

**Attachment 161**

Petition and Motion for TRO, filed in *State of Missouri, ex rel. Attorney General  
Chris Koster v. Beverly Holmes Diltz, et al.*

IN THE CIRCUIT COURT OF THE CITY OF SAINT LOUIS  
STATE OF MISSOURI

STATE OF MISSOURI, ex rel. )  
Attorney General Chris Koster, )  
 )  
Plaintiff, )

vs. )

Case No:

BEVERLY HOLMES DILTZ, )  
 )  
Serve at: )  
3330 N. Kingshighway Blvd. )  
St. Louis, MO 63115 )

Division:

CRITIQUE SERVICES LLC, )  
 )  
Serve Registered Agent: )  
Beverly Holmes )  
4144 Lindell Blvd., Suite 100 )  
St. Louis, MO 63108 )

RENEE MAYWEATHER, )  
 )  
Serve at: )  
4169 Farlin Ave., Apt. A )  
St. Louis, MO 63115 )

DEAN MERIWETHER, )  
 )  
Serve at: )  
700 Ridgeside Dr. D )  
Ballwin, MO 63021 )

JAMES CLIFTON ROBINSON, )  
 )  
Serve at: )  
4940 Terry Ave. )  
St. Louis, MO 63115 )

and )  
 )  
**ROBERT J. DELLAMANO** )  
 )  
 Serve at: )  
**3919 Washington Boulevard** )  
**St. Louis, MO 63108** )  
 )  
 )  
**Defendants.** )

**PETITION FOR PRELIMINARY AND PERMANENT INJUNCTIONS,  
 TEMPORARY RESTRAINING ORDER, RESTITUTION, CIVIL  
 PENALTIES AND OTHER COURT ORDERS**

COMES NOW Plaintiff the State of Missouri, ex rel. Chris Koster, Attorney General, for his Petition for Preliminary and Permanent Injunctions, Temporary Restraining Order, Restitution, Civil Penalties and Other Court Orders, against Defendants Beverly Holmes Diltz, Critique Services L.L.C., Renee Mayweather, Dean Meriwether, James Clifton Robinson, and Robert J. Dellamano (collectively hereinafter “Defendants”) and, upon information and belief, states as follows:

**PARTIES**

1. Chris Koster is the duly elected, qualified, and acting Attorney General of the State of Missouri and brings this action in his official capacity pursuant to Chapter 407, RSMo 2010.<sup>1</sup>

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<sup>1</sup> All references are to Missouri Revised Statutes 2010, unless otherwise noted. Where a citation gives a supplement year—e.g. “(Supp. 2012)” —the citation is to the version of the statute that appears in the corresponding supplementary version of the Missouri Revised Statutes, and, where

2. Defendant Beverly Holmes Diltz a.k.a Beverly Holmes (hereinafter “Diltz”) is a natural person and the owner of Critique Services L.L.C. (“Critique Services”). Diltz owns and operates Critique Services. She is being sued in her individual capacity. Defendant Diltz resides at 3330 North Kingshighway Blvd., St. Louis, MO 63115.

3. Defendant Critique Services is a Domestic Limited Liability Company, existing under the laws of the State of Missouri, which transacts business in the City of St. Louis, Missouri, among other places. Critique Services maintains a physical office location at 3919 Washington Boulevard, St. Louis, MO 63108. Critique Service’s registered agent, Beverly Holmes (a.k.a. Beverly Diltz), maintains an address with the Missouri Secretary of State of 4144 Lindell, Suite 100, St. Louis, MO 63108.

4. Defendant Renee Mayweather is a natural person and the office manager of Critique Services. She is being sued in her individual capacity. Renee Mayweather resides at 4169 Farlin Avenue, Apartment A, St. Louis, MO 63115.

5. Defendant Dean Meriwether is a natural person and contract attorney for Critique Services. Dean Meriwether held a license to practice law in Missouri until March 1, 2016, when the Missouri Supreme Court suspended it. He is being sued in his individual capacity. Dean Meriwether

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relevant, to identical versions published in previous supplements.

resides at 700 Ridgeside Drive, D, Ballwin, MO 63021.

6. Defendant James C. Robinson (“Robinson”) is a natural person and contract attorney for Critique Services. Robinson has held a license to practice law in Missouri since at least 2011. He is currently a member in good standing with the Missouri bar. He is being sued in his individual capacity. Robinson resides at 4940 Terry Avenue, St. Louis, MO 63115.

7. Defendant Robert J. Dellamano (“Dellamano”) is a natural person and contract attorney for Critique Services. He is being sued in his individual capacity. Dellamano resides at 4849 State Route 15, Freeburg, Illinois 62243.

8. Dean Meriwether, Robinson, and Dellamano will collectively hereinafter be referred to as the “Contract Attorneys”.

9. At various times relevant to the allegations in this petition, Critique Services entered contracts for legal services with the Contract Attorneys.

10. On August 10, 2007, Robinson entered into a contract with Diltz and Critique Services for Robinson to be the purported contract attorney for Critique Services.

11. Following the suspension of Robinson for dishonesty and misconduct from the United States Bankruptcy Court for the Eastern District, Diltz entered into a written contract with Dean Meriwether on

October 6, 2014, for Dean Meriwether to be the purported contract attorney for Critique Services.

12. At all times relevant to the allegations in this petition, Critique Services' Contract Attorneys acted at the direction of or under the control of Diltz, Renee Mayweather, and/or Critique Services.

13. At all times relevant to the conduct alleged in this petition, Dean Meriwether and Robinson held a license to practice law in Missouri.

14. Any acts, practices, methods, uses, solicitations or conduct of Defendants alleged in this Petition include the acts, practices, methods, uses, solicitations or conduct of Defendants' employees, agents, or other representatives acting under Defendants' direction, control, or authority.

15. The Defendants have done business within the State of Missouri by advertising, soliciting, offering, and/or or selling legal services including, but not limited to, bankruptcy services, to persons within the State of Missouri.

### **JURISDICTION**

16. Jurisdiction is properly vested with this Court under Art. V, § 14 Mo. Const.

17. This Court has subject matter and personal jurisdiction over the Defendant under Art. V, § 14 Mo. Const.

18. This Court has authority over this action pursuant to § 407.100,

which allows the Attorney General to seek injunctive relief, restitution, penalties, and other relief in circuit court against persons who violate §407.020.

### **VENUE**

19. Venue is proper in this Court pursuant to § 407.100.7, which provides that “[a]ny action under this section may be brought in the county in which the defendant resides, in which the violation alleged to have been committed occurred, or in which the defendant has his principal place of business.”

20. Defendants have solicited, advertised, offered, sold, and performed legal services in the City of St. Louis, Missouri, and have engaged in the acts, practices, methods, uses, solicitation and conduct described below that violate § 407.020, RSMo in the City of St. Louis, Missouri.

21. Defendants also maintain their principal place of business at 3919 Washington Boulevard, St. Louis, Missouri, 63108, which is in the City of St. Louis, Missouri.

### **MERCHANDISING PRACTICES ACT**

22. Section 407.020.1 of the Merchandising Practices Act provides in pertinent part:

The act, use or employment by any person of any deception, fraud, false pretense, false promise, misrepresentation, unfair practice or the concealment,

suppression, or omission of any material fact in connection with the sale or advertisement of any merchandise in trade or commerce or the solicitation of any funds for any charitable purpose, as defined in section 407.453, in or from the state of Missouri, is declared to be an unlawful practice... Any act, use or employment declared unlawful by this subsection violates this subsection whether committed before, during or after the sale, advertisement, or solicitation.

23. “Person” is defined as “any natural person or his legal representative, partnership, firm, for-profit or not-for-profit corporation, whether domestic or foreign, company, foundation, trust, business entity or association, and any agent, employee, salesman, partner, officer, director, member, stockholder, associate, trustee or cestui que trust thereof.”

§ 407.010(5).

24. “Merchandise” is defined as “any objects, wares, goods, commodities, intangibles, real estate, or services.” § 407.010(4).

25. “Trade” or “commerce” is defined as “the advertising, offering for sale, sale, or distribution, or any combination thereof, of any services and any property, tangible or intangible, real, personal, or mixed, and any other article, commodity, or thing of value wherever situated. The terms “trade” and “commerce” include any trade or commerce directly or indirectly affecting the people of this state.” § 407.010(7).

26. “Advertisement” is defined as “the attempt by publication, dissemination, solicitation, circulation, or any other means to induce, directly



or indirectly, any person to enter into any obligation or acquire any title or interest in any merchandise.” § 407.010(1).

27. Defendants have advertised, marketed, and sold merchandise in trade or commerce within the meaning of § 407.010.

28. Pursuant to authority granted in § 407.145, the Attorney General has promulgated rules explaining and defining terms utilized in §§ 407.010 to 407.145 of the Merchandising Practices Act. Said Rules are contained in the Missouri Code of State Regulations (CSR). The rules relevant to the Merchandising Practices Act allegations herein include, but are not limited to, the provisions of 15 CSR 60-3.010 to 15 CSR 60-14.040. These rules are adopted and incorporated by reference.

## **ALLEGATIONS OF FACT RELEVANT TO ALL COUNTS**

### **A. Introduction and Overview**

29. Diltz, a non-attorney, formed Critique Services in the mid 1990’s as a high volume/low cost bankruptcy services law firm, targeting low-income and minority persons from metropolitan St. Louis. Since that time, at the direction of Diltz, a team of non-attorneys, including Critique Services’ office manager Renee Mayweather, have solicited clients for legal services, provided legal advice, and prepared and filed legal pleadings.

30. Since 2011, Critique Services has contracted with a variety of attorneys, including Dean Meriwether, Robinson, and Dellamano, to make it appear that these attorneys are providing legal services. However, these attorneys perform little to no legal work on clients' cases. The main purpose for Critique Services' relationship with these attorneys is to use their names and bar numbers to file legal documents.

31. Critique Services promises its clients they will receive prompt bankruptcy relief. However, on several occasions, Critique Services has delayed or completely failed to file bankruptcy petitions. Critique Services' Contract Attorneys have failed to meet with and/or advise clients, failed to file necessary legal pleadings, and failed to attend necessary meetings and/or court. As a result, at least 136 clients have suffered extensive harm by paying hundreds of dollars in legal fees and receiving little or nothing in return, by creditors continuing to garnish clients' wages, by utilities shutting of clients' power, or by creditors evicting clients from their homes.

### **B. Operation of Critique Services**

32. Defendant Diltz incorporated Critique Services as a limited liability company by filing Articles of Organization with the Missouri Secretary of State on or about August 9, 2002. According to its Articles of Incorporation, Critique Services' stated purpose is "bankruptcy petition preparation service."

33. Since the incorporation of Critique Services, Defendants have solicited consumers in St. Louis, Missouri for bankruptcy legal services by advertising flat fees for Chapters 7 and 13 bankruptcy services.

34. At all times relevant to the allegations in this petition, Diltz, as the owner, and Renee Mayweather, as the office manager, have directed and controlled the activities of Critique Services.

35. Diltz has never held a license to practice law in Missouri.

36. As the owner of Critique Services, Diltz is the ultimate authority on decisions made at Critique Services. Diltz hired Renee Mayweather as the office manager, and Renee Mayweather reports to and acts at the direction of Diltz.

37. Since at least 2003, Renee Mayweather has been the office manager for Critique Services.

38. Renee Mayweather has never held a license to practice law in Missouri.

39. Renee Mayweather's responsibilities as office manager have included collecting and handling legal fees, preparing and filing bankruptcy petitions, giving direction to the Contract Attorneys, and providing legal advice to clients.

40. As of February 9, 2016, Critique Services' website, [www.critiqueservices.info](http://www.critiqueservices.info), claimed that its "experienced attorneys and

associates have worked in the trenches of bankruptcy law for over a decade and have intimate knowledge of the bankruptcy system.”

41. The website went offline on or about February 24, 2016.

42. As of February 10, 2016, the voice message for the telephone number Critique Services displays on its sign and website (314-533-HELP) was still advising callers that Critique Services is a law firm.

43. Upon entering the physical office for the first time, new clients were instructed by a non-attorney staff member that an attorney’s fee of \$349.00 was required before the client could speak with an attorney or any services would be provided.

44. Critique Services required payment be made in cash, money order, or cashier’s check.

45. Once the client provided the initial cash payment, Critique Services provided the client with a packet of information to complete. Critique Services instructed the client to return with the completed packet of information and a filing fee of approximately \$335.00.

46. When the client returned with the packet of completed information and the filing fee, Critique Services allowed the client to meet with someone the client believed to be an attorney.

47. This meeting with the “attorney” typically lasted 10 to 30 minutes.

### **C. Defendants' Representations to Clients**

48. Defendants promised clients that, once the client paid and provided the paperwork, Critique Services would file a bankruptcy petition and creditors would no longer contact the clients; creditors would no longer garnish clients' wages; clients' utilities would not be shut off; and clients would not be evicted from their homes.

49. Defendants promised clients that, in exchange for an upfront payment, Defendants, specifically one of Critique Services' Contract Attorneys, would provide various bankruptcy legal services, including drafting and filing legal pleadings such as the bankruptcy petition, appearing at and representing the debtor at the § 341 meeting of creditors and court appearances, providing legal advice, and ultimately obtaining a discharge from debts.

50. Defendants promised that the bankruptcy petition would be filed within two weeks of the client making the upfront payment and providing paperwork and that the client would be provided with a case number.

51. Defendants promised to clients that it would take approximately three months to obtain an order discharging the client from debts.

52. Contrary to these representations, Defendants filed petitions months late or sometimes not at all.

53. Clients would go weeks or months with no case number, no petition filed, and no contact from Defendants.

54. Defendants' late filing or complete failure to file bankruptcy petitions has resulted in serious harm to at least 136 clients.

55. Because Defendants did not file bankruptcy petitions as promised, clients continued to be contacted by creditors; clients' wages continued to be garnished; clients' utilities were shut off; clients lost their vehicles; and clients were evicted from their homes.

56. Even in cases where a petition was filed, Defendants performed little or no work on clients' cases: failing to obtain necessary documents from clients, failing to provide necessary documents to the bankruptcy court, and failing to appear at the meeting of creditors or court appearances. Because of Defendants' failures, clients' cases languished for much longer than three months or were dismissed.

57. When clients attempted to call or visit Critique Services or their attorneys, clients were frequently unable to speak or meet with anyone, let alone their attorney.

#### **D. Section 341 Meeting of Creditors and Court Appearances**

58. Defendants promised clients that, in exchange for an upfront payment, a Critique Services' Contract Attorney would meet with, advise,

and prepare the client for the § 341 meeting of creditors, including gathering and preparing documentation necessary for the meeting of creditors.

59. Defendants also promised that a Critique Services' Contract Attorney would appear and represent the client at the § 341 meeting of creditors.

60. Critique Services' Contract Attorneys failed to meet with, advise, and/or prepare their clients and/or necessary documentation before the meeting of creditors.

61. Critique Services' Contract Attorneys also failed to appear at the meeting of creditors or court hearings.

62. As a result, clients attended the meeting of creditors unprepared and confused and many clients' cases could not proceed forward or were dismissed.

#### **E. The Unauthorized Practice of Law**

63. Defendants promised that in exchange for the clients' upfront payment, that one of the Contract Attorneys would prepare and file legal pleadings and documents and advise the client on legal issues.

64. However, the Contract Attorneys did not draft or review legal pleadings, including bankruptcy petitions.

65. Instead, the non-attorney employees at Critique Services, such as Renee Mayweather, drafted and filed the petitions and other legal documents.

66. When Critique Services' non-attorney employees filed bankruptcy petitions, they used the name and bar number of whichever Contract Attorney with which Critique Services was contracted at the time.

67. Critique Services' non-attorney employees, such as Renee Mayweather, often provided bad or unethical legal advice, such as advising clients to make false statements during bankruptcy proceedings or advising the client to attend the meeting of creditors or court without an attorney.

68. On July 31, 2007, the UST, Diltz, Critique Services, and Renee Mayweather entered into a Settlement Agreement and Court Order ("Settlement Agreement") in the United States Bankruptcy Court for the Eastern District of Missouri based on allegations that Diltz, Critique Services, and Mayweather were engaged in the unauthorized practice of law in the bankruptcy court. See attached Exhibit 2, *Gargula v. Diltz*, Case No. 05-04254.

69. The Settlement Agreement provides extensive and permanent injunctive relief against Diltz, Critique Services, and Mayweather, in the provision of bankruptcy services, including, but not limited to: no preparation of bankruptcy documents; attorneys must meet with clients before non-



attorneys; no collection of attorney's fees; and petitions must be filed within 14 days of signing. See Exhibit 2, ¶¶ 2-6.

#### **F. Critique Services' Contract Attorneys**

70. The United States Bankruptcy Court for the Eastern District of Missouri has sanctioned or suspended all but one of Critique Services' Contract Attorneys from practicing before it, including Dean Meriwether, Robinson, and Dellamano. The reasons have varied from repeated contempt of court to making false statements to the court. See Exhibit 3, pages 5-7.

71. On June 10, 2014, the bankruptcy court suspended Robinson for making false statements, contempt, refusing to obey a court order, and abuse of process. See Exhibit 3, page 6.

72. On December 7, 2015, the bankruptcy court suspended Dean Meriwether from practicing before the court for, among other things, abandoning clients, mismanaging cases, making false statements, and failing to obey court orders. See Exhibit 3, pages 8 to 10.

73. On December 18, 2015, the bankruptcy court suspended Dellamano from practicing before the court for professional malfeasance and dishonesty.

#### **G. CONSUMER EXAMPLES**

##### **a. Damon Dorris**

74. Damon Dorris contracted with Critique Services for bankruptcy legal services.

75. Mr. Dorris met with two different people at the Critique Services office who claimed to be the attorney Dean Meriwether.

76. Even though Mr. Dorris signed his paperwork on October 13, 2015, Defendants never filed a petition.

**b. Leander Young**

77. Mr. Young contracted with Dean Meriwether and Critique Services for bankruptcy legal services.

78. Mr. Young provided Dean Meriwether with his financial management court certificate (FMCC) on July 10, 2015.

79. On July 14, 2015, the meeting of creditors took place but Dean Meriwether failed to attend.

80. A non-attorney “representative” of Critique Services named “Tracy” attended the meeting of creditors.

81. Mr. Young provided “Tracy” with his FMCC.

82. The court sent Mr. Young a letter advising that it had not received Mr. Young’s FMCC.

83. Mr. Young contacted Renee Mayweather at Critique Services, who advised Mr. Young to disregard the notice from the court and that the FMCC had been filed.

84. Two weeks later, the court sent Mr. Young another notice that the FMCC had not been filed.

85. Mr. Young went to the Critique Services' office to speak with his attorney in person; however, Dean Meriwether was not present.

86. Mr. Young left his phone number, but no one returned his call.

87. Mr. Young made more phone calls and trips to the Critique Services' office. However, either the calls went unanswered or Dean Meriwether was never available.

88. The bankruptcy court dismissed Mr. Young's case without a discharge because Dean Meriwether had not filed the statutorily required FMCC.

89. On October 19, 2015, Renee Mayweather told Mr. Young that his case had been dismissed because the judge had a personal issue with Critique Services.

**c. Latoya Steward**

90. Ms. Steward engaged the services of Robinson and Critique Services in 2010 to file a chapter 7 bankruptcy.

91. Ms. Steward made several visits to Critique Services' office to pay fees and complete paperwork.

92. Critique Services' staff members solicited Ms. Steward to include false information on her petition papers (a false address and fictional dependents).

93. Robinson was made aware of these representations but failed to correct them.

94. Critique Services did not file Ms. Steward's bankruptcy petition until June 17, 2011.

95. In considering a motion to disgorge attorney's fees, the bankruptcy court found that Critique Services and Robinson failed to communicate with Ms. Steward; improperly maintained her file; and abandoned Ms. Steward.

96. As a direct result of not advising Ms. Steward on her vehicle debt and delaying the filing of her bankruptcy petition, Ms. Steward lost her vehicle and remained obligated to repay the loan on it.

97. The bankruptcy court ordered Critique Services to return Ms. Steward's attorney's fees.

**d. Tazia Hampton**

98. Ms. Hampton went to Critique Services office in June 2015.

99. A receptionist provided Ms. Hampton with a packet to fill out and instructed to return to the office with an initial fee of \$349.00 in cash or money order.

100. Ms. Hampton returned with the completed packet on June 30, 2015, and was directed upstairs to meet with an attorney. The man Ms. Hampton believed to be an attorney introduced himself as Dean Meriwether. The man was an African American male; however, Dean Meriwether is a white male.

101. On July 23, 2015, Ms. Hampton returned to Critique Services' office with more completed paperwork. A female non-attorney named "Renee" reviewed Ms. Hampton's paperwork and explained the filing process. Renee said Critique Services would file Ms. Hampton's paperwork the next day and would call her the following week with a court date. Ms. Hampton also provided Renee with a filing fee of \$335.00 in the form of a money order.

102. Hearing nothing, Ms. Hampton attempted to call Critique Services several times, but no one answered.

103. Ms. Hampton visited the Critique Services' office and spoke with Renee, who indicated she did not know why no court date had been scheduled.

104. To date, no petition has been filed for Ms. Hampton. Her creditors continue to pursue her with numerous phone calls.

## **VIOLATIONS OF LAW**

### **COUNT I - UNFAIR PRACTICES**

**(Against Defendants Diltz, Critique Services, and Mayweather)**

105. Plaintiff incorporates all allegations stated above.

106. Defendants violated §§ 407.020, 484.020, and 15 C.S.R. § 60-8.090 by engaging in the unfair practice of illegal conduct in connection with the advertisement or sale of bankruptcy legal services by committing the unauthorized practice of law.

107. Section 484.020, RSMo provides that persons without a law license and limited liability companies shall not engage in the “practice of law” or do “law business.”

108. The “practice of law” is defined as “the appearance as an advocate in a representative capacity or the drawing of papers, pleadings or documents or the performance of any act in such capacity in connection with proceedings pending or prospective before any court of record, commissioner, referee or any body, board, committee or commission constituted by law or having authority to settle controversies.” § 484.010.1.

109. The “business of law” is defined as “the advising or counseling for a valuable consideration of any person, firm, association, or corporation as to any secular law or the drawing or the procuring of or assisting in the drawing for a valuable consideration of any paper, document or instrument affecting or relating to secular rights or the doing of any act for a valuable consideration in a representative capacity, obtaining or tending to obtain or

securing or tending to secure for any person, firm, association or corporation any property or property rights whatsoever.” § 484.010.2.

110. Defendants Diltz, Critique Services, and Renee Mayweather engaged in the unauthorized practice of law by preparing and filing bankruptcy petitions and other legal pleadings in connection with matters pending before the United States Bankruptcy Court for the Eastern District of Missouri, a court of record.

111. Defendants Diltz, Critique Services, and Renee Mayweather engaged in the unauthorized business of law by advising or counseling clients on legal issues, especially bankruptcy law and related finance and debt issues, in exchange for upfront cash payments.

112. Engaging in the unauthorized practice of law presents a risk of, or causes substantial injury to consumers.

**COUNT II - UNFAIR PRACTICES**  
**(Against Defendants Mayweather, Robinson, and Dellamano)**

113. Plaintiff incorporates all allegations stated above.

114. Defendants violated § 407.020, 15 C.S.R. § 60-8.020, and various provisions of Missouri Supreme Court Rule 4, the Missouri Rules of Professional Conduct, by engaging in unfair practices in connection with the advertisement or sale of bankruptcy legal services by:

- a. failing to provide competent representation for clients (Rule 4-1.1);
- b. failing to act with reasonable diligence and promptness in representing clients (Rule 4-1.3);
- c. failing to communicate with clients (Rule 4-1.4);
- d. charging or collecting unreasonable fees from clients (Rule 4-1.5);
- e. failing to deposit attorney's fees into a client trust account (Rule 4-1.15(a));
- f. withdrawing legal fees before they were earned (Rule 4-1.15(c));
- g. making, offering, or failing to correct false statements to the bankruptcy court (Rule 4-3.3);
- h. sharing legal fees with non-attorneys (Rule 4-5.4(a));
- i. permitting persons who employ or pay an attorney to render legal services for another to direct or regulate the attorney's professional judgment in rendering such legal services (Rule 4-5.4(c));
- j. practicing with or in the form of a law firm owned by a non-attorney (Rule 4-5.4(d)(2));



- k. practicing with or in the form of a law firm in which a non-attorney has the right to direct or control the professional judgment of an attorney (Rule 4-5.4(d)(3));
- l. assisting others in the unauthorized practice of law (Rule 4-5.5(a));
- m. knowingly assisting or inducing another to violate the Rules or violating the Rules through the acts of another (Rule 4-8.4(a));  
and
- n. engaging in conduct that is prejudicial to the administration of justice (Rule 4-8.4(d)).

115. The Missouri Rules of Professional Conduct (the “Rules”) are a body of ethical provisions governing the practice of law in Missouri, promulgated by the Missouri Supreme Court, under the authority of Article 5, § 5 of the Missouri Constitution and § 477.010, RSMo. Pursuant to Article 5, § 5 of the Missouri Constitution, the Rules have the force and effect of law.

116. Many of the Rules are designed to protect clients from being exploited by attorneys.

117. Defendants’ violation of these rules presented a risk of, or caused substantial injury to consumers.

**COUNT III – FALSE PROMISES**  
**(Against All Defendants)**

118. Plaintiff incorporates all allegations stated above.

119. Defendants violated § 407.020 and 15 C.S.R. § 60-9.020 by making false promises to their clients:

- a. that in exchange for an upfront cash payment, and attorney would prepare and file a bankruptcy petition within two weeks;
- b. that because an attorney would prepare and file the bankruptcy petition within two weeks, communications from creditors, wage garnishments, threats to shut off utilities, and pending evictions would stop;
- c. that in exchange for an upfront cash payment, an attorney would be available for and provide legal advice;
- d. that in exchange for an upfront cash payment, an attorney would prepare and/or file all legal documents;
- e. that in exchange for an upfront cash payment, an attorney would appear at and represent the client at the meeting of creditors and all court appearances; and
- f. that in exchange for an upfront cash payment, Defendants would obtain a discharge of debts for clients approximately three months after filing the petition.

120. Such promises were false or misleading as to the Defendants' intentions or ability to perform the promises, or the likelihood the promises would be performed.

**COUNT IV – CONCEALMENT, SUPPRESSION, OR OMISSION OF A MATERIAL FACT**

**(Against Diltz, Critique Services, and Renee Mayweather)**

121. Plaintiff incorporates all allegations as stated above.

122. Defendants violated § 407.020 and 15 C.S.R. § 60-09.110 by:

- a. failing to inform consumers that Defendants Diltz, Critique Services, and Renee Mayweather were the subject of a July 31, 2007, Settlement Agreement with the UST (Exhibit 2);
- b. failing to inform consumers of specific provisions of that Settlement Agreement; and
- c. failing to inform consumers that Defendants' solicitation, offer, and provision of various bankruptcy services were in violation of the Settlement Agreement.

123. Defendants knew of the Settlement Agreement and were familiar with its provisions, in particular, because Defendants negotiated and signed the Settlement Agreement. See Exhibit 2.

124. The existence, terms, and violation of an injunction against Defendants for providing bankruptcy services are all material facts in that a

reasonable consumer would likely consider them to be important in making a purchasing decision. 15 C.S.R. § 60-9.010.

**COUNT V - FRAUD**  
**(Against All Defendants)**

125. Plaintiff incorporates all allegations stated above.

126. Defendants violated § 407.020 and 15 C.S.R. § 60-9.040 by engaging in fraud in connection with the sale or advertisement of legal services.

127. Defendants represented to clients that in exchange for an upfront payment, that an attorney would perform legal bankruptcy services, including preparing and filing a bankruptcy petition, providing legal advice, representing the client at the meeting of creditors and court appearances, and obtaining a discharge from debts.

128. Defendants knew these representations to be false.

129. Defendants made these representations with the intent of enticing clients to give Defendants an upfront cash payment and enter into a contract with Defendants for legal services.

130. Such misrepresentations were material to and reasonably relied upon by clients in that clients would not have given Defendants an upfront payment or contracted with Defendants for legal services had they known Defendants' representations were false.

131. Clients were harmed by their reliance on Defendants' misrepresentations in that clients had their utilities shut off, wages garnished, and homes and vehicles taken away because Defendants did not provide the promised legal services.

**RELIEF**

WHEREFORE, Plaintiff prays this Court enter judgment:

- A. Finding that the Defendants violated the provisions of § 407.020.
- B. Issuing Preliminary and Permanent Injunctions pursuant to §§ 407.100.1 and 407.100.2 prohibiting and enjoining the Defendants and its agents, servants, employees, representatives and other individuals acting at its direction or on its behalf from committing the unlawful acts as described above.
- C. Requiring the Defendants pursuant to § 407.100.4 to provide full restitution to all consumers who suffered any ascertainable loss, including but not limited to any monies or property acquired by Defendants through unlawful practices.
- D. Requiring the Defendants pursuant to § 407.100.6 to pay the State of Missouri a civil penalty in such amounts as allowed by law per violation of Chapter 407 that the Court finds to have occurred.
- E. Requiring the Defendants pursuant to § 407.140.3 to pay to the State an amount of money equal to ten percent (10%) of the total restitution

ordered against the Defendants, or such other amount as the Court deems fair and equitable.

F. Requiring the Defendants pursuant to § 407.130 to pay all court, investigative and prosecution costs of this case.

G. Granting any further relief that this Court deems proper.

Respectfully submitted,

CHRIS KOSTER  
Attorney General

/s/ Joseph Schlotzhauer  
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ATTORNEYS FOR PLAINTIFF

MISSOURI CIRCUIT COURT  
TWENTY-SECOND JUDICIAL CIRCUIT  
CITY OF ST. LOUIS, MISSOURI

STATE OF MISSOURI, ex rel.	)	
Attorney General Chris Koster,	)	
	)	
Plaintiff,	)	
	)	Case No:
vs.	)	
	)	Division:
BEVERLY HOLMES DILTZ, et al.,	)	
	)	
Defendants.	)	

**APPLICATION FOR TEMPORARY RESTRAINING ORDER**

Plaintiff State of Missouri, ex rel. Attorney General Chris Koster, for its Application for Temporary Restraining Order against Defendants Critique Services, LLC, Beverly Diltz, Renee Mayweather, Dean Meriwether, James Robinson, and Robert Dellamano states as follows:

**Introduction**

The Bankruptcy Court for the Eastern District of Missouri found that Critique Services is a “massive rip-off operation that functions on the unauthorized practice of law, the practice of client abandonment, and the failure or refusal to provide legal services.” The court further ruled that Critique is a “scheme that targets low income, minority person from metropolitan St. Louis” and found their system is “an almost-perfect racket for the unscrupulous.” Lastly, Defendants have repeatedly ignored the

bankruptcy courts and the United States Trustee's injunctions and reprimands stop the abuses of bankruptcy clients and the unauthorized practice of law. To halt Defendants' abuse of courts and harming of vulnerable Missourians, the State seeks a temporary restraining order.

### **Legal Authority**

1. The Attorney General is authorized by § 407.100.2 to seek and obtain temporary restraining orders for violations of Chapter 407 RSMo, the Missouri Merchandising Practices Act ("MMPA"). The Attorney General may also seek an order of sequestration if the court finds that funds or property may be hidden or removed from the state. § 407.100.2.

### **Factual Basis for Application**

2. Over 100 consumers have complained to the Office of Chief Disciplinary Counsel and the Attorney General's Office in the last 5 years that Critique Services has taken their money and either not filed bankruptcies as requested, not communicated with them, not attended hearings, provided improper legal advice, or otherwise used unlawful merchandising practices resulting in significant financial and other harm. See affidavit of Miguel Rivero attached as Exhibit A, and affidavit of Lisa Larkin attached as Exhibit B.

3. The United States Bankruptcy Court for the Eastern District of Missouri has also taken note of the Defendants' unlawful practices. In his



Order of December 7, 2015, Judge Charles E. Rendlen, III of the United States Bankruptcy Court for the Eastern District of Missouri made numerous findings of fact with regard to Defendants' years-long violations of § 407.020, RSMo. *In re: Leander Young Debtor*, 15-44343, Doc 26. A certified copy of the Order is attached as Exhibit C. Judge Rendlen made further findings regarding Defendants in another Order on February 16, 2016, that also found numerous violations of § 407.020, RSMo. *In re: Renee Mayweather, Enjoined Person*, 16-00401, February 16, 2016. A certified copy of the Order is attached as Exhibit D.

4. The court characterized Defendant Critique Services as a massive rip-off operation that targets and preys upon low-income, minority persons in the metropolitan St. Louis Missouri area. *Young Order*, pgs. 1-2, Ex. C.; *Mayweather Order*, pg. 1, Ex. D.

5. Clients come to Critique seeking assistance with filing of bankruptcy case in exchange for the promise of cheap legal representation. However, Critique is deliberately designed not to provide any meaningful legal services. The business pockets the client's cash and then fails to provide legal services. The "services" that are provided are performed by unqualified, non-attorney staff persons. *See Mayweather Order*, pg. 1, Ex. D. The business of the Critique Services Business is the unauthorized practice of law and its victims are the working-poor. *Mayweather Order*, pg. 1-2, Ex. D.

6. Diltz has been running “bankruptcy services scams” for the better part of two decades. She has been repeatedly sued by the U.S. Trustees for both Eastern Missouri and Southern Illinois for unlawful and unprofessional business activities and the unauthorized practice of law. *Mayweather Order*, pg. 2, Ex. D. She has been repeatedly enjoined from the unauthorized practice of law and from serving as a bankruptcy petition preparer. *Mayweather Order*, pg. 2, Ex. D.

7. Defendant Renee Mayweather is Critique’s office manager. Mayweather’s responsibilities as office manager have included collecting legal fees, preparing and filing bankruptcy petitions, giving direction to attorneys, and providing legal advice to clients. *Mayweather Order*, pgs. 3-5, Ex. D.

8. Renee Mayweather has never held a license to practice law in Missouri and has been “permanently enjoined from the unauthorized practice of law and law business in and from the State of Missouri” by the bankruptcy court. *Mayweather Order*, pg. 3, Ex. D. Mayweather is also prohibited from providing any bankruptcy services to the public, except under very specific circumstances. *Mayweather Order*, pg. 3, Ex. D.

9. The bankruptcy court found that Defendant Renee Mayweather violated the 2007 UST injunction and engaged in the unauthorized practice of law by: 1) falsely advising a debtor that a legal disposition in his case was

due to the hostility of [Judge Rendlen] toward Critique; 2) telling a debtor that Mayweather was in charge of the Critique Services business office; 3) filing cases on behalf of debtor; 4) at a January, 2016 hearing a Debtor credibly testified that Mayweather filed her case; 5) Defendant Dean Meriwether, an attorney, admitted that Diltz and Mayweather are his bosses at the Critique Services Business; and 6) seeking to use the Bankruptcy clerk's office to file documents when enjoined from doing so. *Mayweather Order*, pgs. 3-5, Ex. D.

10. Since 2011, Critique Services has contracted with a variety of attorneys, including Defendants Dean Meriwether, James Robinson, and Robert Dellamano. The bankruptcy court has sanctioned and suspended all of these Critique attorneys from practice. *Mayweather Order*, pgs. 2-3, Ex. D.

11. The attorneys simply rent out their bar card numbers, which are affixed to legal documents prepared by non-attorney staff persons, to give the cosmetic appearance that legal services have been rendered.

12. The attorneys' suspensions and disbarments are a part of the regular business operations of the Critique Services Business. Critique Services never changes its unauthorized practice of law; it merely changes its facilitating attorneys. Once an attorney is suspended or disbarred, Diltz simply replaces him with another, and the cycle begins again.

13. Defendant James Robinson is a contract attorney for Critique.

The bankruptcy court has suspended him for making false statements, contempt, refusing to obey court orders, and abuse of process. *Young Order*, pg. 6, Ex. C. He was also sanctioned and suspended for refusing to provide information about Critique's operations. *Mayweather Order*, pg. 3, Ex. D.

14. Dean Meriwether replaced Robinson as Critique Services' contract attorney in October 2014.

15. On December 7, 2015, the bankruptcy court suspended Dean Meriwether from practicing before the court for abandoning clients, mismanaging cases, making false statements, and failing to obey orders.

16. Meriwether has been suspended from practicing before the bankruptcy court until March 7, 2016.

17. On March 1, 2016, the Missouri Supreme Court suspended Meriwether's license with no leave to apply for reinstatement for 1 year.

18. Defendant Robert J. Dellamano is a former contract attorney with Critique Services. On December 18, 2015, the bankruptcy court suspended Dellamano from practicing before the court for professional malfeasance and dishonesty. *Mayweather Order*, pg. 5, Ex. D.

19. The Missouri Attorney General has conducted an independent investigation into this matter, which corroborates the findings of the bankruptcy court.

20. On February 23, 2016, suspended attorneys Dean Meriwether

and James Robinson were identified entering the building of Critique Services. See Affidavit of Miguel Rivero attached as Exhibit A.

21. Critique Services appears to be selling its existing client files to other Bankruptcy attorneys. See affidavit of Miguel Rivero attached as Exhibit A.

22. The Attorney General's Office has received at least 29 complaints. See affidavit of Miguel Rivero attached as Exhibit A.

23. The Missouri Office of the Chief Disciplinary Counsel has received at least 81 complaints since January 2011. The complainants' statements confirm the business model described by the bankruptcy court, whereby fees are paid but competent services are not provided. See affidavit of Lisa Larkin attached as Exhibit B.

### Argument

24. The four factors for granting a temporary restraining order are: 1) immediate and irreparable harm, 2) the balance of hardships favors an injunction, 3) likelihood of success on the merits, and 4) the public interest favors an injunction. *Minana v. Monroe*, 467 S.W.3d 901, 907 (Mo. Ct. App. 2015).

25. Once a violation of § 407.020 is found to have occurred or is about to occur, irreparable harm and harm to the public are presumed. *State ex rel. Nixon v. Beer Nuts, Ltd*, 29 S.W.3d 828, 837-38 (Mo. App. E.D. 2000).

26. Immediate injury, loss, and damage will result in the absence of relief. Defendants have continued to solicit new clients and accept fees as repeated orders from the bankruptcy court have failed to stop their fraudulent operation. Their failure to file bankruptcy petitions or otherwise act on behalf of their clients has resulted in and continues to result in garnishments, repossessions, evictions, financial ruin, and the loss of what could be their clients' last \$300 to \$600.

27. The balance of hardships favors an injunction because the harm to Defendants' clients far outweighs their need to obtain fees for services they will not provide.

28. The Attorney General will likely succeed on the merits of this case. As set forth in detail above, the bankruptcy court has already issued two detailed orders setting forth Defendants' years long "rip-off" scheme as well as the nearly as long chain of reprimands, sanctions, and suspensions from the bankruptcy court.

29. Pursuant to Rule 92.02(d) no bond is required where the Application for a temporary restraining order is filed by the State on its own behalf. Also, the State need not establish the inadequacy of legal remedies as a prerequisite to an injunction issued pursuant to § 407.100. *State ex rel. Nixon v. Telco Directory Publishing*, 863 S.W.2d 596, 599 (Mo. banc. 1993).

30. Plaintiff calculates that Defendants received at least \$12,268.99

in fees for services not provided by Defendants since 2011 for complaints received by the Attorney General's Office. This amount only includes the fees Defendants collected and not other fees and damages incurred by consumers as a result of Defendants' violations of the law. Thus, Plaintiffs seeks an order for \$12,268.99 to be sequestered at this time.

### **Relief**

31. WHEREFORE, Plaintiff prays this Court enter a Temporary Restraining Order that Defendants as well as their officers, agents, employees, sales persons, contractors, representatives, assigns, successors in interest and any other individuals acting on their behalf or at their direction :

A. Shall not spend or disburse any money received from any consumer in Missouri in exchange for a promise to provide any service related to bankruptcy, individual finance, individual credit, debt relief, tax, or any other legal services.

B. Shall not destroy, alter, or dispose of any document or records—including, but not limited to: agreements, contracts, receipts, e-mails, text messages, letters, pictures, checks, cash, money orders, or accounting records—relating any service related to bankruptcy, individual finance, individual credit, debt relief, tax, or any other legal services to any customers.

C. Shall not advertise, solicit, offer for sale, market, or sell any

service related to bankruptcy, individual finance, individual credit, debt relief, tax, or any other legal services.

D. Shall not file bankruptcy petitions, create any bankruptcy documents, or provide bankruptcy document preparation services.

E. Shall not perform any and all services related to, or give any advice related to, any service related to bankruptcy, individual finance, individual credit, debt relief, tax, or any other legal services.

F. Shall immediately cease any ongoing representation of any client in regard to any matter involving any service related to bankruptcy, individual finance, individual credit, debt relief, tax, or any legal services.

a. For any matters in which Defendants currently purport to represent clients before any court, they shall immediately cease all activities (except to transfer the file as required in Rule 4-1.17 of the Missouri Rules of Professional Conduct) and file a motion to withdraw within seven days of this order, attach this order to such motions, and request a stay in proceedings to allow their clients to obtain new counsel.

b. Defendants shall immediately notify all clients that Defendants will no longer be representing them and advise all clients to seek new legal counsel, in compliance with Rule 4-1.17 of the Missouri Rules of Professional Conduct. Defendants shall not transfer



or sell current or prospective client files to any other particular attorney or law firm, especially any attorney or law firm with any agreement, association, or affiliation with Defendants, including but not limited to, Ross Briggs, Leon Sutton, or Teresa Coyle, except in compliance with Rule 4-1.17 of the Missouri Rules of Professional Conduct.

G. Shall not receive funds or money from any consumer in Missouri, for the purpose of providing any service related to bankruptcy, individual finance, individual credit, debt relief, tax, or any legal services.

H. Shall not hire, work for, work with, consult with, take direction from, give direction to, or form a partnership with any attorney for the purpose of providing any service related to bankruptcy, individual finance, individual credit, debt relief, tax, or any legal services.

I. Shall not form any legal entity or company for the purpose of providing any service related to bankruptcy, individual finance, individual credit, debt relief, tax, or any legal services.

J. Shall provide the Court with an accounting of all current assets and debts held by Defendants related to providing bankruptcy services to consumers.

K. Shall post on the inside of the window facing outward toward the street at Critique Services' office the attached "Notice" marked as Exhibit E.

Further, any consumer that enters Critique Services' office must be provided a copy of the attached "Notice," and must be instructed to read it before anybody inside the office is able to speak with consumer(s). See Exhibit E.

L. Shall not otherwise engage in the unlawful and unfair acts and practices enumerated herein, in the petition for preliminary and permanent injunction, and must abide by chapter 407 of the Missouri Merchandising Practices Act.

32. WHEREFORE, Plaintiff further prays for an Order of Sequestration, sequestering any and all funds obtained from Critique Services' consumers and held by any Defendant or in the following accounts:

- a. James C Robinson DBA Critique Service, US Bank Account  
#152302373500
- b. Dean Meriwether DBA Critique Services, US Bank Account  
#152316653087
- c. Dean Meriwether DBA Critique Services, US Bank Account  
#152316653137

Respectfully submitted,

**Chris Koster**  
Attorney General

/s/ Joseph Schlotzhauer  
JOSEPH SCHLOTZHAUER, #62138  
Assistant Attorney General  
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/s/ Conrad Sansone  
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ATTORNEYS FOR PLAINTIFF

**Attachment 162**

Response of Critique Services L.L.C. and Diltz in *State of Missouri, ex rel.  
Attorney General Chris Koster v. Beverly Holmes Diltz, et al.*

**MISSOURI CIRCUIT COURT  
TWENTY-SECOND JUDICIAL CIRCUIT  
CITY OF ST. LOUIS, MISSOURI**

STATE OF MISSOURI, ex rel )  
Attorney General Chris Koster, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
BEVERLY HOLMES DILTZ, et al., )  
 )  
Defendants. )

Case No.: 1622-CC00503

Division:

**RESPONSE OF DEFENDANTS CRITIQUE SERVICES, LLC AND  
BEVERLY HOLMES DILTZ TO THE  
APPLICATION FOR TEMPORARY RESTRAINING ORDER**

COMES NOW Defendants Critique Services, LLC and Beverly Holmes Diltz (hereinafter “These Defendants”) and for their response to the Application for Temporary Restraining Order states as follows:

**Introduction**

The Bankruptcy Court of Eastern Missouri’s findings as quoted by Plaintiff is on appeal either to the U.S. District Court or to the Eighth Circuit Court of Appeals. Even as shown by the Application for Temporary Restraining Order, compared to the large number of cases handled by attorneys under contract with Defendant Critique Services, LLC pursuant to a Consent Order issued by the Bankruptcy Court on July 31, 2007, the number of claims of “mishandled” cases is a very small percentage of the total cases handled. The Attorney General has not provided appropriate evidence to support its Application for Temporary Restraining Order. Certain discovery is necessary for the Court to make an intelligent decision on these matters.

The Attorney General seeks to piggyback on the work of the U.S. Trustee. Currently there are various matters in the Federal Courts concerning the very same issues that the Attorney General raises in the instant lawsuit. There is an application through an adversary proceeding by the U.S. Trustee seeking the same relief as the Attorney General, Casamatta, et al, v Critique Services, LLC, et al., Br. Case No. 16-40251, Adv. Case No. 16-4025; the appeal of a previous Orders by the Bankruptcy Court is before the Eighth Circuit, Critique Services, LLC v. LaToya Steward, Appeal No. 15-1857; a Writ of Prohibition filed with the Eighth Circuit, Deverly Diltz, et al. v. Charles E. Rendlen, III, U.S. Court of Appeals, Eighth Circuit Case No. 16-1483; and an appeal of another Order by the Bankruptcy Court to the United States District Court, **(get from Bev)**.

### Responses

1. Admitted.
2. Denied. These Defendants do not have knowledge as to how many complaints have been filed. Those filed with the Office of Chief Disciplinary Counsel and Attorney General's office in the last five years are a very minor percentage of all cases handled by attorneys who had agreements with Critique Services, LLC to provide representation to debtors seeking bankruptcy services. Since January 1, 2011, attorneys representing Critique Services, LLC have filed over five thousand (5,000) cases. Moreover, over eighty of the one hundred complaints occurred within the last year and occurred after the Bankruptcy Court restricted or suspended the practice of attorneys under contract with Critique Services, LLC to provide representation to debtors. When those suspensions have occurred, Critique Services, LLC which

does not directly provide representation to debtors in Bankruptcy Court, has sought to ameliorate the effects of the sudden interruption of legal service to debtors by attorneys affiliated with Critique Services, LLC.

3. Denied. Judge Rendlen issued findings of fact that are not based upon the record in front of him. He seeks out debtors to file claims against Critique Services, LLC by promising them certain relief if they will follow through in filing actions against Defendants. Judge Rendlen acts both as a prosecutor and a judge in making his decisions. The matter of In re: Renee Mayweather has been appealed.

4. Denied. In spite of the Court's characterization of Critique Services, LLC, attorneys under contract with Critique Services, LLC have filed bankruptcies for approximately five thousand (5,000) individuals in the last five years, the vast majority of whom have received discharges and have been served appropriately.

5. It is denied that Critique Services, LLC designed not to provide meaningful legal services. It is also denied that services are performed by unqualified, non-attorney staff persons. Nor have These Defendants participated in the unauthorized practice of law. Rather, staff of attorneys who have contracted with Critique Services, LLC in accordance with the Consent Order issued by the Bankruptcy Court on July 31, 2007 have non-attorney staff persons assist them just as most any other attorney who practices in the bankruptcy field have. They have various forms filled out to assure that the clients needs are met. See copies of the forms attached hereto and incorporated herein as Exhibit 1.

6. It is denied that Defendant Diltz has been running any scam for bankruptcy services. Her past transgressions were addressed by the Bankruptcy Court. After the agreement

between the U.S. Trustee and Defendants Critique Services, LLC and Diltz on July 31, 2007, attorneys under contract with Critique Services, LLC were serving thousands of debtors with minimal complaints. Judge Rendlen then initiated through a debtor proceeding to challenge Critique Services, LLC. He did this even though he should have recused himself from all proceedings before him involving Critique Services, LLC because he was the U.S. Trustee when actions previously were brought against Critique Services, LLC. He then personalized the actions and sought to penalize Critique Services, LLC instead of complying with the statute mandating recusal.

7. Denied. Renee Mayweather has not been a manager or employee of Critique Services, LLC since after July 31, 2007. To the knowledge of These Defendants she has not collected legal fees or prepared and filed bankruptcy petitions except under the direction of and as a staff member of an attorney. To the knowledge of these attorneys, she has not given direction to attorneys or provided legal advice to clients.

8. It is admitted that Renee Mayweather has never held a license to practice law. The Order of the Bankruptcy Court will speak for itself.

9. The Attorney General has correctly cited statements in the Bankruptcy Court ruling with regard to Renee Mayweather. This ruling is appealed. It was entered without a hearing and without affording Renee Mayweather due process of law.

10. It is admitted that since 2011 Critique Services, LLC has contracted with Dean Meriwether, James Robinson and Robert Dellamano to provide legal services to persons who seek to file bankruptcies.

11. It is denied that these attorneys “rent out their bar card numbers.” It is denied that



these attorneys failed to provide legal services and that those services were instead provided by their staff.

12. It is denied that suspensions and disbarments are a part of the regular practice of the business operations of Critique Services, LLC. Critique Services, LLC does not engage in the unauthorized practice of law. After attorneys have been suspended, it has sought to seek other attorneys to serve persons who wish to seek to file bankruptcies and who will enter into agreements with it pursuant to the 2007 Consent Order.

13. It is admitted that Defendant James Robinson had a contract with Critique Services, LLC to provide representation to debtors in bankruptcy cases. The issue of his suspension and the propriety of Judge Renlen's actions are a matter before the Eighth Circuit Court of Appeals at the current time.

14. It is admitted that Dean Meriwether was an attorney contracted to provide representation to debtors in an agreement with Critique Services, LLC pursuant to the Consent Order of July 31, 2007. He was acting pursuant to this contract in October 2014.

15. It is admitted that on December 7, 2015 the Bankruptcy Court suspended Dean Meriwether from practicing before it.

16. Admitted.

17. Admitted.

18. It is admitted that Defendant Dellamano is an attorney who had entered into a contract with Critique Services, LLC. It is also admitted that on December 18, 2015 the Bankruptcy Court suspended him from practicing before it. The remainder of this allegation is denied.

19. Denied. The Attorney General's investigation was essentially a piggyback on what the U.S. Trustee did which is now before the Bankruptcy Court, the Honorable Katherine Surratt-States.

20. These Defendants do not recall whether on February 23, 2016 Dean Meriwether and James Robinson entered the building of Critique Services, LLC. However, because they were suspended did not mean that they did not have reason, other than providing bankruptcy services to clients, to be at the offices of Critique Services, LLC.

21. Denied. Critique Services, LLC has not sold any of its client files to other bankruptcy attorneys. It has referred a few cases, to an attorney, Teresa Coyle, who has filed some bankruptcy petitions on behalf of debtors. The only debtors referred to Ms. Coyle have agreed to be represented by her. There has been no financial arrangement between Critique Services, LLC and Ms. Coyle. See Affidavit of Teresa Coyle attached hereto as Exhibit 2.

22. These Defendants have no personal knowledge to the validity of the allegations contained in ¶22. On that basis they are denied. However, twenty-nine complaints among the thousands of cases handled is not a substantial number.

23. These Defendants do not have personal knowledge as to the validity of the allegations set forth in ¶23. On that basis the allegations are denied.

24. Since July 21, 2007 Critique Services, LLC has not provided direct services to any bankruptcy debtor. Rather, it has operated on a contract with attorneys that have conformed to the Consent Order agreed to between These Defendants and the U.S. Trustee and approved by the Bankruptcy Court. See copy of the Consent Order attached to Plaintiff's Petition in this cause as Exhibit 2.

25. After advertising, persons who call into Critique Services, LLC's phone number, are serviced by the staff of an attorney with whom Critique Services, LLC has had a contract. These Defendants have not had any direct contact with these debtors and have not made any representations to these debtors concerning what would occur.

26. There is no immediate or irreparable harm that will continue. This matter is before the Federal Bankruptcy Court for the exact same reasons as stated in the Petition herein. That Court is supervising this situation and has been involved in that process over last ten (10) months. The Bankruptcy Court has much greater knowledge of the intricacies of bankruptcy law and how any actions by These Defendants may or may not have effected debtors who have filed bankruptcy petitions and/or debtors who sought to file bankruptcy petitions.

27. These Defendants are in the process of exploring the sale or transfer of their organization to the control of attorneys and/or other investors and its model shall be different in the future. This Court should allow that process to occur.

28. With regard to immediate injury, many of the persons served by attorneys on contract with Critique Services, LLC would not be able to file bankruptcy and would suffer garnishments, repossessions, evictions, and financial ruin if this model of service to debtors is halted through this action. Other attorneys serving bankruptcy client most often charge two and a half to four times as much for the same work as attorneys on contract with Critique Services, LLC. It is essential for the low income African-American community to have this model of service provided with any difficulties corrected through new ownership.

29. The NAACP strongly supports These Defendants efforts to keep their business open and the transfer to other persons so that this market and price points are maintained.

30. Some of the persons who used to be served by attorneys working with Critique Services, LLC have now proceeded *pro se* on their bankruptcies. They have had income tax returns taken from them by their Chapter 7 Trustees who do not look out for their interests and do not inform them that by filing a simple form showing that their income tax return can be included in exempt properties. They have been harmed by the rulings of the Bankruptcy Court restricting the practice of attorneys on contract with Critique Services, LLC.

31. Far from being a “rip-off” organization, before the suspension of attorneys affiliated with Critique Services, LLC those attorneys served thousands of persons in bankruptcy during the last five years with few complaints. The complaints accumulated based upon the actions of the Bankruptcy Court. The U.S. Trustee did not engage in efforts to ameliorate the sudden loss of counsel by over hundreds of debtors both shortly after June 10, 2014 and then after the more recent suspensions. These Defendants are taking actions to try to assist in ameliorating these effects.

32. Most persons who were served by attorneys on contract with Critique Services, LLC who have sought a refund of fees have received a refund. Other refunds are in the process.

WHEREFORE, These Defendants pray that this Court not enter a temporary restraining order, continue these proceedings pending the outcome of similar proceedings in the Bankruptcy Court, and grant such other and further relief as the Court deems just under the circumstances herein.

Respectfully submitted,  
Attorney for Critique Services, LLC and  
Beverly Holmes-Diltz

/s/ Laurence D. Mass  
Laurence D. Mass #30977MO  
230 South Bemiston, Suite 1200  
St. Louis, Missouri 63105  
Phn: (314) 862-3333, Ext. 20  
Fax: (314) 862-0605  
Email: laurencedmass@att.net

**CERTIFICATE OF SERVICE**

By signature above I hereby certify that I electronically filed the foregoing with the Clerk of the Circuit Court, City of St. Louis by using the Missouri eFiling system, and that a copy will be served by that system upon those parties indicated by the Missouri eFiling system.

By: /s/ Laurence D. Mass


STATE OF MISSOURI     )  
                                  )  
COUNTY OF ST. LOUIS    )     SS

**AFFIDAVIT**

COMES NOW BEVERLY HOLMES DILTZ and under oath states that the statements set forth in the Response of Critique Services, LLC and Beverly Holmes Diltz to the Application for Temporary Restraining Order are true and correct to the best of her knowledge, information and belief.

  
BEVERLY HOLMES DILTZ

SUBSCRIBED AND SWORN to before me, a Notary Public, this 11 day of March, 2016.

  
NOTARY PUBLIC

My Commission Expires:



LAURENCE D. MASS  
My Commission Expires  
June 11, 2016  
St. Louis County  
Commission #1448881

**Attachment 163**

TRO, entered in *State of Missouri, ex rel. Attorney General Chris Koster v. Beverly Holmes Diltz, et al.*



## 1622-CC00503 - STATE OF MISSOURI, EX REL V BEVERLY H DILTZ ET AL (E-CASE)

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**04/01/2016**      **Entry of Appearance Filed**  
 entry of appearance; Electronic Filing Certificate of Service.  
**Filed By:** ROBERT BROOKS RAMSEY  
**On Behalf Of:** ROBERT J DELLAMANO

**03/29/2016**      **Order**  
 ON MARCH 23,2016, PLT'S APPLICATION FOR A PRELIM INJUNCTION AGAINST DFT JAMES ROBINSON WAS HEARD AND THE HEARING WAS CONCLUDED, AND THE PARTIES WERE GIVEN UP TO AND INCLUDING MARCH 28,2016 TO FILE BRIEFS. THE COURT, HAVING DELIBERATED ON THE MATTER, BELIEVES THAT IT CANNOT ENJOIN MR. ROBINSON FROM PRACTICING LAW OF ANY KNID IN THE STATE OF MO BECAUSE MR. ROBINSON HAS BEEN GIVEN PERMISSION FROM THE SUPREME COURT TO PRACTICE LAW HERE, AND THAT IT CANNOT ENJOIN MR. ROBINSON FROM PRACTICING LAW IN FEDERAL BANKRUPTCY COURTS: THAT IS FOR THOSE COURTS TO DETERMINE. HOWEVER, THE COURT FINDS THAT MR. ROBINSON HAS IMPERSONATED A LAWYER AFFILIATED WITH CRITIQUE SERVICES, LLC AND INFERS THAT HE WILL DO SO AGAIN TO THE DAMAGES OF OTHERS IF NOT ENJOINED. ACCORDINGLY, IT IS ORDERED THAT DFT JAMES ROBINSON IS PRELIMINARILY ENJOINED FROM REPRESENTING THAT HE IS AN ATTORNEY AFFILIATED WITH CRITIQUE SERVICES, LLC. IT IS FURTHER ORDERED THAT MR. ROBINSON IS PRELIMINARILY ENJOINED FROM WITHDRAWING FUNDS FROM THE FOLLOWING ACCOUNT " JAMES C. ROBINSON DBA CRITIQUE SERVICE, US BANK ACCOUNT #152302373500. SO ORDERED JUDGE JULIAN BUSH  
**Filed By:** JULIAN BUSH

**03/28/2016**      **Filing of Briefs**  
 Plaintiffs Brief in Support of a Preliminary Injunction Against Defendant Robinson on the Practice of Bankruptcy Law; Electronic Filing Certificate of Service.  
**Filed By:** JOSEPH RICHARD SCHLOTZHAUER  
**On Behalf Of:** STATE OF MISSOURI, EX REL ATTORNEY GENERAL CHRIS KOSTER

**03/24/2016**      **Suggestions in Support**  
 Defendant Robinsons Memo In Support of Motion to Deny Preliminary Injunction Dissolve TRO and to Dismiss Case; Electronic Filing Certificate of Service.  
**Filed By:** ELBERT A WALTON JR

**Hearing Held**  
**Scheduled For:** 03/23/2016; 9:00 AM ; JULIAN BUSH; City of St. Louis

**03/23/2016**      **Order**  
 ON THE 23RD DAY OF MARCH, 2016, THE COURT ORDERED THAT ALL PARTIES MUST RESPOND TO INTEROGATOES AND REQUEST FOR PRODUCTION OF DOCUMENTS WITHIN 14DAYS OF



**Filed By:** JULIAN BUSH

**Order**

PRELIM HEARING AS TO ARGUMENT C. ROBINSON CALLED. PLT APPEARED BY ATTORNEY DFT APPEAR ROBINSON APPEARED BY COUNSEL. EVIDENCE HEARD AND SUBMITTED. BRIEFS TO BE SUBMITTED BY THE PARTIES NOT LATER THAN MARCH 28,2016 ON THE QUESTION OF THE COURT TO ENJOIN ROBINSON FROM PARTIES BANKRUPTCY LAW. SO ORDERED JUDGE JULIAN BUSH

**Filed By:** JULIAN BUSH

**03/22/2016**

**Motion to Shorten Time**

Plaintiffs Motion to Shorten Time for Discovery; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**On Behalf Of:** STATE OF MISSOURI, EX REL ATTORNEY GENERAL CHRIS KOSTER

**03/21/2016**

**Certification Filed**

Certificate of Mailing - Dean Meriwether RFPD; Electronic Filing Certificate of Service.

**Filed By:** LAURENCE D MASS

**On Behalf Of:** BEVERLY HOLMES DILTZ, CRITIQUE SERVICES LLC

**03/18/2016**

**Notice of Hearing Filed**

Notice of Hearing; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**On Behalf Of:** STATE OF MISSOURI, EX REL ATTORNEY GENERAL CHRIS KOSTER

**03/17/2016**

**Cert Serv of Interrog Filed**

Certificate of Service - Robert Dellamano; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**On Behalf Of:** STATE OF MISSOURI, EX REL ATTORNEY GENERAL CHRIS KOSTER

**Cert Serv of Interrog Filed**

Certificate of Service - Renee Mayweather; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Cert Serv of Interrog Filed**

Certificate of Service - James Robinson; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Cert Serv of Interrog Filed**

Certificate of Service - Dean Meriwether; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Cert Serv of Interrog Filed**

Certificate of Service - Beverly Diltz; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Cert Serv of Interrog Filed**

Certificate of Service - Critique Services; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Certificate of Service**

Certificate of Mailing Defendants Critique Services, LLC and Beverly Holmes Diltz First Set of Interrogatories to Plaintiff State of Missouri and Defendants Critique Services, LLC and Beverly Holmes Diltz First Request for Production of Documents; Electronic Filing Certificate of Service.

03/16/2016

**Order**

IT IS FURTHER ORDERED THAT CRITIQUE SERVICES LLC AND BEVERLY DITZ SHALL DO THE FOLLOWING: A. POST ON THE INSIDE OF THE WINDOW FACING OUTWARD TOWARD THE STREET AT CRITIQUE SERVICES' OFFICE AT 3919 WASHINGTON BLVD, ST LOUIS, MO. OR ANY OTHER PHYSICAL LOCATION AT WHICH CRITIQUE SERVICE LLC OR BIVERLY DITZ ADVERTISE, OFFER, SOLICIT, OR PROVIDE BANKRUPTCY SERVICES, THE ATTACHED "NOTICE" MARKED AS EXHIBIT E. FURTHER, ANY CONSUMER THAT ENTERS CRITIQUE SERVICES' OFFICE, OR ANY OTHER PHYSICAL LOCATION AT WHICH CRITIQUE SERVICES LLC OR BEVERLY DITZ ADVERTISE, OFFER, SOLICIT, OR PROVIDE BANKRUPTCY SERVICES, MUST BE PROVIDED A COPY OF THE ATTACHED "NOTICE," AND MUST BE INSTRUCTED TO READ IT BEFORE ANYONE INSIDE THE OFFICE IS ABLE TO SPEAK WITH CONSUMER(S). NOTICE IS ATTACHED AS EXHIBIT E TO THIS ORDER. IT IS FURTHER ORDERED THAT NOTHING ABOVE SHALL APPLY TO DFT JAMES ROBINSON IN SO FAR AS IT CONCERNS HIS ABILITY TO CONTINUE PROVIDING LEGAL SERVICES TO CLIENTS; OTHER THAN BANKRUPTCY SERVICES. THE TERM "LEGAL SERVICES" SHALL MEAN AND INCLUDE THE DEFINITIONS OF THE "PRACTICE OF THE LAW" AND THE "LAW BUSINESS" AS THOSE TERMS ARE DEFINED IN 484.010, RSMo. IT IS FURTHER ORDERED THAT NO PERSON OR ENTITY MAY ACCESS, WITHDRAW, OR REMOVE ANY OF THE FUNDS IN THE FOLLOWING ACCOUNTS UNTIL FURTHER NOTICE FROM THE COURT: A. JAMES C RONINSON DBA CRITIQUE SERVICES, US BANK ACCOUNT #152302373500 B. DEAN MERIWETHER DBA CRITQUE SERVICES, US BANK ACCOUNT #152316653087 C. DEAN MERIWETHER DBA CRITQUE SERVICES, US BANK ACCOUNT #152316653137 IT IS FURTHER ORDERED THAT THIS TEMPORARY RESTRAINING ORDER SHALL BE EFFECTIVE FROM 4PM AND MARCH 14, 2016, AND CONTINUE UNTIL 4PM ON APRIL 21,2016 BY THE CONSENT OF THE PARTIES (EXCEPT DFT ROBINSON). A HEARING FOR PRELIMINARY INJUNCTION ON ALL DFTS IS HEREBY SCHEDULED FOR APRIL 21, 2016 AT 9AM. IT IS FURTHER ORDERED THIS TEMPORARY RESTRAINING ORDER AS IT CONCERNS DFT ROBINSON SHALL BE EFFECTIVE FROM 4PM ON MARCH 14, 2016, UNTIL 4PM ON MARCH 29, 2016. A HEARING ON WHETHER TO CONTINUE THE TEMPORARY RESTRAINING ORDER OR GRANT A PRELIMINARY INJUNCTION AS IT EXCLUSIVELY CONCERNS DFT ROBINSON IS HEREBY SET FOR MARCH 23,2016 AT 9AM. SO ORDERED JUDGE JULIAN BUSH

**Filed By:** JULIAN BUSH

03/14/2016

**Hearing Held**

**Scheduled For:** 03/14/2016; 11:00 AM ; JULIAN BUSH; City of St. Louis

**Hearing Scheduled**

**Scheduled For:** 04/22/2016; 9:00 AM ; JULIAN BUSH; City of St. Louis

**Hearing Scheduled**

**Scheduled For:** 04/21/2016; 9:00 AM ; JULIAN BUSH; City of St. Louis

**Hearing Scheduled**

**Associated Entries:** 03/24/2016 - Hearing Held

**Scheduled For:** 03/23/2016; 9:00 AM ; JULIAN BUSH; City of St. Louis

**Hearing Scheduled**

**Associated Entries:** 03/14/2016 - Hearing Held

**Scheduled For:** 03/14/2016; 11:00 AM ; JULIAN BUSH; City of St. Louis

**Hearing/Trial Cancelled**

**Scheduled For:** 03/14/2016; 11:00 AM ; JOAN L MORIARTY; Carnahan Courthouse

**Order for Change of Judge**

THE APPLICATION FOR CHANGE OF JUDGE PURSUANT TO SUPREME COURT RULE 57.05 FILED BY DEPENDANT IN THE ABOVE STYLED CAUSE IS GRANTED. AS DIRECTED BY THE PRESIDING JUDGE THIS CAUSE IS REASSIGNED TO THE HONNABLE JULIAN BUSH DIVISION 4 FOR FUTHER PROCEEDINGS. SO ORDERED JUDGE JOAN MORIARTY #33057

**Notice of Service**

Return of Service - Renee Mayweather; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**On Behalf Of:** STATE OF MISSOURI, EX REL ATTORNEY GENERAL CHRIS KOSTER

**Notice of Service**

Return of Service - Robert J Dellamano; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Notice of Service**

Return of Service - Dean Meriwether; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Notice of Service**

Return of Service - Critique Services LLC; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Notice of Service**

Return of Service - Beverly Holmes Diltz; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Memorandum Filed**

Robinsons Memo In Support of Motion to Dismiss Application for TRO; Electronic Filing Certificate of Service.

**Filed By:** ELBERT A WALTON JR

**On Behalf Of:** JAMES CLIFTON ROBINSON

**Motion to Dismiss**

Robinsons Motion to Dismiss TRO Application; Electronic Filing Certificate of Service.

**Filed By:** ELBERT A WALTON JR

**On Behalf Of:** JAMES CLIFTON ROBINSON

**Motion for Change of Judge**

Robinsons Motion for Change of Judge

**Filed By:** ELBERT A WALTON JR

**Entry of Appearance Filed**

Special Entry of Appearance of Robinsons Counsel; Electronic Filing Certificate of Service.

**Filed By:** ELBERT A WALTON JR

**Judge Assigned**

**03/11/2016**

**Response Filed**

Response of Defendants Critique Services, LLC and Beverly Holmes Diltz to the Application for Temporary Restraining Order; Exhibit 1; Exhibit 2; Electronic Filing Certificate of Service.

**Filed By:** LAURENCE D MASS

**On Behalf Of:** BEVERLY HOLMES DILTZ, CRITIQUE SERVICES LLC

**03/08/2016**

**Notice of Hearing Filed**

Notice of TRO Hearing; Electronic Filing Certificate of Service.

**Filed By:** CONRAD NICHOLAS SANSONE

**On Behalf Of:** STATE OF MISSOURI, EX REL ATTORNEY GENERAL CHRIS KOSTER

**Summons Issued-Circuit**

Document ID: 16-SMCC-2075, for DELLAMANO, ROBERT J.

**Summons Issued-Circuit**

Document ID: 16-SMCC-2074, for ROBINSON, JAMES CLIFTON.

**Summons Issued-Circuit**

Document ID: 16-SMCC-2073, for MERIWETHER, DEAN.

**Summons Issued-Circuit**

Document ID: 16-SMCC-2072, for MAYWEATHER, RENEE.

**Summons Issued-Circuit**

Document ID: 16-SMCC-2071, for CRITIQUE SERVICES LLC.

**Summons Issued-Circuit**

Document ID: 16-SMCC-2070, for DILTZ, BEVERLY HOLMES.

**Civil Motion Hearing Scheduled**

**Associated Entries: 03/14/2016 - Hearing/Trial Cancelled**

**Scheduled For:** 03/14/2016; 11:00 AM ; JOAN L MORIARTY; Carnahan Courthouse

**Order - Special Process Server**

SPECIAL PROCESS SERVERS SO ORDERED JUDGE JOAN MORIARTY #33057

**Filing Info Sheet eFiling**

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Request Filed**

Motion for Appointment of Special Process Server.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**On Behalf Of:** STATE OF MISSOURI, EX REL ATTORNEY GENERAL CHRIS KOSTER

**Application Filed**

Application for Temporary Restraining Order; Exhibit A; Exhibit B; Exhibit C; Exhibit D; Exhibit E.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Petition Filed - No Fees**

Petition for Preliminary and Permanent Injunctions, Temporary Restraining Order, Restitution, Civil Penalties and Other Court Orders; Exhibit 1; Exhibit 2.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Judge Assigned**

**Attachment 164**

Motion to Disgorge and the transcript from the § 341 meeting, both filed in *In re Sorbello*, and the Scheduling Order, entered in *In re Sorbello*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DIVISION OF MISSOURI  
EASTERN DISTRICT**

In re:	)	
	)	
SAMUEL F. SORBELLO,	)	Judge Barry S. Schermer
	)	Case No. 15-41161-399
Debtor.	)	Chapter 7
	)	
	)	<b>NOTICE OF FILING OF AFFIDAVIT</b>
	)	<b>AND TRANSCRIPT FROM MEETING</b>
	)	<b>OF CREDITORS IN CASE</b>
	)	<b>NO. 15-41161, DEBTOR</b>
	)	<b>SAMUEL F. SORBELLO</b>

Chapter 7 Trustee E. Rebecca Case (“Trustee Case”) files this Notice of Filing of Affidavit and Transcript from Meeting of Creditors in Case No. 15-41161, Debtor Samuel F. Sorbello, and in support thereof respectfully reports the following:

1. Debtor Samuel F. Sorbello (“Debtor”) filed a Voluntary Chapter 7 Petition for Relief in the United States Bankruptcy Court for the Eastern District of Missouri on February 24, 2015 and a copy of the Order and Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines (“Notice”) is attached hereto and incorporated herein as **Exhibit “1”**.

2. According to the Notice, the Attorney for Debtor is Dean D. Meriwether (“Attorney Meriwether”), Law Offices of Dean Meriwether, 3919 Washington Avenue, St. Louis, Missouri 63108.

3. The Chapter 7 Trustee was E. Rebecca Case.

4. The Meeting of Creditors was held on March 20, 2015.

5. Debtor appeared and Attorney Dean Meriwether appeared and testified at the Meeting of Creditors.

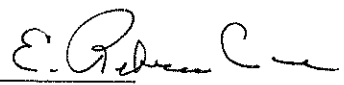
6. Attached hereto and incorporated herein as **Exhibit “2”** is a copy of the Affidavit and Transcript from Meeting of Creditors in Case No. 15-41161, Debtor Samuel F. Sorbello.

7. Attached hereto and incorporated herein as **Exhibit “3”** is a copy of Debtor’s Statement of Financial Affairs, page 3, number 9.

8. Attached hereto and incorporated herein as **Exhibit “4”** is a copy of the Attorney’s Disclosure of Compensation (“Form 2016”).

WHEREFORE, Chapter 7 Trustee E. Rebecca Case files this Notice of Filing of Affidavit and Transcript from Meeting of Creditors in Case No. 15-41161-399, Debtor Samuel F. Sorbello in this case pursuant to her understanding of the Orders that have been entered by the Honorable Charles E. Rendlen, III in several cases in regard to “Critique Services”, Dean Meriwether and/or Robert J. Dellamano.

STONE, LEYTON & GERSHMAN  
A Professional Corporation

By: /s/ E. Rebecca Case   
E. Rebecca Case- EDMO#38010MO  
7733 Forsyth Boulevard, Suite 500  
St. Louis, Missouri 63105  
(314) 721-7011  
(314) 721-8660 Facsimile  
chapter7trustee@stoneleyton.com

*Chapter 7 Trustee*





**UNITED STATES BANKRUPTCY COURT**  
Eastern District of Missouri

**Order and Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines**

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 2/24/15.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

**Creditors -- Do not file this notice in connection with any proof of claim you submit to the court. See Reverse Side For Important Explanations.**

Debtor(s) (name(s) and address):

Samuel F Sorbello  
9742 Hwy 21  
Hillsboro, MO 63050

Case Number:  
15-41161 -A705

Last four digits of Social Security or Individual Taxpayer-ID (ITIN)  
No(s)/Complete EIN:  
xxx-xx-1427

Attorney for Debtor(s) (name and address):

Dean D. Meriwether  
Critique Services  
3919 Washington Avenue  
St. Louis, MO 63108  
Telephone number: 314-533-4357

Bankruptcy Trustee (name and address):

E. Rebecca Case  
7733 Forsyth Blvd.  
Suite 500  
Saint Louis, MO 63105  
Telephone number: (314) 721-7011

**Meeting of Creditors:**

Date: **March 20, 2015**

Time: **01:30 PM**

Location: **111 South Tenth Street, First Floor, Room 1.310, St. Louis, MO 63102**

Refer to Other Side for Important Documentation Needed at the Meeting of Creditors

**Presumption of Abuse under 11 U.S.C. §707(b)**

*See "Presumption of Abuse" on reverse side.*

The presumption of abuse does not arise.

**Deadlines:**

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

**Deadline to Object to Debtor's Discharge or to Challenge Dischargeability of Certain Debts: 5/19/15**

The deadline to file such complaints for any creditor added to this case after the date of the initial Notice and Order of Commencement shall be the later of the original deadline or 60 days after the date on the certificate of service of the notice given pursuant to L.R. 1009.

**Deadline to Object to Exemptions:**

Thirty (30) days after the *conclusion* of the meeting of creditors unless otherwise provided under Bankruptcy rule 1019(2)(B) for converted cases.

**Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.**


**Foreign Creditors**

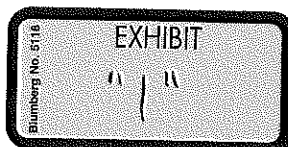
A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

**Address of the Bankruptcy Clerk's Office:**

111 South Tenth Street  
Fourth Floor  
St. Louis, MO 63102  
Telephone numbers: (314) 244-4500  
VCIS number: 1-866-222-8029, #87  
Electronic Case Information/PACER: <https://ecf.moeb.uscourts.gov>  
Office Hours: Monday - Friday 8:30 a.m. - 4:30 p.m.

**So Ordered:**

  
United States Bankruptcy Judge  
Date: 2/24/15



**EXPLANATIONS**

FORM B9A (12/12)

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this Court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions against the debtor and certain codebtors are listed in Bankruptcy Code § 362. Usually, the filing of a case automatically stays certain collection and other actions against the debtor and the debtor's property such as contact by any means to demand repayment, taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; and starting or continuing lawsuits or foreclosures. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the Court to extend or impose a stay. Taking prohibited actions may result in penalty.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date specified in a notice filed with the Court.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the Court to extend the deadline. <i>Do not include this notice with any filing you make with the court.</i>
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), or (6), you must file a complaint – or motion if you assert the discharge should be denied under §727(a)(8) or (a)(9) – in the bankruptcy clerk's office by the "Deadline to Object to Debtor's Discharge or to Challenge the Dischargeability of Certain Debts" listed on the front of this form. The bankruptcy clerk's office must receive the complaint or motion and any required filing fee by that deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objections by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. Registered electronic users should file through our Case Management/Electronic Case Files (CM/ECF) system at <a href="https://ecf.moeb.uscourts.gov">https://ecf.moeb.uscourts.gov</a> . <b>This Court requires all attorneys to file electronically through CM/ECF.</b> You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office or via the Internet if you have a PACER subscription. You may register for PACER at <a href="http://pacer.psc.uscourts.gov">http://pacer.psc.uscourts.gov</a> . Case status information is available 24 hours a day by contacting VCIS (voice case information) or via the Internet using PACER. Information about the meeting of creditors, certain forms, and other matters can be obtained from the Court's website: <a href="http://www.moeb.uscourts.gov">http://www.moeb.uscourts.gov</a>
Abandonment of Property	At the meeting of creditors, the Trustee may announce the abandonment of specific property of the estate that is burdensome or of inconsequential value. Any objection to this abandonment must be filed in writing with the Clerk's Office and the Trustee within 14 days after the conclusion of the meeting of creditors.
Foreign Creditors	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
Domestic Support Obligation – Child Support	The holder of any claim for unpaid pre-petition child support is entitled to have the trustee provide such creditor with notice of the creditor's right to use the services of the state child support enforcement agency and supply such creditor with the address and telephone number of the state child support enforcement agency and a explanation of the creditor's rights to payment in the bankruptcy case. Any creditor may request such notice and information by writing the trustee. Such creditor is further entitled to have the trustee provide the creditor with (i) notice of the granting of the discharge, (ii) any last known address of the debtor, (iii) debtor's most recent employer, and (iv) information concerning other claims on which the debtor may be liable following a discharge. Failure to request such information from the trustee shall be a waiver of the right to receive such notice from the trustee.

**--- Refer to Other Side for Important Deadlines and Notices ---**

**Debtor information needed at the meeting of creditors:**

- Most recently filed federal and state tax returns (must be provided to trustee at least 7 days before 341 meeting)
- W-2(or W-4) forms
- Deeds to any real estate in which the debtor has any interest
- Savings, checking and investment account statements
- Personal property tax statements

- Divorce decree or separation agreement
- Documentation supporting Means Test/Disposable Income Form 22
- Pay stubs or other earnings statements covering the 6-month period prior to the petition date

**Debtor Identification:**

All individual debtors must provide picture identification and proof of social security number (if any) to the trustee at the meeting of creditors. Failure to do so may result in your case being dismissed or denial of your discharge, and/or criminal referral. Acceptable forms of picture identification (ID) include an original: 1) driver's license, 2) federal or state government ID, 3) student id, 4) U.S. passport, 5) military ID, or 6) resident alien card. Acceptable forms of proof of social security number include an original: 1) social security card, 2) medical insurance card, 3) pay stub, 4) W-2 form, 5) Internal Revenue Service Form 1099, 6) Social Security Administration report, or 7) statement that such documentation does not exist.


**AFFIDAVIT AND TRANSCRIPT FROM  
MEETING OF CREDITORS IN  
CASE NO. 15-41161, DEBTOR SAMUEL F. SORBELLO**

I, Diane Ferranti, being duly sworn upon oath, state the following:

1. I am over the age of eighteen and in all ways competent to make this Affidavit.
2. I accurately transcribed the tape from the Meeting of Creditors of Debtor Samuel


F. Sorbello, Case No. 15-41161-399, and a copy of the transcript is attached hereto and incorporated herein as Exhibit "A".

Further, affiant sayeth not.

  
\_\_\_\_\_  
/s/ Diane Ferranti  
Diane Ferranti

STATE OF MISSOURI     )  
                                  )   SS  
COUNTY OF ST. LOUIS   )

Subscribed and sworn to before me this 12<sup>th</sup> day of April 2016.

  
\_\_\_\_\_  
Notary Public  
My commission expires: 10-10-17



KAREN M. TRINKLE  
My Commission Expires  
October 10, 2017  
St. Louis County  
Commission #1387742



**Samuel F. Sorbello – Meeting of Creditors March 20, 2015**  
**Case No. 15-41161-705**

Transcribed by Diane Ferranti

Trustee: Rebecca Case (T)

Debtor: Samuel F. Sorbello

Attorney for Debtor: Dean D. Meriwether

T: Mr. Sorbello, go ahead and have a seat please.

Mr. Sorbello: Yes, Ma'am. Because of my religious beliefs I can't swear on the Bible.

T: And if I forget and say swear, correct me and say affirm. Okay.

Mr. Sorbello: Okay. Okay.

T: All right. Go ahead and have a seat. You don't have to –

Mr. Sorbello: But I will tell you the truth to the best of my ability.

T: If you'll raise your right hand for me. Do you affirm that you will tell the truth, the whole truth and nothing but the truth?

Mr. Sorbello: Yes.

T: Thank you. Here comes your driver's license back to you and here comes your Social Security card back to you. It's not signed. You don't have to do that right now, but you need to get that signed. Okay.

Mr. Sorbello: What the Social Security card?

T: Yes, sir. You're supposed to have your Social – your signature on it. Okay. But you don't have to do it this second. All right. Now then blue sheet, Mr. Meriwether, do you have it filled out? Thank you very much. Sir, if you'll state your name again on the record.

Mr. Sorbello: Samuel F. Sorbello.

T: Okay.

Mr. Meriwether: Dean Meriwether for the Debtor.

T: Thank you. Your attorney is going to show you your Petition. Did you sign the Petition, the Schedules, the Statements and all the related documents?

Mr. Sorbello: Yes.

T: Is the signature that appears on those documents your very own?



Mr. Sorbello: Yes.

T: Did you read all of the bankruptcy documents- the Petition, the Schedules, the Statements and the related documents before you signed them?

Mr. Sorbello: Yes.

T: So you are personally familiar with all the information in your bankruptcy documents?

Mr. Sorbello: Yes.

T: Is the information in the documents true and correct?

Mr. Sorbello: Yes.

T: Are there any errors or omissions to bring to my attention at this time?

Mr. Meriwether: He has an additional interest in a property that his sister is living in.

Mr. Sorbello: Yeah, there's - I have a piece of property that my -- that's in my name and my sister's name. I didn't put it down there because of that, and then I have another -- I bought an old house in 2011 that I'm working on. It needs tons and tons of work to move into.

T: Um-hmm.

Mr. Sorbello: I'm in the process of moving into it and I didn't put that down either.

T: So you're going to be amending your Schedule A and listing the real estate that you and your sister have an interest in, and the house that you're remodeling.

Mr. Meriwether: Yes.

Mr. Sorbello: Well, I'm -- I'm trying to get it up so I can live in it, so I can -- so it's livable right now. It's an old, old house. Needs a lot of work. I've been working on it since 2011.

T: What did you pay for it?

Mr. Sorbello: Thirty-five thousand.

T: And you don't presently live - live in it. Correct?

Mr. Sorbello: No, I've been working on it.

T: Do you owe any money on it?

Mr. Sorbello: No.

T: Where did you get the 35,000?

Mr. Sorbello: I had sold a piece of property that I had owned up in the city.

T: Okay.

Mr. Sorbello: And I bought it with that money.

T: And then the real estate that you and your sister own, where is it located?

Mr. Sorbello: 12977 Hencher Road, where my driver's license – the address on my driver's license.

T: Can you spell it for me.

Mr. Sorbello: H-E-N-C-H-E-R.

T: When did you guys buy that?

Mr. Sorbello: 1992. It's been for sale since 2006 and hasn't even got a contract on it.

T: Do either of you live there?

Mr. Sorbello: I did live there at one time. Yeah, I lived in a mobile home and the county removed it off the property.

T: So now it's just land?

Mr. Sorbello: It's just land, yes.

T: Okay. Have you tried to sell it?

Mr. Sorbello: I've been trying to sell it – my sister and I have been trying to sell it since 2006.

T: What did you list it for?

Mr. Sorbello: Thirty-five thousand I believe, because it's got a couple of acres on it and it's set up – it's all set up. It's got public water and sewer system and everything on it. But we never even got a contract on it.

T: What's the zip code there?

Mr. Meriwether: Zip code?

Mr. Sorbello: Oh, 63020.

T: Is that considered – what city?

Mr. Sorbello: De Soto and the house is in De Soto too that I – that I'm working on.

T: That you're remodeling?

Mr. Sorbello: Well, I wouldn't call it remodeling I'm just trying to get it up to living –

T: Right. Does it -

Mr. Sorbello: - living conditions.

T: Does it have a street address?

Mr. Sorbello: Yes, 5102 Hillsboro Hematite Road. I owe too much on the house that I'm living in now and I need a place to move into.

T: Okay. Did you list all your creditors?

Mr. Sorbello: What – yes, I did.

T: List all your creditors?

Mr. Sorbello: Yes, I did.

T: Have you ever filed bankruptcy before?

Mr. Sorbello: No.

T: You're retired and are you excused from filing a tax return?

Mr. Sorbello: I haven't filed a tax return since 2003.

T: Okay. Do you still have that one?

Mr. Sorbello: No.

T: I'm supposed to get the last tax return that you have. Can you get me a transcript from 2003?

Mr. Sorbello: Oh, wow, I don't know if they – will they give me that information?

T: They should. Last –

Mr. Sorbello: It's not – it's not much.

T: - return filed 2003. I just have to see the last return that you filed so if you can get me the transcript.

Mr. Sorbello: Oh, I wish I'd had known that I would have got that information for you. I didn't know. I thought since it was so long ago you wouldn't – wouldn't need it. If I go up – con - contact the IRS they'll send me that information?

T: Yeah, usually over at the Robert Young building. There are some other offices around the county and the city, but I don't know where they are all located. Do you owe any alimony, child support or maintenance to anyone?

Mr. Sorbello: No.

T: You've read the U.S. Trustee's information sheet?

Mr. Meriwether: Which is the sheet I gave you, you've read it?

Mr. Sorbello: Yeah, my bank –

Mr. Meriwether: No, this one.

Mr. Sorbello: Yeah.

Mr. Meriwether: I gave you this.

Mr. Sorbello: Oh, yes, I read that. Yeah.

T: And this is your signature? You've already signed it. Is that your signature?

Mr. Sorbello: Yes.

T: Okay. Thank you.

Mr. Sorbello: It's the same on my Social Security card if you want to see it.

T: Okay. Now then, let's go to your Schedule A, Real Estate, and see what it says. Now, that has 9742 Highway 21.

Mr. Sorbello: Yes.

T: That's what you're going to surrender. You're currently living there –

Mr. Sorbello: Well, I'm not – I'm living there until I – until I can get this other place livable.

T: Okay.

Mr. Sorbello: I'm not surrendering it yet.

T: Okay. When did you buy it?

Mr. Meriwether: Wait a second.

Mr. Sorbello: April 1st, 2006.

T: And what did you pay for it?



Mr. Sorbello: One hundred and fifty-eight thousand, and it – I bought it when – when it peaked out and then overnight the market dropped and it's a – the house is over 60 years old. It's not worth - maybe 85,000 maybe.

T: Okay. So that's 9742 Highway –

Mr. Sorbello: Yes.

T: - 21.

Mr. Sorbello: Yeah, I paid too much money for it.

T: And then number two we've got the land –

Mr. Sorbello: Yes.

T: - at 12977 Hencher Road.

Mr. Sorbello: Yes.

T: And did you buy that land or –

Mr. Sorbello: Yes, I did. I bought it. I paid it off in 2006.

T: And you and your sister bought it?

Mr. Sorbello: Well, my sister – yeah, me and my sister own it right now.

T: I mean did she help pay for it or did you just -

Mr. Sorbello: No, I paid for it. Her name is on it too.

T: You just added her name?

Mr. Sorbello: Yes. I paid for it. I -

T: What did you pay for it in 2006?

Mr. Sorbello: Well, I paid – I bought it in 1992 –

T: In 1992.

Mr. Sorbello: - and I paid 12,500 for it in 92.

T: Okay. And you added your sister's name.

Mr. Sorbello: Yes.

T: And it has public water and sewer.

Mr. Sorbello: Yes.

T: Does it have electricity?

Mr. Sorbello: Yes, it has electricity – I mean, you know, it's easy to hook it up. It has electricity running through the property.

T: The mobile home has been removed.

Mr. Sorbello: Yeah, the county removed it. They condemned it and removed it. That's why I was forced to buy this place that I'm living in now in 2006.

T: Okay.

Mr. Sorbello: And I put it up for sale.

T: And it's listed for – is it still listed for sale?

Mr. Sorbello: No, the real estate companies don't want to mess with it right now. The last – the listing ran out about six months ago maybe.

T: Okay. And then the third is the house that you're – you purchased –

Mr. Sorbello: That I'm working on to try and live in at 5102 Hematite – Hillsboro Hematite Road. I've been working on it since 2011.

T: Okay. Let's go to your Schedule B, Personal Property.

Mr. Sorbello: Yes.

T: Number 1, cash, \$10.00. Is that correct?

Mr. Sorbello: At that time, yes.

T: Okay.

Mr. Sorbello: Right now I've got \$42.00 in my bank account, but I've got to send Union Electric an electric payment.

T: Okay. Do you have your bank statement with you?

Mr. Sorbello: Yes. That's – that's what I have 42 –

T: Any other bank accounts?

Mr. Sorbello: No, just I only have a checking account. That's all I have.

T: Okay. Look at your answers to questions three through nine, are those accurate values for your property as of the day of the filing of this case?

Mr. Sorbello: Yes.

T: Do you have any security deposits with anyone?

Mr. Meriwether: Any security deposits?

Mr. Sorbello: No.

T: Do you own a gun?

Mr. Sorbello: What?

T: Do you own a gun?

Mr. Sorbello: No, no.

T: Do you own any life insurance?

Mr. Sorbello: No.

T: Do you own any stocks or bonds?

Mr. Sorbello: No.

T: You have a 1998 Nissan Frontier.

Mr. Sorbello: Yes.

T: Do you own any other property that I haven't asked you about here today? Anything else?

Mr. Sorbello: I have a – I bought a 19 – of course it's not in my name. If it's not in my name does that matter?

Mr. Meriwether: No, it doesn't.

Mr. Sorbello: It's not in my name.

T: What did you buy?

Mr. Sorbello: A 93 Nissan truck that I'm working on.

T: Okay. So when did you buy it?

Mr. Sorbello: It's a 91. I'm sorry, a 91 that I'm working on.

T: Okay. What did you pay for it?

Mr. Sorbello: Five hundred.

T: Okay. And you put it someone else's name?

Mr. Sorbello: No, I just haven't put it in my name yet. I bought it off the fellow and the title is still in his name. I just haven't put it in my name.

T: Okay.

Mr. Sorbello: I have an old storage van in my yard. Does that mean - mean anything?

T: Does it run?

Mr. Sorbello: No.

T: Okay. Anything else?

Mr. Sorbello: Another old truck that I've junked. It's junk that I'm gonna take to the junkyard.

T: Does it still got your name on the title?

Mr. Sorbello: Yeah, it's a - it's a 91 Toyota truck, needs a motor. That's all I can think of right now.

T: Okay. All right.

Mr. Sorbello: I do have another old 91 Toyota truck in my garage that I was using for parts.

T: Okay.

T: You need to list that one too.

Mr. Sorbello: So I have two - I have two 91 Toyota trucks that I was using for parts. That's all - that's all that's in my name. I don't - I do have a couple of trailers. Does that - does that matter?

T: Yep.

Mr. Sorbello: Okay. I have a - a flatbed trailer and I have a - a small, very small pickup trailer. I consider them junk and more than likely I'll probably end up scrapping them out.

T: Are you leasing any property at this time?

Mr. Sorbello: No, I - I had bought it from the bank in 2006. No, I'm not leasing any property.

T: Okay. Does anyone owe you any money?

Mr. Sorbello: Pardon?

T: Does anyone owe you any money?

Mr. Sorbello: No.

T: Do you have any claims against anyone?

Mr. Sorbello: No.

T: Are you holding any property for another person?

Mr. Sorbello: No.

T: Is anyone holding any property for you?

Mr. Sorbello: No.

T: Have you had any losses in the last year due to fire?

Mr. Sorbello: No.

T: Have you had anything stolen?

Mr. Sorbello: I had about a year or so ago I had a generator that I had own stolen.

T: Was there insurance coverage?

Mr. Sorbello: I didn't turn it into insurance.

T: Okay. Any causality losses, slip, fall, car accident, anything like that?

Mr. Sorbello: No.

T: Have you transferred any property to anyone in the last four years?

Mr. Sorbello: No.

T: Have you closed any bank accounts?

Mr. Sorbello: Have - have I what?

T: Closed a bank account?

Mr. Sorbello: Nope, I've only had a checking account for –

T: Okay. Do you have a safe deposit box?

Mr. Sorbello: No.

T: Okay. I need the transcript from 2003 from the taxes, your last – because under the law I have to see the last tax return that you filed and so your attorney will have to help you get that.

You've got three pieces of real estate, one that you're upside down in and you're living in and you told me you don't intend to surrender it and –

Mr. Sorbello: Well, not at this time, no.

T: So it's a list –

Mr. Sorbello: I mean right now I owe more on it than it's worth and that's why I'm trying to get that other house habitable so I can move in there –

T: Right.

Mr. Sorbello: - and live there. That's all I've got.

T: So then we have the Schedule C, you claimed no homestead exemption in that house and then you didn't list this other land so what I'm supposed to tell you to do is give me the deeds to the property and proof that the property is insured.

Mr. Sorbello: You need that too?

T: Yep. I have the deeds. I'm going to need the proof that the property is – proof of insurance. There's no money owed on these you've indicated.

Mr. Sorbello: Just the house I'm living in.

T: Yeah, I need probably the real property tax statements.

Mr. Sorbello: On both of them?

T: Yeah.

Mr. Sorbello: Okay.

T: The deeds, the proof of insurance and if they've been listed for sale.

Mr. Sorbello: No, not at all – well, just the one land that my sister and I -

T: Yeah, then I need the listing agreement or the contact information –

Mr. Sorbello: Oh, wow, I don't know –

T: - for the real estate agent.

Mr. Sorbello: Okay. I have to contact them and get that then.

T: Yeah, because my job is going to be to list this property and sale it and get the money for your creditors. Okay.

Mr. Sorbello: On both pieces of property or one I'm trying to work on?

T: Yes, sir. I've got a couple more questions for you. Okay.

Mr. Sorbello: What am I going to do? I don't have no place to live.

T: I understand. You originally went to Critique Services. Is that correct?

Mr. Sorbello: Yes.

T: Okay. And how did you hear about Critique Services?

Mr. Sorbello: I have no complaints.

T: Okay. But I mean did you hear about them on the radio or just an ad or -

Mr. Sorbello: Oh, yeah, I heard about them on the radio, yeah.

T: Okay. So - and you went in. Who'd you see when you first went there? You saw Mr. Meriwether?

Mr. Sorbello: Well, I saw a woman that worked in the office.

T: You saw a woman that worked in their office.

Mr. Sorbello: Yes.

T: Do you remember her name?

Mr. Sorbello: Bey.

T: Okay. And how long were you there that day with Bey?

Mr. Sorbello: I don't know. Maybe an hour or so.

T: Okay. Did you pay any money?

Mr. Sorbello: Yes, I had to pay half down.

T: How much did you pay? Do you remember?

Mr. Sorbello: Three hundred.

T: Okay.

Mr. Sorbello: Was half 300 and -

Mr. Meriwether: Yeah, 300.

T: And did you get a receipt?

Mr. Sorbello: Yes. It was 300 and – it was 300 the first time.

T: Okay.

Mr. Sorbello: Two ninety-nine.

T: Do you remember when it was you went?

Mr. Sorbello: November.

T: Okay. And did you receive a packet?

Mr. Sorbello: Yes.

T: Okay. And did you take the packet back -

Mr. Sorbello: Yes.

T: - did you go back a second time?

Mr. Sorbello: Yes.

T: And do you remember when you went back the second time?

Mr. Sorbello: Bey.

T: You saw Bey again. Do you remember when that was?

Mr. Sorbello: Well, I didn't see her the second time. I saw another lady. I don't know what her name was.

T: Okay. Did she have blonde hair?

Mr. Sorbello: No.

T: Okay. Did she have braids?

Mr. Sorbello: She was a black woman.

T: Okay. So you went the second time. Did you pay more money?

Mr. Sorbello: Yeah, I paid \$334.00.

T: Okay. And did you get receipts?

Mr. Sorbello: Yes.



T: And you paid in cash?

Mr. Sorbello: What – yes. What am I - I need to move into this other house. What am I going to do?

T: I need to ask you some additional questions and then your attorney can discuss this with you. So did you go back a third time?

Mr. Sorbello: Yes.

T: Okay. And who did you see the third time?

Mr. Sorbello: Bey.

T: Again, did you go back a fourth time?

Mr. Sorbello: Yes.

T: And who did you see that time?

Mr. Sorbello: Bey. I think I went back there four times.

T: Okay. Have you ever met Mr. Meriwether before today?

Mr. Sorbello: In the office.

T: In the office.

Mr. Sorbello: At the office.

T: How long did you met with him at the office?

Mr. Sorbello: Just for about a minute or so.

T: Okay. Did you met with any other attorney?

Mr. Sorbello: No.

T: Okay. All right. We're going to continue your Meeting of Creditors to April the 17th at noon for all of this information.

Mr. Sorbello: You need this?

T: Okay. No, sir, you need to keep your Social Security card.

Mr. Sorbello: All right.

T: Okay.

Mr. Meriwether: That's it. That's it.

T: So April the 17th –

Mr. Meriwether: I need – I've got another case. I'm going to be here afterwards.

Mr. Sorbello: You can talk to me after –

Mr. Meriwether: Yeah.

B7 (Official Form 7) (04/13)

3

**5. Repossessions, foreclosures and returns**

None  List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
--	--	-----------------------------------

**6. Assignments and receiverships**

None  a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
------------------------------	--------------------	-----------------------------------

None  b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
-------------------------------	--	---------------	-----------------------------------

**7. Gifts**

None  List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
--	--------------------------------	--------------	-------------------------------

**8. Losses**

None  List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
-----------------------------------	--	--------------

**9. Payments related to debt counseling or bankruptcy**

None  List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYER IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
Dean Meriwether Attorney at Law 3919 Washington Blvd. Saint Louis, MO 63108	10/2014	\$299.00



United States Bankruptcy Court  
Eastern District of Missouri

In re Samuel F Sorbello

Debtor(s)

Case No. \_\_\_\_\_

Chapter 7

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept .....	\$	<u>299.00</u>
Prior to the filing of this statement I have received .....	\$	<u>299.00</u>
Balance Due .....	\$	<u>0.00</u>

2. \$ 335.00 of the filing fee has been paid.
3. The source of the compensation paid to me was:  
 Debtor     Other (specify):
4. The source of compensation to be paid to me is:  
 Debtor     Other (specify):
5.  I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.  
 I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.
6. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
  - b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
  - c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
  - d. [Other provisions as needed]
7. By agreement with the debtor(s), the above-disclosed fee does not include the following service:  
**Representation of the debtors in any dischargeability actions, judicial lien avoidances, redemption, any motions and relief from stay actions or any other adversary proceeding and/or motions. Also exclude preparation, negotiation and filing of reaffirmation agreements.**

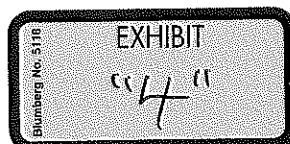
**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: February 24, 2015

/s/ Dean Meriwether

Dean Meriwether 48336  
Dean Meriwether Attorney at Law  
3919 Washington Blvd  
Saint Louis, MO 63108  
314-533-4357 Fax: 314-533-4356  
attydeanmeriwether@yahoo.com



UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN MISSOURI

In re

SAMUEL F SORBELLO,	)	Case No.15-41161-399
	)	Chapter 7
Debtor.	)	
	)	
SAMUEL F SORBELLO,	)	
	)	
Movant,	)	
	)	
v.	)	
	)	
DEAN D. MERIWETHER,	)	
	)	
Respondent.	)	<b><u>SCHEDULING ORDER</u></b>

At St. Louis, in this District, this 18<sup>th</sup> day of March, 2016. On March 18, 2016, Samuel F. Sorbello (“the Movant”) filed his Motion to Disgorge Attorney Fees (in letter format attached hereto). Upon careful review of the record in this case, it is accordingly

**ORDERED** that an **EVIDENTIARY HEARING** on the Movant’s Motion be and it is hereby **SET** for **May 11, 2016, at 2:00 P.M.** in the United States Bankruptcy Court, Eastern District of Missouri, United States Courthouse, Thomas Eagleton Building, **5<sup>th</sup> Floor, North** Courtroom, 111 S. 10<sup>th</sup> Street, St. Louis, Mo 63102. **No continuances or extensions shall be granted.** The Movant strongly urged to appear in person and is hereby directed to bring with him any and all evidence of payment(s) including receipts.

DATED: March 18, 2016

St. Louis, Missouri  
amw

  
Barry S. Schermer  
United States Bankruptcy Judge

Copies Mailed to:

Samuel F Sorbello  
9742 Hwy 21  
Hillsboro, MO 63050  
DEBTOR/PRO-SE

Dean D. Meriwether  
3919 Washington Avenue  
St. Louis, MO 63108  
RESPONDENT

E. Rebecca Case  
7733 Forsyth Blvd.  
Suite 500  
Saint Louis, MO 63105  
CHAPTER 7 TRUSTEE

U.S. Trustee  
Office of US Trustee  
111 S Tenth St, Ste 6.353  
St. Louis, MO 63102

CASE NO 15-41161

BANKRUPTCY COURT Filing 3-18-15

I SAMUEL F Sorbello Am Filing A petition to the  
 Court to request REFUND OF SIX HUNDRED  
 THIRTY FOUR DOLLARS FROM DEAN MATHWETHER OF  
 CRITIQUE SERVICES WHO HAS BEEN SUSPENDED  
 FROM PRACTISE AS AN ATTORNEY. DEAN DID  
 ABSOLUTELY NOTHING TO HELP ME WITH MY  
 BANKRUPTCY AND REFUSES TO TURN OVER  
 ALL THE DOCUMENTATION THAT I DETOURSED TO  
 HIS OFFICE FOR OVER A YEAR TO THE  
 TRUSTEE ROBERTA CHASE SO MY BANKRUPTCY  
 CAN BE FINALIZED. DEAN WOULD NEVER TALK  
 WITH ME PERSONALLY AND ANSWER ANY OF  
 MY QUESTIONS. I FEEL THAT IT IS ONLY  
 FAIR THAT I AM REFUNDED THE SIX HUNDRED  
 THIRTY DOLLARS I PAID TO DEAN MATHWETHER  
 TO REPRESENT ME

RECEIVED + FILED  
 2016 MAR 18 PM 4:24  
 CLERK, US BANKRUPTCY COURT  
 EASTERN DISTRICT  
 ST LOUIS, MISSOURI - C

Sincerely Samuel  
 F Sorbello  
 Samuel F Sorbello

CASE NO 15-41161

BANKRUPTCY COURT Filing 3-18-15

I SAMUEL F Sorbello Am Filing A petition to the  
 COURT TO REQUEST REFUND OF SIX HUNDRED  
 THIRTY FOUR DOLLARS FROM DEAN MCHWETHER OF  
 CRITIQUE SERVICES WHO HAS BEEN SUSPENDED  
 FROM PRACTISE AS AN ATTORNEY. DEAN DID  
 ABSOLUTELY NOTHING TO HELP ME WITH MY  
 BANKRUPTCY AND REFUSES TO TURN OVER  
 ALL THE DOCUMENTATION THAT I DETOURSED TO  
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RECEIVED + FILED  
 2016 MAR 18 PM 4:24  
 CLERK, US BANKRUPTCY COURT  
 EASTERN DISTRICT  
 ST. LOUIS, MISSOURI - C

Sincerely Samuel  
 F Sorbello  
 Samuel F Sorbello



**Attachment 165**

Preliminary Injunction Issued Against Robinson, entered in *State of Missouri, ex rel. Attorney General Chris Koster v. Beverly Holmes Diltz, et al.*



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1622-CC00503 - STATE OF MISSOURI, EX REL V BEVERLY H DILTZ ET AL (E-CASE)

<a href="#">Case Header</a>	<a href="#">Parties &amp; Attorneys</a>	<a href="#">Docket Entries</a>	<a href="#">Charges, Judgments &amp; Sentences</a>	<a href="#">Service Information</a>	<a href="#">Filings Due</a>	<a href="#">Scheduled Hearings &amp; Trials</a>	<a href="#">Civil Judgments</a>	<a href="#">Garnishments/ Execution</a>
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Sort Date Entries:  Descending  Ascending

Display Options:

04/01/2016

### Entry of Appearance Filed

entry of appearance; Electronic Filing Certificate of Service.

**Filed By:** ROBERT BROOKS RAMSEY

**On Behalf Of:** ROBERT J DELLAMANO

03/29/2016

### Order

ON MARCH 23, 2016, PLT'S APPLICATION FOR A PRELIM INJUNCTION AGAINST DFT JAMES ROBINSON WAS HEARD AND THE HEARING WAS CONCLUDED, AND THE PARTIES WERE GIVEN UP TO AND INCLUDING MARCH 28, 2016 TO FILE BRIEFS. THE COURT, HAVING DELIBERATED ON THE MATTER, BELIEVES THAT IT CANNOT ENJOIN MR. ROBINSON FROM PRACTICING LAW OF ANY KNID IN THE STATE OF MO BECAUSE MR. ROBINSON HAS BEEN GIVEN PERMISSION FROM THE SUPREME COURT TO PRACTICE LAW HERE, AND THAT IT CANNOT ENJOIN MR. ROBINSON FROM PRACTICING LAW IN FEDERAL BANKRUPTCY COURTS: THAT IS FOR THOSE COURTS TO DETERMINE. HOWEVER, THE COURT FINDS THAT MR. ROBINSON HAS IMPERSONATED A LAWYER AFFILIATED WITH CRITIQUE SERVICES, LLC AND INFERS THAT HE WILL DO SO AGAIN TO THE DAMAGES OF OTHERS IF NOT ENJOINED. ACCORDINGLY, IT IS ORDERED THAT DFT JAMES ROBINSON IS PRELIMINARILY ENJOINED FROM REPRESENTING THAT HE IS AN ATTORNEY AFFILIATED WITH CRITIQUE SERVICES, LLC. IT IS FURTHER ORDERED THAT MR. ROBINSON IS PRELIMINARILY ENJOINED FROM WITHDRAWING FUNDS FROM THE FOLLOWING ACCOUNT " JAMES C. ROBINSON DBA CRITIQUE SERVICE, US BANK ACCOUNT #152302373500. SO ORDERED JUDGE JULIAN BUSH

**Filed By:** JULIAN BUSH

03/28/2016

### Filing of Briefs

Plaintiffs Brief in Support of a Preliminary Injunction Against Defendant Robinson on the Practice of Bankruptcy Law; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**On Behalf Of:** STATE OF MISSOURI, EX REL ATTORNEY GENERAL CHRIS KOSTER

03/24/2016

### Suggestions in Support

Defendant Robinsons Memo In Support of Motion to Deny Preliminary Injunction Dissolve TRO and to Dismiss Case; Electronic Filing Certificate of Service.

**Filed By:** ELBERT A WALTON JR

### Hearing Held

**Scheduled For:** 03/23/2016; 9:00 AM ; JULIAN BUSH; City of St. Louis

**03/23/2016****Order**

ON THE 23RD DAY OF MARCH, 2016, THE COURT ORDERED THAT ALL PARTIES MUST RESPOND TO INTEROGATOROS AND REQUEST FOR PRODUCTION OF DOCUMENTS WITHIN 14DAYS OF RECEIPT OF THE REQUEST. THIS COURT FURTHER GIVES LEAVE TO PARTIES TO BEGIN CONDUCTIONS DEPOSITION ON APRIL 4,2016. SO ORDERED JUDGE JULIAN BUSH

**Filed By:** JULIAN BUSH

**Order**

PRELIM HEARING AS TO ARGUEMENT C. ROBINSON CALLED. PLT APPEARED BY ATTORNEY DFT APPEAR ROBINSON APPEARED BY COUNSEL. EVIDENENCE HEARD AND SUBMITTED. BRIEFS TO BE SUBMITTED BY THE PARTIES NOT LATER THAN MARCH 28,2016 ON THE QUESTION OF THE COURT TO ENJOIN ROBINSON FROM PARTIES BANKRUPTCY LAW. SO ORDERED JUDGE JULIAN BUSH

**Filed By:** JULIAN BUSH

**03/22/2016****Motion to Shorten Time**

Plaitniffs Motion to Shorten Time for Discovery; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**On Behalf Of:** STATE OF MISSOURI, EX REL ATTORNEY GENERAL CHRIS KOSTER

**03/21/2016****Certification Filed**

Certificate of Mailing - Dean Meriwether RFPD; Electronic Filing Certificate of Service.

**Filed By:** LAURENCE D MASS

**On Behalf Of:** BEVERLY HOLMES DILTZ, CRITIQUE SERVICES LLC

**03/18/2016****Notice of Hearing Filed**

Notice of Hearing; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**On Behalf Of:** STATE OF MISSOURI, EX REL ATTORNEY GENERAL CHRIS KOSTER

**03/17/2016****Cert Serv of Interrog Filed**

Certificate of Service - Robert Dellamano; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**On Behalf Of:** STATE OF MISSOURI, EX REL ATTORNEY GENERAL CHRIS KOSTER

**Cert Serv of Interrog Filed**

Certificate of Service - Renee Mayweather; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Cert Serv of Interrog Filed**

Certificate of Service - James Robinson; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Cert Serv of Interrog Filed**

Certificate of Service - Dean Meriwether; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Cert Serv of Interrog Filed**

Certificate of Service - Beverly Diltz; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Cert Serv of Interrog Filed**

Certificate of Service - Critique Services; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Certificate of Service**

Certificate of Mailing Defendants Critique Services, LLC and Beverly Holmes Diltz First Set of Interrogatories to Plaintiff State of Missouri and Defendants Critique Services, LLC and Beverly Holmes Diltz First Request for Production of Documents; Electronic Filing Certificate of Service.

**Filed By:** LAURENCE D MASS

**On Behalf Of:** BEVERLY HOLMES DILTZ, CRITIQUE SERVICES LLC

**03/16/2016**

**Order**

IT IS FURTHER ORDERED THAT CRITIQUE SERVICES LLC AND BEVERLY DITZ SHALL DO THE FOLLOWING: A. POST ON THE INSIDE OF THE WINDOW FACING OUTWARD TOWARD THE STREET AT CRITIQUE SERVICES' OFFICE AT 3919 WASHINGTON BLVD, ST LOUIS, MO. OR ANY OTHER PHYSICAL LOCATION AT WHICH CRITIQUE SERVICE LLC OR BIVERLY DITZ ADVERTISE, OFFER, SOLICIT, OR PROVIDE BANKRUPTCY SERVICES, THE ATTACHED "NOTICE" MARKED AS EXHIBIT E. FURTHER, ANY CONSUMER THAT ENTERS CRITIQUE SERVICES' OFFICE, OR ANY OTHER PHYSICAL LOCATION AT WHICH CRITIQUE SERVICES LLC OR BEVERLY DITZ ADVERTISE, OFFER, SOLICIT, OR PROVIDE BANKRUPTCY SERVICES, MUST BE PROVIDED A COPY OF THE ATTACHED "NOTICE," AND MUST BE INSTRUCTED TO READ IT BEFORE ANYONE INSIDE THE OFFICE IS ABLE TO SPEAK WITH CONSUMER(S). NOTICE IS ATTACHED AS EXHIBIT E TO THIS ORDER. IT IS FURTHER ORDERED THAT NOTHING ABOVE SHALL APPLY TO DFT JAMES ROBINSON IN SO FAR AS IT CONCERNS HIS ABILITY TO CONTINUE PROVIDING LEGAL SERVICES TO CLIENTS; OTHER THAN BANKRUPTCY SERVICES. THE TERM "LEGAL SERVICES" SHALL MEAN AND INCLUDE THE DEFINITIONS OF THE "PRACTICE OF THE LAW" AND THE "LAW BUSINESS" AS THOSE TERMS ARE DEFINED IN 484.010, RSMo. IT IS FURTHER ORDERED THAT NO PERSON OR ENTITY MAY ACCESS, WITHDRAW, OR REMOVE ANY OF THE FUNDS IN THE FOLLOWING ACCOUNTS UNTIL FURTHER NOTICE FROM THE COURT: A. JAMES C RONINSON DBA CRITIQUE SERVICES, US BANK ACCOUNT #152302373500 B. DEAN MERIWETHER DBA CRITQUE SERVICES, US BANK ACCOUNT #152316653087 C. DEAN MERIWETHER DBA CRITQUE SERVICES, US BANK ACCOUNT #152316653137 IT IS FURTHER ORDERED THAT THIS TEMPORARY RESTRAINING ORDER SHALL BE EFFECTIVE FROM 4PM AND MARCH 14, 2016, AND CONTINUE UNTIL 4PM ON APRIL 21,2016 BY THE CONSENT OF THE PARTIES (EXCEPT DFT ROBINSON). A HEARING FOR PRELIMINARY INJUNCTION ON ALL DFTS IS HEREBY SCHEDULED FOR APRIL 21, 2016 AT 9AM. IT IS FURTHER ORDERED THIS TEMPORARY RESTRAINING ORDER AS IT CONCERNS DFT ROBINSON SHALL BE EFFECTIVE FROM 4PM ON MARCH 14, 2016, UNTIL 4PM ON MARCH 29, 2016. A HEARING ON WHETHER TO CONTINUE THE TEMPORARY RESTRAINING ORDER OR GRANT A PRELIMINARY INJUNCTION AS IT EXCLUSIVELY CONCERNS DFT ROBINSON IS HEREBY SET FOR MARCH 23,2016 AT 9AM. SO ORDERED JUDGE JULIAN BUSH

**Filed By:** JULIAN BUSH

**03/14/2016**

**Hearing Held**

**Scheduled For:** 03/14/2016; 11:00 AM ; JULIAN BUSH; City of St. Louis

**Hearing Scheduled**

**Scheduled For:** 04/22/2016; 9:00 AM ; JULIAN BUSH; City of St. Louis

**Hearing Scheduled**

**Scheduled For:** 04/21/2016; 9:00 AM ; JULIAN BUSH; City of St. Louis

**Hearing Scheduled**

**Associated Entries:** 03/24/2016 - Hearing Held

**Scheduled For:** 03/23/2016; 9:00 AM ; JULIAN BUSH; City of St. Louis

**Hearing Scheduled**

**Associated Entries: 03/14/2016 - Hearing Held**

**Scheduled For:** 03/14/2016; 11:00 AM ; JULIAN BUSH; City of St. Louis

**Hearing/Trial Cancelled**

**Scheduled For:** 03/14/2016; 11:00 AM ; JOAN L MORIARTY; Carnahan Courthouse

**Order for Change of Judge**

THE APPLICATION FOR CHANGE OF JUDGE PURSUANT TO SUPREME COURT RULE 57.05 FILED BY DEPENDANT IN THE ABOVE STYLED CAUSE IS GRANTED. AS DIRECTED BY THE PRESIDING JUDGE THIS CAUSE IS REASSIGNED TO THE HONNABLE JULIAN BUSH DIVISION 4 FOR FUTHER PROCEEDINGS. SO ORDERED JUDGE JOAN MORIARTY #33057

**Notice of Service**

Return of Service - Renee Mayweather; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**On Behalf Of:** STATE OF MISSOURI, EX REL ATTORNEY GENERAL CHRIS KOSTER

**Notice of Service**

Return of Service - Robert J Dellamano; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Notice of Service**

Return of Service - Dean Meriwether; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Notice of Service**

Return of Service - Critique Services LLC; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Notice of Service**

Return of Service - Beverly Holmes Diltz; Electronic Filing Certificate of Service.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Memorandum Filed**

Robinsons Memo In Support of Motion to Dismiss Application for TRO; Electronic Filing Certificate of Service.

**Filed By:** ELBERT A WALTON JR

**On Behalf Of:** JAMES CLIFTON ROBINSON

**Motion to Dismiss**

Robinsons Motion to Dismiss TRO Application; Electronic Filing Certificate of Service.

**Filed By:** ELBERT A WALTON JR

**On Behalf Of:** JAMES CLIFTON ROBINSON

**Motion for Change of Judge**

Robinsons Motion for Change of Judge

**Filed By:** ELBERT A WALTON JR

**Entry of Appearance Filed**

Special Entry of Appearance of Robinsons Counsel; Electronic Filing Certificate of Service.

**Filed By:** ELBERT A WALTON JR

**Judge Assigned****03/11/2016****Response Filed**

Response of Defendants Critique Services, LLC and Beverly Holmes Diltz to the Application for Temporary

Restraining Order; Exhibit 1; Exhibit 2; Electronic Filing Certificate of Service.

**Filed By:** LAURENCE D MASS

**On Behalf Of:** BEVERLY HOLMES DILTZ, CRITIQUE SERVICES LLC

**03/08/2016**

**Notice of Hearing Filed**

Notice of TRO Hearing; Electronic Filing Certificate of Service.

**Filed By:** CONRAD NICHOLAS SANSONE

**On Behalf Of:** STATE OF MISSOURI, EX REL ATTORNEY GENERAL CHRIS KOSTER

**Summons Issued-Circuit**

Document ID: 16-SMCC-2075, for DELLAMANO, ROBERT J.

**Summons Issued-Circuit**

Document ID: 16-SMCC-2074, for ROBINSON, JAMES CLIFTON.

**Summons Issued-Circuit**

Document ID: 16-SMCC-2073, for MERIWETHER, DEAN.

**Summons Issued-Circuit**

Document ID: 16-SMCC-2072, for MAYWEATHER, RENEE.

**Summons Issued-Circuit**

Document ID: 16-SMCC-2071, for CRITIQUE SERVICES LLC.

**Summons Issued-Circuit**

Document ID: 16-SMCC-2070, for DILTZ, BEVERLY HOLMES.

**Civil Motion Hearing Scheduled**

**Associated Entries: 03/14/2016 - Hearing/Trial Cancelled**

**Scheduled For:** 03/14/2016; 11:00 AM ; JOAN L MORIARTY; Carnahan Courthouse

**Order - Special Process Server**

SPECIAL PROCESS SERVERS SO ORDERED JUDGE JOAN MORIARTY #33057

**Filing Info Sheet eFiling**

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Request Filed**

Motion for Appointment of Special Process Server.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**On Behalf Of:** STATE OF MISSOURI, EX REL ATTORNEY GENERAL CHRIS KOSTER

**Application Filed**

Application for Temporary Restraining Order; Exhibit A; Exhibit B; Exhibit C; Exhibit D; Exhibit E.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Petition Filed - No Fees**

Petition for Preliminary and Permanent Injunctions, Temporary Restraining Order, Restitution, Civil Penalties and Other Court Orders; Exhibit 1; Exhibit 2.

**Filed By:** JOSEPH RICHARD SCHLOTZHAUER

**Judge Assigned**

**Attachment 166**

Example of the Show Cause Orders issued against Coyle, entered in the four cases Coyle filed before her law license was suspended

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

In Re: )  
 )  
SHAUNICE WILLIAMS, ) Case No. 16-41377-705  
 ) Chapter 7  
 )  
Debtor. )

**ORDER**

The matter before the Court is the Supreme Court of Missouri Order dated March 1, 2016 which orders that Teresa Marie Coyle is suspended from the practice of law. Therefore,

**IT IS ORDERED THAT** Teresa Marie Coyle is to appear and **SHOW CAUSE** why she should not be removed as attorney of record in the above-referenced case and why she should not be required to disgorge all attorney fees on **April 4, 2016 at 11:00 a.m.** in Bankruptcy Courtroom Seven North, Thomas F. Eagleton United States Courthouse, 111 South Tenth Street, 7<sup>th</sup> Floor, St. Louis, Missouri; and

**IT IS FURTHER ORDERED THAT** Debtor, Shaunice Williams is to appear at this hearing and bring all relevant documents, including receipts for any payments to Teresa Marie Coyle on **April 4, 2016 at 11:00 a.m.** in Bankruptcy Courtroom 7 North, Thomas F. Eagleton United States Courthouse, 111, South Tenth Street, 7<sup>th</sup> Floor, St. Louis, Missouri.

*Kathy A. Surratt - States*

---

KATHY A. SURRATT-STATES  
Chief United States Bankruptcy Judge

DATED: March 22, 2016  
St. Louis, Missouri

Copies to:



Office of the United States Trustee  
Thomas F. Eagleton U.S. Courthouse  
111 South 10th Street, Suite 6.353  
St. Louis, MO 63102

Shaunice Williams  
Debtor  
11019 Sugar Pines Ct. Apt. G  
Florissant, MO 63033

Teresa M. Coyle  
Law Office of T. Coyle  
1221 Locust  
Ste 418  
St. Louis, MO 63103

Kristin J. Conwell  
Chapter 7 Trustee  
Conwell Law Firm LLC  
PO Box 56550  
St. Louis, MO 63156

**Attachment 167**

Transcript of April 4, 2016 hearing on Show Cause Orders issued against Coyle

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
ST. LOUIS DIVISION**

IN RE:	)	Case No. 16-41356
	)	Chapter 7
JACOBI D. OLIPHANT,	)	
	)	
Debtor.	)	
IN RE:	)	Case No. 16-41483
	)	Chapter 7
BRIAN MICHAEL TROUPE,	)	
	)	
	)	
Debtor.	)	
IN RE:	)	Case No. 16-41282
	)	Chapter 7
ELIZABETH ANN HILL,	)	
	)	
	)	
Debtor.	)	
IN RE:	)	Case No. 16-41377
	)	Chapter 7
SHAUNICE WILLIAMS,	)	
	)	
	)	
Debtor.	)	
IN RE:	)	Case No. 15-48842
	)	Chapter 7
KIMBERLY JANA E STALLING,	)	
	)	Thomas F. Eagleton Courthouse
	)	111 South 10th Street
	)	St. Louis, Missouri 63102
Debtor.	)	
	)	April 4, 2016
	)	11:06 a.m.

TRANSCRIPT OF 16-41356 ORDER TO APPEAR AND SHOW CAUSE FOR TERESA MARIE COYLE TO BE REMOVED AS ATTORNEY OF RECORD AND BE REQUIRED TO DISGORGE ALL ATTORNEY FEES (8); 16-41483 ORDER TO APPEAR AND SHOW CAUSE WHY TERESA MARIE COYLE SHOULD NOT BE REQUIRED TO DISGORGE ALL ATTORNEY FEES AND BRIAN MICHAEL TROUPE TO APPEAR AND BRING ALL RELEVANT DOCUMENTS AND RECEIPTS (7); 16-41282 ORDER TO APPEAR AND SHOW CAUSE FOR TERESA MARIE COYLE TO BE REMOVED AS ATTORNEY OF RECORD AND BE REQUIRED TO DISGORGE ALL ATTORNEY FEES (10); 16-41377 ORDER TO APPEAR AND SHOW CAUSE THAT TERESA MARIE COYLE APPEAR AND SHOW CAUSE WHY SHE SHOULD NOT BE REMOVED AS ATTORNEY OF RECORD IN THE ABOVE-REFERENCED CASE AND WHY SHE SHOULD NOT BE REQUIRED TO DISGORGE ALL ATTORNEY FEES (15); 15-48842 ORDER TO APPEAR AND SHOW CAUSE FOR WHY DEAN MERIWETHER AND CRITIQUE SERVICES, LLC SHOULD NOT BE ORDERED TO DISGORGE ATTORNEY FEES (16).  
BEFORE HONORABLE KATHY SURRETT-STATES  
UNITED STATES CHIEF BANKRUPTCY COURT JUDGE

## APPEARANCES:

For Debtors: JACOBI D. OLIPHANT, PRO SE  
BRIAN MICHAEL TROUPE, PRO SE  
KIMBERLY JANAE STALLING, PRO SE

Chapter 7 Trustee: Conwell Law Firm LLC  
By: KRISTIN J CONWELL, ESQ.  
P.O. Box 56550  
St. Louis, Missouri 63156

For the Office of the U.S. Trustee: Office of the United States Trustee  
By: PAUL A. RANDOLPH, ESQ.  
111 South 10th Street  
Suite 6353  
St. Louis, Missouri 63102

ECRO: James Moeller

**TRANSCRIPTION SERVICE: TRANSCRIPTS PLUS, INC.**  
**435 Riverview Circle**  
**New Hope, Pennsylvania 18938**  
**Telephone: 215-862-1115**  
**Facsimile: 215-862-6639**  
**e-mail CourtTranscripts@aol.com**

Proceedings recorded by electronic sound recording,  
transcript produced by transcription service.

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\*The Court called the case. The debtor was not present.

1 THE COURT: All right; thank you. Be seated,  
2 please.

3 All right. There's a number of show cause orders  
4 that have been sent this morning. Let me start with the first  
5 one. Kimberly Stalling.

6 MS. STALLING: Here.

7 THE COURT: All right. Ms. Stalling, would you step  
8 up to the podium, please, first.

9 And is Ms. Coyle present here in the courtroom?  
10 Teresa Coyle?

11 (No audible response heard)

12 THE COURT: All right. She is not.

13 All right. Ms. Stalling, thank you for your  
14 appearance here today.

15 The reason that I set this matter is because -- oh,  
16 your matter is with Mr. Meriwether. You had filed a request  
17 asking to have your attorney's fees returned to you that you  
18 had paid to Mr. Meriwether, is that correct?

19 MS. STALLING: Yes, ma'am.

20 THE COURT: All right. And Mr. Meriwether is not  
21 present here in the courtroom this morning. And how much in  
22 attorney's fees did you pay to Mr. Meriwether?

23 MS. STALLING: Altogether, it was 700.

24 THE COURT: That included the filing fee and the  
25 attorney's fees?

1 MS. STALLING: Yes, ma'am.

2 THE COURT: All right. And what's the filing fee in  
3 a 7? It's three -- 335, thank you.

4 And do you have receipts for those amounts that were  
5 paid to Mr. Meriwether?

6 MS. STALLING: No, ma'am; they never gave me  
7 receipts.

8 THE COURT: So that \$365 in attorney's fees. And did  
9 you pay those amounts in cash, check, or money order?

10 MS. STALLING: Cash. They only took cash.

11 THE COURT: Ms. Stalling, I would caution you in the  
12 future that you pay someone something in cash, and have no  
13 receipt, that it would be best that you obtain a receipt from  
14 them.

15 MS. STALLING: Yes, ma'am.

16 THE COURT: So that --

17 MS. STALLING: I did ask for a receipt, but they said  
18 that they ran out, didn't have any. So she said that she gave  
19 me proof by showing me on the computer that that was basically  
20 the receipt.

21 THE COURT: All right. Well, under the  
22 circumstances, since Mr. Meriwether isn't here to tell me  
23 anything differently -- but, yes, in the future, you know, they  
24 could have wrote it on a piece of paper for you.

25 MS. STALLING: Okay.

1 THE COURT: I will grant your request. And since Mr.  
2 Meriwether isn't here to show cause why those funds shouldn't  
3 be returned to you, and I will order that the fees be returned  
4 to you in the amount of \$365 from Mr. Meriwether and Critique  
5 Services, LLC jointly.

6 So I will prepare an order, and have that entered.

7 MS. STALLING: Okay; thank you.

8 THE COURT: All right. Thank you for your appearance  
9 here today.

10 MS. STALLING: You, too.

11 THE COURT: Elizabeth Hill. Is Ms. Hill present in  
12 the courtroom?

13 (No audible response heard)

14 THE COURT: All right; she is not.

15 Jacobi Oliphant.

16 MR. OLIPHANT: Here.

17 THE COURT: Would you please step up to the podium,  
18 please.

19 MR. OLIPHANT: Yes.

20 THE COURT: Ms. Conwell, you're the trustee in this  
21 matter. Do you wish to appear on the record?

22 MS. CONWELL: Sure. Kristin Conwell, trustee.

23 THE COURT: All right.

24 MR. RANDOLPH: Paul Randolph for the U.S. Trustee.

25 THE COURT: All right; good morning.



1 All right. Mr. Oliphant, I set this matter for show  
2 cause because at the time that Ms. Coyle filed your bankruptcy  
3 case, her license to practice in the State of Missouri had been  
4 suspended. So that made her ineligible then to practice here  
5 in Federal Court in the Bankruptcy Court, as well, because our  
6 requirements are that you have to be licensed in the state, and  
7 then we'll license you here in our Court. So she was not  
8 eligible to file your case when she did.

9 So I set the matter for show cause, asking her to  
10 appear and tell me why I shouldn't remove her as the attorney  
11 of record in your case, and why you shouldn't be required --  
12 why she shouldn't be required to return all fees to you for  
13 filing the case at that time.

14 How much in fees did you pay to Ms. Coyle?

15 MR. OLIPHANT: Well, originally I stated with Dean  
16 Mayweather (sic).

17 THE COURT: And um-hum.

18 MR. OLIPHANT: And he was, what, disbarred,  
19 suspended?

20 THE COURT: Yes, he was suspended.

21 MR. OLIPHANT: So when I went down there for a  
22 refund, they said they had another lawyer that can take the  
23 case. And they just transferred my funds of 700 to Ms. Coyle.

24 THE COURT: So then the same thing, \$365 of that  
25 would have been for attorney's fees. Because the remaining

1 amount would have been for the filing fee that was paid. Do  
2 you have any receipts?

3 MR. OLIPHANT: I have a receipt that they gave me on  
4 the paperwork that said the attorney fees was 349 that I gave  
5 to Dean Mayweather (sic), but I couldn't find my other receipt  
6 of the money I gave them to pay the Court.

7 MS. CONWELL: Your Honor --

8 THE COURT: All right.

9 MS. CONWELL: Your Honor, this is the statement of  
10 financial affairs Number 9, \$349.

11 THE COURT: Okay.

12 MS. CONWELL: So it's a matter of record.

13 THE COURT: All right.

14 (Pause)

15 MR. OLIPHANT: And I didn't find out Ms. Coyle was  
16 not coming to court for me. I came, what, Friday, I didn't  
17 find out til Thursday when she text me.

18 MS. CONWELL: I don't want to put words into the  
19 debtor's mouth, but Friday was my docket, Your Honor.

20 THE COURT: All right.

21 MS. CONWELL: And I put Mr. Oliphant under oath, he  
22 testified that Wednesday, the 30th is when he had a text  
23 message.

24 MR. OLIPHANT: It was the 31st, I still got it in my  
25 phone.

1 MS. CONWELL: Well, you heard from her Wednesday and  
2 Thursday, correct?

3 MR. OLIPHANT: Yeah. I text her Wednesday -- let me  
4 go to the text message.

5 MS. CONWELL: And it may be helpful to the Court if  
6 he read part of the text message into the --

7 THE COURT: All right.

8 MS. CONWELL: If you'd like.

9 MR. OLIPHANT: Okay. I started to --

10 THE COURT: Yes.

11 MR. OLIPHANT: I text her and I said, "Can you call  
12 me Tuesday?" And she never responded.

13 So Wednesday at 3:10, she said, "Hi Jacobi, I got  
14 your message. I'm in trial in Boonsville, Missouri. I should  
15 be coming back to St. Louis tonight. I'll call you in the  
16 morning."

17 I said, "Okay. I have court Friday. Will you be  
18 there?"

19 She said -- it's Wednesday at 4:44, she said, "Yes."

20 I said, "Okay. It's at 10."

21 So Thursday she said, "Hi Jacobi. The Bankruptcy  
22 Court sent me a notice this morning that I am suspended from  
23 practicing in the Eighth Circuit because of my association with  
24 Critique Services."

25 So I asked her, "Where does that leave me?"

1           She said, "I cannot appear for you tomorrow, and your  
2 case will be continued until after the hearing on this issue."

3           I said, "Oh, okay. So if they don't let you  
4 continue, do I get my money back? Can you call me?"

5           She said, "I can't call because I'm in court -- jail  
6 -- the County jail waiting for another client. I'm not  
7 supposed to have my phone."

8           MS. CONWELL: And his --

9           THE COURT: Okay.

10          MS. CONWELL: And this is consistent with the  
11 testimony he provided under oath on Friday.

12          THE COURT: All right. And was the 341 meeting  
13 conducted?

14          MS. CONWELL: I continued it to give him an  
15 opportunity to either find counsel or determine whether or not  
16 he wanted to proceed on his own.

17          THE COURT: All right. All right. Thank you, Mr.  
18 Oliphant.

19          All right. So under the circumstances, based on my  
20 order that I entered asking Ms. Coyle to show cause then today  
21 why she shouldn't be removed as the attorney of record -- and  
22 my issue is a little different from what she described to you.  
23 There is another separate order that has been entered  
24 suspending her, but likewise my question is about her Missouri  
25 bar license. But regardless, she has failed to appear, and

1 show cause.

2           So I will remove her as the attorney of record in  
3 your case so you will be pro se. You can certainly retain new  
4 counsel if you like.

5           And likewise -- and you paid -- the \$349 was  
6 originally paid to --

7           MR. OLIPHANT: Critique Services.

8           THE COURT: -- to Critique Services.

9           MR. OLIPHANT: Yeah.

10          THE COURT: Okay.

11          MR. OLIPHANT: I gave them 700 altogether.

12          THE COURT: All right. Then based on what you've  
13 told me here today, I will order that Critique Services is to  
14 return the \$349 to you for your attorney's fees.

15                 You realize the other amount was for the Court filing  
16 fee, which has been paid

17          MR. OLIPHANT: Yes, ma'am.

18          THE COURT: So that wouldn't be refunded to you.

19          MR. OLIPHANT: All right; thank you.

20          THE COURT: All right. All right; thank you so much  
21 for your appearance today.

22          MR. OLIPHANT: I got voice messages, too, if y'all  
23 want them. Because I don't think nobody -- they did -- should  
24 practice law.

25          THE COURT: Thank you.

1 MR. OLIPHANT: Thank you.

2 THE COURT: We appreciate that.

3 MR. OLIPHANT: Have a nice day.

4 THE COURT: You, too; thank you.

5 Shaunice Williams.

6 (No audible response heard)

7 THE COURT: Oh, I skipped a case, didn't I?

8 MS. CONWELL: I believe -- is that the one that I'm a  
9 trustee on?

10 THE COURT: That is.

11 MS. CONWELL: Okay. Kristin Conwell for the trust --  
12 or for the debt -- wait a minute.

13 THE COURT: As the trustee.

14 MS. CONWELL: I'm sorry.

15 THE COURT: Yes.

16 MS. CONWELL: Kristin Conwell as trustee.

17 Your Honor, she did appear at Friday's docket. I did  
18 not swear her in. Her testimony -- her statements were that  
19 she had had no contact from Ms. Coyle or Critique.

20 We continued her matter to May the 6th, as well.

21 THE COURT: All right. Mr. Randolph?

22 MR. RANDOLPH: Paul Randolph for the U.S. Trustee,  
23 Your Honor.

24 THE COURT: All right. Let me look at the schedule.  
25 I'll look at --

1 (Pause)

2 THE COURT: All right. So when I look at Ms.  
3 Williams' statement of financial affairs, she says that she  
4 paid Ms. Coyle \$349 in January of 2016.

5 So since Ms. Coyle doesn't appear and show cause,  
6 I'll remove her as the attorney of record and order that she  
7 return \$349 to the debtor for attorney's fees.

8 Okay. And I'm sorry; I skipped over one of the case.  
9 Elizabeth Hill.

10 (No audible response heard)

11 THE COURT: All right. Ms. Hill is not present here  
12 in the courtroom.

13 Mr. Howley, we'll look at that. Likewise, I'm sure  
14 it's similar. I will order that Ms. Coyle be removed as the  
15 attorney of record. And whatever fees are disclosed to be  
16 returned, all right.

17 And Brian Troupe. Mr. Troupe, if you'd step up to  
18 the podium, please.

19 All right. Mr. Randolph, you're appearing on this  
20 matter?

21 MR. RANDOLPH: Yes, Your Honor; thank you.

22 THE COURT: Thank you.

23 All right. Mr. Troupe, like in Mr. Oliphant's  
24 matter, I set this matter today for show cause because Ms.  
25 Coyle was not admitted to the State of Missouri. Her law

1 license had been suspended at that time when she filed your  
2 case.

3           Therefore, I was asking her to appear and show cause  
4 why she shouldn't be removed as the attorney of record in your  
5 case, not being licensed at that time. And likewise, why she  
6 shouldn't return attorney's fees to you.

7           So my question to you is what amount of attorney's  
8 fees did you pay to Ms. Coyle?

9           MR. TROUPE: I got two receipts, Your Honor: One for  
10 three -- 337, and the other 347. I think it was a issue of  
11 them not having change. It was supposed to be 349 and I just -  
12 - and 335, so they just switched \$2 onto the second receipt.  
13 But --

14           THE COURT: All right.

15           MR. TROUPE: And these total 784, I guess.

16           THE COURT: All right. So it appears to me, based on  
17 what the filing fee is, that the 347 is what would have been  
18 the attorney's fees.

19           And I'm sorry, and who did you pay those fees to?

20           MR. TROUPE: Someone at Critique Services.

21           THE COURT: All right.

22           MR. TROUPE: Representative.

23           THE COURT: All right. And, Mr. Troupe, have you had  
24 any contact with Ms. Coyle since the case was -- since your  
25 case was filed?



1 MR. TROUPE: Yes.

2 THE COURT: And has she indicated to you whether or  
3 not it is her intention to continue to represent you?

4 MR. TROUPE: That was my understanding, that she was  
5 going to. She -- after I got the notice that -- to come to  
6 court here, that she had been suspended. She told me it was  
7 because of continuing education, and that she -- she actually  
8 told me she was going to submit a document here to the Court  
9 saying that she had completed that education, and I didn't need  
10 to show up, but I showed up anyway.

11 THE COURT: And I appreciate you showing up.

12 All right. And your 341 meeting hasn't taken place.  
13 It's set for today. Is that right? Tomorrow. I'm sorry,  
14 tomorrow at 1:30. All right. And it's your intention to  
15 appear and go forward with your case at that time?

16 MR. TROUPE: I -- I never knew that. Yes, ma'am, if  
17 I can go forward, I'd like to.

18 THE COURT: You can. So, yes, the meeting of  
19 creditors is set for tomorrow at 1:30 here in this building  
20 down on the first floor with -- your trustee is Stuart Radloff.

21 MR. TROUPE: Do you know what -- what courtroom and  
22 floor?

23 THE COURT: Well, it's in Room 1.310. It's on the  
24 first floor of this building.

25 MR. TROUPE: 1.310?

1 THE COURT: Yes.

2 MR. TROUPE: Okay.

3 MS. CONWELL: Your Honor, if I may?

4 THE COURT: Yes.

5 MS. CONWELL: I'm not the trustee on this case, but  
6 what I have found in the two cases that I have is I received no  
7 documents or no --

8 MR. TROUPE: I didn't either.

9 MS. CONWELL: So I wouldn't have been able to conduct  
10 the 341 meetings.

11 What I would suggest you may want to do is contact  
12 the trustee today to see if he can even proceed, if he has what  
13 he needs. You may want to save yourself a trip if he doesn't  
14 have anything, and --

15 MR. TROUPE: Is that Mr. Radloff?

16 MS. CONWELL: Yes.

17 MR. TROUPE: Just go down --

18 MS. CONWELL: I don't have his contact information,  
19 but I can certainly get it to you before you leave.

20 MR. TROUPE: Okay; thank you.

21 THE COURT: All right. Thank you, Ms. Conwell.

22 All right. So -- yes, so you need to speak with Mr.  
23 Radloff and see if he is going to agree to continue the matter, or  
24 if he wants you to appear tomorrow at that hearing.

25 MR. TROUPE: Okay.

1 THE COURT: All right. And then what I will do with  
2 my show cause order, since Ms. Coyle is not here and has failed  
3 to show cause, I will remove her as the attorney of record from  
4 your case because, to the best of my knowledge, she still is  
5 not been reinstated with her Missouri bar license. And I'll  
6 order her to -- well, I'll order Critique, since that's who you  
7 paid, to return the \$347 to you as attorney's fees.

8 MR. TROUPE: You know they're no longer in business,  
9 Your Honor.

10 THE COURT: Well, yes. But somewhere there's some  
11 money somewhere. I'm going to order them, nonetheless, because  
12 they need to return those fees. I don't know if they will or  
13 will not do it, but certainly I'm going to enter the order and  
14 look for them to comply with it.

15 MR. TROUPE: Um. Your Honor, at this point, do I  
16 have to start over again to try to get another attorney? I'm  
17 not quite sure how -- what --

18 THE COURT: You could. If you wish, you could  
19 certainly --

20 MR. TROUPE: Or can I proceed --

21 THE COURT: -- seek a new attorney to represent you.  
22 Or if you wish, you can proceed pro se. Now you know if you  
23 proceed without an attorney, the Court and the trustees aren't  
24 going to cut you any slack. They're going to be looking for --  
25 if there's a request for documents and things that the trustee

1 is looking for, he would still require that.

2 Mr. Randolph?

3 MR. RANDOLPH: Your Honor, I have a list of consumer  
4 bankruptcy attorneys who have indicated that they're willing to  
5 speak with some of the Critique clients. So I'm happy to  
6 provide that to Mr. Troupe.

7 THE COURT: All right. All right. Then Mr. Randolph  
8 will provide you with a list of some of the other attorneys  
9 that appear in our court that do debtor work who have indicated  
10 that they are willing to take these cases over. So you might  
11 be able to speak with one of them.

12 MR. TROUPE: Okay.

13 THE COURT: Okay? Anything else?

14 MR. TROUPE: You know, at one time, I was having some  
15 problems with -- with getting this done. It's been a long time  
16 since last year with Critique.

17 Ms. Coyle did offer to give me my money back. Would  
18 that be an option to get the money from her since Critique --

19 THE COURT: Could be.

20 MR. TROUPE: They're shut down.

21 THE COURT: I mean and I don't know what they've done  
22 with the money. Certainly I can enter my order to be jointly  
23 as to her or Critique, as well. Because I have no idea where  
24 that money is.

25 MR. TROUPE: She had indicated --

1 THE COURT: It's somewhere.

2 MR. TROUPE: At one time, she had indicated she would  
3 give my money back. So evidently, she got -- she -- she must  
4 have --

5 THE COURT: All right.

6 MR. TROUPE: -- the money, or part of the money since  
7 she had --

8 THE COURT: Well, we think she's got the money. All  
9 right. Well, based on that, then I will add to my order that  
10 the funds could either come from Critique or from Ms. Coyle  
11 since we are not exactly sure where the money is, and I'm  
12 pretty sure the statement of financial affairs probably says  
13 that you paid her, and not Critique.

14 MR. TROUPE: Yeah. Well, she had offered to give it  
15 back, so --

16 THE COURT: All right. Then I will do that, as well,  
17 to my order.

18 All right. Anything else then this morning, Mr.  
19 Troupe?

20 MR. TROUPE: No, I appreciate it.

21 THE COURT: All right.

22 MR. TROUPE: Thank you for some clarity on this, Your  
23 Honor.

24 THE COURT: All right.

25 MR. TROUPE: Because I didn't know what was --

1 THE COURT: And thank you for your appearance.

2 All right. Then that takes care of all the matters  
3 on the 11 o'clock docket. We'll be in temporary recess until 2  
4 o'clock. Thank you.

5 (Whereupon, at 11:24 a.m., the hearing was adjourned.)

6

7 CERTIFICATE OF TRANSCRIBER

8

9 I, KAREN HARTMANN, a certified Electronic Court  
10 Transcriber, certify that the foregoing is a correct transcript  
11 from the electronic sound recording of the proceedings in the  
12 above-entitled matter.

13

14



15

16 Karen Hartmann, AAERT CET\*\*D0475 Date: April 6, 2016

17 TRANSCRIPTS PLUS, INC.

18

19

20

21

22

23

24

25

**Attachment 168**

Motion to Disgorge Fees, filed in *In re Matthis*

Kevin S. Matthis

15-48394

RECEIVED+FILED

2016 FEB 12 AM 11:05

CLERK, US BANKRUPTCY COURT  
EASTERN DISTRICT  
ST. LOUIS, MISSOURI

To Whom it May Concern I Kevin Matthis Requested  
a refund from Critique Services and I haven't  
Received any funds or letters to inform me  
of why I haven't receive any. I'm Requesting  
a ~~to~~ judge to review this case.

K. Matthis

12348 Shoreline Ct  
Maryland Heights APT A  
63043

314-319-3093



**Attachment 169**

Motion to Disgorge Fees, filed in *In re Black*

Case # 15-48398  
Kimberly Black  
2/12/14

RECEIVED FILE

2016 FEB 12 AM 11:04

Dear Judge,

I am writing this letter requesting a refund from Critique Services. They did not represent me in bankruptcy court and was not honest with me about my representation. I spoke with someone from their office on 2/8/14 and they informed me that I will have representation from their ~~office~~ <sup>office</sup> when they knew then that they were not allowed to participate in this/my bankruptcy case.

Thank you,  
Kimberly Black  
2/12/14

**Attachment 170**

Show Cause Order, entered in *In re Jessica White*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**


<b>In re:</b>	§	<b>Case No. 15-48556-705</b>
	§	
<b>Jessica White,</b>	§	<b>Chapter 7</b>
	§	
<b>Debtor.</b>	§	

**ORDER DIRECTING ATTORNEY DEAN D. MERIWETHER TO SHOW CAUSE  
WHY HE SHOULD NOT BE ORDERED TO RETURN HIS ATTORNEY'S FEES**

Upon review of the record, it appears that the Debtor's original attorney, Dean D. Meriwether of "Critique Services," did not rendered all the legal services for which he had been paid by the Debtor. Meriwether suspended from the privilege of practicing law before this Court on December 7, 2015. After December 7, 2015, Meriwether did not represent the Debtor at her § 341 meeting; he did not file the Debtor's Amended Schedule E (she filed it pro se on December 28, 2015); he did not file the Debtor's financial management certificate (she filed it pro se on January 12, 2016).

The Bankruptcy Code authorizes the disgorgement of unearned attorney's fees pursuant to 11 U.S.C. § 329(b). The Court **SETS** the matter of whether cause exists to order the disgorgement of the Debtor's fees to the debtor for **Tuesday, February 23, 2016, at 9:30 A.M., at the Thomas F. Eagleton U.S. Courthouse, 111 S. Tenth St., Floor 7, South Courtroom, St. Louis, Missouri 63102.** Meriwether may file a written response before **Monday, February 22, 2016 at 12:00 P.M.**

DATED: February 12, 2016  
St. Louis, Missouri 63102  
mtc

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

Copy Mailed To:

**Jessica White**

2173 Orbit Dr.

St. Louis, MO 63136

**E. Rebecca Case**

7733 Forsyth Blvd.

Suite 500

Saint Louis, MO 63105

**Dean D. Meriwether**

Law Office of Robert J. Dellamano

3919 Washington Avenue

St. Louis, MO 63102

**Office of US Trustee**

111 S Tenth St, Ste 6.353

St. Louis, MO 63102

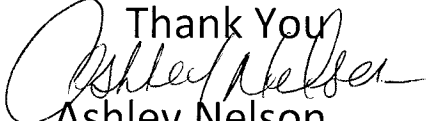
**Attachment 171**

Motion to Disgorge Fees, filed in *In re Nelson*

Judge,

1/27/16

As you may know Critique Services has been very unprofessional with their business. I originally started my filing process and paid all that was due up front in June of 2015. Critique Service did not start my filing until Nov of 2015 and after months of signing papers and continues phone calls the attorney that was on my case was suspended...I have asked for a refund before but the manager of the office promised to get my bankruptcy filed and discharged. Since Dean Meriwether has suspended I have not heard from Critique, I have called numerous times during the day and left many messages. No one has yet to return my calls or answer the phone. I would really appreciate if you can assist me with getting my refund. You can reach me at 314-556-2023 at any time of the day.

Thank You  
  
Ashley Nelson

RECEIVED + FILED

2016 FEB 12 AM 10: 03

U.S. BANKRUPTCY COURT  
EASTERN DISTRICT  
OF MISSISSIPPI

**Attachment 172**

Motion to Disgorge Fees, filed in *In re Jones*



Dear Judge

Case# 15-48903

I would like to request a copy of my case documents filed by Critique Services I never received a signed copy of my document. Also, I would like to request a refund from Critique Services due to no representation from their office during my scheduled court appearance.

During the whole bankruptcy process, Critique has been very unresponsive and unreliable for guidance and inquiries. I paid my court fees and the entire price of the bankruptcy charges in August. Critique was lacking tremendously in filing my case. They also was very rude to me when I questioned the reasoning of why. Thank you for reading my request.

Kind Regards,

Annette Jones

Annette Jones

2016 FEB 12 PM 1:25

**Attachment 173**

Example of Meriwether's Response, filed in the matters set for hearing on  
February 23, 2016

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MISSOURI

RECEIVED+FILED

2016 FEB 22 AM 10:32

In re:

Annette Latosca Jones

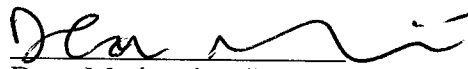
)  
) Case No 15-48903  
) Chapter 7  
)

FEDERAL BANKRUPTCY COURT  
EASTERN DISTRICT  
ST. LOUIS, MISSOURI

RESPONSE TO MOTION TO DISGORGEMENT

Comes Now, Attorney Dean Meriwether, and agree to refund attorney fees  
to the above mentioned debtor.

Respectfully submitted,



Dean Meriwether #48336  
3919 Washington Ave  
St. Louis, Mo 63108  
(314)533-4357  
(314)533-4356  
attydeanmeriwether@yahoo.com

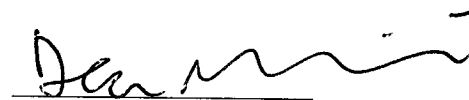
Certificate of Service

I hereby certify that a true and correct copy of the above and forgoing was served either through the Courts ECF system or by regular mail this 22nd day of February, 2016 on the following:

Office of US Trustee  
111 S. Tenth St Ste 6.353  
St. Louis, Mo 63102

Tracy Brown  
1034 S. Brentwood Ste 1830  
St. Louis MO 63117

Annette Jones  
3717 Louisiana  
St. Louis Mo 63118

  
Dean Meriwether

**Attachment 174**

Example of Meriwether's Motions to Disqualify,  
filed in the matters set for hearing on February 23, 2016

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MISSOURI

In re:

Kevin Shaunte Matthis

)  
)  
)  
)  
)

Case No 15-48394

Chapter 7

RECEIVED+FILED

2016 FEB 22 AM 10:32

CLERK, U.S. BANKRUPTCY COURT  
EASTERN DISTRICT  
ST. LOUIS, MISSOURI

MOTION TO RECUSE OF  
DEAN MERIWETHER, ATTORNEY AT LAW

Comes Now, Attorney Dean Meriwether, and moves that the Honorable Charles E. Rendlen recuse himself from presiding over the Order Directing Attorney Dean D. Meriwether To Show Cause Why He Should Not Be Ordered To Return His Attorney Fees, dated February 12, 2016.

In support of this motion, Dean Meriwether, Attorney at Law, states;

1. Bankruptcy Judge Charles E. Rendlen should recused himself under 28 U.S.C. §455(a), from presiding over the Order Directing Attorney Dean D. Meriwether To Show Cause Why He Should Not Be Ordered To Return His Attorney Fees, dated February 12, 2016, because when he brought two adversary complaints against Critique Services, LLC and knew about complaints against Critique Services, LLC from that time and, therefore, an objective, neutral third party viewing these facts would reasonably believe that the Judge would not be impartial in regard to movant due to his association with Critique Services, LLC., see

\* Lunde V. Helms, 29 F.3d 367 (8<sup>th</sup> Cir. 1994),

\* Liljeberg v Health Servs. Acquisition Corp.,  
486 U.S. 847, 108 S. Ct. 2194 (1988);

\* U. S. v State of Alabama, 828 F.2d 1532 (11<sup>th</sup> Cir. 1987);

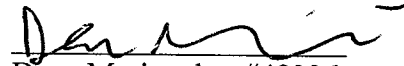
\* United States v Tucker, 78 F.3d 1313 (8<sup>th</sup> Cir. 1996);

\* 28 U.S.C. § 455 (a)

2. Bankruptcy Judge Charles E. Rendlen should recuse himself under 28 U.S.C. §455(a), Section 455 (a) and 455 (b) (1) since he has personal bias or prejudice concerning movant, or personal knowledge of disputed evidentiary facts as a result of Judge Rendlen's improper discussion with Debtor Arlester Hopson on July 22, 2015 concerning the

representation of Debtor by movant which occurred outside the presences of movant, without notice to movant and without the consent of movant. This improper exparte communication of Judge Rendlen constitute Cognizable Misconduct pursuant to Rule 3(h)(1)(C), Rules for Judicial Conduct and Judicial Disability Proceedings and Violated Rule 9003, Federal Rules of Bankruptcy Procedures.

Respectfully submitted,



Dean Meriwether #48336  
3919 Washington Ave  
St. Louis, Mo 63108  
(314)533-4357  
(314)533-4356  
attydeanmeriwether@yahoo.com


Certificate of Service

I hereby certify that a true and correct copy of the above and forgoing was served either through the Courts ECF system or by regular mail this 22nd day of February, 2016 on the following:

Office of US Trustee  
111 S. Tenth St Ste 6.353  
St. Louis, Mo 63102

Tracy Brown  
1034 S. Brentwood Ste 1830  
St. Louis MO 63117

Kevin Matthis  
12348 Shoreridge Apt A  
St. Louis Mo 63043

  
Dean Meriwether

**Attachment 175**

Order for Disgorgement of Fees, entered in multiple disgorgement matters set for hearing on February 23, 2016

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

<b>In re:</b>	§	<b>Case No. 15-48394-705</b>
	§	
<b>Kevin Shaunte Matthis,</b>	§	<b>Chapter 7</b>
	§	
<b>Debtor.</b>	§	<b>[Related to Doc. No. 16]</b>
<hr/>		
<b>In re:</b>	§	<b>Case No. 15-48398-705</b>
	§	
<b>Kimberly Black,</b>	§	<b>Chapter 7</b>
	§	
<b>Debtors.</b>	§	<b>[Related to Doc. No. 18]</b>
<hr/>		
<b>In re:</b>	§	<b>Case No. 15-48556-705</b>
	§	
<b>Jessica White,</b>	§	<b>Chapter 7</b>
	§	
<b>Debtor.</b>	§	<b>[Related to Doc. No. 28]</b>
<hr/>		
<b>In re:</b>	§	<b>Case No. 15-48794-705</b>
	§	
<b>Ashley Marie Nelson,</b>	§	<b>Chapter 7</b>
	§	
<b>Debtor.</b>	§	<b>[Related to Doc. No. 15]</b>
<hr/>		
<b>In re:</b>	§	<b>Case No. 15-48903-705</b>
	§	
<b>Annette Latosca Jones,</b>	§	<b>Chapter 7</b>
	§	
<b>Debtor.</b>	§	<b>[Related to Doc. No. 16]</b>

**ORDER**

For the reasons set forth herein, the Court orders that Attorney Dean D. Meriwether of “Critique Services” (the “Critique Services Business,” as further defined herein) and Critique Services L.L.C. disgorge to each of the Debtors the fees paid for “legal services.”

**I. PROCEDURAL HISTORY**

Before he was suspended, Meriwether filed on behalf of each of the Debtors a voluntary joint petition for bankruptcy relief under chapter 7 of title 11



of the United States Code (the “Bankruptcy Code”<sup>1</sup>). On December 7, 2015, Meriwether was suspended from the privilege of practicing before this Court until March 7, 2016, for various acts of professional malfeasance committed in *In re Leander Young* (Case No. 15-44343).

Each of the Debtors except Debtor White filed pro se a letter motion (each, a “Motion to Disgorge”; collectively, the “Motions to Disgorge”). In the Motions to Disgorge, the Debtors made allegations of gross incompetence, client abandonment, failure to render legal services, and the unauthorized practice of law by Meriwether and the Critique Services Business. In the Case of Debtor White, the Court entered a show cause order. In the show cause order, the Court observed that it appeared that Meriwether could not have earned his fees, based on the facts of the Case.

Notice was given to Meriwether regarding the February 23, 2016 hearings on the Motions to Disgorge and the show cause order. Meriwether filed one-line responses claiming that he had “agreed” to refund the fees. He also demanded that the Judge disqualify (that demand was denied). On February 23, 2016, the Court conducted the hearings in these Cases. Meriwether did not appear. Each of the Debtors testified; each was a credible witness. In addition, the chapter 7 trustees assigned to these Cases appeared and spoke about the background of the Cases and the § 341 meetings.

## **II. BACKGROUND ON MERIWETHER AND THE CRITIQUE SERVICES BUSINESS**

It is appropriate to provide background related to the Critique Services Business and Meriwether’s relationship to it, to give context to these Motions to Disgorge. This is certainly not the first time the Court has addressed professional malfeasance committed by Meriwether or other persons affiliated with the Critique Services Business. The events here are not a one-off aberration; they are typical examples of the activities at the Critique Services Business.

---

<sup>1</sup> References herein to “section[s]” or “§[§]” shall refer to the indicated section(s) of the Bankruptcy Code, unless otherwise indicated.

### **A. The Operations of the Critique Services Business**

The Critique Services Business is a notorious “bankruptcy services” rip-off operation located at 3919 Washington Blvd., St. Louis, Missouri (the “Critique Services Business Office”). The business preys on primarily low-income, minority persons in the metropolitan St. Louis, Missouri. Clients come to the office seeking assistance with filing a bankruptcy case, and are promised cheap legal representation. However, the business is deliberately designed not to provide any meaningful legal services. The business pockets the client’s cash and then fails to provide legal services. The “services” are provided by non-attorney staff persons. The business of the Critique Services Business is the unauthorized practice of law; its victims are the working-poor.

The Critique Services Business is operated through Critique Services L.L.C., a limited liability company owned by the highly disreputable non-attorney Beverly Holmes Diltz. Diltz is a convicted felon who served time for fraud. She has been repeatedly sued by the U.S. Trustee (the “UST”), both in this District and in the Southern District of Illinois, for her unlawful and unprofessional business activities, including for the unauthorized practice of law. In 2003, her operations in East St. Louis were shut down after the UST for Region 10 obtained an injunction from the U.S. Bankruptcy Court for the Southern District of Illinois, permanently barring Diltz from operating a bankruptcy services business in that District ever again. Diltz and her affiliated persons have been the subject of numerous injunctions issued by this Court. Diltz is prohibited from acting as a bankruptcy petition preparer in this District.

The Critique Services Business always has one or two attorneys affiliated with its operations (the “Critique Services Attorneys”), usually through a contract with Critique Services L.L.C. or Critique Legal Services L.L.C.<sup>2</sup> However, they

---

<sup>2</sup> To be clear, the Critique Services Business is not an actual law firm or a law partnership; there is no law firm or partnership named “Critique Services” at which the Critique Services Attorneys practice law. Instead of being partnered or being in association with each other, each Critique Services Attorney is affiliated with non-attorney Diltz and Critique Services L.L.C.

are dummy-attorneys; their involvement is part of the scam. The job of the Critique Services Attorneys is not to practice law. Their real job is to rent-out their signatures and bar card numbers to Diltz's operations, which are affixed to legal documents prepared by non-attorney staff persons, to give the appearance that legal services have been rendered. Meriwether is one of these dummy-attorneys. In *In re Evette Nicole Reed, et al.* (Case No. 14-44818), Critique Services L.L.C. admitted that it has a contract with Meriwether, but refused to turn over a copy of that contract, despite a Court order to do so.

The non-attorney staff persons at the Critique Services Business, including Diltz and her office manager, Renee Mayweather,<sup>3</sup> run the operation. Meriwether has admitted that he is an employee of the business and that Diltz

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<sup>3</sup> Mayweather is just as disreputable as Diltz. Mayweather and Diltz are long-time cohorts in this scam. Mayweather, like Diltz, has been enjoined by this Court for her role in the Critique Services Business, in *Nancy Gargula, U.S.T. v. Beverly Holmes Diltz, et al.* (Case No. 05-4254). Mayweather recently was caught lying to a client in *In re Leander Young* (Case No. 14-44343), telling the client that the reason he was having trouble with his bankruptcy case was because the Judge was acting out of personal animus—rather than admitting that the problems with his case were the result of the Critique Services Business having grossly mishandled it. The *Young* debtor did not believe Mayweather and told her so. Mayweather also was caught trying to violate the injunction against her. On December 18, 2015, Mayweather and Critique Services Attorney Robert J. Dellamano showed up together at the Clerk's Office and asked if Mayweather could file legal documents for Dellamano at the Clerk's Office computer banks. However, Mayweather is prohibited from providing any bankruptcy services to the public unless she is (a) an employee (b) under written contract with (c) (i) an attorney or (ii) business organization whose primary business is the practice of law. Mayweather brought no such written contract to show that she could file bankruptcy documents without being in violation of the injunction against her. The Clerk's Office—well-aware of the injunction against Mayweather as well as the history of misconduct committed by those affiliated with the Critique Services Business—refused to allow Mayweather to use its computers unless she obtained written authority from the Judge. Mayweather and Dellamano left the Clerk's Office and did not seek judicial authority. In February 2016, the Court entered an order in *In re Renee Mayweather: Business of the Court* (Case No. 16-401), prohibiting Mayweather from providing any bankruptcy services in this District. In March 2016, the State Circuit Court for the City of St. Louis entered a temporary restraining order, prohibiting Mayweather from providing any bankruptcy services.

and Mayweather are his bosses.<sup>4</sup> That is, Meriwether—an attorney—works *for* Diltz and Mayweather, not the other way around. In addition, Meriwether has explained that the non-attorney staff persons at the Critique Services Business are not his employees.<sup>5</sup> Meriwether is paid weekly by Critique Services L.L.C.<sup>6</sup> and his wages from Critique Services L.L.C. do not appear to be in any way related to whether his attorney's fees were actually earned by the rendering of legal services *to the clients*.

The Critique Services Attorneys have little, if anything, to do with the clients. Non-attorney staff persons conduct the interviews with the new client, complete the legal paperwork, and collect the attorney's fees from the client—all before any attorney speaks with the client (*if* an attorney ever speaks with the client). By way of recent examples: in *In re Alexis Montrice Cody* (14-45917), the signature block of a Critique Services Attorney (Dedra Brock-Moore) was affixed to the debtor's petition papers, despite the fact that the debtor had never met the attorney—in fact, at the time, Brock-Moore was not even admitted to practice before this Court. In *In re Arlester Hopson* (Case No. 14-43871), the debtor appeared in court and was not merely unable to identify the name of his Critique Services Attorney (Meriwether); he was unable to identify Meriwether's gender. In fact, the *Hopson* debtor stated that he had never even *heard of* Meriwether. He had no idea who his actual attorney was; he told the Court that he was represented by Critique Services. In *In re Latoya Steward*, non-attorney staff persons collected the debtor's fees, gave her (very poor) legal advice, solicited false statements from clients for inclusion into petition papers, and prepared the petition papers—all before Critique Services Attorney James C. Robinson ever met the debtor. Moreover, when Robinson finally met the debtor,

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<sup>4</sup> *In re Reed, et al.* (a copy of the transcript of the § 341 meeting in *In re Sylvia Scales* (Case No. 14-49828), wherein Meriwether explained his role at the Critique Services Business).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

the debtor advised him that the petition papers included false statements—but Robinson nevertheless signed the documents with the false statements included and had the papers filed. In Debtor White’s case, Critique Services Attorney Robert J. Dellamano filed false documents on behalf of a client who he had never previously met, then appeared for her at the § 341 meeting—where he then promptly lied about his own false statements. And, when Dellamano got caught lying by the case trustee at the § 341 meeting, he threw his own client under the bus, blaming her for his false statements.

The Critique Services Business requires a cash payment for the attorney’s fees, up front. However, after collecting the fees, the business often waits *months* to file the client’s case. Clients have to repeatedly beg for their cases to be filed. Meanwhile, as the client waits (and begs) for his case to be filed, his fees are not held in a client trust account. In fact, no one affiliated with the Critique Services Business will explain what happens to the client’s fees after collection. In *In re Steward*, Robinson and Critique Services L.L.C. refused to make court-ordered discovery related to how they handled the fees. They chose to take considerable monetary sanctions instead of obeying the discovery order. In *In re Reed, et al.*, Critique Services L.L.C., Robinson and another attorney affiliated with the Critique Services Business, Ross H. Briggs, were ordered to turn over information related to the handling of the debtors’ fees. That matter is ongoing as of the date of this Order, but there has not been turned over of any bookkeeping evidence held by the Critique Services Business: not a ledger, not a bank statement, not a receipt book. All that **cash**—hundreds of thousands of dollars collected annually from the working-poor—and no one will account for how a dime of it is handled.

As a result of no attorney actually doing any legal work at the Critique Services Business, the pleadings produced there are often grossly erroneous, contain false statements, and are incompetently prepared. Client abandonment is the modus operandi. The Critique Services Attorney of record often does not show up for § 341 meeting or contested hearings. Motions are not responded to. Notices of error from the Clerk’s Office are disregarded (in fact, in early

December 2015, Meriwether ignored one-on-one warnings given to him personally by the Clerk's Office staff about his use of the wrong bankruptcy forms—warnings that he acknowledged but disregarded, resulting in notices of error being issued and cases later being dismissed). When clients try to reach Critique Services Attorneys by phone, calls roll to voicemail and are never returned. Desperate clients resort to going into the Critique Services Office in person—often coming back over and over and over—to get attention to their cases. But even when a client shows up at the office in person, he often receives nothing other than the news that he cannot speak with an attorney, but must speak with non-attorney Mayweather—and that Mayweather isn't there.

And not only do the Critique Services Attorneys have almost nothing to do with clients, they also have nothing to do with their own fees. The attorney's fees are collected and held by non-attorney staff persons at the Critique Services Business Office. Meriwether has admitted, point-blank, that he has no idea what happens to his own attorney's fees,<sup>7</sup> and Robinson has reflected a similar ignorance regarding the handling of his fees in *In re Reed, et al.*

In *In re Reed, et al.*, Critique Services L.L.C. made the bald claim that it has no employees other than Diltz, despite mounting evidence to the contrary. When the Court offered Critique Services L.L.C. the opportunity to support this claim by filing (under protective order) tax documents establishing its number of employees, Critique Services L.L.C. refused, inexplicably claiming that the tax documents would not be relevant. However, relevancy turned out to likely not be the problem. As the Court learned through documents filed by the UST for Region 13, neither Critique Services L.L.C. nor Diltz have filed income taxes returns in at least three years.

#### **B. The Disciplinary History of Persons and Entities Affiliated with the Critique Services Business**

Over the years, the Critique Services Business, Diltz, Critique Services Attorneys, and non-attorney staff persons have been sanctioned and enjoined for

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<sup>7</sup> *Id.*

their unlawful and unprofessional activities. In addition, with only one exception,<sup>8</sup> every attorney who has been affiliated with the Critique Services Business has been suspended or disbarred for malfeasance while affiliated with Diltz or the Critique Services Business:

- In *In re Robert Wigfall, Jr.* (Bankr. S.D. Ill. Case No. 02-32059), Briggs was sanctioned by the U.S. Bankruptcy Court for the Southern District of Illinois (the “Illinois Bankruptcy Court”) and was suspended from filing new cases for three months. In 2003, in *Rendlen v. Briggs, et al. (In re Thompson)* (Adv. Proc. No. 03-4003), Briggs was sanctioned by this Court and suspended from filing new cases for six months. Briggs is currently facing the possibility of sanctions in *In re Reed, et al.*
- In *In re Barry Bonner, et. al.* (Bankr. S.D. Ill. Lead Case No. 03-30784), Critique Services Attorney Leon Sutton was permanently disbarred from practicing law before the Illinois Bankruptcy Court. On May 24, 2004, Sutton was suspended on an interim basis by the Missouri Supreme Court; on May 10 2006, he was disbarred by the Missouri Supreme Court (Missouri Supreme Court Case No. SC87525).
- On August 1, 2006, Critique Services Attorney George E. Hudspeth, Jr. was disbarred by the Missouri Supreme Court (Missouri Supreme Court Case No. SC87881).
- In November 2013, in *In re Steward*, Robinson was suspended from using the Court’s overnight drop box and from the remote access use of the Court’s CM-ECF electronic docketing system, due to his refusal to obey an order compelling turnover; the following February, Robinson was sanctioned \$3,000.00 for violating *that* order.
- On June 10, 2014, in *In re Steward*, Robinson and Critique Services L.L.C.’s attorney, Elbert A. Walton, Jr., were suspended for one year from the privilege of practicing before the Court for making false statements,

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<sup>8</sup> Dedra Brock-Moore was a Critique Services Attorney from August 2014 to August 2015. It is the Court’s understanding that she dissociated herself from the Critique Services Business late in the summer of 2015. She has not filed cases as a Critique Services Attorney in months.

contempt of court, refusing to obey a court order, and abuse of process—and they remain suspended to this day because they have failed to meet any of the conditions for reinstatement.

- In June 2014, the U.S. District Court for the Eastern District of Missouri opened a disciplinary proceeding (USDC Case No. 14-MC-352) against Robinson upon a referral in *In re Steward* (that disciplinary proceeding currently is abated until the Missouri Supreme Court's Office of Chief Disciplinary Counsel makes its determination on a similar referral).
- On August 27, 2015, in *In re Arlester Hopson*, Meriwether was suspended from use of the Court's remote access use of the Court's CM-ECF electronic docketing system, due to Meriwether's abandonment of a client, failure to obey the Local Bankruptcy Rules, and other bad acts.
- On December 7, 2015, in *In re Leander Young* (Case No. 15-44343), Meriwether was suspended from the privilege of practicing before the Court for client abandonment, the unauthorized practice of law, and other bad acts.
- On December 11, 2015, in *In re Robert J. Dellamano: Business of the Court* (Case No. 15-0402), Dellamano's CM-ECF passcode was suspended after Dellamano obtained the passcode using Meriwether's business address and contact information, in violation of a Court order and in an apparent attempt to ghost-lawyer for the suspended Meriwether.
- On December 18, 2015, in *In re Dellamano*, Dellamano was suspended from the privilege of practicing before the Court until March 7, 2016, for making false statements in pleadings.
- On December 29, 2015, in *In re Lawanda Watson* (Case No. 11-42230), Robinson, Meriwether and Dellamano were held in contempt of court for refusing to respond to a Court directive to explain the Critique Services Business's use of falsified court documents.
- Robinson, Meriwether and Dellamano all have had multiple referrals by the Court to the OCDC for their various acts of professional malfeasance.



- Dellamano’s activities in cases before this Court also have been referred to the Attorney Registration & Disciplinary Commission of the Illinois Supreme Court. By holding himself out as practicing at the Critique Services Business Office, he has been involved in the regular practice of law in the state of Missouri without a Missouri law license. He also has appeared at numerous § 341 meetings in cases on behalf of Meriwether’s clients (that is, on behalf of clients who aren’t his), and did so before he was even admitted to practice in this federal District.
- Since Meriwether’s and Dellamano’s suspensions, the Court has issued numerous Orders for Disgorgement of attorney’s fees, directing that attorney’s fees collected at the Critique Services Business be returned. *See, e.g., In re Jernisha A. Hays* (Case No. 15-47014); *In re Chiquita D. Snider* (Case No. 15-47344); *In re Diana Marie Reardon* (Case No. 15-46634); *In re Nettie Bell Rhodes* (Case No. 15-49062), *In re Keisha Renita White* (Case No. 15-45524); *In re William Henry Martin, III, and Lanisha Desha Martin* (Case No. 15-47021); *In re Lois Ann Adams* (Case No. 15-47021); *In re Elaine Doray Hudson* (Case No. 15-40826); *In re Juan Devon Miller* (Case No. Case No. 15-47865); *In re Melesia Lynn Broom* (Case No. 15-48463); and *In re Marvin King* (Case No. 15-48587).
- On March 1, 2016, Meriwether was suspended by the Missouri Supreme Court for his activities as a Critique Services Attorney.
- In *In re Terry L. and Averil May Williams, et al.* (Lead Case No. 14-44204), Robinson, Diltz and Critique Services L.L.C. are facing another action against them by the U.S. Trustee on allegations of the unauthorized practice of law.
- In *In re Reed, et al.*, Robinson and Briggs currently are facing the possibility of yet-more sanctions, including suspension, in *In re Reed, et al.*, for the refusal to obey a court order compelling turnover and for making false representations to the Court.
- In the *State of Missouri v. Critique Services L.L.C., et al.*—an action recently filed by the Missouri Attorney General Office—the State Circuit

Court recently entered a temporary restraining order against Meriwether and Dellamano and a preliminary injunction against Robinson, barring them from conducting bankruptcy services business.

This pattern of sanctions, suspensions and disbarments of the Critique Services Attorneys is a part of the regular business operations of the Critique Services Business. The Critique Services Business never changes its unauthorized practice of law; it merely changes its facilitating attorneys. Once an attorney is suspended or disbarred, Diltz simply replaces him with another, and the cycle begins again. As the Court explained in its Order Suspending Meriwether:

Bearing witness to this [pattern] are the numerous carcasses of attorneys with putrefied reputational integrity, rotting in the hot sun of professional disgrace, lying in the wake of Diltz's twenty-year operation. This is not merely an unfortunate coincidence or a showing of poor judgment in the hiring process. Meanwhile, Diltz, Critique Services L.L.C, and the non-attorney staff persons are shielded from any such consequences. As non-attorneys, they cannot be suspended or disbarred. At most, Diltz has the inconvenience of having to sign a consent injunction, after which she can go back to the unauthorized practice of law, to wait for the next time she will be sued and have to sign another consent injunction.

### **C. The Scope of the Critique Services Business Rip-Off**

According to the records of the Clerk of Court, in 2013, Robinson (who, at the time, was the primary Critique Services Attorney) filed 1,014 chapter 7 cases (charging an average attorney fee of \$296.23 per case) and 123 chapter 13 cases (charging an average attorney fee of \$4,000.00 per case). As such, in 2013 alone, Robinson collected approximately \$300,337.22 in chapter 7 attorney's fees and \$492,000.00 in chapter 13 attorney's fees—for a total of approximately \$792,337.22 in attorney's fees. This means that, just through Robinson, more than three-quarters of a million dollars in attorney's fees collected in cases filed in this District flowed through the Critique Services Business annually. The suspension of Robinson did little to slow the Critique Services Business machine; Robinson was just replaced by Meriwether, and, in turn, when Meriwether was suspended, he was replaced by Dellamano. And after Dellamano got suspended, the business found yet-another attorney to

whom it could “refer” cases: Teresa Coyle. Shortly after Coyle began filing cases in this District in February 2016, she was suspended by the Missouri Supreme Court—yet she kept on filing cases. Until very recently, it seemed that nothing—not even attorney suspensions—could stop the cash-cow that is the Critique Services Business.

#### **D. Why the Critique Services Business Has Been Able to Get Away with this Scam for All These Years**

The Critique Services Business scam works because of three sad realities. First, most “no-asset” chapter 7 cases<sup>9</sup> (which constitute the vast majority of the Critique Services Business cases) quietly pass through the bankruptcy system with little scrutiny. There are no creditors fighting over non-existent assets, and the debtors themselves rarely have to appear in Court. There are almost never disputes requiring close review of the documents. As such, the clients of the Critique Services Business usually are none-the-wiser that their papers have been very poorly prepared and that “legal services” have not actually been rendered. Second, even when a client realizes that he has been victimized by the Critique Services Business, he usually lacks the resources—in time, money, and familiarity with the legal system—to do anything about it. The working-poor are pulling swing shifts and scrambling to put food on the table; they do not have the time to take a crash course in federal procedure, so that they can proceed pro se against their own attorneys. Third, the firewall set up to prevent such abuse and fraud—the role and the vigilance of the Office of the U.S. Trustee—has not been effective. For whatever reason, the Office of the U.S. Trustee has been unsuccessful in finding a solution that actually stops the abuse and fraud perpetrated by the Critique Services Business.

### **III. THE FACTS ESTABLISHED IN THESE CASES**

At the hearing, the evidence was overwhelming and clear: Meriwether failed to provide legal services of any value to the Debtors. The Debtors paid for legal representation in their respective Cases, but in return received gross incompetence, blatant mismanagement, and inexcusable neglect. The Debtors

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<sup>9</sup> A “no-asset case” is one in which the debtor has no assets for administration.

offered very similar stories in most respects. There had been significant delays in filing their cases; they were given ridiculous and numerous excuses for the failure to properly handle their cases; they had to repeatedly—over and over and over—call the office to ask about their cases. Calls were not returned and communication was not made. Meriwether failed to show up at their § 341 meetings. Meriwether failed to show up at court. Meriwether failed to file required documents. Meriwether failed to provide the chapter 7 trustees with information required for the § 341 meeting. Their “cases” were handled by, and communication was almost exclusively with, non-attorney staff persons. In addition, Debtor Matthis advised that he met with a “Tracy” at the Critique Services Business Office, who reviewed his bankruptcy schedules with him (“Tracy,” as it turns out, appears to be a false identity currently being used by Diltz when providing services at the Critique Services Business<sup>10</sup>). In addition, Debtor testified that he never met Meriwether—his attorney—ever.

## **II. JURISDICTION, VENUE, NOTICE AND OTHER ISSUES**

### **A. Subject Matter Jurisdiction**

The bankruptcy court, as an Article I court, does not have jurisdiction vested to it. Jurisdiction is vested to the district court. An inquiry into whether this Court has jurisdiction is really an inquiry into whether the district court has jurisdiction. Section 1334(a) & (b) of title 28 establishes that the district court has “original and exclusive jurisdiction of all cases under title 11 [the Bankruptcy Code],” and “original but not exclusive jurisdiction of all civil proceedings arising under title 11, or arising in or related to cases under title 11.” Under this scheme, the district court has subject matter jurisdiction over the matter of a disgorgement request, since it arises under title 11 or arises in a case under title 11. See also *Walton v. LaBarge (In re Clark)*, 223 F.3d 859, 863 (8th Cir. 2000)(affirming bankruptcy court’s directive for disgorgement of fees where the attorney overcharged clients, misused the bankruptcy process for his personal gain, and had a non-attorney prepare documents and give legal advice).

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<sup>10</sup> See numerous affidavits filed in *In re Critique Services L.L.C., et al.* (Case No. 16-0402).

## **B. Authority to Hear and Determine**

While § 1334 confers subject matter jurisdiction over bankruptcy matters, § 157 of title 28 of the United States Code (“§ 157”) confers authority upon the district court to refer bankruptcy matters to the bankruptcy court, and confers upon the bankruptcy court the authority to preside over referred matters. Section 157(a) establishes that the district court “may provide that any or all cases under title 11 and any or all proceedings arising under title 11 or arising in or related to a case under title 11 shall be referred to the bankruptcy judges for the district.” As such, the district court has the authority to refer those bankruptcy cases and proceedings over which it has subject matter jurisdiction to the bankruptcy court. A § 157(a) referral of bankruptcy proceedings is effected by a standing order whereby the district court automatically refers those matters that, by statute, may be referred to the bankruptcy court. *See, e.g.*, E.D. Mo. L.R. 81- 9.01(B)(1).

Section 157, in turn, establishes that a bankruptcy judge has authority to preside over referred matters—although the authority to determine a matter by final disposition depends on the type of case or proceeding that has been referred. On one hand, “[b]ankruptcy judges may hear and determine all cases under title 11 and all core proceedings arising under title 11, or arising in a case under title 11 . . .” 28 U.S.C. § 157(b)(1). On the other hand, a bankruptcy judge may only hear (but not determine) a non-core proceeding that is merely “related to” a case under title 11. 28 U.S.C. § 157(c)(1). However, there is a carve-out to this limitation: with the consent of the parties, a bankruptcy judge may hear and determine a non-core proceeding that is “related to” the bankruptcy case.

Here, the referred matters—the Motions to Disgorge—are core matters arising under title 11 or arising in a case under title 11. The Court does not require consent of the parties to hear and determine the matters, and the Court has the authority to enter a final disposition. The recent U.S. Supreme Court case of *Stern v. Marshall*, 131 S.Ct 2594 (2011), does not change this. In *Stern*, the Supreme Court held that § 157(b)(2)(A) was unconstitutional as applied to a state law claim for tortious interference. *Stern* did not involve the determination of

a motion to disgorge and did not strip the bankruptcy court of its authority to determine a motion to disgorge.

### **C. Personal Jurisdiction**

Meriwether entered his appearance as the attorney of record in these Cases; the Court has personal jurisdiction over him. Further, by failing to respond to the Motions to Disgorge, Meriwether has consented to personal jurisdiction by waiver. In addition, the Court has personal jurisdiction over Critique Services L.L.C., the limited liability company through which the Critique Services Business is operated. Meriwether is employed by Critique Services L.L.C., and Critique Services L.L.C., through its agents such as Mayweather and Charlotte, collects and holds the attorney's fees collected at the Critique Services Business—fees that, until earned, are property of the estate. By collecting and holding Meriwether's attorney's fees Critique Services L.L.C. has submitted to the Court's personal jurisdiction over it, to determine issues related to whether it must disgorge the fees it collected.

### **D. Venue**

Section 1408(1) of title 28 of the United States Code provides that:

a case . . . may be commenced in the district court for the district . . . in which the domicile, residence, principal place of business in the United States, or principal assets in the United States, of the person or entity that is the subject of such case have been located for the one hundred and eighty days immediately preceding such commencement, or for a longer portion of such one-hundred-and-eighty-day period than the domicile, residence, or principal place of business, in the United States, or principal assets in the United States, if such person were located in any other district.

Further, “[i]t is well established that an objection to venue is waived if not timely raised.” *Block v. Citizens Bank et al.*, 249 B.R. 200, 203 (Bankr. W.D. Mo. 2000). Venue of this Case clearly lies in this Court and no party suggested otherwise.

## **IV. DISCUSSION**

### **A. Law on Disgorgement**

Section 329(b) provides that “[i]f such compensation [of a debtor's attorney] exceeds the reasonable value of any such services, the court may

cancel any such agreement, or order the return of any such payment, to the extent excessive, to . . . the estate, if the property transferred . . . would have been property of the estate.” This statute “allows the court sua sponte to regulate attorneys and other people who seem to have charged debtors excessive fees.” (*Brown v. Luker (In re Zepecki*, 258 B.R. 719, 725 (B.A.P. 8th Cir. 2001)(citing *In re Weatherley*, 1993 WL 268546 (E.D. Pa. 1993)). Section 329, by its terms, applies to post-petition services as well as to prepetition services. See *Schroeder v. Rouse (In re Redding)*, 247 B.R. 474, 478 (B.A.P. 8th Cir. 2000). As such, pursuant to § 329(b), the bankruptcy court may order that a request for payment of the debtor’s attorney’s fees be denied or that fees paid to the debtor’s attorney be disgorged. *Walton v. LaBarge (In re Clark)*, 223 F.3d at 864 (noting the power of the bankruptcy court to award or deny fees); *In re Burnett*, 450 B.R. at 130-31 (providing that § 329(b) allows the court to disgorge compensation already received).

Disgorgement of attorney’s fees is not a punitive measure and does not constitute damages. *In re Escojido*, 2011 WL 5330299, at \*2 (Bankr. S.D. Cal. Oct. 28, 2011) (citing *Berry v. U.S. Trustee (In re Sustaita)*, 438 B.R. 198, 213 (B.A.P. 9th Cir. 2010)). Disgorgement pursuant to § 329(b) is a civil remedy with no additional procedural protections.

Under § 329(b), the Court may order any person or entity who holds the attorney’s fees to disgorge those fees. There is nothing in the statute limiting disgorgement to the attorney of record or his law firm. As such, Critique Services L.L.C., the entity whose agents collected and held Meriwether’s fees, may be ordered to disgorge those fees.

Before disgorgement may be ordered, there must first be a determination that the fees are excessive. *Schroeder v. Rouse (In re Redding)*, 247 B.R. at 478. In determining whether fees are excessive, “a court should compare the amount of compensation that the attorney received to the reasonable value of the services rendered.” *Brown v. Luker (In re Zepecki)*, 258 B.R. at 725 (citing *Schroeder v. Rouse (In re Redding)*, 247 B.R. at 478). The attorney bears the burden of proving that his compensation is consistent with the reasonable value

of his services. An attorney may not hide behind the excuse that his non-attorney staff rendered poor or improper services, regardless of whether he specifically directed his staff to practice law without a license or to commit improprieties, or whether he just incompetently managed his staff.

### **B. Analysis**

The evidence establishes that the reasonable value of Meriwether's services in each of the Cases is \$0.<sup>11</sup> The attorney's fees were collected before any attorney, much less Meriwether, provided any legal counsel whatsoever. When Meriwether finally got around to meeting with the Debtors, his "legal services" were the equivalent of drive-by lawyering, if that. His utter lack of substantive involvement with his clients was followed by inexcusable, lengthy, prejudicial delays in filing their Cases. Meriwether ignored his clients' telephone calls and in-office visits, and was indifferent to the consequences of his failure to render timely services. He failed to show up at § 341 meetings. He failed to show up at court. He allowed Mayweather—a non-attorney long-time cohort of Diltz in the unauthorized practice of law—to commit the unauthorized practice of law while he remained uninvolved with his own clients. He allowed Dellamano—who does not hold a law license in this state—do his lawyering. In the case of Debtor Matthis, he failed to even meet the client.

It would be almost flattering to describe Meriwether's treatment of the Debtors as mere client abandonment. Meriwether's conduct is much worse. He didn't abandon his clients after agreeing, in good faith, to represent them; Meriwether never acted in good faith in accepting the representation. It is clear that, at the time that the Debtors paid for his services, Meriwether intended one thing: to have the Critique Services L.L.C. collect the fees, then for the non-

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<sup>11</sup> The Court chooses to assign zero-value because this dovetails with § 329(b)'s "excess" requirement. However, an alternate holding would be that the Respondents failed to adequately represent the Debtor, thereby failing to earn the \$495.00. *In re Bost*, 341 B.R. 666, 689 (Bankr. E.D. Ark. 2006)(ordering disgorgement because the attorney had not adequately represented his clients and has not earned the fees they paid him).



attorney staff persons there to do his “lawyering” for him. He never intended to provide the legal services for which he was retained.

#### IV. CONCLUSION

Accordingly, the Court **ORDERS** that the Motions to Disgorge be **GRANTED** as set forth herein, and that Meriwether and Critique Services L.L.C. disgorge to each of the Debtors as follows:

- \$349.00 in attorney’s fees to Kevin Shaunte Matthis;
- \$349.00 in attorney’s fees to Kimberly Black;
- \$349.00 in attorney’s fees to Jessica White;
- \$349.00 in attorney’s fees to Ashley Marie Nelson; and
- \$349.00 in attorney’s fees to Annette Latosca Jones.

The Court is directing that Meriwether and Critique Services L.L.C. both be required to disgorge the fees paid by the Debtors. Meriwether was responsible for the fees, since they were collected for his clients, but Critique Services L.L.C., through its non-attorney staff persons, collected and handled the fees. The Court is statutorily permitted to direct disgorgement from whomever has the fees, even if that person or entity is not the attorney himself. Moreover, as the Bankruptcy Appellate Panel for the Eighth Circuit Court of Appeals has explained: § 329(b) “allows the court sua sponte to regulate attorneys and other people who seem to have charged debtors excessive fees.” (*Brown v. Luker*) *In re Zepecki*, 258 B.R. 719, 725 (B.A.P. 8th Cir. 2001). While Meriwether may technically be the attorney who “charged” the “attorney’s fees,” the notion that Meriwether really had anything to do with the “charging” the fees is a complete joke. Meriwether is a stooge for Diltz’s business. It was really the Critique Services Business, as operated through Critique Services L.L.C., that charged and collected the fees.

DATED: April 5, 2016  
St. Louis, Missouri 63102  
mtc

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

**COPIES TO:**

(1) By email to all parties and person receiving service through the Court's CM-ECF system;

(2) By first-class U.S. Mail to each of the Debtors;

(3) By first-class U.S. Mail to Critique Services L.L.C. at the Critique Services Business Office at 3919 Washington Blvd, St. Louis, Missouri, 63108, and at the office address of its attorney, Laurence Mass; and

(4) Dean D. Meriwether at the Critique Services Business Office at 3919 Washington Blvd, St. Louis, Missouri, 63108, and at his presumed home address at 700 Ridgeside Dr. D, Ballwin, Missouri 63021

**Attachment 176**

First Show Cause Order

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

In re:	§	
	§	
Evette Nicole Reed,	§	Case No. 14-44818-705
	§	
Debtor.	§	
<hr/>		
In re:	§	
	§	
Pauline A. Brady,	§	Case No. 14-44909-705
	§	
Debtor.	§	
<hr/>		
In re:	§	
	§	
Lawanda Lanae Long,	§	Case No. 14-45773-705
	§	
Debtor.	§	
<hr/>		
In re:	§	
	§	
Marshall Beard,	§	Case No. 14-43751-705
	§	
Debtor.	§	
<hr/>		
In re:	§	
	§	
Darrell Moore,	§	Case No. 14-44434-705
	§	
Debtor.	§	
<hr/>		
In re:	§	
	§	
Nina Lynne Logan,	§	Case No. 14-44329-705
	§	
Debtor.	§	

**ORDER DIRECTING (I) JAMES ROBINSON TO SHOW CAUSE AS TO WHY HIS FEES SHOULD NOT BE DISGORGED UNDER § 329(b), AND (II) THE CHAPTER 7 TRUSTEE TO PROVIDE INFORMATION RELATED TO FEES**

On June 10, 2014, Mr. James Robinson, an attorney, was suspended from the privilege of practicing before the U.S. Bankruptcy Court for the Eastern District of Missouri for contempt and abuse in the Memorandum and Order (as amended) entered in *In re Latoya Steward*, Case No. 13-46399-705. Currently, Mr. Robinson remains suspended.

Shortly after Mr. Robinson's suspension, Mr. Ross Briggs—an attorney with a long professional relationship Mr. Robinson's "firm," Critique Services L.L.C.—began filing Notices of Appearance in bankruptcy cases that had been filed by Mr. Robinson prior to his suspension. In these Notices of Appearance, Mr. Briggs represented that he would serve as co-counsel with Mr. Robinson—despite the fact that a suspended attorney cannot serve in a co-counsel capacity. In response, the Court ordered these Notices of Appearance be stricken.

Contemporaneously, Mr. Briggs also began filing Rule 2016(b) attorney compensation disclosure statements ("Rule 2016(b) Statements") in cases that had been filed by Mr. Robinson prior to his suspension. In these Rule 2016(b) Statements, Mr. Briggs represented that he would provide "joint representation" and fee-share with Mr. Robinson—despite the fact that a suspended attorney cannot provide joint representation or earn fees to share. In response, the Court entered a June 25, 2014 order in *In re Tamika Ecole Henry* (Case No. 14-44922) and seventeen other cases, striking each such Rule 2016 Statement and directing Mr. Briggs to file in each such case a non-misleading Rule 2016 Statement and an affidavit attesting to the fact that the debtor had been notified of Mr. Robinson's suspension. In addition, the *In re Henry, et al.* order provided that (emphasis added):

before the [c]ase is closed, Mr. Briggs file an affidavit attesting to the amount of fees returned by Mr. Robinson to each Debtor. Such affidavit shall be accompanied by a receipt of returned fees, signed by the receiving Debtor and reflecting the date upon which the fees were received by the Debtor. *Nothing herein shall limit or prevent the Court from ordering Mr. Robinson to show cause as to why any portion of the fees that were paid to him by any Debtor were not returned to such Debtor if unearned.*

Mr. Briggs never complied by filing an affidavit attesting to the fees returned.

Further, in addition to filing Notices of Appearance and Rule 2016(b) Statements in cases that were pending at the time of Mr. Robinson's suspension, Mr. Briggs also began filing bankruptcy cases for debtors who had paid Mr. Robinson before his suspension, but whose cases were not filed prior to the suspension. In the Rule 2016(b) Statements filed in those new cases, Mr. Briggs

represented that he was providing his services without charge and without a fee-sharing arrangement. Line 9 of the Statement of Financial Affairs filed in those cases discloses that the debtor paid attorney's fees to Mr. Robinson prior to Mr. Robinson's suspension—although there is no representation as to what happened to those fees. The above-captioned cases in which this instant Order is entered (each, a "Case"; collectively, the "Cases") are examples of those post-suspension new cases filed by Mr. Briggs.

Under Bankruptcy Code § 329(b), unearned fees may be subject to disgorgement to the estate.<sup>1</sup> After June 10, 2014, Mr. Robinson could not have (without violating his suspension) prepared or filed the petition papers, counseled the debtor during the course of her case, or represented the debtor in any capacity. The terms of the suspension are clear on this. Moreover, the fact that Mr. Robinson's former clients are represented post-suspension by Mr. Briggs does not allow Mr. Robinson to keep fees that he did not personally earn post-suspension. Mr. Briggs cannot "earn" Mr. Robinson's fees for him and Mr. Briggs's representation of Mr. Robinson's former clients does not provide an end-run around the effects of Mr. Robinson's suspension. Attorneys are not fungible and attorney's fees cannot be earned by proxy. Given this, it appears that a significant portion, if not all, of Mr. Robinson's fees in the Cases (but without limitation to these Cases alone) are unearned. Accordingly, the Court requires a full accounting of these attorney's fees, as it appears that such fees may be subject to disgorgement to the estate.

Therefore, the Court **ORDERS** that:

- (i) Mr. Robinson show cause as to why the Court should not order disgorgement, by credibly accounting for how he earned the fees;
- (ii) the chapter 7 trustee address the following:

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<sup>1</sup> Section 329 "[i]f such [attorney's] compensation exceeds the reasonable value of any such services, the court may cancel any such agreement, or order the return of any such payment, to the extent excessive, to . . . the estate, if the property transferred . . . would have been property of the estate." Unearned fees, by definition, exceed the reasonable value of the services. Services that are not provided are valued at \$0.

- (a) to whom, specifically, the fees for were paid;
  - (b) where the fees were held following payment, including whether such fees were held in a client trust account;
  - (c) where the fees are held today; and
  - (d) whether any of those fees have been disbursed to Mr. Robinson, any attorney affiliated or otherwise associated with (formally or informally) Critique Services L.L.C. or any permutation of Critique Services L.L.C., to any employee, officer, or owner of Critique Services L.L.C., or to any other person.
- (iii) this matter be set forth hearing at the Thomas F. Eagleton U.S. Courthouse, 111 S. Tenth St., Floor 7, Courtroom South, St. Louis, Missouri, on **January 21, 2015, at 10:00 A.M.**

While the Court would welcome Mr. Robinson now voluntarily providing to the chapter 7 trustee any portion of any fees in any case that were paid to him but which he did not earn, doing so will not make this inquiry moot. The Court still would require the above-listed issues to be addressed. The fact that Mr. Robinson apparently has not returned any unearned fees raises the concern of whether there has been attempted impropriety in these Cases related to the attorney's fees paid by the debtor.

Nothing herein requires the disclosure of an attorney-client confidential information or attorney work product. Nothing herein prevents any party from filing a motion for protective order related to the protected disclosure of any information, if cause exists for sealing or other such protection. Nothing herein requires that Mr. Robinson waive his rights under the Fifth Amendment of the U.S. Constitution or any similar right under state law. The United States Trustee is invited to participate in the process of addressing these issues.

DATED: November 26, 2014  
St. Louis, Missouri 63102  
mtc

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

Copy Mailed To:

**Ross H. Briggs**

Post Office Box 58628  
St. Louis, MO 63158

**James Clifton Robinson**

Critique Services  
3919 Washington Blvd.  
St. Louis, MO 63108

**David A. Sosne**

Summers Compton Wells LLC  
8909 Ladue Rd.  
St. Louis, MO 63124

**E. Rebecca Case**

7733 Forsyth Blvd.  
Suite 500  
Saint Louis, MO 63105

**Office of US Trustee**

111 S Tenth St, Ste 6.353  
St. Louis, MO 63102



**Attachment 177**

Second Show Cause Order

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

<b>In re:</b>	<b>§</b>	<b>§</b>
<b>          Evette Nicole Reed,</b>	<b>§</b>	<b>Case No. 14-44818-705</b>
<b>                                  Debtor.</b>	<b>§</b>	<b>§</b>
<hr/>		
<b>In re:</b>	<b>§</b>	<b>§</b>
<b>          Pauline A. Brady,</b>	<b>§</b>	<b>Case No. 14-44909-705</b>
<b>                                  Debtor.</b>	<b>§</b>	<b>§</b>
<hr/>		
<b>In re:</b>	<b>§</b>	<b>§</b>
<b>          Lawanda Lanae Long,</b>	<b>§</b>	<b>Case No. 14-45773-705</b>
<b>                                  Debtor.</b>	<b>§</b>	<b>§</b>
<hr/>		
<b>In re:</b>	<b>§</b>	<b>§</b>
<b>          Marshall Beard,</b>	<b>§</b>	<b>Case No. 14-43751-705</b>
<b>                                  Debtor.</b>	<b>§</b>	<b>§</b>
<hr/>		
<b>In re:</b>	<b>§</b>	<b>§</b>
<b>          Darrell Moore,</b>	<b>§</b>	<b>Case No. 14-44434-705</b>
<b>                                  Debtor.</b>	<b>§</b>	<b>§</b>
<hr/>		
<b>In re:</b>	<b>§</b>	<b>§</b>
<b>          Nina Lynne Logan,</b>	<b>§</b>	<b>Case No. 14-44329-705</b>
<b>                                  Debtor.</b>	<b>§</b>	<b>§</b>
<hr/>		
<b>In re:</b>	<b>§</b>	<b>§</b>
<b>          Jovon Neosha Stewart,</b>	<b>§</b>	<b>Case No. 14-43912-705</b>
<b>                                  Debtor.</b>	<b>§</b>	<b>§</b>
<hr/>		
<b>In re:</b>	<b>§</b>	<b>§</b>
<b>          Angelique Renee Shields,</b>	<b>§</b>	<b>Case No. 14-43914-705</b>
<b>                                  Debtor.</b>	<b>§</b>	<b>§</b>
<hr/>		

**ADDITIONAL ORDER DIRECTING (I) JAMES ROBINSON TO SHOW CAUSE  
AS TO WHY HIS FEES SHOULD NOT BE DISGORGED UNDER  
§ 329(b), AND (II) THE CHAPTER 7 TRUSTEE TO PROVIDE INFORMATION  
RELATED TO FEES**

On November 26, 2014, in the first six of the above-captioned eight cases (the “First Six Cases”), the Court entered an Order Directing (I) James Robinson to Show Cause as to Why His Fees Should Not Be Disgorged Under § 329(b), and (II) the Chapter 7 Trustee to Provide Information Related to Fees (the “Original Order”). Since the entry of the Original Order, the Court has discovered two additional cases (the “Additional Two Cases”)<sup>1</sup> that also are properly the subject of the show-cause inquiry.

In the Original Order, the Court gave notice to Mr. Robinson—an attorney suspended from the privilege of practicing before this Court<sup>2</sup>—that he is required to show cause as to why fees that he collected in the First Six Cases prior to being suspended on June 10, 2014 should not be ordered disgorged to the estate pursuant to § 329(b) as being unearned. Documents filed in the First Six Cases show that Mr. Robinson collected fees from clients prior to his suspension, but that Mr. Ross Briggs—an attorney with a long-time professional affiliation with Mr. Robinson’s “firm,” Critique Services L.L.C.—filed those clients’ cases and represented those clients after Mr. Robinson’s suspension. That is, the records in the First Six Cases indicate that Mr. Briggs rendered the majority, if not all, of the services.<sup>3</sup> And Mr. Briggs cannot “earn” Mr. Robinson’s fees for him.

In the Additional Two Cases, Mr. Robinson collected fees from clients prior to his suspension, but—unlike in the First Six Cases—Mr. Robinson filed

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<sup>1</sup> The Additional Two Cases are *In re Stewart* and *In re Shields*, as listed above in the caption.

<sup>2</sup> Mr. Robinson was suspended from the privilege of practicing before the U.S. Bankruptcy Court for the Eastern District of Missouri for contempt and abuse in the Memorandum and Order (as amended) in *In re Latoya Steward*, Case No. 13-46399-705. Currently, Mr. Robinson remains suspended.

<sup>3</sup> Mr. Briggs has represented to the Court that he accepted representation of Mr. Robinson’s clients without charge and without a fee-sharing agreement.

the clients' cases before his suspension. However, in the Additional Two Cases, Mr. Robinson appears to have failed to render all required services prior to his suspension. For example, the dockets show that the statutorily required § 341 meetings of creditors were conducted on June 17, 2014—after Mr. Robinson's suspension. As such, Mr. Robinson could not have represented his clients at this critical meeting.<sup>4</sup> Thus, it appears that at least a portion of the fees paid to Mr. Robinson in connection with the Additional Two Cases may not have been earned by Mr. Robinson and may be subject to disgorgement to the estate pursuant to § 329(b).

Accordingly, the Court requires an accounting of the fees collected by Mr. Robinson in the Additional Two Cases, and **ORDERS** that:

- (i) Mr. Robinson show cause as to why the Court should not order at least partial disgorgement of the fees collected in the Additional Two Cases, by credibly accounting for how he earned his fees post-suspension;
- (ii) the chapter 7 trustee address the following:
  - (a) to whom, specifically, the fees were paid;
  - (b) where the fees were held following payment, including whether such fees were held in a client trust account;
  - (c) where the fees are held today; and
  - (d) whether any of those fees have been disbursed to Mr. Robinson, any attorney affiliated or otherwise associated with (formally or informally) Critique Services L.L.C. or any permutation of Critique Services L.L.C., to any employee, officer, or owner of Critique Services L.L.C., or to any other person.
- (iii) this matter be set for hearing at the Thomas F. Eagleton U.S. Courthouse, 111 S. Tenth St., Floor 7, Courtroom South, St. Louis, Missouri, on **January 21, 2015, at 10:00 A.M.**


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<sup>4</sup> According to the Court's records, the debtors in the Additional Two Cases had no non-suspended counsel of record as of the date of their § 341 meetings. Mr. Briggs did not first appear on behalf of the debtors until more than a month later.

While the Court would welcome Mr. Robinson now voluntarily providing to the chapter 7 trustee any portion of any fees in any case that were paid to him but which he did not earn, doing so will not make this inquiry moot. The Court still would require the above-listed issues to be addressed. The fact that Mr. Robinson apparently has not returned any unearned fees raises the concern of whether there has been attempted impropriety in these Cases related to the attorney's fees paid by the debtor.

Nothing herein requires the disclosure of an attorney-client confidential information or attorney work product. Nothing herein prevents any party from filing a motion for protective order related to the protected disclosure of any information, if cause exists for sealing or other such protection. Nothing herein requires that Mr. Robinson waive his rights under the Fifth Amendment of the U.S. Constitution or any similar right under state law. The United States Trustee is invited to participate in the process of addressing these issues.

DATED: December 2, 2014  
St. Louis, Missouri 63102  
mtc

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

Copy Mailed To:

**Ross H. Briggs**  
Post Office Box 58628  
St. Louis, MO 63158

**James Clifton Robinson**  
Critique Services 3919 Washington Blvd.  
St. Louis, MO 63108

**David A. Sosne** Summers Compton Wells LLC  
8909 Ladue Rd.  
St. Louis, MO 63124

**E. Rebecca Case**

7733 Forsyth Blvd. Suite 500  
Saint Louis, MO 63105

**Office of US Trustee**

111 S Tenth St, Ste 6.353  
St. Louis, MO 63102

**Attachment 178**

Trustees' December 3, 2015 Letter

# SUMMERS COMPTON WELLS

LIMITED LIABILITY COMPANY  
ATTORNEYS AT LAW  
WWW.SUMMERSCOMPTONWELLS.COM

MAIN OFFICE:  
8909 LADUE ROAD  
ST. LOUIS, MISSOURI 63124  
(314)991-4999  
FAX: (314)991-2413

ILLINOIS OFFICE:  
1254 UNIVERSITY DRIVE, SUITE 300  
EDWARDSVILLE, IL 62025  
(618)656-4000  
FAX: (618)656-4002

Respond to Main Office

David A. Sosne  
[dsosne@summerscomptonwells.com](mailto:dsosne@summerscomptonwells.com)

December 3, 2014

VIA E-MAIL [r-briggs@sbcglobal.net](mailto:r-briggs@sbcglobal.net) and  
[rb0493@gmail.com](mailto:rb0493@gmail.com)  
AND REGULAR MAIL

Ross H. Briggs  
Post Office Box 58628  
St. Louis, MO 63158

Critique Legal Services  
Attn: Managing Agent  
Attn: Ross H. Briggs  
Attn: James Clifton Robinson  
3919 Washington Blvd.  
St. Louis, MO 63108

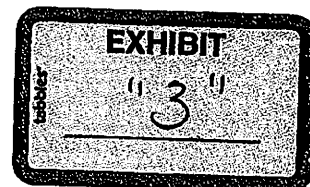
VIA E-MAIL [jrc4critique@yahoo.com](mailto:jrc4critique@yahoo.com)  
AND REGULAR MAIL

James Clifton Robinson  
Critique Legal Services  
3919 Washington Blvd.  
St. Louis, MO 63108

Re: Order Directing (I) James Robinson to Show Cause as to Why His Fees Should Not be Disgorged Under § 329(b), and (II) the Chapter 7 Trustee to Provide Information Related to Fees and the Additional Order Thereto

Dear Mr. Briggs and Mr. Robinson:

The undersigned are all of the Trustees referred to in the above referenced Order. In order for the Trustees to comply with their obligations thereunder, we are asking you and Critique Legal Services to provide all of the information together with all supporting and verifying documentation responsive to each of the questions addressed in the Order. Please provide the information to each of the respective Trustees including without limitation, checks, ledgers and account statements, no later than December 10, 2014. If the information and supporting documentation are not provided by December 10, 2014, the Trustees, in order to comply with the Order, will file Motion(s) to Compel, whether individually or in the aggregate. We trust that the information will be provided voluntarily in an effort to avoid having to resort to legal action. To assist you in your response, we are enclosing copies of the Orders for your review.

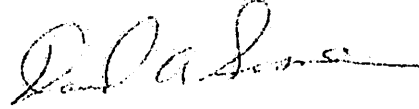




**SUMMERS COMPTON WELLS  
LIMITED LIABILITY COMPANY  
ATTORNEYS AT LAW**

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "David A. Sosne". The signature is fluid and cursive, with a long horizontal stroke at the end.

David A. Sosne, individually and on behalf of  
Seth Albin, Rebecca Case, Robert Blackwell,  
Kristen Conwell and Thomas O'Loughlin

DAS/clh

Enclosures

cc: Seth Albin (via e-mail)  
Rebecca Case (via e-mail)  
Robert Blackwell (via e-mail)  
Kristen Conwell (via e-mail)  
Thomas O' Loughlin (via e-mail)

**Attachment 179**

Robinson's Response to Trustees

December 8, 2014

David A. Sosne,  
individually and on behalf of  
Seth Albin, Rebecca Case, Robert Blackwell,  
Kristen Conwell and Thomas O'Loughlin  
8909 Ladue Rd  
St. Louis, Mo 63124

Re: Order Directing (I) James Robinson to Show Cause as to Why His Fee Should Not  
be Disgorged Under §329(b), and (II) the Chapter 7 Trustee to Provide Information  
Related to Fees and the Additional Order Thereto

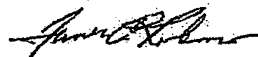
Dear Trustees:

In response to your correspondence dated December 3, 2014:

Please be advised the debtor in referenced cause have been tendered a full refund of  
all attorney fees paid in these cases, see attached copies of certified funds provided to  
debtors.

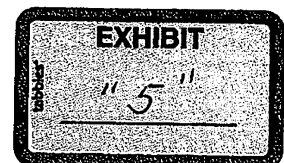
In further response to your request, I will advise you the foregoing payments were  
paid to me, James C. Robinson, and were not shared nor held.

Respectfully submitted,



James C. Robinson  
Attorney at Law

cc: Seth Albin  
Rebecca Case  
Robert Blackwell  
Kristen Conwell  
Thomas O'Loughlin



**Attachment 180**

Briggs's Response to the Trustees

***Ross H. Briggs***  
**Attorney At Law**  
4144 Lindell Blvd, #202  
St. Louis, MO 63108

12/8/14

David A. Sosne, Trustee  
Summers Compton Wells  
8909 Ladue Road  
SAINT LOUIS, MO 63124

RE: Order Directing James Robinson To Show Cause

Dear Mr. Trustee:

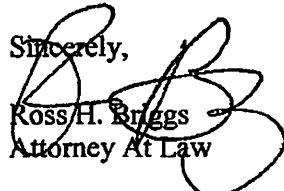
You have sent correspondence to my attention identifying me as "Managing Agent" for "Critique Legal Services." For your information, I am not a Managing Agent for Critique Legal Services and do not possess any documents of that entity.

Second, you have attached Orders and requested various documents from me which are responsive to "questions addressed in the Order." Because the questions in the Orders are not directed to me, your request to me does not appear relevant to the Orders. In any event, all of my legal services rendered on behalf of the debtors in question were afforded free of charge and no fee was paid to or shared with me in these cases. Accordingly, there are no checks, ledgers or account statements that relate to such non-existent fees.

Finally, I do not possess any documents which are encompassed within your request to Mr. Robinson.

If you have any questions, I may be reached at 314-652-8922.

Sincerely,

  
Ross/H. Briggs  
Attorney At Law

cc: : Trustees Albin, Case, Blackwell, Conwell and O'Loughlin

