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Rule 3.5 deals with impartiality. I do not believe Mr. Hintz has alleged any violation of this Bar rule, however, I am confident that I have not done anything in violation of this rule.

Rule 4.1 deals with truthfulness and statements to others. Once again, I have not done anything to violate this Bar rule.

Nearly everything false
see Appendix 'B'

Background of Representation of Mr. Hintz

Sometime in, I believe, 1999, I was retained by Mr. Hintz and his wife, Andrea, to represent them in litigation that was filed against them individually. That litigation was resolved sometime in September 1999. I have never heard anything other than praise for my handling of that matter. Thereafter, and concluding in December 2000, my firm provided miscellaneous representation to Mr. Hintz at his request. These matters were unrelated to the above litigation and were predominantly performed by one of our real estate associates who provided guidance to Mr. Hintz in the contemplation of the purchase of an apartment complex. It is my understanding that the representation entailed contract review and negotiation. I do not believe Mr. Hintz ever purchased the apartment complex. Following that time, this firm provided no further representation to Mr. Hintz. I do know that after consultation and waiver of any conflict, one of my partners represented Andrea Hintz in her divorce from Mr. Hintz with his consent in an uncontested divorce.

Sometime in December 2000, Mr. Hintz and his wife approached me and indicated that they were contemplating divorce and wanted to sell some of their rental properties. Mr. Hintz inquired whether I would be interested in purchasing any of the rental properties. At that time, Mr. Hintz provided me with a list of his properties and some mortgage and rental information. After investigation and negotiation, my wife and I entered into a contract with Mr. and Mrs. Hintz for the purchase of some of their rental properties. Sometime in early January 2001, the transaction was completed. Of the properties purchased, most were upside down (more was owed than the property was worth) and at least one had equity. These properties included small single-family condominiums and one single family home. At the closing, my wife and I obtained fee simple title to these properties by paying off the various mortgages, past due association fees and past due taxes on the properties. No lender or creditor associated with the properties we acquired received anything less than 100% of what was due. At the time of completion of this transaction, I recall Mr. and Mrs. Hintz being very pleased that we were able to complete this transaction so quickly and reduce their financial obligations.

Sometime after the completion of the January 2001 real estate transaction, Mr. Hintz telephoned me and indicated that he may have some "problems with some of his mortgages" (the ones he retained) which could perhaps subject him to criminal liability. I was not aware of any criminal problems of Mr. Hintz prior to completion of the January 2001 transaction. Without learning any more of the details from Mr. Hintz, I instructed him that I was not a criminal defense attorney and did not know anything about criminal defense. He inquired whether I could provide him with any references for potential representation. After inquiry, I provided Mr. Hintz with two (2) names and telephone numbers - Mark Kadish and Bruce Morris. I do not know either Mr. Kadish or Mr. Morris, but know

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of their general reputations. Although I had no further communications with Mr. Hintz regarding his representation, I understand that he retained Mr. Kadish.

Other than providing the two (2) above names to Mr. Hintz, I have never provided any advice, counsel or direction to Mr. Hintz regarding any potential criminal liability. I do not have any knowledge regarding his criminal case, his sentence or his appeal, other than to know that he plead guilty, is serving time and has appealed.

Nearly everything false
see Appendix 'B'

Other Allegations

Because of the nature of some of Mr. Hintz' allegations, I will endeavor to address each as it is set forth in his grievance.

Attorney Morochnik provided "questionable" advice and direction of client, Scott Hintz, regarding several real estate properties that became the subject of an FBI investigation.

I never provided Mr. Hintz any advice or direction regarding any acquisition or retention of any real estate. To my knowledge, his real estate portfolio was complete when he first came to this office. The only involvement I had with Mr. Hintz regarding real estate was the arms length transaction into which we entered. This was done at a time when I was not Mr. Hintz' counsel and I was not acting as his counsel in this transaction. I did not have any knowledge regarding any FBI investigation into Mr. Hintz other than what I have since learned from him.

With full knowledge of this pending FBI investigation and of Hintz' confidential information, attorney Morochnik and his relative, Federal Judge Alan J. Baverman, directed Hintz to perform several real estate transactions . . .

Alan J. Baverman is my uncle by marriage. Until I saw the attachments to Mr. Hintz' Grievance, I had no knowledge that Judge Baverman was even remotely involved in Mr. Hintz' criminal case. Regardless, Judge Baverman and I never directed Mr. Hintz to perform any real estate transactions. I never directed Mr. Hintz to perform any real estate transactions and did not know about any investigation until some time after my purchase from him and his wife.

. . . fire Hintz' other counsel . . .

I do not have any knowledge of what counsel Mr. Hintz retained or fired. I have never given him any direction to retain or fire any counsel.

. . . and use "their" selected defense counsel.

I never directed Hintz to use any counsel. As set forth above, at Mr. Hintz' request, I provided him two (2) names and telephone numbers as references of potential attorneys for him to consult.

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