
LAWYERS DEFENDING AMERICAN DEMOCRACY

July 9, 2024

Michael V. Goetz
Grievance Administrator
Michigan Attorney Grievance Commission
755 W. Big Beaver Rd. – Suite 2100
Troy, MI 48084

Re: Attorney Stefanie Lambert Juntilla – Request for Investigation

Dear Mr. Goetz:

Complainants hereby submits this ethics complaint against Michigan attorney Stefanie Lambert Juntilla (“Lambert”). This complaint is based on the documents described Exhibits 1-14, including those described at greater length in the attached Appendix.

Lambert has engaged and continues to engage in knowingly illegal and unprofessional conduct that undermines the administration of justice and poses a continuing threat to critical election infrastructure.¹ Her actions violate numerous provisions of the applicable rules of professional conduct, including Michigan Rules of Professional Conduct (“MRPC”) 1.2(c), 3.3(a)(1), 3.3(b), 4.1, 8.4(b), and 8.4(c) and their counterparts in other jurisdictions. Lambert has demonstrated a total “indifference to legal obligation,” which demands professional discipline (MRPC 8.4, cmt. 1). She is manifestly unfit to maintain her law license.

¹ See U.S. Dep’t of Homeland Sec., *Statement by Secretary Jeh Johnson on the Designation of Election Infrastructure as a Critical Infrastructure Subsector* (Jan. 6, 2017), <https://www.dhs.gov/news/2017/01/06/statement-secretary-johnson-designation-election-infrastructure-critical>.

I. Lambert's Unethical Conduct

Lambert is currently subject to felony charges in two separate criminal cases in Michigan.² While conviction in either action would result in automatic suspension of her law license pending final resolution by a hearing panel (Mich. Ct. R. 9.120(B)(1)), the extent of Lambert's misconduct and its ongoing nature demonstrate an urgent and compelling need for investigation and action by this Commission, without awaiting the conclusion of those criminal proceedings. Indeed, as this complaint shows, Lambert's misconduct is not confined to Michigan. It spans multiple jurisdictions and years and continues to this day.

This complaint rests largely on Lambert's involvement in two litigation matters. In *Cnty. of Fulton v. Sec'y of Commonwealth*, 292 A.3d 974 (Pa.), *cert. denied sub nom. Fulton Cnty., Pennsylvania v. Sec'y of the Commonwealth of Pennsylvania*, 144 S. Ct. 283 (2023) (the "**County of Fulton SCOPA Opinion**") (Ex. 3), the Supreme Court of Pennsylvania (the "SCOPA") expressed grave concerns about professional misconduct by Lambert and indicated that it would transmit a copy of its opinion to this Commission for review, (*id.* at 1018-19). Even after the Court issued its opinion, Lambert's misconduct continued, both in connection with her representation of Fulton County in Pennsylvania (the "**Fulton County Litigation**") and in connection with another litigation: her representation of former Overstock CEO Patrick Byrne in a defamation case brought by US Dominion, Inc. ("**Dominion**") against Byrne in the United States District Court for the District of Columbia, (*see US Dominion, Inc. v. Byrne*, No. 21-cv-2131 (D.D.C.) (the "**Byrne Litigation**")).

This statement of facts summarizes Lambert's bad acts in connection with her representation of Fulton County and Mr. Byrne, which are part of a sprawling pattern of professional misconduct by Lambert aimed at undermining confidence in our election infrastructure and our democracy more broadly.³

² Specifically, Lambert is facing felony charges for undue possession of a Dominion Voting Systems voting machine and willfully damaging a voting machine (Ex. 1 (Press Release, Office of the Muskegon County Prosecutor, *Lambert-Juntilla Charged in Election Tabulator Investigation* (Aug. 3, 2023))), and for permitting an unauthorized computer examiner access to voter data, including non-public voter information, concerning the 2020 General Election, (Ex. 2 (Press Release, Office of the Michigan Attorney General, *AG Nessel Charges Attorney Stefanie Lambert and Former Adams Township Clerk Scott for 2020 Election Voter Data Breach* (March 8, 2024))).

³ Lambert was one of many lawyers who represented plaintiffs in frivolous litigation brought in the U.S. District Court for the Eastern District of Michigan challenging the results of Michigan's 2020 presidential election. Although the District Court imposed sanctions on Lambert and referred her to this Commission, the Court of Appeals reversed because of her minimal involvement in the case, and the Commission consequently dismissed the disciplinary proceeding against her. *See King v. Whitmer*, 71 F.4th 511, 531 (6th Cir. 2023); David Thomas, *Michigan officials drop ethics cases against lawyers in Trump election lawsuit*, Reuters (Aug. 15, 2023), <https://www.reuters.com/legal/legalindustry/michigan-officials-drop>

A. Lambert’s Representation of Fulton County, Pennsylvania⁴

Lambert’s transgressions in connection with her representation of Fulton County include multiple instances of unlawfully facilitating unauthorized inspections of the County’s election equipment; engaging in a pattern of vexatious, obdurate, and bad faith litigation conduct, including by ignoring court rules, orders, and directions; and making material omissions in court filings. Indeed, even after the SCOPA issued its *County of Fulton* opinion and chastised Lambert for her transgressions, Lambert’s misconduct continued with a false statement in a petition for certiorari to the Supreme Court of the United States and attempts to further disseminate information obtained in violation of the Pennsylvania courts’ orders. In each case, Lambert’s conduct was knowing or reckless.

1. Misconduct in the Pennsylvania Proceeding

The history of the Fulton County Litigation is described at considerable length in the *County of Fulton* SCOPA Opinion (Ex. 3). Briefly, Fulton County sued the Secretary of the Commonwealth to challenge two actions: the Secretary’s decision to decertify the County’s electronic voting equipment because it had been unlawfully accessed by third party Wake TSI (prior to Lambert’s involvement in the litigation), and the Secretary’s Directive 1 of 2021 generally prohibiting third-party access to electronic voting systems to prevent tampering and maintain election security and integrity (*see id.* at 981-93).

While the Fulton County Litigation was ongoing, the SCOPA entered an injunction against further inspections of the election equipment pending appeal (the “**SCOPA Injunction**”), which was intended “to secure Fulton County’s voting equipment from further inspections while . . . [its] underlying challenge is litigated in full” (*id.* at 987 (*County of Fulton* SCOPA Opinion)). Notwithstanding – and indeed in direct violation of – the SCOPA Injunction and the Secretary’s still-operative Directive 1 of 2021, **in 2022 Lambert facilitated at least two additional,**

[ethics-cases-against-lawyers-trump-election-lawsuit-2023-08-15/](#). That decision has no bearing on the facts and allegations in the present complaint.

Lambert also is an unindicted co-conspirator in the Fulton County, Georgia election interference case, *State of Georgia v. Donald J. Trump et al.*, No. 23SC188947 (Ga. Sup. Ct. Aug. 14, 2023), <https://int.nyt.com/data/documenttools/georgia-indictment-trump/daed97d37562a76f/full.pdf>. *See also* Ryan Goodman et al., *Chart: Names of the “Unindicted Co-Conspirators” in Fulton County, Georgia Indictment*, Just Security (Aug. 25, 2023), <https://www.justsecurity.org/87662/chart-names-of-the-unindicted-co-conspirators-in-fulton-county-georgia-indictment-for-2020-election-interference/>.

⁴ A more detailed description of Lambert’s extensive misconduct relating to her representation of Fulton County, Pennsylvania, is provided in the attached Appendix.

unauthorized inspections of the County’s voting equipment, first by XR Vision, Ltd.⁵ and then by Speckin Forensics.⁶

Lambert also engaged in additional misconduct during the Fulton County Litigation, much of which occurred in proceedings before a Special Master appointed by the Supreme Court of Pennsylvania.⁷ Lambert failed to disclose to the Special Master a then-pending Michigan disciplinary proceeding in her *pro hac vice* application, concealed facts from the court, violated restrictions on her representation of Fulton County, and ignored scheduling and briefing deadlines (*see id.* at 992-1000, 1017 (*County of Fulton* SCOPA Opinion)). Lambert acted in concert with Fulton County’s other attorney, Thomas Carroll, a lawyer barred in Pennsylvania who was sanctioned and referred for professional discipline in the *County of Fulton* SCOPA Opinion. In the same decision in which the SCOPA sanctioned Carroll for being “guilty of relentlessly dilatory, obdurate, vexatious, and bad-faith conduct” (*id.* at 1018), the Court observed that “Lambert may be every bit as culpable as Attorney Carroll” (*id.*). Nonetheless, the Court concluded, “perhaps ironically,” that “the failure by the two lawyers to convince the Special Master that Attorney Lambert should be admitted *pro hac vice* precisely because she failed to satisfy the requirements for applying for that status protects her from sharing responsibility with Attorney Carroll and the County” (*id.* at 1018-1019). As noted above, the Court instead transmitted its opinion to this Commission for appropriate action.⁸

2. False Statement in Certiorari Petition⁹

Thereafter, Lambert compounded her misconduct by falsely claiming to the Supreme Court of the United States that Fulton County caused the Speckin Inspection to be performed “[i]n the course of fulfilling its statutorily delegated duties” (Ex. 8 at 17 (Petition for Writ of Certiorari, *Fulton Cnty., Pennsylvania, et al. v. Sec’y of the Commonwealth of Pennsylvania, et al.*, No. 23-96 (U.S. July 17, 2023) (the “**SCOTUS Petition**”))).¹⁰ In fact, as Lambert certainly

⁵ See App’x § I.A for detail on the XR Vision Inspection. *See also* Ex. 4 at ¶¶ 36-41 (Compl., *Apelbaum, et al. v. Lambert, et al.*, No. 23-11718 (E.D. Mich. July 18, 2023)). The clerk entered a default against Lambert on February 27, 2024. *See* Ex. 5 (Clerk’s Entry of Default, *Apelbaum, et al. v. Lambert, et al.*, No. 23-11718 (E.D. Mich. Feb. 27, 2024) (ECF No. 16)).

⁶ See App’x § I.B for detail on the Speckin Inspection. *See also* Ex. 3 at 991-92 (*County of Fulton* SCOPA Opinion).

⁷ See App’x § II for detail on this misconduct.

⁸ See App’x § III for additional detail.

⁹ See App’x § IV.

¹⁰ Recently, Lambert reasserted this same false claim in a second certiorari petition filed on behalf of Fulton County. Petition for Writ of Certiorari at 16, *County of Fulton, Pennsylvania et al. v. Secretary of the Commonwealth of Pennsylvania*, No. 23-1237 (U.S. May 21, 2024) available at

knew, **Fulton County never authorized the inspection through a lawful vote of its commissioners as required by state law** (25 P.S. § 2643); indeed, one of the commissioners never even learned of the inspection until months after it occurred. (*See* Ex. 3 at 991-92 (*County of Fulton* SCOPA Opinion)). As counsel of record for Fulton County on the July 17, 2023, certiorari petition, Lambert is directly responsible for this false statement.

3. **Lambert’s Recent Conduct Compounds Her Previous Violations of the SCOPA’s Order**¹¹

On December 27, 2023, in apparent disregard of the SCOPA’s conclusion that the Speckin inspection “deliberately, willfully, and wrongfully violated [the Supreme] Court’s temporary order” (*id.* at 1010), Fulton County voted to “allow utilization of the February 19, 2021 Wake TSI Report, the September 15, 2022 Speckin Forensic [sic] Report, Wake TSI Experts and Speckin Forensic Experts, and evidence used to form expert opinions **to be utilized by clients of Stefanie Lambert with common interests.**”¹² In other words, Lambert apparently intended to continue sharing and weaponizing information obtained and produced, in part, in violation of the SCOPA Injunction.

The next day, December 28, 2023, Lambert sent a public letter on behalf of Fulton County to U.S. Representative Jim Jordan requesting the House Judiciary Committee investigate, among others, Dominion and Pro V&V, a Voting System Test Laboratory accredited by the Election Assistance Commission, concerning alleged post-2020 election issues (Ex. 9 (Letter from Stefanie Lambert to Hon. Jim Jordan (Dec. 28, 2023) (the “**Jordan Letter**”))). Attached to the Jordan Letter was a copy of the September 15, 2022, Speckin Forensics Report, which of course “deliberately, willfully, and wrongfully violated [SCOPA’s] temporary order” (Ex. 3 at 1010 (*County of Fulton* SCOPA Opinion)).¹³

https://www.supremecourt.gov/DocketPDF/23/23-1237/310494/20240530141057018_240505a%20Revised%20Petition%20for%20efiling.pdf.

¹¹ *See* App’x § V.

¹² Minutes at 2, December 27, 2023 Meeting of the Fulton County Commissioners, *available at* <https://www.co.fulton.pa.us/files/live-folders/commissioner-minutes-agendas/2023-12-27%20Commissioners'%20Minutes.pdf?fixcache=20240131162650> (emphasis added).

¹³ In the Jordan Letter, Lambert also misrepresented sworn testimony provided by Michael Walker, CEO of Pro V&V, during an evidentiary hearing in the Fulton County litigation. Walker testified that voting equipment manufacturers pay one of two accredited voting system test labs to determine whether their equipment meets federal and/or state guidelines and that a test lab’s decision to recommend a manufacturer’s product for certification is *not dictated by payment for the services* (Ex. 10 at 180 (Aug. 30 Hr’g Tr.)). Lambert dishonestly misconstrued Walker’s explanation of this routine process as evidence of a nefarious quid pro quo and “conflict of interest,” claiming “Dominion Voting Systems is providing funds to Pro V & V and Pro V & V then recommends certification to the EAC of the Dominion brand voting equipment” (Ex. 9 at 1 (Jordan Letter)).

As a result, after the Commonwealth Court of Pennsylvania first temporarily enjoined Fulton County and Lambert from taking action pursuant to the December 27, 2023, vote, the court entered a permanent injunction on June 11, 2024. That permanent injunction explicitly prohibits Lambert from “disseminating, or allowing third parties to access, any of the evidence or information in the County’s possession that formed the basis for the February 19, 2021 Wake TSI Report, the September 15, 2022 Speckin Forensics Report, or any other evidence obtained in any unauthorized inspection of the Voting Equipment” (Ex. 11, *Order* at 1-2 & n.1 (*Cnty. of Fulton et al. v. Sec’y of the Commonwealth*, No. 277 MD 2021 (Pa. Commw. Ct. June 11, 2024))). In the Commonwealth Court’s supporting opinion, it specifically held that Lambert’s very presence in the case and her possession of Dominion’s confidential materials created an “especially elevated” risk of irreparable harm to Dominion (*id.*, *Opinion* at 17-19).

B. Lambert’s Conduct in the *Byrne* Litigation

Evidence of additional, recent misconduct by Lambert came to light in March of this year, this time in connection with the *Byrne* litigation between Dominion and Patrick Byrne in the District Court for the District of Columbia.

On March 12, 2024, Dominion explained in an email to the court that Byrne’s then-counsel, Robert Driscoll, had notified Dominion that another lawyer for Byrne—who had not yet appeared in the *Byrne* Litigation—breached the terms of the court’s protective order (*see* Ex. 12 at 1 (Email from Elizabeth Hadaway, counsel for Dominion, to Court, *US Dominion, Inc. et al. v. Byrne*, No. 1:21-cv-02131 (D.D.C. March 12, 2024)) (the “***Byrne* Email to Court**”). According to the *Byrne* Email to Court, Byrne had retained Lambert and given her access to confidential discovery materials produced by Dominion, which were subject to a signed “Undertaking in which she agreed to use all Discovery Material only as permitted by the Protective Order” (*id.*).

Regardless of the protective order, Lambert shared Dominion’s confidential discovery materials with non-parties, including at least (1) Sheriff Dar Leaf of Barry County, Michigan (*id.*) – another identified suspect in the Michigan election tabulator case in which Lambert currently faces criminal charges¹⁴ – and (2) “as part of a [public] filing she made in the criminal case” pending against her in Michigan state court (*id.*). Driscoll withdrew as counsel for Byrne after Lambert made those disclosures, and Lambert filed a notice of appearance on behalf of Byrne the same day (*see* Ex. 13 at 12 (Emergency Mot. for Protective Relief and to Disqualify Counsel, *US Dominion, Inc. et al. v. Byrne*, No. 1:21-cv-02131 (D.D.C. March 15, 2024)) (the “**Lambert Disqual. Mot.**”).

¹⁴ *See* Ex. 1 at 2 (Press Release, Office of the Muskegon County Prosecutor, *Lambert-Juntilla Charged in Election Tabulator Investigation* (Aug. 3, 2023)) (identifying Leaf as an uncharged suspect).

During a March 12, 2024, meet and confer concerning Lambert’s breach of the protective order, Lambert confirmed her actions (*see id.* at 3-5, 9-12).¹⁵ She further contended without basis that the violation should be excused because the documents showed evidence of “criminal activity” (*id.* at 4). According to Dominion, the documents “have now been viewed by tens of thousands of users on social media” resulting in threats of violence against Dominion employees (*id.* at 3-4, 9), and Lambert has refused to provide information about the scope of her breach (*see id.* at 12-13).

On March 15, 2024, Dominion filed an emergency motion seeking a protective order and to disqualify Lambert (*see generally id.*). On March 19, 2024, after a hearing, the court ordered Lambert to, among other things, “immediately desist from sharing, distributing, providing access to or discussing any discovery material received in connection with any of the following cases” and further ordered her to confirm she would comply with the Order (Ex. 14 (Order Granting Interim Relief to Preserve the Status Quo While Plaintiffs’ Emergency Motion for Protective Relief and to Disqualify Counsel Is Pending, *US Dominion, Inc. et al. v. Byrne*, No. 1:21-cv-02131 (D.D.C. March 19, 2024))). The court also ordered that “[w]ith respect to any other copy of any Dominion Litigation Documents, existing in any form whatsoever, in the possession of Ms. Lambert, Mr. Byrne, or any associate or affiliate of Ms. Lambert or Mr. Byrne, subsequently discovered but not already accounted to the Court on March 18, 2023: a. Those documents must be sequestered and the relevant party, party’s attorney, or party’s former attorney must immediately notify the Court of the document’s or documents’ existence, and b. Those documents must not be disseminated to anyone” (*id.* at 3 (emphasis added)).

As of the date of this submission, many of the documents Lambert illegally leaked to Sheriff Leaf remained publicly available on Leaf’s X account.¹⁶ The district court has not yet ruled on Dominion’s motion to disqualify Lambert.

II. The Commission Should Investigate Lambert for Multiple Ethical Violations

[Complainant] respectfully requests that the Michigan Attorney Grievance Commission promptly investigate whether it should charge Lambert for violations of multiple Michigan Rules of Professional Conduct and/or their analogs under the Pennsylvania Rules of Professional Conduct and the D.C. Rules of Professional Conduct, in connection with the above-described misconduct. The Pennsylvania Rules appear to apply to much of Lambert’s conduct pursuant to

¹⁵ *See also* Ex. 13 at 7-9 (Lambert Disqual. Mot.) (identifying the relevant Protective Order provisions) & Ex. 6 thereto (*Byrne* Litigation Protective Order).

¹⁶ Sheriff Dar Leaf (@SheriffLeaf), X (Mar. 18, 2024), <https://twitter.com/SheriffLeaf>.

MRPC 8.5(b),¹⁷ but the relevant Pennsylvania and Michigan Rules are largely identical and substantively the same, as shown below:

- **MRPC 1.2(c), PARPC 1.2(d)** - “A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is illegal or fraudulent[.]”
- **MRPC 3.3(a)(1), PARPC 3.3(a)(1)** - “A lawyer shall not knowingly make a false statement of material fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer.”
- **MRPC 3.3(b), PARPC 3.3(b)** - “If a lawyer knows that the lawyer’s client...has engaged in criminal or fraudulent conduct related to an adjudicative proceeding involving the client, the lawyer shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal.”
- **DCRPC 3.4(c)** - “A lawyer shall not knowingly disobey an obligation under the rules of a tribunal except for an open refusal based on an assertion that no valid obligation exists.”
- **MRPC 4.1, PARPC 4.1(a)** - “In the course of representing a client, a lawyer shall not knowingly make a false statement of material fact or law to a third person.”
- **MRPC 8.4(b)** - “It is professional misconduct for a lawyer to . . . engage in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyer’s honesty, trustworthiness, or fitness as a lawyer.”
- **PARPC 8.4(c)** - “It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.”
- **MRPC 8.4(c), PARPC 8.4(d)** - “It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.”
- **DCRPC 8.4(d)** – “It is professional misconduct for a lawyer to engage in conduct that seriously interferes with the administration of justice.”

¹⁷ MRPC 8.5(b) (Choice of Law) provides: “In any exercise of the disciplinary authority of this jurisdiction, the rules of professional conduct to be applied shall be as follows: (1) for conduct in connection with a matter pending before a tribunal, the rules of the jurisdiction in which the tribunal sits, unless the rules of the tribunal provide otherwise; and (2) for any other conduct, the rules of the jurisdiction in which the conduct occurred, or, if the predominant effect of the conduct is in a different jurisdiction, the rules of that jurisdiction shall be applied to the conduct; a lawyer shall not be subject to discipline if the lawyer’s conduct conforms to the rules of a jurisdiction in which the lawyer reasonably believes the predominant effect of the lawyer’s conduct will occur.”

A. The Attorney Grievance Commission Should Investigate Whether Lambert’s Misconduct in Connection with the Fulton County Litigation Violated MRPC 1.2(c) and PARPC 1.2(d), MRPC 8.4(b) and PARPC 8.4(c).

The Attorney Grievance Commission should investigate whether Lambert’s misconduct in connection with the Fulton County Litigation violated Pennsylvania law and prejudiced the administration of justice. Lambert counseled and assisted her client in facilitating multiple unlawful inspections of Fulton County’s election equipment in violation of the SCOPA Injunction and Directive 1. She lied to XR Vision to do so. And then she engaged in vexatious, obdurate and bad faith conduct in connection with the Fulton County litigation. In so doing, Lambert violated the Rules of Professional Conduct prohibiting lawyers from: engaging in or assisting their clients “in conduct that the lawyer knows is illegal or fraudulent” (MRPC 1.2(c) and PARPC 1.2(d)); engaging in “conduct involving dishonesty, fraud, deceit, [or] misrepresentation” (MRPC 8.4(b) and PARPC 8.4(c)); and otherwise “engag[ing] in conduct that is prejudicial to the administration of justice” (MRPC 8.4(c) and PARPC 8.4(d)).

Here, (a) neither of the inspections Lambert arranged or facilitated was authorized by a majority vote of Fulton County Board of Elections as required by the Pennsylvania Election Code (25 P.S. § 2643), and (b) both of the inspections violated the SCOPA’s Injunction and the Secretary’s Directive 1 of 2021, as she and her clients were well aware (*see* Ex. 3 at 1008-09 (*County of Fulton* SCOPA Opinion) (“Perhaps tellingly, the County does *not* openly test our credulity by proclaiming actual ignorance [of the Injunction].... They behaved to all appearances like people who knew that they had something to hide.”); *id.* at 1050-51 (attaching Special Master Report)).

Lambert’s pattern of vexatious, obdurate and bad faith misconduct in the Fulton County Litigation – her repeated violation of court orders, including an injunction intended to maintain the *status quo* and protect against spoliation of evidence – was clearly prejudicial to the administration of justice (*see id.* at 1015-18 (regarding counsel’s pattern of misconduct in the proceeding); *id.* at 1054, 59-63 (attaching Special Master Report)). Indeed, this is precisely the sort of behavior that the Pennsylvania Rules forbid (*see Off. of Disciplinary Couns. v. Monsour*, 549 Pa. 482, 485 (1997) (affirming disbarment of attorney for, *inter alia*, failing to obey a court order in violation of PARPC 8.4(d))).

Finally, insofar as Lambert failed to take “reasonable remedial measures,” including “disclosure to the tribunal” of the violation of the Injunction, the Grievance Commission should investigate whether Lambert violated her “special dut[y]. . . to avoid conduct that undermines the integrity of the adjudicative process” (*see* MRPC 3.3, cmt. ¶ 2; PARPC 3.3, cmt. ¶ 2).

B. The Attorney Grievance Commission Should Investigate Whether Lambert’s False and Misleading Statements Violated MRPC 3.3(a)(1), MRPC 4.1, MRPC 8.4(b) and PARPC 8.4(c).

The Attorney Grievance Commission should also investigate whether Lambert’s misrepresentations and false statements in court filings and to third parties violated multiple Rules of Professional Conduct. MRPC 3.3(a)(1) and MRPC 4.1 and their Pennsylvania analogs prohibit lawyers from knowingly making false statements of material fact to tribunals and third persons, respectively. As noted above, MRPC 8.4(b) and PARPC 8.4(c) further proscribe “conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyer’s honesty, trustworthiness, or fitness as a lawyer” (*see Off. of Disciplinary Couns. v. Grigsby*, 493 Pa. 194, 200 (1981) (disbarring attorney for knowingly filing a false sworn pleading, noting “[t]ruth is the cornerstone of the judicial system; a license to practice law requires allegiance and fidelity to truth” and “we cannot distinguish between dishonesty involving client matters and dishonesty in private matters”); *Scranton Prod., Inc. v. Bobrick Washroom Equip., Inc.*, 190 F. Supp. 3d 419, 430-31 (M.D. Pa. 2016) (finding attorney violated PARPC 8.4(c) when he failed to disclose his presence on a telephone call made to a competitor by his client and instead sat silently, surreptitiously listening to the conversation and taking notes)).

Lambert made multiple false and misleading statements warranting investigation under these Rules. She lied to XR Vision about an inspection being authorized by the Pennsylvania courts when, in fact, she knew the SCOPA had enjoined any such inspection (*see Ex. 4 at ¶ 37* (XR Vision Compl.)). As “Counsel of Record” on the July 2023 certiorari petition submitted to the Supreme Court of the United States, Lambert falsely and misleadingly claimed that Fulton County conducted the Speckin Investigation “[i]n the course of fulfilling its statutorily delegated duties” (Ex. 8 at 17 (SCOTUS Petition)), when, in fact, the *County never voted to authorize the Speckin Inspection* (*see Ex. 3 at 991-92* (County of Fulton SCOPA Opinion)). The actions were therefore ultra vires and *flouted rather than fulfilled its statutory duties*. And, in her letter to Representative Jordan, Lambert misstated testimony from Pro V&V CEO Michael Walker to dishonestly imply the existence of an improper conflict between Pro V&V and Dominion, even after the Special Master had already rejected that argument and instead concluded “Pro V&V is both sufficiently neutral and sufficiently independent from undue influence to serve as escrow agent” (*see Ex. 7 at 54* (Escrow Agent Op.)).

C. The Grievance Commission Should Investigate Whether Lambert’s Violation of the Court’s Protective Order in the *Byrne* Litigation Violated DCRPC 3.4(c) and 8.4(d).

Lawyers cannot unilaterally decide to violate court orders. DCRPC 3.4(c) states “A lawyer shall not knowingly disobey an obligation under the rules of a tribunal except for an open refusal based on an assertion that no valid obligation exists.” DCRPC 8.4(d) states “It is professional misconduct for a lawyer to engage in conduct that seriously interferes with the administration of justice.” The conduct prohibited by this section includes “acts by a lawyer such

as ... failure to obey court orders” (DCRPC 8.4(d), cmt. 2; *see also In re Murdter*, 131 A.3d 355, 359 (D.C. 2016) (suspending attorney appointed to represent indigent clients on appeal of their criminal convictions, who failed to brief any of the cases, despite multiple briefing orders, in violation of, *inter alia*, DCRPC 3.4(c) and 8.4(d)); *In re Blackwell*, 299 A.3d 561 (D.C. 2023) (finding suspension was warranted for attorney who failed to comply with a court order regarding child support payments, in violation of DCRPC 3.4(c))).

Lambert knew of her obligations under the Protective Order: she signed a copy acknowledging as much (*see* Ex. 13 at Ex. 6 & 8 (Lambert Disqual. Mot.)). If, as she claims, Lambert believed sharing the documents with law enforcement was appropriate—a contention Complainants dispute—the ethical rules required that she seek a modification of the district court’s protective order (*see* DCRPC 3.4(c) and 8.4(d)). Lambert did not seek any modification and plainly violated the order in violation of the DC Rules.

III. Conclusion

Lambert’s repeated, ongoing, and blatant violations of court orders and ethical rules demand accountability. The SCOPA concluded that the deliberate efforts to violate its order safeguarding voting equipment represented “a clear and present danger to the effective function of the judiciary, the orderly administration of justice, and the rule of law” (Ex. 3 at 1020 (*County of Fulton* SCOPA Opinion)). The Court went on to express its hope that sanctions “will underscore for the County, Attorney Carroll, and other observers that they trifle with judicial orders and time-honored rules and norms in litigation at their peril” (*id.*). Lambert has not gotten that message. Now, having received the SCOPA’s opinion and this complaint, it lies with this Commission to call Lambert to account for her central role in this misconduct. Otherwise, in the absence of an investigation and discipline, Lambert has shown that she will continue to engage in acts intended to undermine faith in our legal system and our democracy – misconduct that is all the more injurious in this election year.

The undersigned respectfully requests that the Michigan Attorney Grievance Commission open a thorough investigation into Lambert’s actions and, if these allegations are substantiated, impose appropriate professional discipline.

Very truly yours,

John T. Montgomery (John.Montgomery@ropesgray.com)
Lawyers Defending American Democracy
Board Member

Additional signatories*

Dennis Aftergut
Of Counsel to LDAD; former federal prosecutor and San Francisco Chief Assistant City
Attorney

Martha W. Barnett
Past president of the American Bar Association; former partner Holland & Knight; LDAD Board
Member

Brian J. Bridson
Retired Professor

Pamela Burbott
Former Director of Litigation Counsel
Penske Automotive Group

Evan Falchuk
CEO, Family First;
Former independent gubernatorial candidate for Massachusetts;
LDAD Board Member

Nicholas Fels
Retired partner, Covington & Burling LLP; LDAD Board Member

Trey Grayson
Former Secretary of State of Kentucky

Scott Harshbarger, Chairman
Former National President of Common Cause and two-term Attorney General of Massachusetts

Douglas Hauer
Law Firm Partner; LDAD Board Member

Jim Hood
Former Attorney General of Mississippi

Bruce N. Kuhlik
Former Assistant to the U.S. Solicitor General; former partner, Covington & Burling
LDAD Co-Author of the Complaint

Jahna Lindemuth

Former Attorney General of Alaska

Patricia Madrid

Former Attorney General of New Mexico

Thomas Mela

Retired Managing Attorney of the Massachusetts Advocates for Children; LDAD Board Member

Cheryl Niro

Past President, Illinois State Bar Association; Former Partner, Quinlan & Carroll, Ltd; LDAD Board Member

Peggy A. Quince

Retired Chief Justice of the Florida Supreme Court;
LDAD Board Member

Gershon M. (Gary) Ratner

Former Associate General Counsel for Litigation, U.S. Department of Housing & Urban Development; LDAD co-founder and Board Member

Lauren Rikleen

LDAD Executive Director and Board Member; President, Rikleen Institute for Strategic Leadership; Past President, Boston Bar Association

Estelle H. Rogers

Retired Voting Rights Attorney; LDAD Board Member

R. Kelly Sheridan

Retired Partner, Roberts, Carroll, Feldstein & Peirce; Former President, Rhode Island Bar Association

Walter White

Vice President, Legal Compliance & Sustainability Belfika Holdings (PTY) Limited South Africa; LDAD Board Member

Governor Christine Todd Whitman

Former Governor of New Jersey

Lucien Wulsin

Founder and retired Executive Director, Insure the Uninsured Project; LDAD Board Member

**Titles and affiliations for identification purposes only*

APPENDIX

1. In August 2021, Fulton County sued the Secretary of the Commonwealth to challenge two actions: the Secretary’s decision to decertify the County’s electronic voting equipment because it had been unlawfully accessed by third party Wake TSI (prior to Lambert’s involvement in the litigation), and the Secretary’s Directive 1 of 2021 (the “**Directive**”) generally prohibiting third-party access to electronic voting systems, in order “to prevent both intentional and inadvertent tampering” that “jeopardizes the security and integrity of those systems.”¹

2. The Secretary had decertified the equipment after learning that Fulton County had provided a third-party firm, Wake TSI, with unlawful access.” See Ex. 3 at 980-82 (*Cnty. of Fulton v. Sec’y of Commonwealth*, 292 A.3d 974 (Pa.), cert. denied sub nom. *Fulton Cnty., Pennsylvania v. Sec’y of the Commonwealth of Pennsylvania*, 144 S. Ct. 283 (2023) (the “**County of Fulton SCOPA Opinion**”).

3. In December 2021, the Secretary learned that, while the litigation was still pending—and the Directive was still in place—Fulton County planned to permit *another* third-party inspection of the decertified voting equipment by an entity referred to as Envoy Sage. The Secretary sought an injunction to prevent such an inspection. Ex. 3 at 987-88 (*County of Fulton SCOPA Opinion*).

4. Although the trial-level Commonwealth Court denied the Secretary’s injunction motion, the Secretary appealed and sought an injunction pending appeal from the Supreme Court of Pennsylvania (the “**SCOPA**”). Ex. 3 at 987-88 (*County of Fulton SCOPA Opinion*).

5. On January 14, 2022, SCOPA Justice Wecht entered a single-Justice Order temporarily enjoining the third-party inspection, pending consideration by the full Court (the “**Injunction**”). Ex. 3 at 987-88 (*County of Fulton SCOPA Opinion*).

6. On January 27, 2022, the full SCOPA extended the Injunction through the pendency of the Secretary’s appeal. Ex. 3 at 988 (*County of Fulton SCOPA Opinion*).²

¹ See Pennsylvania Department of State, *Directive Concerning Access to Electronic Voting Systems, Including But Not Limited to the Imaging of Software and Memory Files, Access to Related Internal Components, and the Consequences to County Boards of Allowing Such Access*, The Commonwealth of Pennsylvania (July 8, 2021), https://www.dos.pa.gov/VotingElections/OtherServicesEvents/Documents/Directive-1-of-2021_Access-to-Electronic-Voting-Systems_7-8-2021.pdf.

² The SCOPA ultimately dismissed the appeal in April 2023, finding the appeal was moot because, while the appeal was pending, the SCOPA awarded sanctions that provided the functional equivalent of what was sought in the appeal. Ex. 3 at 1020 (*County of Fulton SCOPA Opinion*) (“we dismiss the underlying appeal because we find that the impoundment of the machines to follow constructively grants the relief the Secretary sought in that appeal”).

7. The SCOPA described the Injunction as serving “to secure Fulton County’s voting equipment from further inspections while [Fulton County’s] underlying challenge [to the decertification of the equipment] is litigated in full.” Ex. 3 at 987 (*County of Fulton SCOPA Opinion*).

I. Lambert Facilitated Two Unauthorized Inspections of Fulton County’s Voting Equipment, in Violation of the Pennsylvania Election Code, the Secretary’s Directive, and the SCOPA’s Injunction

8. Notwithstanding—indeed in direct violation of—the Pennsylvania Election Code, the Directive, and the Injunction, Lambert appears to have facilitated at least two additional, unauthorized inspections of the decertified equipment, first by an entity known as XR Vision, Ltd., during the March to June 2022 timeframe (“**the XR Vision Inspection**”) and second, when that failed to uncover any evidence of fraud in the 2020 election, by another entity known as Speckin Forensics in July 2022 (“**the Speckin Inspection**”).³

A. The XR Vision Inspection

9. In or around March 2022—the month before Lambert was officially retained by Fulton County—Lambert solicited XR Vision and its Chief Technology Officer, Yaacov Apelbaum, to conduct a forensic analysis of Fulton County’s election equipment. Ex. 4 at ¶¶ 35-36 (Compl., *Apelbaum et al. v. Lambert et al.*, No. 23-cv-11718 (E.D. Mi. July 18, 2023) (the “**XR Vision Compl.**”)).

10. Lambert fraudulently induced a contract with XR Vision by falsely claiming to Apelbaum that she “represented Fulton County, Pennsylvania in an ongoing lawsuit and **had been authorized by a Pennsylvania state court** to conduct a forensic and cyber analysis of electronic elections systems as part of the discovery in Fulton County, Pennsylvania.” Ex. 4 at ¶ 37 (XR Vision Compl.) (emphasis added).

11. No such court authorization existed; instead, the SCOPA had enjoined third-party inspection. And based on publicly available information, there is no record of Fulton County ever voting to authorize the XR Vision Inspection, as required by Pennsylvania law. *See* 25 Pa. Stat. Conn. § 2643(a) (“All actions of a county board shall be decided by a majority vote of all the members, except as may be otherwise provided herein.”).

12. Nonetheless, Lambert ultimately agreed to pay XR Vision more than \$500,000 to perform a forensic analysis of the decertified equipment. Ex. 4 at ¶¶ 41, 46 (XR Vision Compl.).

³ The facts concerning the XR Vision Inspection are set forth in a July 18, 2023 Michigan complaint XR Vision, Ltd. filed against Lambert and Pennsylvania resident Bill Bachenberg, who allegedly agreed to provide the funding for the XR Vision Inspection. *See* Ex. 4 (XR Vision Compl.). Default was entered against Lambert on Feb. 27, 2024. *See* Ex. 5 (Clerk’s Entry of Default as to Stefanie Lynn Lambert, *Apelbaum et al. v. Lambert et al.*, No. 23-cv-11718 (E.D. Mi. Feb. 27, 2024)).

The facts concerning the Speckin Inspection are set forth in Ex. 3 (*County of Fulton SCOPA Opinion*).

13. Fulton County officially retained Lambert in April 2022, when the Fulton County Commissioners voted to terminate the County’s engagement of its original outside counsel in the Fulton County Litigation and to appoint Lambert and Pennsylvania attorney Thomas Carroll (“**Carroll**”) “as special counsel to represent the County of Fulton relating to past election matters and election equipment with legal services being *pro bono*.”⁴ Ex. 3 at 987-88 (*County of Fulton SCOPA Opinion*).

14. On June 4, 2022, Lambert met with Apelbaum at an airport near Detroit to discuss XR Vision’s findings, and he informed Lambert that “while the elections systems were highly insecure, ***there was no evidence that they had been hacked internationally or domestically or were pre-configured to favor one candidate.***” Ex. 4 at ¶¶ 48-49 (XR Vision Compl.) (emphasis in original).

15. According to Apelbaum, Lambert then “requested that [XR Vision] write a report stating that there were cheat codes in the software and that there was evidence of remote/local hacking of the elections systems.” Ex. 4 at ¶ 50 (XR Vision Compl.).

16. XR Vision “refused to do this because it was not true.” Ex. 4 at ¶ 50 (XR Vision Compl.). On or around June 22, 2022, XR Vision produced a forensic analysis, which “did not find any evidence of election fraud in the 2020 election” thus precipitating Lambert’s termination of the agreement and a payment dispute, which resulted in XR Vision’s filing of a complaint and, recently, entry of default against Lambert. Ex. 4 at ¶¶ 51-53 (XR Vision Compl.).

B. The Speckin Inspection

17. After the XR Vision Inspection failed to produce the evidence of fraud she sought, in July 2022, Lambert facilitated *another* third party, Speckin Forensics, to inspect the decertified voting equipment.

18. The Speckin Inspection, like the XR Vision Inspection, was conducted in direct contravention of Pennsylvania law, the Secretary’s Directive, and the Injunction. Ex. 3 at 991-92 (*County of Fulton SCOPA Opinion*).⁵

⁴ See Minutes at p. 32-33, April 12, 2022 Meeting of Fulton County Commissioners, <https://www.co.fulton.pa.us/files/live-folders/commissioner-minutes-agendas/2022-04-12%20Commissioners'%20Minutes.pdf?fixcache=20240216180753>.

⁵ Lambert was of course special counsel for Fulton County at the time of the Speckin Inspection. Moreover, in August and September of 2021, long before the Fulton County Speckin Inspection, publicly available documents show Lambert communicating with Cyber Ninjas CEO Doug Logan about involving Speckin Forensics in the now-widely discredited Maricopa County, AZ “audit” run by Cyber Ninjas. See, e.g., *Arizona State Records Previously Held by Cyber Ninjas – Received 12/15/22*, American Oversight, (June 8, 2023), p. 315 at line 10480, p. 322 at line 10677, p. 525 at line 1803-1806, p. 796 at line 13082, <https://www.americanoversight.org/document/arizona-senate-election-audit-records-previously-held-by-cyber-ninjas>. See also Ryan Randazzo and Robert Anglen, *Indicted Michigan lawyer pushed false claims of fraud for Arizona “audit” report, texts reveal*, AZ Central, (Oct. 27, 2023); Archived copy of the website for Lambert’s law practice, captured on August 19, 2022, <https://web.archive.org/web/20220819013458/https://stefanielambert.com/cases>, (linking to copy of Sept. 20, 2021 report by Speckin Forensics relating to Maricopa County, Arizona, under Lambert’s “cases”).

19. As the SCOPA explained:

Neither the Commissioners’ intent, nor the fact, nature, and scope of this inspection, were addressed in a public proceeding by the Fulton County Commission or Election Board, nor was the inspection approved by a formal vote of either body. The County also did not notify the Secretary or Dominion, both of whom previously had claimed the right to notice of any inspection—the Secretary, as a function of her authority over the administration of elections, and Dominion, based upon the terms of its contract with Fulton County. Even Commissioner Shives did not learn until September 2022 that the July inspection was planned or had occurred.

Ex. 3 at 991-92 (*County of Fulton SCOPA Opinion*).⁶

20. In October 2022, the Secretary learned for the first time of the Speckin Inspection, after Fulton County filed a report from the Speckin Inspection in a contract action it filed against Dominion.⁷ Ex. 3 at 991-92 (*County of Fulton SCOPA Opinion*).

21. After learning of the unauthorized Speckin Inspection, the Secretary sought a contempt finding and sanctions against Fulton County and its attorneys for violating the Injunction. Thereafter, the SCOPA appointed a Special Master to oversee expedited discovery and an evidentiary hearing, which took place on November 9, 2022. Ex. 3 at 992-94 (*County of Fulton SCOPA Opinion*).

II. Lambert’s Dishonest Conduct in Connection with the November 2022 Evidentiary Hearing

22. Between May 2022—the month after Fulton County voted to retain Lambert—and November 2022—when the Special Master held the evidentiary hearing on the motion to hold Fulton County in contempt—“Fulton County’s (and its attorneys’) pattern of neglect and non-compliance emerged.” Ex. 3 at 989 (*County of Fulton SCOPA Opinion*).

23. Lambert, who did not seek admission in the case until the day of the evidentiary hearing, ignored multiple notices from the SCOPA regarding scheduling and briefing deadlines. See Ex. 3 at 989-91 (*County of Fulton SCOPA Opinion*). See also Ex. 6 at 12-13 (Nov. 9 Hr’g Tr.) (describing how Lambert sent counsel for the Secretary unsigned emails with attachments

⁶ See also Ex. 6 at 216-17 (Hr’g Tr., *County of Fulton et al. v. Secretary of the Commonwealth*, No. 277 MD 2021, No. 3 MAP 2022 (Pa. Commw. Ct. Nov. 9 2022) (the “**Nov. 9 Hr’g Tr.**”)) (Testimony of Commissioner Shives) (“Q. Were you aware of the Speckin inspection before it occurred? A. No. ... Q. So you discovered that the Speckin inspection had occurred when you read the lawsuit that Fulton County had filed against Dominion? A. Correct.”).

⁷ Lambert holds herself out as “lead counsel” in Fulton County’s breach of contract litigation against Dominion, although she has failed to enter an appearance. See Katherine Bishop, *Stefanie Lambert: Integrity, Courage & Faith*, Attorney at Law Magazine, <https://attorneyatlawmagazine.com/stories/attorney-feature/stefanie-lambert>. Fulton County is currently appealing the district court’s dismissal of its claims. See *County of Fulton v. Dominion Voting Sys., Inc.*, 2023 WL 6323107 (M.D. Pa. Sept. 28, 2023).

and did not respond when counsel for the Secretary emailed back asking her to identify herself and explain whether she was serving as counsel for Fulton County).

24. On the morning of November 9, 2022—seven months after Lambert was first appointed special counsel for Fulton County and just hours before commencement of an evidentiary hearing regarding the Secretary’s motion for sanctions and to hold Fulton County in contempt for the Speckin Investigation—Carroll filed a motion seeking *pro hac vice* admission of Lambert. Ex. 3 at 999 (*County of Fulton SCOPA Opinion*).

25. The Special Master denied the motion, citing Carroll’s failure to file it at least three days prior to Lambert’s intended appearance, as required by Pennsylvania Bar Admission Rule 301(b)(2)(ii), and because the motion lacked the mandatory payment certification from the IOLTA Board. Ex. 3 at 999-1000, 1017 (*County of Fulton SCOPA Opinion*); Ex. 3 at 1051-52 (*County of Fulton SCOPA Opinion*) (attaching Special Master Report) (noting also that Lambert failed to disclose the then-pending disciplinary proceeding in Michigan, in violation of Pa. R. Civ. P. 1012.1(c)(1)(ii)).

26. On the morning of the second day of the hearing, November 10, 2022, Carroll filed an amended *pro hac vice* motion, which the Special Master again denied as materially defective. Ex. 3 (*County of Fulton SCOPA Opinion*) at 1000, n. 102; Ex. 3 (*County of Fulton SCOPA Opinion*) at 1042-43 (attaching Special Master’s Report).

27. Among other things, the amended *pro hac vice* motion contained unsigned verifications. Ex. 3 at 1043 (*County of Fulton SCOPA Opinion*) (attaching Special Master Report).

28. Carroll and Lambert never cured the deficiencies in the *pro hac vice* motion. Ex. 3 at 1043 (*County of Fulton SCOPA Opinion*) (attaching Special Master Report).

29. Although the Special Master denied Lambert’s *pro hac vice* admission, the Special Master permitted Lambert to participate in the hearing in a limited “advisory capacity only, pending correction of the deficiencies in, and further review of, the motion.” Ex. 3 at 1042-43 (*County of Fulton SCOPA Opinion*) (attaching Special Master Report) (specifying Lambert “wouldn’t be able to question witnesses or speak to the court”).

30. Lambert then proceeded to flout the Court’s order, by engaging in an “ad hoc work-around to avoid [its] intended limiting effect[.]” See Ex. 3 at 1017 (*County of Fulton SCOPA Opinion*) (noting “[t]here are credible assertions that Attorney Carroll was taking dictation from Attorney Lambert for substantial periods of the hearing.”).

31. Following the two-day evidentiary hearing, the Special Master issued a detailed report recommending that the SCOPA hold Fulton County in contempt of the Injunction and impose sanctions for spoliation of evidence by virtue of the Speckin Inspection. Ex. 3 at 1022-1063 (*County of Fulton SCOPA Opinion*) (attaching Special Master Report).

32. As relevant here, the Special Master made multiple findings about the County’s misconduct during the period of Lambert’s representation, including that “the County repeatedly violated the Special Master’s orders, in an apparent effort to conceal facts surrounding the

Speckin Inspection and to prevent development of an evidentiary record.” Ex. 3 at 1059 (*County of Fulton SCOPA Opinion*) (attaching Special Master Report).

33. The Special Master also found that the County’s actions in allowing the Speckin Inspection, were “vexatious,” “obdurate,” and “in bad faith” under state law, thus supporting an award of counsel fees to the Secretary, and further, that “Fulton County willfully violated the Injunction Order, thus spoliating key evidence in the suit that the County itself had brought,” thus supporting imposition of sanctions. *See* Ex. 3 at 1062-63 (*County of Fulton SCOPA Opinion*) (attaching Special Master Report).

III. The SCOPA’s Admonition of Lambert

34. On April 19, 2023, the SCOPA issued an opinion, which adopted the above-referenced findings and recommendations and, *further*, sanctioned Carroll by imposing on him joint and several liability with the County for the Secretary’s attorneys’ fees. *See* Ex. 3 at 1003-1020 (*County of Fulton SCOPA Opinion*).

35. The Court also referred Carroll to the Pennsylvania Attorney Disciplinary Board. Ex. 3 at 1018 (*County of Fulton SCOPA Opinion*).

36. In reaching its decision regarding Carroll, the SCOPA found “Attorney Carroll incessantly transgressed the bounds of zealous but ethical advocacy...[by] serially rais[ing] the same arguments before both the Special Master and directly to this Court, long after it was clear that neither would grant the relief he sought” and engaged in “transparent efforts to delay the hearing itself[,]” including by raising “specious claim[s] as a pretext to further jam up the[] proceedings.” Ex. 3 at 1015-16 (*County of Fulton SCOPA Opinion*).

37. The SCOPA further found that “an unmistakable pattern [of sanctionable conduct] emerged” in Carroll’s management of the underlying appeal, wherein “[h]e repeatedly failed to acknowledge this Court’s rules, orders, and directions in matters both procedural and substantive” and “he brazenly misled this Court about his ability to have adhered to th[e] Court’s orders.” Ex. 3 (*County of Fulton SCOPA Opinion*) at 1017-18.

38. In sum, the SCOPA found that “Attorney Carroll, both in tandem with and also independently of his clients, [was] guilty of relentlessly dilatory, obdurate, vexatious, and bad-faith conduct before th[e] Court and the Special Master, especially, but not exclusively, during the[] sanction proceedings.” Ex. 3 at 1018 (*County of Fulton SCOPA Opinion*).

39. With respect to Lambert, the Court opined that she “may be every bit as culpable as Attorney Carroll, at least in the pattern of non-compliance that has led us to impose upon [Attorney Carroll] joint and several responsibility with the County.” Ex. 3 at 1018 (*County of Fulton SCOPA Opinion*).

40. Nonetheless, the Court concluded, “perhaps ironically,” that “the failure by the two lawyers to convince the Special Master that Attorney Lambert should be admitted pro hac vice precisely because she failed to satisfy the requirements for applying for that status protects her from sharing responsibility with Attorney Carroll and the County. Had she gained admission, the result might have been different.” Ex. 3 at 1018-19 (*County of Fulton SCOPA Opinion*).

41. Nevertheless, citing “Attorney Lambert’s own role in the misconduct,” the Court indicated it would transmit a copy of its Opinion to the Michigan Attorney Grievance Commission. Ex. 3 at 1019 (*County of Fulton SCOPA Opinion*).⁸

42. Undeterred by the SCOPA’s admonition, and despite never being admitted *pro hac vice*, Lambert has continued to represent Fulton County in connection with the Fulton County Litigation, and she has continued to participate in and “influence [the Fulton County Litigation] in less-than-transparent ways.” See Ex. 7 at 34, 54 (Memo. Op., *County of Fulton et al. v. Secretary of the Commonwealth*, No. 277 MD 2021, No. 3 MAP 2022 (Pa. Commw. Ct. Sept. 15, 2023) (the “**Escrow Agent Op.**”).⁹

IV. Lambert’s False Statement in the SCOTUS Petition

43. On May 27, 2023, after the SCOPA sanctioned Fulton County and Carroll and reproved Lambert, Lambert filed a Petition for Writ of Certiorari in the Supreme Court of the United States as Fulton County’s “Counsel of Record.” See Ex. 8 (Petition for Writ of Certiorari, *Fulton County, Pennsylvania, et al. v. Secretary of the Commonwealth of Pennsylvania, et al.*, No. 23-96 (U.S. May 27, 2023) (the “**SCOTUS Petition**”).

⁸ See also Ex. 3 at 1063-64 (*County of Fulton SCOPA Opinion*) (Dougherty, J., concurring) (stating “I join the majority’s excellent opinion without hesitation. After all, *it is difficult to recall a more brazen abuse of the judicial process during my more than two decades on the bench, nearly fifteen years of which I served on the front lines as a trial judge. I write only to amplify the majority’s message, the importance of which is unparalleled. And that message is this: No one — not elected county officials, not Pennsylvania attorneys, and certainly not out-of-state attorneys who aren’t authorized to practice here — may ignore, circumvent, or frustrate the orders issued by the courts of this Commonwealth, least of all this Court.* For those who believe otherwise or think the rules don’t apply when an election is involved, let this case serve to prove just how wrong you are. In fact, let it be known far and wide that this Court can — and will — exercise the full might of its constitutional authority against those who seek to delegitimize this Commonwealth’s elections, or its judiciary.”) (emphases added).

⁹ See, e.g., Ex. 7 at 15 (Escrow Agent Op.) (noting that during the Secretary’s presentation of witnesses at an August 28, 2023 evidentiary hearing, Attorney Carroll “interrupted the proceedings, saying ‘can you hear me Stefanie?’” (cleaned up)); Ex. 7 at 36 n. 43 (Escrow Agent Op.) (explaining how Lambert hired Tennessee attorney Russell Newman as additional co-counsel in August 2023); Ex. 7 at 39-40 (Escrow Agent Op.) (explaining how Lambert prepared the CFO of Cerberus—a vendor she selected to recommend for appointment as a court-appointed escrow agent—to offer testimony); Ex. 7 at 53 (Escrow Agent Op.) (rejecting Fulton County’s proposed escrow agent in part because “concerns surrounding Attorney Lambert’s conduct... support an inference that Cerberus is not neutral on the issue of who should have access to the Voting Equipment.”); Ex. 7 at 54 (Escrow Agent Op.) (“Cerberus may even have a perverse incentive, to the extent that allowing Attorney Lambert or others to access the Voting Equipment during the impoundment could enhance, rather than diminish, Cerberus’s business relationship with Attorney Lambert.”).

44. The SCOTUS Petition falsely states that Fulton County conducted the Speckin Investigation “[i]n the course of fulfilling its statutorily delegated duties.” Ex. 8 at 17 (SCOTUS Petition).¹⁰

45. In fact, as the SCOPA had already recognized, Fulton County—which can only act by and through a lawfully conducted vote of its County Commissioners, *see* 25 Pa. Cons. Stat. § 2643 (“All actions of a county board [of elections] shall be decided by a majority vote of all the members.”)—never voted to authorize the inspection as required by Pennsylvania law, and one of the Fulton County Commissioners did not even learn of it until months after it occurred. Ex. 3 at 991-92 (*County of Fulton SCOPA Opinion*).

V. Lambert’s Recent Conduct Compounds Her Previous Violations of the SCOPA’s Order

46. On December 27, 2023, Fulton County voted to “allow utilization of the February 19, 2021 Wake TSI Report, the September 15, 2022 Speckin Forensic Report, Wake TSI Experts and Speckin Experts, and evidence used to form expert opinions to be utilized by clients of Stefanie Lambert with common interest.”¹¹

47. Lambert knew or recklessly disregarded that such sharing of information obtained and produced, in part, in violation of the SCOPA Injunction would draw well-founded objections from the Secretary and/or Dominion, an intervenor in the Fulton County Litigation.

48. The next day, on December 28, 2023, from her office in Detroit, Lambert sent a public letter on behalf of Fulton County to U.S. Representative Jim Jordan requesting the House Judiciary Committee investigate, among others, Dominion, and Pro V&V, concerning alleged post-2020 election issues. Attached to the letter was the September 15, 2022 Speckin Forensics Report. *See* Ex. 9 (Letter from Stefanie Lambert to Hon. Jim Jordan (Dec. 28, 2023) (the “**Jordan Letter**”)).

49. In the Jordan Letter, Lambert misrepresented key information derived from the Fulton County Litigation, including sworn testimony provided by Michael Walker, CEO of Pro V & V, during the evidentiary hearing in the Fulton County Litigation.¹² *See* Ex. 9 (Jordan Letter).

¹⁰ *See also* Ex. 8 at 17 (SCOTUS Petition) (“the **County had** a separate inspection performed on the now defunct and decertified Dominion voting machines.” (emphasis added)); Ex. 8 at 20 (SCOTUS Petition) (“**Fulton County had** Speckin analyze the Dominion machines[.]” (emphasis added)); Ex. 8 at 26 (SCOTUS Petition) (“when **the County undertook** investigation of the defunct Dominion voting machine systems in July of 2022...by hiring Speckin Forensics, LLC, (Speckin) **it was then exercising its exclusively delegated constitutional authority.**”) (emphases added).

¹¹ *See* Minutes at 2, December 27, 2024 Meeting of Fulton County Commissioners, *available at* <https://www.co.fulton.pa.us/files/live-folders/commissioner-minutes-agendas/2023-12-27%20Commissioners'%20Minutes.pdf?fixcache=20240131162650>.) The Fulton County Commissioners voted 2-1 to request Lambert to draft the Jordan Letter in a separate vote the same day.

¹² Pro V&V is a Voting System Test Laboratory accredited by the Election Assistance Commission. *See* Ex. 7 at 4 (Escrow Agent Op.).

50. Walker testified that voting equipment manufacturers pay one of two accredited voting system test labs to determine whether their equipment meets federal and/or state guidelines.¹³ He further testified that the test lab’s decision to recommend a manufacturer’s product for certification is *not dictated by payment for the services*. *See Id.*

51. In the Jordan Letter, Lambert dishonestly misconstrues Walker’s explanation of this routine process as evidence of a nefarious quid pro quo and “conflict of interest”, claiming “Dominion Voting Systems is providing funds to Pro V & V and Pro V & V then recommends certification to the EAC of the Dominion brand voting equipment.” *See Ex. 9 (Jordan Letter) at 1.*

52. On January 10, 2024, the Commonwealth Court temporarily enjoined Fulton County and Lambert from acting on Fulton County’s December 27, 2023 vote and further disseminating material obtained by Lambert in violation of the Pennsylvania courts’ prior orders. *See Order Granting Application for Emergency Relief, County of Fulton, et al. v. Secretary of Commonwealth*, No. 277 MD 2021 (Jan. 10, 2024).¹⁴

53. The Commonwealth Court entered a permanent injunction on June 11, 2024, explicitly prohibiting Fulton County *and Lambert* from “disseminating, or allowing third parties to access, any of the evidence or information in the County’s possession that formed the basis for the February 19, 2021 Wake TSI Report, the September 15, 2022 Speckin Forensics Report, or any other evidence obtained in any unauthorized inspection of the Voting Equipment.” *See Ex.*

¹³ *See Ex. 10 at 180 (Hr’g Tr., County of Fulton et al. v. Secretary of the Commonwealth, No. 277 MD 2021, No. 3 MAP 2022 (Pa. Commw. Ct. Aug. 30 2023) (the “Aug. 30 Hr’g Tr.”) (“The vendor or manufacturer contracts and pays the voting system test labs for the testing efforts through the requirements”); Ex. 10 at 185-86 (Aug. 30 Hr’g Tr.) (“[A]s part of the program the vendor or manufacturer is required to contract with an accredited voting system test lab. There’s currently two and they can choose whichever one they want to go to as far as their application. But the contract is done with the testing between the vendor and the voting system test laboratory.”); Ex. 10 at 309 (Aug. 30 Hr’g Tr.) (“Q. Does either the fact or the amount of the payment that is made by the voting system manufacturers to the test labs depend on the - - - on whether the test lab recommends or does not recommend a voting system for certification? A. No.”).*

¹⁴ The Commonwealth Court’s January 10, 2024, Order reads in part:

Pending further order of the Supreme Court of Pennsylvania, Petitioners are hereby ENJOINED from disseminating to third parties any of the information or evidence in their possession that formed the basis of the February 19, 2021 Wake TSI Report and the September 15, 2022 Speckin Forensic Report, including, but not limited to, any dissemination of Dominion's Confidential Information (as defined in the Dominion Lease Agreement, which is also defined in the Special Master's Report as referenced and included in *County of Fulton v. Secretary of the Commonwealth*, 292 A.3d 974, 1045 (Pa. 2023), *cert. denied sub nom. Fulton County, Pennsylvania v. Secretary of the Commonwealth of Pennsylvania*, 144 S. Ct. 283 (2023)).

Further, pending further order of the Supreme Court of Pennsylvania, Petitioners are hereby ENJOINED from taking any action pursuant to the Motion carried at the December 27, 2023, meeting of the Fulton County Commissioners.

11 at Order pp. 1-2 & n.1 (Order, *County of Fulton et al. v. Secretary of the Commonwealth*, No. 277 MD 2021 (Pa. Commw. Ct. June 11, 2024)).

54. In the Commonwealth Court’s supporting opinion, it specifically held that Lambert’s very presence in the case and her possession of Dominion’s confidential materials created an “especially elevated” risk of irreparable harm to Dominion. *See* Ex. 11 at Opinion pp. 17-19 (Order, *County of Fulton et al. v. Secretary of the Commonwealth*, No. 277 MD 2021 (Pa. Commw. Ct. June 11, 2024)).