

JUDGMENT

For the reasons set forth in the Memorandum Opinion and Order (the “Memorandum Opinion”),¹ entered on this date, this final judgment is entered on the sanctions determination currently pending before the Court,² and the Court **ORDERS** as follows:

- (A) the Trustees be **RELEASED** from any further obligation under the Show Cause Orders;
- (B) Robinson be **SANCTIONED** as follows: the findings of fact in the Memorandum Opinion be made part of the record in any future proceeding in which Robinson may seek to be reinstated to practice before the Court, so that the full depth and breadth of his malfeasance, dishonesty and abuse will be clear when the Court considers whether Robinson should be reinstated to practice before the Court;
- (C) the issue of whether Robinson should be suspended for his activities **MAY BE REVISITED**, should the Eighth Circuit determine that his current suspension, as ordered in *Steward* Sanctions Order, be vacated, modified, altered, reversed, or otherwise made ineffective;
- (D) Critique Services L.L.C. and Critique Legal Services L.L.C.—including in any “d/b/a” capacity in which either may operate, and regardless of whether the company is dissolved or operating, and regardless of who in the future may be the owner, manager, or controlling person—be permanently **BARRED** from providing any goods or services (whether for free or for compensation), in any form, to any person or entity (including, but not limited to, any law firm, lawyer, bankruptcy petition

¹ Any term defined in the Memorandum Opinion has that same definition for purposes of this Judgment.

² Currently before the Court is the issue of whether it is proper to sanction the Respondents for the failure to comply with the Order Compelling Turnover entered on January 23, 2015. To the degree that entry of a judgment, separate from the Memorandum Opinion, is proper, the Court so enters this Judgment.

preparer, “bankruptcy services” business, or any other person), to the degree that such goods or services may involve, affect, relate to, or in any other way touch upon, or could reasonably be foreseen to involve, affect, relate to, or in any other way touch upon, any case that is, or is anticipated to be, filed with the Court. The bar does not prohibit a barred person or entity from being involved in his own bankruptcy case, should such barred person or entity file for relief, either pro se (if an individual) or through counsel. **This bar shall be effective regardless of whether Diltz continues to be the owner of the companies. This bar shall be given the broadest possible construction and effect.**

(E) Briggs be sanctioned as follows:

- (I) Subject to **Exception A** listed below, effective immediately, Briggs be **SUSPENDED** from the privilege of practicing before the Court on behalf of any other person in a case that has been, or is anticipated to be, filed before the Court. Briggs shall remain suspended from the date of the entry of this Memorandum Opinion through **October 15, 2016**. Briggs’s suspension includes (but is not limited to): special appearance or general appearance; representation for compensation or for free; representation in a main case or an adversary proceeding; representation inside or outside the courtroom, if such representation would in any way touch upon a case that is filed, or is anticipated to be filed, before the Court. During his suspension, Briggs is prohibited from all acts of the practice of law in any case before, or anticipated to be before, the Court, including (but not limited to): accepting representation of any person related to a case before the Court or anticipated to be before the Court (even if such case would not be anticipated to be filed or otherwise before the Court during his suspension); filing a new case for

any person other than himself; filing a document on behalf of anyone other than himself; representing any person, other than himself, before the Court in any capacity; appearing at a § 341 meeting on behalf of any debtor; serving as co-counsel or in joint representation with another attorney in a case that is filed, or is anticipated to be filed, before the Court; or fee-sharing with any attorney in any fees that he collected pre-petition, but which he had not earned as of the date of his suspension date.

- (II) **Exception A:** This suspension does not suspend Briggs from (A) practicing before the Court in the representation of a person for whom he was the attorney of record according to the records of the Clerk's Office **as of the date and time of entry of this Memorandum Opinion**; (B) assisting any person who was his client as of the date and time of entry of this Memorandum Opinion, but whose case was not filed as of the date and time of entry of this Memorandum Opinion, in finding alternate counsel—provided that he does not charge any fee for such assistance; and (C) returning unearned fees collected from a client who he cannot represent during or as a result of his suspension.
- (III) This suspension from the privilege of practicing before the Court on behalf of other persons does not bar Briggs from representing himself in any matter before the Court, or from giving deposition testimony in any case before the Court, or from appearing as a witness pursuant to a subpoena issued by the Court.
- (IV) Effective immediately, Briggs be **PROHIBITED** from using his CM-ECF passcode to remotely access the Court's CM-ECF system for the duration of his suspension. This means that, while Briggs can continue to represent certain clients

pursuant to **Exception A**, he must file any documents on behalf of those clients at the computer banks in the Clerk's Office during regular business hours. Briggs must file any document in person and personally. All acts related to filing must be done entirely *by Briggs*. No agent, associate, or assistant may operate the computers in the Clerk's office for him. Any agent, associate, or assistant brought to the Clerk's Office with Briggs cannot be left unattended by Briggs or be permitted to do any filing for Briggs. Briggs may not submit a document for filing through any common carrier, including through the U.S. Postal Service. He may not present a document for filing through a courier or other agent. He may not instruct or advise his clients that they must do their own filing of documents that he prepared or was obligated, as their attorney, to prepare. If Briggs violates this suspension, the document submitted may be rejected for filing and returned, and Briggs may be sanctioned \$1,000.00 for each document submitted for filing in violation of the suspension. Any violation of this suspension may result in the imposition of additional sanctions upon Briggs, which may include further suspension from the privilege of practicing before the Court. At the end of Briggs's suspension from the privilege of practicing before the Court, Briggs's electronic and remote access filing privileges will be reinstated, provided that Briggs has not been further sanctioned and the facts otherwise indicate that reinstatement of the privileges is proper.

- (V) Subject to **Exception B** listed below, Briggs and any law firm, or law practice, or law business of Briggs (including but not limited to, any solo "attorney at law" practice, or Firm13,


or business under any other name) be ***permanently prohibited*** from being financially or professionally involved with or connected to, whether formally or informally or otherwise: (A) Diltz; (B) Mayweather; (C) Robinson; (D) Meriwether; (E) Dellamano; (F) Coyle; (G) Critique Services L.L.C.; (H) Critique Legal Services L.L.C.; (I) Genesis Advertising, Marketing and Business Services L.L.C.; (J) any other entity that Diltz owns, organized, or operates, or in the future may own, organize or operate; and (K) any current or former employee of or independent contractor with, Diltz, Mayweather, Robinson, Meriwether, Dellamano, Coyle, Critique Services L.L.C., Critique Legal Services L.L.C., or Genesis Advertising, Marketing and Business Services L.L.C. This prohibition will be construed as broadly as possible and will remain in effect unless and until Briggs resigns his privilege to practice before the Court.

- (VI) **Exception B:** It is the Court's understanding that Briggs currently may employ a few non-attorney employees who previously were affiliated with the Critique Services Business. This bar does not prohibit Briggs from continuing to employ those specific persons, provided that such persons are not professionally involved with or connected to ***in any way*** with any of the persons who Briggs is barred from being professionally involved with or connected to.
- (VII) Briggs **COMPLETE** twelve (12) hours of CLE entirely in ***professional ethics*** prior to his reinstatement from his suspension. These hours must be taken in-person. These hours may not be accomplished by "self-study" or through attending an internet or correspondence course. Briggs has to show up, sign in, and stay for the entire duration. He shall file a Certificate of Completion of Professional Ethics CLE

with the Court upon his completion of these hours, and provide to the Court such Certificate as evidence establishing that he attended and completed the CLE.

(VIII) Briggs is invited to file, on October 1, 2016 or any time thereafter, a motion for reinstatement to the privilege of practicing before the Court after October 15, 2016. Evidence of completion of the required CLE should be attached to any such motion.

DATED: April 20, 2016
St. Louis, Missouri 63102
mtc


CHARLES E. RENDLEN, III
U.S. Bankruptcy Judge

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