

Update ***** The New York Lawyer reports that a [Key Pillsbury Partner Defects](http://www.nylawyer.com/display.php/file=/news/08/07/071008m). We have no further info at this time but we appreciate your continuing comment and anonymous tips. *****
Sometimes a simple reality can be shocking. In this instance: The logical and lawful consequence to criminality confronts **BigLaw**: [Pillsbury Winthrop Shaw Pittman](http://www.pillsburylaw.com/) and [Levene, Neale, Bender, Rankin & Brill](http://www.lnrb.com/) are getting a lot of attention for their [apparent conspiracy to commit fraud upon the bankruptcy court](http://biz.yahoo.com/law/080407/4ad5d1f2d601abc8e74c3660c1a541a2.html?v=1) in the Northern District of California. In an extremely rare event, a fellow member of the bar urged the court make a criminal referral against a member of the Pillsbury Winthrop firm for a criminal failure to make full disclosure [in the **SonicBlue** bankruptcy case](http://www.californiabusinessbankruptcyblog.com/2007/11/articles/ethicsprofessional-responsible/law-firm-faces-another-conflict-accusation-due-to-nondisclosure/). But if you want our opinion, we can't see how members of a creditors committee and their counsel *who were aware of any undisclosed conflict yet said nothing when they knew of fee applications against the assets of the estate which failed to disclose same* (a/k/a conspiring with a Debtor's professionals to hide conflicts and defraud the Court and other parties in interest) could ever escape criminal liability as co-conspirators not to mention civil breach of fiduciary obligations and attorney ethics code. And it doesn't smell like team spirit either, it smells like RICO.
"Perhaps" some volunteer committee members, their counsel, and other attorneys in such matters **must** inform their respective insurance carriers of certain incidents and facts related to these kind of breaches of fiduciary duty. Otherwise, their eventual claims for coverage under various categories such as *malpractice, D&O, general business, umbrella plans, reimbursement of personal legal fees w.r.t. investigations or prosecutions*, etc. **may be denied** in accordance with standard insurance clauses.
In other words, you can hide the truth from the government, the courts, and the bar associations for so long and get away with it because of pervasive corruption, incompetence, & indifference. However, when "it" finally hits the fan a third party profit seeking enterprise will not let you get away with it. **Insurance Companies** will never pay your claims related to legal misconduct / conspiracy if you fail to keep them informed of the issues as they arise in accordance with the terms of your insurance policy.
And for those of you who did not directly profit from the frauds and were merely witness to actions you were told were ordinary and customary: **if you wait for it to hit the fan be prepared to have your own employer turn on you**. Think about it and you'll realize that you will likely be painted as the scape goat and promptly terminated just prior to your own indictment. *Did you really ever think that your boss or your firm's directors would take a hit for you?* It will be too late to cut a deal if you don't seek fully independent written legal advice from an unconflicted attorney or make a direct / indirect "safe harbor" submission of information to law enforcement. Don't say **bankruptcyMisconduct** didn't warn you.
And for those of you who are partners in a firm, senior or junior, and the bad acts did not directly benefit you and were not done, planned, or approved by you: What are you

to do? First, we'll optimistically assume *al arguendo* that you will escape incarceration under Title 18 U.S.C. § 4. Now, let's direct the question back at you: **How serious of a career hit do you want to take for misconduct by someone else?** What damage to the business enterprise which you struggled to build or join will you deem as an acceptable consequence to the misconduct of other persons? **Will the loss that you and your family are forced to suffer** be affected by your knowledge that the motivation of such persons committing the misconduct was not solely monetary but also **racial ethnic supremacy**?

Could this be the start of [**a new era, when BigLaw partners are held accountable**](issues/catharsis-burgeoning.html) to same simple laws which controls ordinary citizens?

If so, then **Pillsbury Winthrop** will be *"just the tip of the iceberg"*.

Respected lawyer and author of the

http://www.amazon.com/Bankruptcy-Crimes-Third-Stephanie-Wickouski/dp/1587982722/ref=sr_1_1?ie=UTF8&s=books&qid=1208223612&sr=8-1 **Bankruptcy Crimes** books series **Stephanie Wickouski** long ago informed the general public that each time these **BigLaw** attorneys file a false declaration of disinterestedness in order to get hired as official counsel in a bankruptcy case - it is a **crime**.

Numerous ordinary citizens are thrown in jail for the crime of lying under oath, as are some famous people like **Martha Stewart, Li'l Kim**. We also see baseball players indicted such as **Barry Bonds**, *not for using steroids* but for allegedly *lying about using* them while under oath before Congress. For how long is the public supposed to accept this double standard?

The problem has been that the **DOJ's Office of the U.S. Trustee** has been staffed by a *revolving door* of former and prospective partners of the same BigLaw firms which they are charged to regulate. Brilliant observation of the day: **Referring, investigating, indicted, prosecuting, and incarcerating your former law partners/prospective employers is not considered a good career move** by these particular *public servants who hold money above oath and honor*.

Like in **Sonic Blue**, we have blatant frauds upon the Court in the

http://www.jaactv.com/bankruptcymisconduct/files/SUPREME_COURT_OF_THE_STATE_OF_NEW_YORK_AMICU_S_CURIE_BRIEF.doc **eToys** and <http://www.jaactv.com/bankruptcymisconduct/files/CABAURHBD26.pdf> **Aureal** bankruptcy cases. The Aureal case crimes took place in the very same district court as **Sonic Blue** and involved the coverup by both **DOJ** and

<http://www.jaactv.com/bankruptcymisconduct/files/CABAURHBDS157298.pdf> **California State Bar** officials. Not to mention SEC issues which may envelope a number of other parties (including false statements, principles, accessory, & misprision under

http://www.law.cornell.edu/uscode/search/display.html?terms=1001&url=/uscode/html/uscode18/usc_sec_18_00001001----000-.html **Title 18 U.S.C. § 1001**, 2, 3, & 4) such as may involve investors affiliated in ownership or underwriting with a certain hedge fund...

What is the difference which has independent lawyers demanding multi-million dollar fines and a criminal referral for criminal non-disclosure in the **Sonic Blue** case, but in stark contrast the whistle-blowers to similar crimes are personally attacked under **Color Of Law** with the help and support of Law Enforcement and the Judiciary in the **eToys** and

Aureal cases? The essential difference in these last two cases is that **current and former DOJ employees were partners in the BigLaw firms which committed the crimes in the eToys and Aureal cases.**

 Facts are a stubborn thing. Whistle-blowers can not be silenced in this age of the internet (unless the [death threats](people/eliot-spitzer/eliotsdilemma.html) against the whistle-blowers are followed through). Would the powers that be in the media please wake up and inform the citizenry of the largest organized crime ring eating away at our nations wealth as a tax upon all banking and business credit?