding my being criticized for misbehavior;

37. There has been an adverse impact on campaign support for my party's nomination for the office of governor.

I declare under penalty of perjury under the laws of the state of Nevada that the above information is true and correct.

DATED this 15th day of January, 2022.


JOSEPH GILBERT

EXHIBIT 3b

EXHIBIT 3b

1 **SUPPLEMENTAL DECLARATION OF JOSEPH S. GILBERT**

2 I, Joseph S. Gilbert, do declare and state as follows:

3 1. I am the Respondent, in matter styled *State Bar of Nevada vs. Joseph S. Gilbert, Esq.*, Case
4 No.: 0BC21-0136, filed with the State Bar of Nevada;

5 2. I am over the age of 18 and am mentally competent to testify. I have personal knowledge
6 of the facts stated herein. If called upon to testify as to the matter herein, I could and would do so;

7 3. I make this Supplemental Declaration as an Exhibit to a Petition for Writ of Mandamus or
8 Prohibition that will be filed in the Supreme Court of Nevada based upon procedures employed in
9 the matter referenced in paragraph 1, above;

10 4. I have been licensed by the Supreme Court of Nevada to practice law before all Nevada
11 courts since 2004;

12 5. I started Joey Gilbert Law in 2009 as a solo practice and it now regularly employs
13 between sixteen and twenty lawyers, law clerks, paralegals, legal assistants and support personnel;

14 6. One of the lawyers currently employed by Joey Gilbert Law is Max Stovall;

15 7. Max Stovall's first day of employment with Joey Gilbert Law was April 23, 2021;

16 8. Max Stovall was not employed with Joey Gilbert Law during the firm's
17 representation of James [REDACTED] and he has no personal knowledge of the facts and circumstances
18 regarding that representation;

19 9. I communicated to Max Stovall that I received letter from the State Bar advising
20 that a Screening Panel of the Northern Nevada Board had recommended a Letter of Reprimand
21 and apprising me of the Appeal Procedures for objecting to the issuance of the Letter of
22 Reprimand;

23 10. On December 10, 2021 I received an email from an Associated Press reporter
24 advising me that the State Bar of Nevada had authenticated to him a copy of a letter of reprimand
25 that was attached to the email to me;

26 11. A copy of the email and attachments received from the Associated Press reporter
27 are provided as an exhibit to the Petition for Writ of Mandamus or Prohibition to which this
28 Declaration is attached;

1 12. I conducted an investigation and confirmed that none of the employees of Joey
2 Gilbert Law leaked the Letter of Reprimand created by the State Bar to the Associated Press.
3 Copies of signed and notarized Affidavits from Joey Gilbert Law employees are provided as
4 exhibits to the Petition for Writ of Mandamus or Prohibition to which this Declaration is attached;

5 13. While Max Stovall was aware of the existence of the Letter of Reprimand
6 forwarded by the Nevada State Bar, he confirmed to me that he did not provide a copy of that
7 Letter of Reprimand to the Associated Press reporter. He declined to provide an Affidavit similar
8 in nature to those provided by all other staff members.

9 14. I also directed my retained IT company to conduct an electronic search to verify no
10 communications were sent to or received from the Associated Press or any employee or agent
11 thereof on or before the date we were notified by the Associated Reporter that the Letter of
12 Reprimand had been leaked. This search produced no communications in this regard.

13 15. Based upon the investigation performed, it is my information and belief that the
14 premature Letter of Reprimand was not leaked by myself or anyone at Joey Gilbert Law.

15 I declare under penalty of perjury under the laws of the state of Nevada that the above
16 information is true and correct.

17 DATED this 12th day of January 2022.


18
19 
20 JOSEPH GILBERT
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28

EXHIBIT 3c

EXHIBIT 3c

AFFIDAVIT OF J. AMBER KAMMANN

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

I, J. AMBER KAMMANN, being first duly sworn and under penalty of perjury hereby depose and state as follows:

1. I am employed by the law firm of JOEY GILBERT LAW in the position of legal assistant.

2. This Affidavit is made and based upon my own personal knowledge of the facts stated herein, except where stated on information and belief, and as to those matters, I believe them to be true. If called as a witness, I could competently testify thereto.

3. It is my understanding JAMES [REDACTED] was a client of JOEY GILBERT LAW for the purpose of petitioning for the termination of Mr. [REDACTED] obligation to register as a sex offender and that on or around January 25, 2021, JOEY GILBERT LAW terminated Mr. [REDACTED] as a client and shortly thereafter refunded his full retainer paid, in the amount of \$3,500.00.

4. It is my further understanding that subsequently on or around January 29, 2021, Mr. [REDACTED] submitted an online complaint against JOEY GILBERT, ESQ. ("Mr. Gilbert") with the State Bar of Nevada, which eventually resulted in a recommendation that Mr. Gilbert receive a letter of reprimand regarding the [REDACTED] Grievance.

5. At no time did I see, have access to, or otherwise have or cause to be made a copy of the proposed letter of private reprimand recommended by the State Bar of Nevada in the [REDACTED] Grievance matter.

Lipson Neilson P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144
(702) 382-1500 FAX: (702) 382-1512

1 6. Furthermore, at no time did I ever communicate with or provide documents
2 to journalist Sam Metz or any other member of the press or the public regarding the
3 [REDACTED] Grievance and/or the related proposed letter of reprimand.

4 7. I declare under penalty of perjury that the foregoing is true and correct.
5 FURTHER AFFIANT SAYETH NAUGHT.

6 DATED this 4th Day of January, 2022, in Reno, Nevada

7
8
9 
10 AFFIANT, J. AMBER KAMMANN

11
12 SUBSCRIBED AND SWORN to
13 before me this 4th day of January, 2022.


14
15 
16 NOTARY PUBLIC in and for said
17 State and County



EXHIBIT 3d

EXHIBIT 3d

AFFIDAVIT OF CARLOS SALMORAN

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

I, CARLOS SALMORAN, being first duly sworn and under penalty of perjury hereby depose and state as follows:

1. I am employed by the law firm JOEY GILBERT LAW in the position of legal assistant.

2. This Affidavit is made and based upon my own personal knowledge of the facts stated herein, except where stated on information and belief, and as to those matters, I believe them to be true. If called as a witness, I could competently testify thereto.

3. JAMES [REDACTED] was a client of JOEY GILBERT LAW for the purpose of petitioning for the termination of Mr. [REDACTED] obligation to register as a sex offender. Due to Mr. [REDACTED] frequent unavailability, and in accordance with his explicit instructions, JOEY GILBERT LAW frequently coordinated communication regarding Mr. [REDACTED] case through his wife, Tara [REDACTED]. In addition, Mr. [REDACTED] had access to his client file through the MyCase client portal, a service provided for all JOEY GILBERT LAW clients.

4. On or around January 25, 2021, JOEY GILBERT LAW terminated Mr. [REDACTED] as a client and shortly thereafter refunded his full retainer paid, in the amount of \$3,500.00

5. Subsequently on or around January 29, 2021, Mr. [REDACTED] submitted an online complaint against JOEY GILBERT, ESQ. ("Mr. Gilbert") with the State Bar of Nevada attorney discipline department, through the State Bar's website. As a result, the State Bar of Nevada eventually opened a grievance file against Mr. Gilbert ("Grievance").

Lipson Neilson P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144
(702) 382-1500 FAX: (702) 382-1512

1 6. The State Bar of Nevada eventually proposed that Mr. Gilbert receive a
2 letter of reprimand regarding the [REDACTED] Grievance, and on or around August of 2021,
3 the proposed letter of reprimand and cover letter was certified mailed to our office at 405
4 Marsh Ave Reno, NV 89509.

5 7. At no time did I cause a copy of the proposed letter of private reprimand
6 recommended by the State Bar of Nevada in the [REDACTED] Grievance matter to be made
7 or produced to anyone outside JOEY GILBERT LAW.

8 8. Furthermore, at no time did I ever communicate with or provide documents
9 to journalist Sam Metz or any other member of the press or the public regarding the
10 [REDACTED] Grievance and/or the related proposed letter of reprimand.

11 9. I declare under penalty of perjury that the foregoing is true and correct.

12 FURTHER AFFIANT SAYETH NAUGHT.

13 DATED this 4th Day of January, 2022, in Reno, Nevada

14
15 *Carlos Salmoran*
16 _____
17 AFFIANT, CARLOS SALMORAN

18 SUBSCRIBED AND SWORN to
19 before me this 4th day of January, 2022.

20 *Debra L. Hamilton*
21 _____
22 NOTARY PUBLIC in and for said
23 State and County

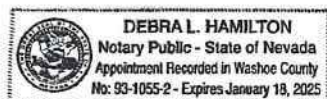


EXHIBIT 3e

EXHIBIT 3e

AFFIDAVIT OF CINDY MARTINEZ

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

I, CINDY MARTINEZ, being first duly sworn and under penalty of perjury hereby depose and state as follows:

1. I am employed by the law firm of JOEY GILBERT LAW in the position of legal assistant.

2. This Affidavit is made and based upon my own personal knowledge of the facts stated herein, except where stated on information and belief, and as to those matters, I believe them to be true. If called as a witness, I could competently testify thereto.

3. JAMES [REDACTED] was a client of JOEY GILBERT LAW for the purpose of petitioning for the termination of Mr. [REDACTED] obligation to register as a sex offender. Due to Mr. [REDACTED] frequent unavailability, and in accordance with his explicit instructions, JOEY GILBERT LAW frequently coordinated communication regarding Mr. [REDACTED] case through his wife, Tara [REDACTED]. In addition, Mr. [REDACTED] had access to his client file through the MyCase client portal, a service provided for all JOEY GILBERT LAW clients.

4. On or around January 25, 2021, JOEY GILBERT LAW terminated Mr. [REDACTED] as a client and shortly thereafter refunded his full retainer paid, in the amount of \$3,500.00.

5. Subsequently on or around January 29, 2021, Mr. [REDACTED] submitted an online complaint against JOEY GILBERT, ESQ. ("Mr. Gilbert") with the State Bar of Nevada attorney discipline department, through the State Bar's website. As a result, the State Bar of Nevada eventually opened a grievance file against Mr. Gilbert ("Grievance").

Lipson Neilson P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144
(702) 382-1500 FAX: (702) 382-1512

1 6. It is my understanding and belief that the State Bar of Nevada eventually
2 proposed that Mr. Gilbert receive a letter of reprimand regarding the [REDACTED]
3 Grievance.

4 7. At no time did I see, have access to, or otherwise have or cause to be
5 made a copy of the proposed letter of private reprimand recommended by the State Bar
6 of Nevada in the [REDACTED] Grievance matter.

7 8. Furthermore, at no time did I ever communicate with or provide documents
8 to journalist Sam Metz or any other member of the press or the public regarding the
9 [REDACTED] Grievance and/or the related proposed letter of reprimand.

10 9. I declare under penalty of perjury that the foregoing is true and correct.

11 FURTHER AFFIANT SAYETH NAUGHT.

12
13 DATED this 4th Day of January, 2022, in Reno, Nevada

14
15 
16 AFFIANT, CINDY MARTINEZ

17
18 SUBSCRIBED AND SWORN to
19 before me this 4th day of January, 2022.


20
21 
22 NOTARY PUBLIC in and for said
23 State and County



EXHIBIT 3f

EXHIBIT 3f

AFFIDAVIT OF EILEEN FREEMAN

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

I, EILEEN FREEMAN, being first duly sworn and under penalty of perjury hereby depose and state as follows:

1. I am employed by the law firm of JOEY GILBERT LAW in the position of Controller.

2. This Affidavit is made and based upon my own personal knowledge of the facts stated herein, except where stated on information and belief, and as to those matters, I believe them to be true. If called as a witness, I could competently testify thereto.

3. It is my understanding that JAMES [REDACTED] was a client of JOEY GILBERT LAW for the purpose of petitioning for the termination of Mr. [REDACTED] obligation to register as a sex offender.

4. On or around January 25, 2021, JOEY GILBERT LAW terminated Mr. [REDACTED] as a client and shortly thereafter refunded his full retainer paid, in the amount of \$3,500.00.

5. It is further my understanding that subsequently on or around January 29, 2021, Mr. [REDACTED] submitted an online complaint against JOEY GILBERT, ESQ. ("Mr. Gilbert") with the State Bar of Nevada attorney discipline department, through the State Bar's website. As a result, the State Bar of Nevada eventually opened a grievance file against Mr. Gilbert ("[REDACTED] Grievance").

6. It is my understanding and belief that the State Bar of Nevada eventually proposed that Mr. Gilbert receive a letter of reprimand regarding the [REDACTED] Grievance.

1 7. At no time did I see, have access to, or otherwise have or cause to be
2 made a copy of the proposed letter of private reprimand recommended by the State Bar
3 of Nevada in the [REDACTED] Grievance matter.

4 8. Furthermore, at no time did I ever communicate with or provide documents
5 to journalist Sam Metz or any other member of the press or the public regarding the
6 [REDACTED] Grievance and/or the related proposed letter of reprimand.

7 9. I declare under penalty of perjury that the foregoing is true and correct.

8 FURTHER AFFIANT SAYETH NAUGHT.

9
10 DATED this 4th Day of January, 2022, in Reno, Nevada

11
12 *Eileen Freeman*
13 _____
14 AFFIANT, EILEEN FREEMAN

15 SUBSCRIBED AND SWORN to
16 before me this 4th day of January, 2022.

17 *Debra L. Hamilton*
18 _____
19 NOTARY PUBLIC in and for said
20 State and County

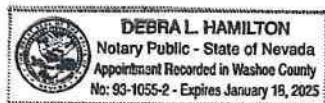


EXHIBIT 3g

EXHIBIT 3g

AFFIDAVIT OF LAURA BOTELLO

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

I, LAURA BOTELLO, being first duly sworn and under penalty of perjury hereby depose and state as follows:

1. I am employed by the law firm of JOEY GILBERT LAW in the position of legal assistant.

2. This Affidavit is made and based upon my own personal knowledge of the facts stated herein, except where stated on information and belief, and as to those matters, I believe them to be true. If called as a witness, I could competently testify thereto.

3. JAMES [REDACTED] was a client of JOEY GILBERT LAW for the purpose of petitioning for the termination of Mr. [REDACTED] obligation to register as a sex offender. Due to Mr. [REDACTED] frequent unavailability, and in accordance with his explicit instructions, JOEY GILBERT LAW frequently coordinated communication regarding Mr. [REDACTED] case through his wife, Tara [REDACTED]. In addition, Mr. [REDACTED] had access to his client file through the MyCase client portal, a service provided for all JOEY GILBERT LAW clients.

4. On or around January 25, 2021, JOEY GILBERT LAW terminated Mr. [REDACTED] as a client and shortly thereafter refunded his full retainer paid, in the amount of \$3,500.00.

5. Subsequently on or around January 29, 2021, Mr. [REDACTED] submitted an online complaint against JOEY GILBERT, ESQ. ("Mr. Gilbert") with the State Bar of Nevada attorney discipline department, through the State Bar's website. As a result, the State Bar of Nevada eventually opened a grievance file against Mr. Gilbert ("Grievance").

1 6. It is my understanding and belief that the State Bar of Nevada eventually
2 proposed that Mr. Gilbert receive a letter of reprimand regarding the [REDACTED]
3 Grievance.

4 7. At no time did I see, have access to, or otherwise have or cause to be
5 made a copy of the proposed letter of private reprimand recommended by the State Bar
6 of Nevada in the [REDACTED] Grievance matter.

7 8. Furthermore, at no time did I ever communicate with or provide documents
8 to journalist Sam Metz or any other member of the press or the public regarding the
9 [REDACTED] Grievance and/or the related proposed letter of reprimand.

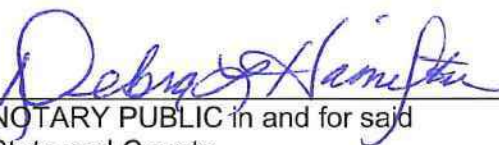
10 9. I declare under penalty of perjury that the foregoing is true and correct.

11 FURTHER AFFIANT SAYETH NAUGHT.

12 DATED this 4th Day of January, 2022, in Reno, Nevada

13
14
15 
16 AFFIANT, LAURA BOTELLO

17
18 SUBSCRIBED AND SWORN to
19 before me this 4th day of January, 2022.

20
21 
22 NOTARY PUBLIC in and for said
23 State and County

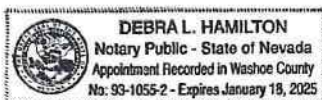


EXHIBIT 3h

EXHIBIT 3h

AFFIDAVIT OF F. NANCY VAZQUEZ

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

I, F. NANCY VAZQUEZ, being first duly sworn and under penalty of perjury hereby depose and state as follows:

1. I am employed by the law firm JOEY GILBERT LAW in the position of Executive Director.

2. This Affidavit is made and based upon my own personal knowledge of the facts stated herein, except where stated on information and belief, and as to those matters, I believe them to be true. If called as a witness, I could competently testify thereto.

3. JAMES [REDACTED] was a client of JOEY GILBERT LAW for the purpose of petitioning for the termination of Mr. [REDACTED] obligation to register as a sex offender. Due to Mr. [REDACTED]'s frequent unavailability, and in accordance with his explicit instructions, JOEY GILBERT LAW frequently coordinated communication regarding Mr. [REDACTED] case through his wife, Tara [REDACTED]. In addition, Mr. [REDACTED] had access to his client file through the MyCase client portal, a service provided for all JOEY GILBERT LAW clients.

4. On or around January 25, 2021, JOEY GILBERT LAW terminated Mr. [REDACTED] as a client and shortly thereafter refunded his full retainer paid, in the amount of \$3,500.00.

5. Subsequently on or around January 29, 2021, Mr. [REDACTED] submitted an online complaint against JOEY GILBERT, ESQ. ("Mr. Gilbert") with the State Bar of Nevada attorney discipline department, through the State Bar's website. As a result, the State Bar of Nevada eventually opened a grievance file against Mr. Gilbert ("Grievance").

1 6. The State Bar of Nevada eventually proposed that Mr. Gilbert receive a
2 letter of reprimand regarding the [REDACTED] Grievance, and on or around August of 2021,
3 the proposed letter of reprimand and cover letter was certified mailed to our office at 405
4 Marsh Ave Reno, NV 89509.

5 7. At no time did I cause a copy of the proposed letter of private reprimand
6 recommended by the State Bar of Nevada in the [REDACTED] Grievance matter to be made
7 or produced to anyone outside JOEY GILBERT LAW.

8 8. Furthermore, at no time did I ever communicate with or provide documents
9 to journalist Sam Metz or any other member of the press or the public regarding the
10 [REDACTED] Grievance and/or the related proposed letter of reprimand.

11 9. I declare under penalty of perjury that the foregoing is true and correct.

12 FURTHER AFFIANT SAYETH NAUGHT.

13 DATED this 4th Day of January, 2022, in Reno, Nevada

14
15 Nancy Vazquez
16 AFFIANT, F. NANCY VAZQUEZ
17

18 SUBSCRIBED AND SWORN to
19 before me this 4th day of January, 2022.

20
21 Debra L. Hamilton
22 NOTARY PUBLIC in and for said
23 State and County

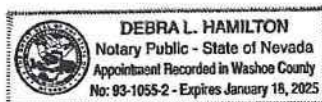


EXHIBIT 3i

EXHIBIT 3i

AFFIDAVIT OF NEIDA LOPEZ-AVILA

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

I, NEIDA LOPEZ-AVILA, being first duly sworn and under penalty of perjury hereby depose and state as follows:

1. I am employed by the law firm of JOEY GILBERT LAW in the position of receptionist.

2. This Affidavit is made and based upon my own personal knowledge of the facts stated herein, except where stated on information and belief, and as to those matters, I believe them to be true. If called as a witness, I could competently testify thereto.

3. Although I was not employed at the time, it is my understanding JAMES [REDACTED] was a client of JOEY GILBERT LAW for the purpose of petitioning for the termination of Mr. [REDACTED] obligation to register as a sex offender and that on or around January 25, 2021, JOEY GILBERT LAW terminated Mr. [REDACTED] as a client and shortly thereafter refunded his full retainer paid, in the amount of \$3,500.00

4. It is my further understanding that subsequently on or around January 29, 2021, Mr. [REDACTED] submitted an online complaint against JOEY GILBERT, ESQ. ("Mr. Gilbert") with the State Bar of Nevada, which eventually resulted in a recommendation that Mr. Gilbert receive a letter of reprimand regarding the [REDACTED] Grievance.

5. At no time did I see, have access to, or otherwise have or cause to be made a copy of the proposed letter of private reprimand recommended by the State Bar of Nevada in the [REDACTED] Grievance matter.

6. Furthermore, at no time did I ever communicate with or provide documents to journalist Sam Metz or any other member of the press or the public regarding the [REDACTED] Grievance and/or the related proposed letter of reprimand.

Lipson Neilson P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144
(702) 382-1500 FAX: (702) 382-1512

1 7. I declare under penalty of perjury that the foregoing is true and correct.
2 FURTHER AFFIANT SAYETH NAUGHT.
3

4 DATED this 4th Day of January, 2022, in Reno, Nevada

5
6 Neida Lopez Avila
7 AFFIANT, NEIDA LOPEZ-AVILA
8

9 SUBSCRIBED AND SWORN to
10 before me this 4th day of January, 2022.

11
12 [Signature]
13 NOTARY PUBLIC in and for said
14 State and County



EXHIBIT 3j

EXHIBIT 3j

AFFIDAVIT OF REILLY KIMBREL

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

I, REILLY KIMBREL, being first duly sworn and under penalty of perjury hereby depose and state as follows:

1. I am employed by the law firm of JOEY GILBERT LAW in the position of legal assistant.

2. This Affidavit is made and based upon my own personal knowledge of the facts stated herein, except where stated on information and belief, and as to those matters, I believe them to be true. If called as a witness, I could competently testify thereto.

3. Although I was not employed at the time, it is my understanding JAMES [REDACTED] was a client of JOEY GILBERT LAW for the purpose of petitioning for the termination of Mr. [REDACTED] obligation to register as a sex offender and that on or around January 25, 2021, JOEY GILBERT LAW terminated Mr. [REDACTED] as a client and shortly thereafter refunded his full retainer paid, in the amount of \$3,500.00.

4. It is my further understanding that subsequently on or around January 29, 2021, Mr. [REDACTED] submitted an online complaint against JOEY GILBERT, ESQ. ("Mr. Gilbert") with the State Bar of Nevada, which eventually resulted in a recommendation that Mr. Gilbert receive a letter of reprimand regarding the [REDACTED] Grievance.

5. At no time did I see, have access to, or otherwise have or cause to be made a copy of the proposed letter of private reprimand recommended by the State Bar of Nevada in the [REDACTED] Grievance matter.

6. Furthermore, at no time did I ever communicate with or provide documents to journalist Sam Metz or any other member of the press or the public regarding the [REDACTED] Grievance and/or the related proposed letter of reprimand.

7. I declare under penalty of perjury that the foregoing is true and correct.
FURTHER AFFIANT SAYETH NAUGHT.

DATED this 4th Day of January, 2022, in Reno, Nevada


AFFIANT, REILLY KIMBREL

SUBSCRIBED AND SWORN to
before me this 4th day of January, 2022.

NOTARY PUBLIC in and for said
State and County

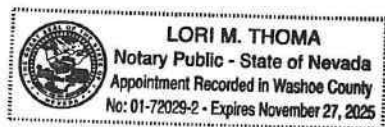


EXHIBIT 3k

EXHIBIT 3k

AFFIDAVIT OF ROGER M. O'DONNELL, ESQ.

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

I, ROGER M. O'DONNELL, ESQ. being first duly sworn and under penalty of perjury hereby depose and state as follows:

1. I am duly licensed to practice law in the State of Nevada and an attorney with the law firm of JOEY GILBERT LAW.

2. This Affidavit is made and based upon my own personal knowledge of the facts stated herein, except where stated on information and belief, and as to those matters, I believe them to be true. If called as a witness, I could competently testify thereto.

3. JAMES [REDACTED] was a client of JOEY GILBERT LAW for the purpose of petitioning for the termination of Mr. [REDACTED] obligation to register as a sex offender. Due to Mr. [REDACTED] frequent unavailability, and in accordance with his explicit instructions, JOEY GILBERT LAW frequently coordinated communication regarding Mr. [REDACTED] case through his wife, Tara [REDACTED]. In addition, Mr. [REDACTED] had access to his client file through the MyCase client portal, a service provided for all JOEY GILBERT LAW clients.

4. On or around January 25, 2021, JOEY GILBERT LAW terminated Mr. [REDACTED] as a client and shortly thereafter refunded his full retainer paid, in the amount of \$3,500.00.

5. Subsequently on or around January 29, 2021, Mr. [REDACTED] submitted an online complaint against JOEY GILBERT, ESQ. ("Mr. Gilbert") with the State Bar of Nevada attorney discipline department, through the State Bar's website. As a result, the State Bar of Nevada eventually opened a grievance file against Mr. Gilbert ("Grievance").

1 6. The State Bar of Nevada eventually proposed that Mr. Gilbert receive a
2 letter of reprimand regarding the [REDACTED] Grievance, and on or around August of 2021,
3 the proposed letter of reprimand and cover letter was certified mailed to our office at 405
4 Marsh Ave Reno, NV 89509.

5 7. At no time did I cause a copy of the proposed letter of private reprimand
6 recommended by the State Bar of Nevada in the [REDACTED] Grievance matter to be made
7 or produced to anyone outside JOEY GILBERT LAW.

8 8. Furthermore, at no time did I ever communicate with or provide documents
9 to journalist Sam Metz or any other member of the press or the public regarding the
10 [REDACTED] Grievance and/or the related proposed letter of reprimand.

11 9. I declare under penalty of perjury that the foregoing is true and correct.

12 FURTHER AFFIANT SAYETH NAUGHT.

13 DATED this 4th Day of January, 2022, in Reno, Nevada

14
15 
16 AFFIANT, ROGER M. O'DONNELL, ESQ.

17
18 SUBSCRIBED AND SWORN to
19 before me this 4th day of January, 2022.

20
21 
22 NOTARY PUBLIC in and for said
23 State and County

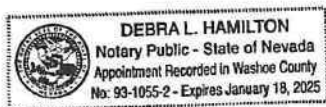


EXHIBIT 31

EXHIBIT 31

AFFIDAVIT OF STACEY SAMPSON

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

I, STACEY SAMPSON, being first duly sworn and under penalty of perjury
hereby depose and state as follows:

1. I am employed by the law firm of JOEY GILBERT LAW in the position of
paralegal.

2. This Affidavit is made and based upon my own personal knowledge of the
facts stated herein, except where stated on information and belief, and as to those
matters, I believe them to be true. If called as a witness, I could competently testify
thereto.

3. It is my understanding JAMES [REDACTED] was a client of JOEY
GILBERT LAW for the purpose of petitioning for the termination of Mr. [REDACTED]
obligation to register as a sex offender and that on or around January 25, 2021, JOEY
GILBERT LAW terminated Mr. [REDACTED] as a client and shortly thereafter refunded his
full retainer paid, in the amount of \$3,500.00.

4. It is my further understanding that subsequently on or around January 29,
2021, Mr. [REDACTED] submitted an online complaint against JOEY GILBERT, ESQ. ("Mr.
Gilbert") with the State Bar of Nevada, which eventually resulted in a recommendation
that Mr. Gilbert receive a letter of reprimand regarding the [REDACTED] Grievance.

5. At no time did I see, have access to, or otherwise have or cause to be
made a copy of the proposed letter of private reprimand recommended by the State Bar
of Nevada in the [REDACTED] Grievance matter.

6. Furthermore, at no time did I ever communicate with or provide documents
to journalist Sam Metz or any other member of the press or the public regarding the
[REDACTED] Grievance and/or the related proposed letter of reprimand.

Lipson Neilson P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144
(702) 382-1500 FAX: (702) 382-1512

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7. I declare under penalty of perjury that the foregoing is true and correct.
FURTHER AFFIANT SAYETH NAUGHT.

DATED this 4th Day of January, 2022, in Reno, Nevada

Stacey Sampson
AFFIANT, STACEY SAMPSON

SUBSCRIBED AND SWORN to
before me this 4th day of January, 2022.

Debra L. Hamilton
NOTARY PUBLIC in and for said
State and County

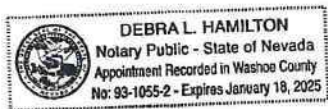


EXHIBIT 3m

EXHIBIT 3m

AFFIDAVIT OF THADDEUS MORALES

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

I, THADDEUS MORALES, being first duly sworn and under penalty of perjury hereby depose and state as follows:

1. I am employed by the law firm of JOEY GILBERT LAW in the position of paralegal.

2. This Affidavit is made and based upon my own personal knowledge of the facts stated herein, except where stated on information and belief, and as to those matters, I believe them to be true. If called as a witness, I could competently testify thereto.

3. It is my understanding JAMES [REDACTED] was a client of JOEY GILBERT LAW for the purpose of petitioning for the termination of Mr. [REDACTED] obligation to register as a sex offender and that on or around January 25, 2021, JOEY GILBERT LAW terminated Mr. [REDACTED] as a client and shortly thereafter refunded his full retainer paid, in the amount of \$3,500.00.

4. It is my further understanding that subsequently on or around January 29, 2021, Mr. [REDACTED] submitted an online complaint against JOEY GILBERT, ESQ. ("Mr. Gilbert") with the State Bar of Nevada, which eventually resulted in a recommendation that Mr. Gilbert receive a letter of reprimand regarding the [REDACTED] Grievance.

5. At no time did I see, have access to, or otherwise have or cause to be made a copy of the proposed letter of private reprimand recommended by the State Bar of Nevada in the [REDACTED] Grievance matter.

6. Furthermore, at no time did I ever communicate with or provide documents to journalist Sam Metz or any other member of the press or the public regarding the [REDACTED] Grievance and/or the related proposed letter of reprimand.

Lipson Neilson P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144
(702) 382-1500 FAX: (702) 382-1512

7. I declare under penalty of perjury that the foregoing is true and correct.
FURTHER AFFIANT SAYETH NAUGHT.

DATED this 4th Day of January, 2022, in Reno, Nevada


AFFIANT, THADDEUS MORALES

SUBSCRIBED AND SWORN to
before me this 4th day of January, 2022.

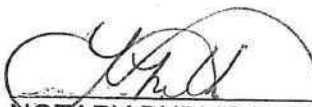

NOTARY PUBLIC in and for said
State and County



EXHIBIT 3n

EXHIBIT 3n

AFFIDAVIT OF WADE CUTLER

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

I, WADE CUTLER, being first duly sworn and under penalty of perjury hereby depose and state as follows:

1. I am employed by the law firm of JOEY GILBERT LAW in the position of assistant.

2. This Affidavit is made and based upon my own personal knowledge of the facts stated herein, except where stated on information and belief, and as to those matters, I believe them to be true. If called as a witness, I could competently testify thereto.

3. It is my understanding that JAMES [REDACTED] was a client of JOEY GILBERT LAW for the purpose of petitioning for the termination of Mr. [REDACTED] obligation to register as a sex offender and that on or around January 25, 2021, JOEY GILBERT LAW terminated Mr. [REDACTED] as a client and shortly thereafter refunded his full retainer paid, in the amount of \$3,500.00

4. It is further my understanding that subsequently on or around January 29, 2021, Mr. [REDACTED] submitted an online complaint against JOEY GILBERT, ESQ. ("Mr. Gilbert") with the State Bar of Nevada attorney discipline department, through the State Bar's website. As a result, the State Bar of Nevada eventually opened a grievance file against Mr. Gilbert ("[REDACTED] Grievance").

5. It is my understanding and belief that the State Bar of Nevada eventually proposed that Mr. Gilbert receive a letter of reprimand regarding the [REDACTED] Grievance.

Lipson Neilson P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144
(702) 382-1500 FAX: (702) 382-1512

1 6. At no time did I see, have access to, or otherwise have or cause to be
2 made a copy of the proposed letter of private reprimand recommended by the State Bar
3 of Nevada in the [REDACTED] Grievance matter.

4 7. Furthermore, at no time did I ever communicate with or provide documents
5 to journalist Sam Metz or any other member of the press or the public regarding the
6 [REDACTED] Grievance and/or the related proposed letter of reprimand.

7 8. I declare under penalty of perjury that the foregoing is true and correct.
8 FURTHER AFFIANT SAYETH NAUGHT.

9
10 DATED this 4th Day of January, 2022, in Reno, Nevada

11 
12 AFFIANT, WADE CUTLER

13
14
15 SUBSCRIBED AND SWORN to
16 before me this 4th day of January, 2022.

17 
18 NOTARY PUBLIC in and for said
19 State and County



EXHIBIT 4

EXHIBIT 4

View Transaction Printable View

Transaction Information

Account: General Account - xxxxx3239
 Description: CHECK
 Amount: \$-3,500.00
 Status: Cleared
 Customer Reference Number: 5940
 Transaction: Check 5940
 Date Cleared: February 03, 2021
 Date Initiated: February 03, 2021

Note: Check and Deposit images older than 180 days are not available online, but can be obtained by ordering copies by visiting the services tab. In order to maintain service, there is scheduled maintenance every Saturday at 11:00 PM and on the last day of each month at 7:00 PM. During this time, which typically lasts about six hours, your images may not be available. We apologize for any inconvenience this may cause.

Joey Gilbert & Associates LTD 201 W. Liberty St. #210 Reno, NV 89501		NEVADA STATE BANK 1 W. Liberty St. Reno, NV 89501 8477021 8477021	5940 2/1/2021
PAY TO THE ORDER OF James [REDACTED]		\$ **3,500.00	
Three Thousand Five Hundred and 00/100		DOLLARS	
James [REDACTED]		VOID AFTER 60 DAYS	
MEMO		<i>William M. Freeman</i> AUTHORIZED SIGNATURE	
005940 122400779 980273239*			

Enlarge
Save

231280143 0808055092 103972243 Mobile Deposit	8845453 Check mobile Deposit Only Deposit mobile Deposit Only
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Enlarge
Save

EXHIBIT 5

EXHIBIT 5

STATE BAR OF NEVADA

August 27, 2021

LETTER OF REPRIMAND

Joseph Gilbert, Esq.
405 Marsh Ave.
Reno, NV 89509



Re: Disciplinary Grievance OBC21-0136 (James [REDACTED])

Dear Mr. Gilbert:

A Screening Panel of the Northern Nevada Disciplinary Board has reviewed the above-referenced grievances and unanimously determined that a Letter of Reprimand be issued for violations of Supreme Court Rule 49.5 and Rules 1.3, 5.5, 5.3, and 1.16 of the Rules of Professional Conduct ("RPC").

3100 W. Charleston Blvd.
Suite 100
Las Vegas, NV 89102
phone 702.382.2200
toll free 800.254.2797
fax 702.385.2878

9456 Double R Blvd., Ste. B
Reno, NV 89521-5977
phone 775.329.4100
fax 775.329.0522

GRIEVANCES

www.nvbar.org

In the Summer of 2020, Tara [REDACTED] contacted Carlos Salmoran, a staff member in your office, regarding her husband, James's legal issue. Tara discussed the matter multiple times with Salmoran to make sure that the office would want to take their case. Salmoran assured Tara that theirs was just the type of case the firm was very good at handling.

When James finally decided to pursue the matter, he met with Salmoran on September 11, 2020 and signed a contract for representation with your office. James paid the full retainer of \$3,500 to have the firm submit a petition with the court to either reduce or eliminate the requirement that he continue to register as a Tier 3 Sex Offender. James did not meet with an attorney when he signed the representation contract.

Thereafter, Tara communicated on a regular, if not daily, basis with Salmoran and one of the firm's law clerks, John Durney, regarding the procedure and substance for the petition and its filing. Durney was certified to practice law, pursuant to SCR 49.3, under your supervision.

On November 20, 2020, Durney emailed the client that the research and drafting of the petition had been completed and it would be filed with the court the following week. On January 7, 2021, Durney emailed the clients to update them that he was waiting on information from the criminal paralegal in your office regarding a hearing date, implying that James's petition had been filed.

On January 14, 2021, Durney emailed the client to let them know he would be returning to law school which would limit his time in the office. Durney provided new contacts for the case moving forward; the clients were advised to contact either attorney Roger

GILBERT_000063

O'Donnell or Salmoran (the Criminal Case Manager). Durney also let the clients know that he would be consulting with the attorney at the next possible opportunity regarding the matter. Although you are Durney's supervising attorney, you were not included in any of the email correspondence with the client.

On January 25, 2021, Tara called your office and eventually spoke with Durney who relayed that he was very sorry, but Joey Gilbert Law was going to refund the entire deposit because the firm had not drafted or filed a petition in James's case. Durney explained that they were sorry but there was a horrible lack of communication at the firm, and they never should have taken the case in the first place as the firm does not handle their type of specialized case. That same day, Durney sent an email apologizing again for the bad news, said the clients should expect the full refund to take a few weeks, and provided a list of recommendations for post-conviction relief attorneys specializing in cases like James's.

The following day, Tara emailed Durney, Salmoran, and O'Donnell about the decision to terminate the representation. She requested an official letter of withdrawal, including citing the reason why they made the decision four months after James signed the fee agreement and paid the full retainer. Tara also asked for the return of the complete file and the original character reference letters that she provided to the firm.

VIOLATION OF THE RULES OF PROFESSIONAL CONDUCT

Your conduct, related to representation of the foregoing client, violated SCR 49.5 (Limited Practice for Law Students). SCR 49.5 requires that a supervisory lawyer, who is not employed by Boyd School of Law:

- (1) Personally assume professional responsibility for all work undertaken by the student while under the lawyer's supervision.
- (2) Assist and counsel the student in the activities permitted by this rule and review such activities with the student, to the extent necessary for the proper training of the student and protection of the client.
- (3) Read, approve, and personally sign any pleadings, briefs, or other papers prepared by the student before filing; read and approve any documents prepared by the student for execution by any person before submission to that person; and read and approve any correspondence prepared by the student before mailing.
- (4) Be present for any appearance by a student before a court or administrative tribunal.

The rule also requires that any supervisory lawyer, who is not employed by Boyd School of Law, “be continuously personally present throughout the activities permitted under subsection 5 (a), (b), and (c),” which includes when the student gives legal advice to clients.

You were not present for, or aware of, the legal advice Durney gave to the Cranfields. Alternatively, if you were aware of Durney’s representations at the time that they were made, under SCR 49.5, you are responsible for their misleading content.

Your conduct also violated the Nevada Rules of Professional Conduct as follows:

RPC 1.3 (Diligence): You failed to diligently and promptly determine that you did not want to represent Cranfield. Further, you made this determination one month after your subordinate law student told the client that you would be filing his petition imminently. Finally, after you determined you would terminate the representation, you failed to diligently and promptly convey that information to the client.

RPC 5.5 (Unauthorized Practice of Law): You allowed Salmoran to meet with Cranfield, without a licensed lawyer present, when Cranfield initially retained the office and signed the retainer agreement.

Rule 5.3 (Responsibilities Regarding Nonlawyer Assistants): As Salmoran and Durney’s supervisor you failed to ensure that (i) Salmoran did not engage in practice of law and (ii) Durney accurately and timely communicated with the Cranfields.

Rule 1.16 (Declining or Terminating Representation): For at least one month after you made the decision, you failed to (i) tell the client that you terminated the representation and (ii) return the unearned fee and client’s papers to him.

**APPLICATION OF THE ABA STANDARDS FOR IMPOSING
LAWYER SANCTIONS**

ABA Standard 7.2 provides that “suspension is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional and causes injury or potential injury to a client, the public or the legal system.” ABA Standard 4.42 states that suspension is appropriate when a lawyer engages in a pattern of neglect which causes

Joseph Gilbert, Esq.
August 27, 2021
Page 4 of 4

injury or potential injury to a client. Standard 4.62 states that "suspension is generally appropriate when a lawyer knowingly deceives a client, and causes injury or potential injury to the client."

You knew, or should have known, that your nonlawyer assistant was engaging in the practice of law and that the law student you supervised had deceived the client regarding the status of the matter. You also knew, or should have known, that you failed to timely terminate the representation and return the retainer and papers to the client. Your misconduct actually injured your client, albeit not substantially because he had no formal deadline for filing the petition. Your misconduct actually injured the integrity of the profession as well.

Taking into consideration that you were cautioned in 2018 regarding allowing nonlawyer assistants meeting with clients for substantive purposes, it is appropriate to apply Standard 7.2 in particular. However, the Panel balances this notice with the minimal nature of the injury and your lack of prior related discipline and finds that it is appropriate to deviate downward from a suspension to issuance of a reprimand.

REPRIMAND

Based upon the foregoing, you are hereby **REPRIMANDED** for your knowing violation of SCR 49.5, RPC 1.3 (Diligence), RPC 5.5 (Unauthorized Practice of Law), RPC 5.3 (Responsibilities Regarding Nonlawyer Assistants) and RPC 1.16 (Declining or Terminating Representation).

Finally, in accordance with Nevada Supreme Court Rule 120 you are assessed costs in the amount of \$1,500.

Sincerely,


Richard Williamson (Aug 27, 2021 09:53 PDT)

Richard Williamson, Esq.,
Screening Panel Chair
Northern Nevada Disciplinary Board

RW/rkf

GILBERT_000066


Gilbert.LOR_081921 rev

Final Audit Report

2021-08-27

Created:	2021-08-27
By:	Laura Peters (laurap@nvbar.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAZHm4jMPH84ir8CQVd5uEinMbm9Q98toh

"Gilbert.LOR_081921 rev" History

-  Document created by Laura Peters (laurap@nvbar.org)
2021-08-27 - 4:43:19 PM GMT- IP address: 71.94.199.108
-  Document emailed to Richard Williamson (rich@nvlawyers.com) for signature
2021-08-27 - 4:43:49 PM GMT
-  Email viewed by Richard Williamson (rich@nvlawyers.com)
2021-08-27 - 4:50:04 PM GMT- IP address: 68.190.180.187
-  Document e-signed by Richard Williamson (rich@nvlawyers.com)
Signature Date: 2021-08-27 - 4:53:31 PM GMT - Time Source: server- IP address: 68.190.180.187
-  Agreement completed.
2021-08-27 - 4:53:31 PM GMT

August 27, 2021

SENT VIA CERTIFIED MAIL: 7019-2970-0001-3885-5177

Joseph Gilbert, Esq.
Joey Gilbert & Associates Ltd.
405 Marsh Ave
Reno, NV 89509

Re: State Bar of Nevada Disciplinary Grievance No. OBC21-0136

Dear Mr. Gilbert:

A Screening Panel of the Northern Nevada Disciplinary Board met on August 19, 2021 and reviewed the subject grievance. The Panel determined that you violated the Rules of Professional Conduct, and that you should receive a Letter of Reprimand. The Letter of Reprimand signed by the Panel Chair is attached.

Appeal Procedures

In accordance with SCR 105(1)(b), you may object to the Letter of Reprimand within fourteen (14) days of receipt of the Letter. **A Letter of Reprimand imposed without objection is final and not appealable.**

Your right to object to the Letter of Reprimand is waived if a written objection is not served on the Office of Bar Counsel within the required 14 days. An objection should state the reasons you object to the Letter of Reprimand and may attach relevant documentary evidence supporting the objection.

If an objection is properly served on the Office of Bar Counsel, a Formal Hearing will be set concerning the grievance, in accordance with SCR 105(1)(c). A Formal Hearing Panel may recommend any disciplinary action it deems appropriate, up to and including suspension or disbarment. Recommendations for public discipline arising from a Formal Hearing must be reviewed by the Nevada Supreme Court *de novo* (except for a Public Reprimand issued upon consent pursuant to SCR 113).

You are encouraged to carefully review SCR 105 regarding the appeal process.



3100 W. Charleston Blvd.
Suite 100
Las Vegas, NV 89102
phone 702.382.2200
toll free 800.254.2797
fax 702.385.2878

9456 Double R Blvd., Ste. B
Reno, NV 89521-5977
phone 775.329.4100
fax 775.329.0522

www.nvbar.org

GILBERT_000068

Joseph Gilbert, Esq.
August 27, 2021
Page 2 of 2

Notice Regarding Non-Confidentiality Of Letters Of Reprimand

Letters of Reprimand issued after March 1, 2007, are public. Pursuant to ADKT 518, filed by the Supreme Court on December 27, 2016, a Letter of Reprimand will be published in the Nevada Lawyer without redactions. Pursuant to ADKT 516, filed by the Supreme Court on May 5, 2017, an attorney will be assessed administrative costs in the amount of \$1,500 (SCR 120).

Issuance of a Letter of Reprimand without objection will result in closure of this disciplinary proceeding. Once the disciplinary proceeding is closed, the record of the proceeding becomes public in accordance with SCR 121. As required by the Rule, only bar counsel's work product and the panel deliberations remain protected. Accordingly, the State Bar will release record of the disciplinary proceeding upon receipt of a public record request for information concerning the lawyer's discipline record, or this grievance in particular.

You are encouraged to review SCR 121 in all its subparts in this regard.

Sincerely,



R. Kait Flocchini
Assistant Bar Counsel

LOR Enclosed

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Final Audit Report

2021-08-27

Created:	2021-08-27
By:	Laura Peters (laurap@nvbar.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAYpUwTO_QUNZtYTV AeH5MbF1UZI OAobI8

"Gilbert.LOI cover_082321" History

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-  Document emailed to Kait Flocchini (kaitf@nvbar.org) for signature
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-  Email viewed by Kait Flocchini (kaitf@nvbar.org)
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-  Document e-signed by Kait Flocchini (kaitf@nvbar.org)
Signature Date: 2021-08-27 - 5:34:56 PM GMT - Time Source: server- IP address: 71.83.120.174
-  Agreement completed.
2021-08-27 - 5:34:56 PM GMT

EXHIBIT 6

EXHIBIT 6

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1 that the State Bar had authenticated the letter of reprimand attached to his email to Petitioner.

2 9. Mr. Hooge was candid and forthright in admitting immediately that he was the one who
3 spoke to Metz and authenticated the letter of reprimand.

4 10. Within a few minutes of my telephone conference with Mr. Hooge, I received an email
5 from him, a copy of which is attached to the Petition as Exhibit 7.

6 11. As part of my preparation of the Petition I personally performed a simple Google search of
7 the words "Joey Gilbert Reprimand" and retrieved numerous responses consisting of various
8 media that have published information about Petitioner receiving a letter of reprimand.

9 12. Exhibit 8 to the Petition is a compilation of a sample of what my Google search produced,
10 was retrieved, copied and assembled by me and in their original format as appeared online without
11 any editing or alteration being performed upon them.

12 13. In the section of Exhibit 8 covered with the title page "www.independent.co.uk/Richard
13 [Williamson](http://www.independent.co.uk/Richard)", the last page of that section contains that language, preceded by the word "credit".
14 It may just be a coincidence that the Chair of the Screening Panel who authored the letter of
15 reprimand that was obtained by Samuel Metz and published by his employer in violation of SCR
16 121 has that same name. It should not be taken as an accusation that it was the Chairman of the
17 Screening Panel and author of the letter that breached confidentiality.

18 I declare under penalty of perjury under the laws of the state of Nevada that the above
19 information is true and correct.

20 DATED this 14th day of January, 2022.

21 
22 _____
DOMINIC P. GENTILE

EXHIBIT 7

EXHIBIT 7

Bain, Tanya

From: Dan Hooge <danh@nvbar.org>
Sent: Monday, December 13, 2021 11:50 AM
To: Gentile, Dominic
Subject: FW: AP: Gilbert Reprimand

[External Message]

Sincerely,

Daniel M. Hooge
Bar Counsel
STATE BAR OF NEVADA
3100 W. Charleston, Suite 100
Las Vegas, NV 89102
Telephone: 702.382.2200 Ext. 444
www.nvbar.org



From: Metz, Samuel <SMetz@ap.org>
Sent: Thursday, December 9, 2021 11:17 AM
To: Dan Hooge <danh@nvbar.org>
Cc: Kimberly Farmer <KimberlyF@nvbar.org>
Subject: Re: AP: Gilbert Reprimand

Thanks Dan, I appreciate the caution and will make sure to explain it correctly

AP

Sam Metz
Nevada Statehouse Reporter
Associated Press / Report for America Statehouse News Initiative
102 N. Curry St.
Carson City, NV 89703
Cell: (775) 339-1456
@metzsam
smetz@ap.org
ap.org

THE ASSOCIATED PRESS
Advancing the Power of Facts

From: Dan Hooge <danh@nvbar.org>
Date: Thursday, December 9, 2021 at 11:15
To: Metz, Samuel <SMetz@ap.org>

Cc: Kimberly Farmer <KimberlyF@nvbar.org>

Subject: RE: AP: Gilbert Reprimand

[EXTERNAL]

Sam,

Three members of the Disciplinary Board are randomly assigned to a screening panel. Two must be lawyers and one must be a non-lawyer, member of the community. But take caution because Gilbert did not accept the panel's letter of reprimand. The panel writes the letter so that the lawyer can review it and know the proposed language for publication. Absent that context, the letter misleads the reader into believing that Gilbert received discipline already.

Sincerely,

Daniel M. Hooge

Bar Counsel

STATE BAR OF NEVADA

3100 W. Charleston, Suite 100

Las Vegas, NV 89102

Telephone: 702.382.2200 Ext. 444

www.nvbar.org



From: Metz, Samuel <SMetz@ap.org>

Sent: Thursday, December 9, 2021 9:28 AM

To: Dan Hooge <danh@nvbar.org>

Cc: Kimberly Farmer <KimberlyF@nvbar.org>

Subject: Re: AP: Gilbert Reprimand

Hi Dan,

Thanks. One more fact to verify: How many attorneys are on disciplinary panel ... As in (A disciplinary panel made up of **XX** attorneys sent Gilbert a letter)

Thanks again,

Sam

AP

Sam Metz

Nevada Statehouse Reporter

Associated Press / Report for America Statehouse News Initiative

102 N. Curry St.

Carson City, NV 89703

Cell: (775) 339-1456

@metzsam

smetz@ap.org

ap.org

THE ASSOCIATED PRESS

Advancing the Power of Facts

From: Dan Hooge <danh@nvbar.org>
Date: Wednesday, December 8, 2021 at 12:04
To: Metz, Samuel <SMetz@ap.org>
Cc: Kimberly Farmer <KimberlyF@nvbar.org>
Subject: FW: AP: Gilbert Reprimand

[EXTERNAL]

Sam,

Kim Farmer forwarded your message to me. Below are my answers.

When are the grievances usually published?
Usually, within 90 days of issuance.

Can you confirm the authenticity of the document that I have attached?

Yes. It was a letter of reprimand issued by a screening panel of the Northern Nevada Disciplinary Board. However, a screening panel's letter of reprimand is unofficial like an offer until accepted by the attorney. The attorney can reject that discipline and request a hearing. Mr. Gilbert rejected the discipline. So, the letter never became official. The State Bar filed a complaint and the matter will proceed to a formal hearing before the Disciplinary Board. Mr. Gilbert has not received any discipline for the underlying conduct at this time.

How many grievances are issued (and published annually) and how many bar attorneys are there in Nevada?
The State Bar has approximately 9,000 active members. It receives about 1,500 to 2,000 grievances each year. The Office of Bar Counsel reviews each grievance and prosecutes approximately 200 to 300 each year. So far this year we have obtained 24 reprimands, 9 stayed suspensions, 15 actual suspensions, and 1 disbarment.

Would the bar like to comment on its rules or the letter?

While the Supreme Court of Nevada retains ultimate authority to regulate the legal profession, the Office of the Bar Counsel serves as the Court's arm to investigate and prosecute claims that a lawyer has violated the Rules of Professional Conduct. Our primary goal is to protect the public.

Sincerely,

Daniel M. Hooge
Bar Counsel
STATE BAR OF NEVADA
3100 W. Charleston, Suite 100
Las Vegas, NV 89102
Telephone: 702.382.2200 Ext. 444
www.nvbar.org



From: Metz, Samuel <SMetz@ap.org>
Sent: Wednesday, December 8, 2021 11:24 AM
To: Kimberly Farmer <KimberlyF@nvbar.org>
Cc: Laura Peters <LauraP@nvbar.org>; kflocchini@nvbar.org
Subject: AP: Gilbert Reprimand

Dear Nevada Bar,

Sam Metz from the Associated Press, here. I'm reporting on a **Letter of Reprimand** sent by the Nevada Bar to Joseph Gilbert, Esq. on August 27, 2021. The letter states that Gilbert was issued a non-appealable reprimand from the bar after deliberations from the Northern Nevada Disciplinary Board. It also states that letters of reprimand are public.

I haven't seen the letter published in Nevada Lawyer. A few questions I'd like to ask to make sure we're moving forward with accurate information. I'd appreciate your help regardless of if you can comment or not.

When are the grievances usually published?

Can you confirm the authenticity of the document that I have attached?

How many grievances are issued (and published annually) and how many bar attorneys are there in Nevada?

Would the bar like to comment on its rules or the letter?

Please let me know. I'd appreciate any help, especially if the grievance has already been published.

Thank you,

AP

Sam Metz

Nevada Statehouse Reporter

Associated Press / Report for America Statehouse News Initiative

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Carson City, NV 89703

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EXHIBIT 8

EXHIBIT 8

**WWW.INDEPENDENT.CO.UK/
RICHARD WILLIAMSON**

Governor candidate Joey Gilbert fights 1 reprimand

December 18, 2021



GILBERT_000081



On billboards throughout northern Nevada, Republican gubernatorial candidate Joey Gilbert can be seen with a fistful and a promise: "Joey Gilbert's Law, Fight Crime."

Now, Gilbert is fighting efforts by the State Bar of Nevada to require him to be disciplined, but a screening panel reviewing his work sent him a written reprimand in August alleging that he harmed a client and violated the rules of professional conduct.

professional conduct. Did.

"Your misconduct actually injured your client, albeit not substantial formal deadline to file a petition. Your misconduct actually hurt as well," convened by the bar. The chairman of the disciplinary committee wrote in an August 27 letter to Gilbert.

Gilbert is a lawyer and former professional boxer who has last year been one of the foremost voices questioning the 2020 election result and downing Joe Biden. He was present in Washington, DC during the January 6 Uprising at the U.S. Capitol. Gilbert is running in the Republican's crowded primary for Nevada Democratic Governor Steve Sisolak in 2022.

The letter obtained by the Associated Press was confirmed as authentic by the Nevada State Bar.

The Nevada bar appoints a three-member panel to evaluate complaints and potentially claiming damages against its attorneys. After deliberation, the panel can either reprimand a lawyer, or dismiss the charges. If the panel chooses to reprimand, it must provide the lawyer with an opportunity to review the allegations and respond within 14 days.

Gilbert filed a motion to have the letter dismissed, which the disciplinary committee dismissed on December 1, according to filings provided by his attorney, Dominic J. Gentile.

Gentile said Gilbert denied all allegations in the letter and plans to appeal the decision through its process and findings. He said the draft paper was not a public document and the bar should not have commented on it at this stage.

"There is no final determination as to the validity of any complaint," Gentile said. "A lawyer is entitled to a live hearing at which witnesses must be called and cross-examined."

cross-examination," he said.

Bar lawyer Daniel Hughe said the letter was informal and Gilbert disciplined until the panel holds another hearing.

"While the Supreme Court of Nevada holds the final authority to the Office of the Bar Council as the court's arm conducts investigation, an attorney has violated the rules of business conduct. Our primary public," Hughes said.

Watch More

The panel's idea comes as Gilbert campaigns in Nevada ahead of gubernatorial primaries next June and files headline-grabbing legal

and mask mandates.

For voters, Gilbert cited his legal act as evidence that he is the next governor of Nevada and is committed to fighting for the state.

In stump speeches made across the state and shared on his Facebook work he has done during the pandemic proves his willingness to serve as in Nevada. To refer to the ongoing challenges of Calvary Chapel's Coronavirus-related capacity cap on religious gatherings.

Gilbert is part of the legal team representing the church in Las Vegas. In rural Nevada, won an appeal challenging the statewide capacity for gatherings. The 9th US Circuit of Appeals ruled in favor of the church and withdrew the restrictions.

The letter from the State Bar claimed that Gilbert's firm allowed licensed attorneys to handle a case without supervision – a violation of state and bar requirements. It alleges that a law student, who should have been under supervision by per bar rules, falsely implicated a client that a plot was not.

Although Gilbert's client had paid a retainer of \$3,500 four months ago, he dropped him as a client. The draft letter also reprimands Gilbert for his rule by not immediately alerting the client that he does not wish to be represented.

Gentile said Gilbert denied the allegations.

After speaking to the staff mentioned in the letter, Gentile said the ethics panel had not sufficiently investigated the incident. He said he would be overruled.

"What Joey Gilbert is doing here is standing out for his honesty, integrity, and commitment to the law."

The State Bar of Nevada said it has about 9,000 active member to 300 complaints annually. In 2021, it issued 24 reprimands, n actual suspensions. A lawyer was fired.

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Associated Press writer Scott Sonner contributed reporting from for the Associated Press/Report for America Statehouse News Ir a non-profit national service program that places journalists in I secret issues.

Credit: www.independent.co.uk / Richard Williamson

THIS IS RENO



POLITICS

Governor candidate Joey Gilbert fights Nev

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A billboard advertises legal services for Joey Gilbert, an attorney and former professional boxer, who is running for governor of Nevada in Reno, Nev., on Thursday, Dec. 16, 2021. A disciplinary panel sent Republican Joey Gilbert a draft letter of reprimand alleging he had harmed a client by not supervising a law student assigned to his case. The draft reprimand comes as Gilbert tours the state for his campaign and makes headlines for high-profile work challenging vaccine mandates and election procedures. (AP Photo/Sam Metz)

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By SAM METZ AP / Report for America

CARSON CITY, Nev. (AP) — On billboards throughout northern Nevada, Republican gubernatorial candidate Joey Gilbert can be seen with clenched fists and a promise: “Joey C Law, Fighting for Nevada.”

Now, Gilbert is fighting efforts to reprimand him by the State Bar of Nevada. Gilbert has ye disciplined, but a screening panel that reviewed his work sent him a draft letter of reprimar August alleging he harmed a client and violated the bar’s rules of professional conduct.

Delicious foods

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Dukes Seafood

“Your misconduct actually injured your client, albeit not substantially because he had no fo deadline for filing the petition. Your misconduct actually injured the integrity of the profess well,” Richard Williamson, the chair of a disciplinary panel convened by the bar, wrote in tl 27 letter to Gilbert.

Gilbert is an attorney and former professional boxer who in the last year has become one of Nevada’s most prominent voices calling into question the 2020 election result and decrying coronavirus vaccines. He was present in Washington, D.C., during the Jan. 6 insurrection b said he did not enter the Capitol. Gilbert is running in a crowded primary field of Republica hoping to unseat Democratic Gov. Steve Sisolak in 2022.

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Gilbert filed a motion to dismiss the letter, which the disciplinary panel denied on Dec. 1, according to filings provided by his attorney, Dominic Gentile.

GILBERT_000090

Gentile said Gilbert denied all the allegations in the letter and planned to continue to fight it over its process and conclusions. He said the draft letter was not a public record and the State should not have commented on it at this stage.

“There is no final determination as to the validity of any grievance against Mr. Gilbert. A lawyer is entitled to a live hearing at which witnesses must be called to testify and be subject to cross examination,” he said.

Bar counsel Daniel Hooge said the letter was unofficial and Gilbert would not be formally disciplined until the panel holds another hearing.

Delicious foods

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“While the Supreme Court of Nevada retains ultimate authority to regulate the legal profession, the Office of the Bar Counsel serves as the Court’s arm to investigate and prosecute claims that a lawyer has violated the Rules of Professional Conduct. Our primary goal is to protect the public,” Hooge said.

The panel’s consideration comes as Gilbert campaigns throughout Nevada ahead of the Republican gubernatorial primary next June and files headline-grabbing lawsuits challenging vaccine and mask mandates.

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Gilbert is part of the legal team representing that church in Las Vegas, which along with another in rural Nevada, won an appeal challenging a statewide capacity cap on religious gatherings. The 9th U.S. Circuit of Appeals ruled in favor of the church after the governor had rolled back the restrictions in question.

The State Bar letter claims Gilbert's firm allowed employees who weren't licensed attorneys to handle a case without supervision — a violation of professional standards and bar requirements. It alleges that a law student, who was supposed to be under Gilbert's supervision per bar rules, falsely implied to a client that a petition had been filed in court when it had not.

Though Gilbert's client had paid a \$3,500 retainer four months prior, the firm later dropped the client. The draft letter also reprimands Gilbert for violating a "diligence" rule by not promptly alerting the client that he did not want to represent him.

Gentile said Gilbert denied the allegations.

After speaking to employees mentioned in the letter, Gentile said he believes the disciplinary panel hadn't sufficiently investigated the incident. He said he was confident the reprimand would be dismissed.

"What Joey Gilbert is doing here is he's standing up for his integrity," Gentile said.

Delicious foods

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The State Bar of Nevada said it has about 9,000 active members and prosecutes roughly 200 grievances annually. In 2021, it issued 24 reprimands, nine stayed suspensions and 15 suspensions. One attorney was disbarred.

Associated Press writer Scott Sonner contributed reporting from Reno. Metz is a corps member for the Associated Press/Report for America Statehouse News Initiative. Report for America is a nonprofit national service program that places journalists in local newsrooms to report on undercovered issues.



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Governor Candidate Joey Gilbert Fights Nevada Bar Reprimand

An attorney running to be governor of Nevada who cites his legal work as a qualification is fighting efforts by the state bar to reprimand him.

By [Associated Press](#) | Dec. 17, 2021, at 6:56 p.m.

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A billboard advertises legal services for Joey Gilbert, an attorney and former professional boxer, who is running for governor of Nevada in Reno, Nev., on Thursday, Dec. 16, 2021. A disciplinary panel sent Republican Joey Gilbert a draft letter of reprimand alleging he had harmed a client by not supervising a law student assigned to his case. The draft reprimand comes as Gilbert tours the state for his campaign and makes headlines for high-profile work challenging vaccine

By SAM METZ, AP / Report for America

CARSON CITY, Nev. (AP) — On billboards throughout northern Nevada, Republican gubernatorial candidate Joey Gilbert can be seen with clenched fists and a promise: "Joey Gilbert Law, Fighting for Nevada."

Now, Gilbert is fighting efforts to reprimand him by the State Bar of Nevada. Gilbert has yet to be disciplined, but a screening panel that reviewed his work sent him a draft letter of reprimand in August alleging he harmed a client and violated the bar's rules of professional conduct.

"Your misconduct actually injured your client, albeit not substantially because he had no formal deadline for filing the petition. Your misconduct actually injured the integrity of the profession as well," Richard Williamson, the chair of a disciplinary panel convened by the bar, wrote in the Aug. 27 letter to Gilbert.

Gilbert is an attorney and former professional boxer who in the last year has become one of Nevada's most prominent voices calling into question the 2020 election result and decrying coronavirus vaccines. He was present in Washington, D.C., during the Jan. 6 insurrection but has said he did not enter the Capitol. Gilbert is running in a crowded primary field of Republicans hoping to unseat Democratic Gov. Steve Sisolak in 2022.

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States With Lowest COVID-19 Vaccination Rates

The letter obtained by The Associated Press was confirmed as authentic by the State Bar of Nevada.

The Nevada Bar appoints three-member panels to evaluate grievances lodged by clients claiming harm against its attorneys. After deliberation, panels can impose sanctions, reprimand an attorney or dismiss the allegations. If the panel chooses sanctions or a reprimand, it must provide the attorney an opportunity to review the allegations and file an objection within 14 days.

Gilbert filed a motion to dismiss the letter, which the disciplinary panel denied on Dec. 1, according to filings provided by his attorney, Dominic Gentile.

Gentile said Gilbert denied all the allegations in the letter and planned to continue to fight the bar over its process and conclusions. He said the draft letter was not a public record and the State Bar should not have commented on it at this stage.

"There is no final determination as to the validity of any grievance against Mr. Gilbert. A lawyer is entitled to a live hearing at which witnesses must be called to testify and be subject to cross-examination," he said.

Bar counsel Daniel Hooge said the letter was unofficial and Gilbert would not be formally disciplined until the panel holds another hearing.

"While the Supreme Court of Nevada retains ultimate authority to regulate the legal profession, the Office of the Bar Counsel serves as the Court's arm to investigate and prosecute claims that a lawyer has violated the Rules of Professional Conduct. Our primary goal is to protect the public," Hooge said.

The panel's consideration comes as Gilbert campaigns throughout Nevada ahead of the Republican gubernatorial primary next June and files headline-grabbing lawsuits challenging vaccine and mask mandates.

To voters, Gilbert cites his legal work as evidence that he's the best choice to be Nevada's next

governor and committed to fighting for the state.

In stump speeches he's made across the state and shared on his Facebook page, he says the legal work he's done throughout the pandemic prove his willingness to be "in the trenches, fighting," referencing cases such as Calvary Chapel Lone Mountain's ongoing challenges to Nevada's coronavirus-related capacity cap on religious gatherings.

Gilbert is part of the legal team representing that church in Las Vegas, which along with another in rural Nevada, won an appeal challenging a statewide capacity cap on religious gatherings. The 9th U.S. Circuit of Appeals ruled in favor of the church after the governor had rolled back the restrictions in question.

The State Bar letter claims Gilbert's firm allowed employees who weren't licensed attorneys to handle a case without supervision — a violation of professional standards and bar requirements. It alleges that a law student, who was supposed to be under Gilbert's supervision per bar rules, falsely implied to a client that a petition had been filed in court when it had not.

Though Gilbert's client had paid a \$3,500 retainer four months prior, the firm later dropped him as a client and returned the deposit. The draft letter also reprimands Gilbert for violating a "diligence" rule by not promptly alerting the client that he did not want to represent him.

Gentile said Gilbert denied the allegations.

After speaking to employees mentioned in the letter, Gentile said he believes the disciplinary panel hadn't sufficiently investigated the incident. He said he was confident the reprimand would be dismissed.

"What Joey Gilbert is doing here is he's standing up for his integrity," Gentile said.

The State Bar of Nevada said it has about 9,000 active members and prosecutes roughly 200 to 300 grievances annually. In 2021, it issued 24 reprimands, nine stayed suspensions and 15 actual suspensions. One attorney was disbarred.

Associated Press writer Scott Sonner contributed reporting from Reno. Metz is a corps member for the Associated Press/Report for America Statehouse News Initiative. Report for America is a nonprofit national service program that places journalists in local newsrooms to report on undercovered issues.

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Nevada GOP Candidate for Gov Joey Gilbert Faces Reprimand From State Bar for Misconduct

BY **ZOE STROZEWSKI** ON 12/17/21 AT 6:30 PM EST

GILBERT_000100



NEWS



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Nevada lawyer and Republican gubernatorial candidate faces a possible reprimand from the State Bar of Nevada for allegedly harming one of his clients and hurting the "integrity of the profession." Joey Gilbert has not been officially disciplined yet, and he is fighting to keep it that way.

Gilbert is a former professional boxer, COVID-19 vaccine critic and outspoken skeptic of the 2020 presidential election results. A screening panel sent him a

draft letter of reprimand over the summer alleging that he violated professional standards and bar requirements in allowing employees who were not licensed as attorneys to handle a case without oversight.

Specifically, a law student who was supposed to be supervised by Gilbert falsely indicated to a client that a petition had been filed in court when it actually hadn't. Gilbert was also accused of dropping the client after he was paid a \$3,500 retainer fee four months earlier and breaching a "diligence" rule by not letting the client know sooner that he did not want to represent him.

"Your misconduct actually injured your client, albeit not substantially because he had no formal deadline for filing the petition. Your misconduct actually injured the integrity of the profession as well," Richard Williamson, the chair of a disciplinary panel, wrote in the draft reprimand letter to Gilbert.

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The panel denied a motion from Gilbert on December 1 to dismiss the letter, according to filings from his attorney Dominic Gentile. Gilbert has rebuffed all the accusations in the letter and still intends to challenge the state bar, Gentile

said.



"There is no final determination as to the validity of any grievance against Mr. Gilbert. A lawyer is entitled to a live hearing at which witnesses must be called to testify and be subject to cross-examination," he said.



A disciplinary panel sent Republican Joey Gilbert a draft letter of reprimand alleging he had harmed a client by not supervising a law student assigned to his case. Above, a billboard advertises legal services on December 16, 2021, for Gilbert, an attorney and former professional boxer, who is running for governor of Nevada in Reno, Nevada.

SAM METZ/AP PHOTO

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The Associated Press contributed to this report.



GILBERT_000108



A Nevada lawyer and Republican gubernatorial candidate faces a possible reprimand from the State Bar of Nevada for allegedly harming one of his clients and hurting the "integrity of the profession." Above, former professional boxer Joey Gilbert speaks at a rally for then-presidential candidate Donald Trump at the Nugget February 23, 2016, in Sparks, Nevada.

DAVID CALVERY/GETTY IMAGES

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POLITICS

Governor candidate Joey Gilbert fights State Bar misconduct reprimand as campaign intensifies

Sam Metz Report for America

Published 11:01 a.m. PT Dec. 17, 2021 | Updated 11:06 a.m. PT Dec. 17, 2021

CARSON CITY — On billboards throughout northern Nevada, Republican gubernatorial candidate Joey Gilbert can be seen with clenched fists and a promise: “Joey Gilbert Law, Fighting for Nevada.”

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'Still our president': Nevada man present at insurrection announces governor bid

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Governor candidate Joey Gilbert fights Nevada Bar reprimand

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By SAM METZ/AP / Report for America

Published: Dec. 17, 2021 at 7:32 PM PST



CARSON CITY, Nev. (AP) - An attorney running to be governor of Nevada who cites his legal work as a qualification is fighting efforts by the state bar to reprimand him.

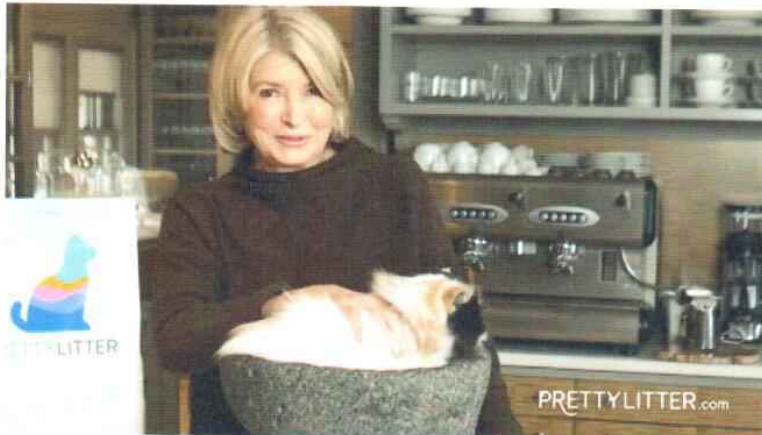
A disciplinary panel sent Republican Joey Gilbert a draft letter of reprimand alleging he had harmed a client by not supervising a law student assigned to his case.

Gilbert's attorney denies the allegations presented in the letter and says they have appealed it.

The draft reprimand comes as Gilbert tours the state for his campaign and makes headlines for high-profile work challenging vaccine mandates and election procedures.

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Nevada GOP Candidate for Gov Joey Gilbert Faces Reprimand From State Bar for Misconduct

Zoe Strozewski - Dec 17, 2021

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Specifically, a law student who was supposed to be supervised by Gilbert falsely indicated to a client that a petition had been filed in court when it actually hadn't. Gilbert was also accused of dropping the client after he was paid a \$3,500 retainer fee four months earlier and breaching a "diligence" rule by not letting the client know sooner that he did not want to represent him.

"Your misconduct actually injured your client, albeit not substantially because he had no formal deadline for filing the petition. Your misconduct actually injured the

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Governor candidate Joey Gilbert fights Nevada Bar reprimand

By SAM METZ AP / Report for America
Dec 17, 2021



A billboard advertises legal services for Joey Gilbert, an attorney and former professional boxer, who is running for governor of Nevada in Reno, Nev., on Thursday, Dec. 16, 2021. A disciplinary panel sent Republican Joey Gilbert a draft letter of reprimand alleging he had harmed a client by not supervising a law student assigned to his case. The draft reprimand comes as Gilbert tours the state for his campaign and makes headlines for high-profile work challenging vaccine mandates and election procedures.

Sam Metz

CARSON CITY, Nev. (AP) — On billboards throughout northern Nevada, Rep gubernatorial candidate Joey Gilbert can be seen with clenched fists and a Gilbert Law, Fighting for Nevada."

Now, Gilbert is fighting efforts to reprimand him by the State Bar of Nevada. He was disciplined, but a screening panel that reviewed his work sent him a draft reprimand in August alleging he harmed a client and violated the bar's rule of conduct.

"Your misconduct actually injured your client, albeit not substantially because of the deadline for filing the petition. Your misconduct actually injured the integrity of the bar as well," Richard Williamson, the chair of a disciplinary panel convened by the bar, wrote in an Aug. 27 letter to Gilbert.

Gilbert is an attorney and former professional boxer who in the last year has become one of Nevada's most prominent voices calling into question the 2020 election results and coronavirus vaccines. He was present in Washington, D.C., during the Jan. 6 insurrection. He said he did not enter the Capitol. Gilbert is running in a crowded primary for governor, hoping to unseat Democratic Gov. Steve Sisolak in 2022.

The letter obtained by The Associated Press was confirmed as authentic by the State Bar of Nevada.

The Nevada Bar appoints three-member panels to evaluate grievances lodged against attorneys claiming harm against its attorneys. After deliberation, panels can impose sanctions on an attorney or dismiss the allegations. If the panel chooses sanctions or a reprimand, it provides the attorney an opportunity to review the allegations and file an objection within 10 days.

Gilbert filed a motion to dismiss the letter, which the disciplinary panel denied. According to filings provided by his attorney, Dominic Gentile.

Gentile said Gilbert denied all the allegations in the letter and planned to challenge the bar over its process and conclusions. He said the draft letter was not a public record and the State Bar should not have commented on it at this stage.

"There is no final determination as to the validity of any grievance against Mr. Gilbert. He is entitled to a live hearing at which witnesses must be called to testify and be cross-examined," he said.

Bar counsel Daniel Hooge said the letter was unofficial and Gilbert would not be disciplined until the panel holds another hearing.

"While the Supreme Court of Nevada retains ultimate authority to regulate the legal profession, the Office of the Bar Counsel serves as the Court's arm to investigate and prosecute a lawyer who has violated the Rules of Professional Conduct. Our primary goal is to protect the public," Hooge said.

The panel's consideration comes as Gilbert campaigns throughout Nevada for the Republican gubernatorial primary next June and files headline-grabbing lawsuits challenging vaccine and mask mandates.

To voters, Gilbert cites his legal work as evidence that he's the best choice to be governor and committed to fighting for the state.

In stump speeches he's made across the state and shared on his Facebook page, Gilbert has cited legal work he's done throughout the pandemic to prove his willingness to be "fighting," referencing cases such as Calvary Chapel Lone Mountain's ongoing lawsuit challenging Nevada's coronavirus-related capacity cap on religious gatherings.

Gilbert is part of the legal team representing that church in Las Vegas, which won an appeal challenging a statewide capacity cap on religious gatherings. The 9th U.S. Circuit of Appeals ruled in favor of the church after it successfully challenged the restrictions in question.

The State Bar letter claims Gilbert's firm allowed employees who weren't licensed to handle a case without supervision — a violation of professional standards and ethical requirements. It alleges that a law student, who was supposed to be under supervision, per bar rules, falsely implied to a client that a petition had been filed in court.

Though Gilbert's client had paid a \$3,500 retainer four months prior, the firm never billed the client and returned the deposit. The draft letter also reprimands Gilbert for violating the "diligence" rule by not promptly alerting the client that he did not want to be represented.

Gentile said Gilbert denied the allegations.

After speaking to employees mentioned in the letter, Gentile said he believed the disciplinary panel hadn't sufficiently investigated the incident. He said he was confident Gilbert would be dismissed.

"What Joey Gilbert is doing here is he's standing up for his integrity," Gentile said.

The State Bar of Nevada said it has about 9,000 active members and processes 300 grievances annually. In 2021, it issued 24 reprimands, nine stayed suspensions. One attorney was disbarred.

Associated Press writer Scott Sonner contributed reporting from Reno. Met for the Associated Press/Report for America Statehouse News Initiative. Report for America is a nonprofit national service program that places journalists in local newsrooms to uncover issues.

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AP National News

By **The Associated Press**

Published **December 17, 2021** 3:56 pm

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By SAM METZ

AP / Report for America

CARSON CITY, Nev. (AP) — An attorney running to be governor of Nevada who cites his legal work as a qualification is fighting efforts by the state bar to reprimand him. A disciplinary panel sent Republican Joey Gilbert a draft letter of reprimand alleging he had harmed a client by not supervising a law student assigned to his case. Gilbert's attorney denies the allegations presented in the letter and says they have appealed it. The draft reprimand comes as Gilbert tours the state for his campaign and makes headlines for high-profile work challenging vaccine mandates and election procedures.

[AP National News](#)

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HINDUSTAN NEWS HUB

Governor Candidate Joey Gilbert Fights Nevada Bar Reprimand

By **Hindustan News Hub** December 17, 2021

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By SAM METZ, AP / Report for America

CARSON CITY, Nev. (AP) — On billboards throughout northern Nevada, Republican gubernatorial candidate Joey Gilbert can be seen with clenched fists and a promise: “Joey Gilbert Law, Fighting for Nevada.”

Now, Gilbert is fighting efforts to reprimand him by the State Bar of Nevada. Gilbert has yet to be disciplined, but a screening panel that reviewed his work sent him a draft letter of reprimand in August alleging he harmed a client and violated the bar’s rules of professional conduct.

"Your misconduct actually injured your client, albeit not substantially because he had no formal deadline for filing the petition. Your misconduct actually injured the integrity of the profession as well," Richard Williamson, the chair of a disciplinary panel convened by the bar, wrote in the Aug. 27 letter to Gilbert.

Gilbert is an attorney and former professional boxer who in the last year has become one of Nevada's most prominent voices calling into question the 2020 election result and decrying coronavirus vaccines. He was present in Washington, DC, during the Jan. 6 insurrection but has said he did not enter the Capitol. Gilbert is running in a crowded primary field of Republicans hoping to unseat Democratic Gov. Steve Sisolak in 2022.

Political Cartoons

The letter obtained by The Associated Press was confirmed as authentic by the State Bar of Nevada.

The Nevada Bar appoints three-member panels to evaluate grievances lodged by clients claiming harm against its attorneys. After deliberation, panels can impose sanctions, reprimand an attorney or dismiss from the reprimand. If the panel chooses sanctions or a reprimand, it must provide the opportunity to review the attorney and file an objection within 14 days.

Gilbert filed a motion to dismiss the letter, which the disciplinary panel denied on Dec. 1, according to the filings provided by his attorney, Dominic Gentile.

Gentile said Gilbert denied all the process in the letter and

planned to continue the bar over its and conclusions. He said the draft letter was not a public record and the State Bar should not have commented on it at this stage.

"There is no final determination as to the validity of any grievance against Mr. Gilbert. A lawyer is entitled to a live hearing at which witnesses must be called to testify and be subject to cross-examination," he said.

Bar counsel Daniel Hooge said the letter was unofficial and Gilbert would not be formally disciplined until the panel holds another hearing.

"While the Supreme Court of Nevada retains the ultimate authority to regulate the legal profession, the Office of the Bar Counsel serves as the Court's arm to investigate and prosecute claims that a lawyer has violated the Rules of Professional Conduct. Our primary goal is to protect the public," Hooge said.

The panel's consideration comes as Gilbert campaigns throughout Nevada ahead of the Republican gubernatorial primary next June and files headline-grabbing lawsuits challenging vaccine and mask mandates.

To voters, Gilbert cites his legal work as evidence that he's the best choice to be Nevada's next governor and committed to fighting for the state.

In stump speeches he's made across the state and shared on his Facebook page, he says the legal work he's done throughout the pandemic prove his willingness to be "in the trenches, fighting," referencing cases such as Calvary Chapel Lone Mountain's ongoing challenges to Nevada's coronavirus-

related capacity cap on religious gatherings.

Gilbert is part of the legal team representing that church in Las Vegas, which along with another in rural Nevada, won an appeal challenging a statewide capacity cap on religious gatherings. The 9th US Circuit of Appeals ruled in favor of the church after the governor had rolled back the restrictions in question.

The State Bar letter claims Gilbert's firm allowed employees who weren't licensed attorneys to handle a case without supervision — a violation of professional standards and bar requirements. It alleges that a law student, who was supposed to be under Gilbert's supervision per bar rules, falsely implied to a client that a petition had been filed in court when it had not.

Though Gilbert's client had paid a \$3,500 retainer four months prior, the firm later dropped him as a client. The draft letter also reprimands Gilbert for violating a "diligence" rule by not promptly alerting the client that he did not want to represent him.

Gentile said Gilbert denied the way.

After speaking to employees mentioned in the letter, Gentile said he believes the disciplinary panel hadn't sufficiently investigated the incident. He said he was confident the reprimand would be dismissed.

"What Joey Gilbert is doing here is he's standing up for his integrity," Gentile said.

The State Bar of Nevada said it has about 9,000 active

members and prosecutes roughly 200 to 300 grievances annually. In 2021, it issued 24 reprimands, nine stayed suspensions and 15 actual suspensions. One attorney was disbarred.

Associated Press writer Scott Sonner contributed reporting from Reno. Metz is a corps member for the Associated Press/Report for America Statehouse News Initiative. Report for America is a nonprofit national service program that places journalists in local newsrooms to report on undercovered issues.

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THE BHARAT EXPRESS NEWS

Gov. candidate Joey Gilbert fights Nevada

By **The Bharat Express News** - December 17, 2021



CARSON CITY, Nevada (TBEN) – On billboards across northern Nevada, gubernatorial candidate Joey Gilbert can be seen with closed fists and the slogan "Law, Fighting for Nevada" .

Now Gilbert is fighting efforts to reprimand him by the Nevada State Bar. He could be sanctioned, but a screening committee that reviewed his work in August, alleging he had injured a client and violated

"Your misconduct actually hurt your client, but not in a substantial way," wrote Richard Williamson, chairman of a disciplinary panel, in the August 27 letter to Gilbert.

Gilbert is a lawyer and former professional boxer who last year was among the foremost voices questioning the 2020 election results and denouncing COVID-19 vaccines. He was in Washington, DC, during the Jan. 6 uprising at the U.S. Capitol Hill. Gilbert shows up in a primary field crowded with Republican candidates, including Democratic Governor Steve Sisolak in 2022.

The letter obtained by the The Bharat Express News has been circulated to the State Bar of Nevada.

The Nevada Bar appoints three-member panels to assess grievances against their lawyers. After deliberation, panels can in a hearing, sanction a lawyer, or dismiss the allegations. If the panel chooses to sanction the lawyer, the lawyer has the opportunity to review the allegations and file an appeal.

ALSO READ [Mountain Lion kittens rescued after being](#)

Gilbert filed a motion to dismiss the letter, which the disciplinary panel denied on December 1, according to documents provided by his lawyer, Dr. John Gentile.

Gentile said Gilbert has denied all of the allegations in the letter and is now fighting the bar over its process and findings. He said the draft letter was "defamatory" and the state bar should not have commented on it at this point.

The story continues

"There is no final decision as to the validity of a grievance against Gilbert," Gentile said.

the right to a live hearing in which witnesses must be called to cross-examination," he said.

Bar attorney Daniel Hooge said the letter was unofficial and Gilbert is sanctioned until the panel held another hearing.

"While the Nevada Supreme Court retains ultimate authority to discipline attorneys, the Office of the Bar Council serves as an arm of the court to investigate allegations that a lawyer has broken professional conduct rules. We protect the public," Hooge said.

ALSO READ [Bob Saget spent his last days pursuing the "I just want to make people laugh"](#)

The panel's review comes as Gilbert campaigns across Nevada for a Republican primary next June and files headline lawsuits challenging executive warrants.

To voters, Gilbert cites his legal work as proof that he's the best governor and that he's committed to fighting for the state.

In the strain speeches he gave across the state and shared on Twitter, the legal work he has done throughout the pandemic proves his commitment to the trenches, to fight, "referring to cases such as the continuing challenge at Lone Mountain in Nevada's coronavirus-related capacity cap for churches."

Gilbert is on the legal team representing this church in Las Vegas. In rural Nevada, won an appeal challenging a statewide capacity cap. The U.S. 9th Circuit of Appeal ruled in favor of the church after the restrictions.

The letter from the state bar claims that Gilbert's firm allowed licensed attorneys to handle a case without supervision – a violation of state and bar requirements. He alleges that a law student, who was supervised under bar rules, falsely suggested to a client that a court was in session when it was not.

ALSO READ Defense gets new bail hearing for parents of shooting suspect

Although Gilbert's client had paid a retainer of \$ 3,500 four months ago, the client subsequently abandoned him as a client. The draft letter also breached the rule of "due diligence" by not promptly warning the client that he was being represented by him.

Gentile said Gilbert denied the allegations.

After speaking to the employees mentioned in the letter, Gentile said the disciplinary panel had not sufficiently investigated the incident. The reprimand would be dismissed.

"What Joey Gilbert is doing here is standing up for his integrity,"

The Nevada State Bar said it has about 9,000 active members and receives about 300 grievances per year. In 2021, it issued 24 reprimands, nine effective suspensions. A lawyer has been struck off the bar.

The Bharat Express News writer Scott Sonner contributed this report. He is a member of the The Bharat Express News / Report for America Service Program. Report for America is a national, nonprofit service program.

local newsrooms to cover undercover issues.

The Bharat Express News

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Mail and by Certified Mail to the following address listed below:

/s Tanya Bain
Employee of Clark Hill, PLLC