

Index No 95-208

Judge Connor

April 28, 2000

RE: Attorney Lewis' Withdrawal

I have given you a copy of this letter to show you that Attorney Lewis has never communicated with me from the start. I was never aware that Mr. Lewis had filed The Response to Notice of Discovery and Inspection until recently when I was trying to obtain another lawyer. The attorney that did the full investigation of my case was Paul Sherr from Powers and Santola of Albany, New York. Attorney Sherr explained to me that it is because Mr. Lewis filed paperwork such as this without contacting me and verifying the facts, that another attorney will not take the case. There are many more problems with my case and no one will take this suit until these problems are cleared up. Unfortunately, I was ill on Tuesday and my head was not clear while speaking to him to remember all the details. So, I will be talking to Attorney Sherr next week, getting the rest of the facts. As you can see, until Mr. Lewis is made to correct his mistakes I feel he should not be released from this case.

Mr. Lewis brags that he was exonerated from my first report of misconduct to the Judicial Conduct Committee. With this new evidence, can you say he communicated with me from the start? He states we had no evidence, yet, I had a sample of the floor sweepings from the trailer I was exposed in. Dr. David Orgal had part of the sample analyzed and it is in my medical records. Medical records that Mr. Lewis has in his possession. Attorney Kingsley had me bring the rest of the sample to a lab in Troy when he was first interested in the case. I can not get a hard copy of their report because of financial constraints. In the letter to OSHA from MPC Trucking it even asks if I had the clothing analyzed. Clothing I still have. (see letter to Judicial Conduct Committee) Why did he state no evidence? Aren't these items something?

Respectfully,

 4/28/2000

Charles Lake
PO Box 1237
Cairo, NY 12413
April 28, 2000

RECEIVED

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CLERK'S OFFICE
DISTRICT COURT

State of New York
Committee on Professional Standards
Third Judicial Department
A.E. Smith Office Building, 22nd Floor
P.O. Box 7013, Capital Station Annex
Albany, NY12225-0013
(518) 474-8816
Fax (518) 474-0389
Attention: Michael Philip Jr.

Enclosed you will find a cassette tape which I feel shows Mr. Lewis was trying to under mind attempt in acquiring another Attorney. I spoke to Joe Legnard several times, last time being April 27, 2000.

As of April 27, 2000 Judge Connor has not made a decision on whether or not he is going to let Mr. Lewis withdraw from this case.

On April 26, 2000 I heard from an Attorney who investigated my case thoroughly for over a month. He wanted to see if it was in his best interest to take over a case that Attorney Lewis was doing everything in his power to withdraw from. He told me there were many reasons why he could not take over this case in good faith. Let me list a few of the more important ones as I don't remember all the points this Attorney made because it was a very lengthily telephone conversation.

- 1) In Mr. Lewis's Response to Notice of Discovery and Inspection (See Attached) number one is untrue because I still have the clothes I was wearing that day right down to the shoes. They have eaten their way through four garbage bags and are now sitting in a heavy-duty five-gallon plastic pail with a sealed top. Every time I would put these clothes in another bag or finally in the pail I would be re-contaminated all over again and where ever it touched my body my skin would break open and start bleeding and I would have the same effects as when I was first contaminated. So would you say I have in my possession samples of any substance or material which caused or contributed to the injury which is the subject matter of the complaint?
- 2) There are two things wrong with number two. First the trailer # was not #89112 in fact it was #89111. The second thing I did have a sample that I swept from the floor of that trailer. Doctor David Orgal from Eastern New York Occupational and Environmental Health had Sally D'agisteno analyze part of the sample. The rest of it Attorney Kingsley had me take it to a Lab in Troy. I can have all information on this Lab at a later date. However, I never received any information on this sample because I did not have the money to pay for the analysis. I thought Attorney Kingsley was going to pay for it because he took the case on consignment.
- 3) On number three; Mr. Lewis used MPC Trucking results from Brandywine Research Laboratory, Inc. These results are inconclusive for several reasons the main one

being it does not state under what conditions the tests were done. Secondly Brandywine admits they have no idea if the sample came from trailer #89111.

- 4) In number six Mr. Lewis uses copies of the Workmen's Compensation records including transcriptions to respond to the omnibus discovery demands. I was unable to make copies of all these records from the Greene County Clerks Office. I find it puzzling that the last time I reported Mr. Lewis to your Office (1998) Judge Connor told me that Mr. Lewis never filed the discovery and yet this was filed on October 10, 1995. I also find it odd that Mr. Lewis used the Workmen's Compensation records from the State of Pennsylvania, which has different legal proceedings.

After looking at this one document that was brought to my attention by another Attorney would you say Mr. Lewis was ever zealously representing me within the bounds of the law. As you can see from this it took another Attorney to point this out because Mr. Lewis refused to communicate with me and keep me up to date with my own case. I didn't even know that these papers existed. Shouldn't he have reviewed anything that he was going to submit to the court with me?

The Attorney I spoke to on April 26, 2000 advised me to contact the head of the Greene County Bar Association to seek another Attorney for the other lawsuit against MPC Trucking, this is a contract dispute, Attorney Lewis had taken over in 1995 and has done nothing with it. I explained to the Attorney that I have done this. The problem I'm assuming I'm running in to is this, Attorney Stanzione is the President of Greene County Bar Association and is also the partner to Attorney Lewis. Mr. Stanzione or the Bar Association has not returned any of my phone calls. I had a landlord tenant dispute that is not finished in the courts and last year my Attorney (Mike Kelly) past away and I could not find my records. I was told by the Court to contact Mr. Stanzione and I have yet to hear from him. Would you say the Greene County Association has a problem?

Respectfully,



4/28/2000

Charles Lake
P.O. Box 1237
Cairo, NY 12413
April 27, 2000

MAY 4 1 00 PM '00
GREENE COUNTY CLERK'S OFFICE
CAIRO, NY