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1 verify the accuracy of arguments Mr. Sample made based on this evidence. It also causes
2 the Court to question whether Mr. Sample is capable of complying with the Court's Local
3 Rules. In sum, the motion for compassionate release and corresponding reply that Mr.
4 Sample filed raise serious questions about Mr. Sample's competence and truthfulness
5 such that the Court is considering revoking his *pro hac vice* status.

6 It is therefore ordered that Mr. Sample must show cause, in writing, within 15 days
7 of the date of entry of this order, why the Court should not sanction him for his conduct in
8 in this case by revoking his *pro hac vice* status. Mr. Sample's response should also
9 propose alternative sanctions if Mr. Sample believes revoking his *pro hac vice* status is
10 too harsh a sanction.

11 DATED THIS 24th Day of September 2021.



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14 MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE
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Vermont Supreme Court
Professional Responsibility Program
Office of Bar Counsel

Michael Kennedy
Bar Counsel
Michael.kennedy@vermont.gov



32 Cherry Street, Suite 213
Burlington, VT 05401
802-859-3004

August 23, 2021

Desiree Trapana

Via email only to deztrapana@gmail.com

Re: PRB File No. 2022-010
Brandon Sample, Esq., Respondent

Dear Desiree:

I am writing to inform you that I am dismissing the disciplinary complaint that you filed against the Respondent, Attorney Brandon Sample.

In Vermont, the Supreme Court has the constitutional authority to regulate the practice of law. Pursuant to that authority, the Court promulgated the Vermont Rules of Professional Conduct. The rules are often referred to as "the ethics rules." Lawyers who violate the rules are subject to having disciplinary sanctions imposed against their law licenses.

For many years, the Court's rules that govern the operation of the Professional Responsibility Program (PRP) required Bar Counsel to screen disciplinary complaints. That changed because of amendments that took effect on April 1, 2021. As amended, the rules require the State Court Administrator to assign Screening Counsel to screen disciplinary complaints.

Initially, the State Court Administrator assigned Licensing Counsel Andrew Strauss as Screening Counsel. In July, I was informed that due to workload issues, the State Court Administrator would assign someone other than Attorney Strauss to screen this complaint. I relayed that information to you. At the time, I did not know who would be assigned. Last week, I learned that the Vermont Supreme Court had assigned me to screen this complaint. On behalf of the Professional Responsibility Program, I apologize for the delay in assigning a screener.

The screening process is governed by Rule 12 of Supreme Court Administrative Order 9. The rule authorizes the screener to conduct a limited investigation to determine the nature of the complaint. The rule also authorizes the screener to dismiss or resolve any complaint that does not appear to warrant disciplinary sanctions or an investigation by Disciplinary Counsel.

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Professional Responsibility Board
c/o Costello Courthouse
32 Cherry St, Ste, 213
Burlington, VT 05401

Re: Report of Concern

To Whom it May Concern.

I am concerned about the clients of an attorney I briefly held a position with from April until July of this year. Attorney Brandon Sample is a Federal Defense Attorney who once had an office in Rutland, Vermont. I noticed a lot of strange behaviors while working for Mr. Sample that I believe I am obligated to report.

I would like to premise my statement by noting that Mr. Sample did in fact terminate his entire staff in the middle of the night last Wednesday, July 7, 2021. I do believe he opted to keep one employee who lives in the same town as Mr. Sample in Indiana. With that said, I have taken several days to process all that I had observed and the potential outcome for his clients who are often times mortgaging their homes to afford his services. I have a clear conscience that I am not submitting this complaint out of vengeance, I do believe this is the right thing to do for the sake of the clients and I sincerely hope that my suspicions are found to be unwarranted.

As I mentioned above, I began working for Mr. Sample in April and the office had two staff members; one who was supposed to assist in training me as a legal secretary. However, mid-way through my second week of employment Brandon terminated that staff member and left me to self-train. The week following this termination (my third week of employment), Mr. Sample decided to change the structure of the firm by creating Case Managers for the different practice areas and I was promoted to be the Case Manager for all compassionate release and clemency cases. Again, left to train myself, I accepted the task with the mutual understanding that it was going to take some time to train myself on my duties.

The weeks to follow were nothing more than a constant rollercoaster ride of Mr. Sample's manic and erratic behaviors, which brought overwhelming stress to all remote and in-house employees. Mr. Sample was often concerned about bringing in more clients and more money, but the few staff members were already submerged in paperwork, communication, and Mr. Sample's endless list of tasks that revolved around his continuous changes to the CRM software.

I am genuinely concerned for the numerous clients (approximately 80-100 clients) who have paid a non-refundable fee for services ranging from \$5000 for a clemency case. \$15,000 for compassionate release and \$25,000+ for Habeas, appeals – 2255's and 2241's, etc. There are already several clients who have waited months for Mr. Sample to provide services and I am concerned that they will never get the services now that he has eliminated nearly his entire staff.

I have had suspicions for several weeks to date based on what I have experienced myself and information gained through conversations with other staff members.



Exhibit H
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Julie Gandy <jgandy79@gmail.com>

Re: Confirmation of phone call

1 message

Julie Gandy <jgandy79@gmail.com>

Sun, Jan 31, 2021 at 3:44 PM

To: Rebecca Seguin <rebecca@brandonsample.com>

Cc: Brandon Sample <brandon@brandonsample.com>, Alina Sarli <alina@brandonsample.com>, Russell Marks <russell@brandonsample.com>

Here are the 2255 documents that Hughes provided to me. They are on the portal under different file names all beginning with LPS-DCH.Gandy.J, but sending on this email for your reference.

Thanks,
Julie

On Fri, Jan 29, 2021 at 3:02 PM Julie Gandy <jgandy79@gmail.com> wrote:

I just spoke with Jason and he asked me to send these documents to Russell. I'm attaching them here.

- 1) Docket Sheet: #97 & #98 is when Dan Cogdell & Nicole Deborde Quit and #141 is when Judge says Jason hired and fired lawyers.
- 2) Letter from Sean Buckley telling Jason that they have added other victims

Jason also wants a post trial motion filed to get his 2 tax boxes that were seized on the 2nd search of his home 2320 Truxillo behind the secret door" in the duplex. It has mitigating evidence to prove timeline that Jose Alfaro claims is false.

Thanks,
Julie

On Thu, Jan 28, 2021 at 11:34 AM Rebecca Seguin <rebecca@brandonsample.com> wrote:

Hi Julie,

I have Jason scheduled for tomorrow at 1pm CST/ 2pm EST. Please reach out if you have any questions or concerns. Thank you and have a good day!

-Becky

Rebecca Seguin
Legal Secretary



Brandon Sample PLC
P.O. BOX 250
Rutland, Vermont 05702
Tel: 802-444-4357, ext. 103
Fax: 802-779-9590
Email: Rebecca@brandonsample.com

— On Thu, 28 Jan 2021 12:28:33 -0500 Julie Gandy <jgandy79@gmail.com> wrote —

Thank you!

Julie



Exhibit H
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Julie Gandy <jgandy79@gmail.com>

Re: Confirmation of phone call

1 message

Brandon Sample <brandon@brandonsample.com>

Wed, Feb 3, 2021 at 12:20 PM

To: Julie Gandy <jgandy79@gmail.com>

Cc: Rebecca Seguin <rebecca@brandonsample.com>, Alina Sarli <alina@brandonsample.com>, Russell Marks <russell@brandonsample.com>

Julie,

We filed on time yesterday. We have to get with the appellate AUSAs in Houston on the additional time for the memo which I am working on now. Rebecca will email you a copy of what we filed. At the end of the day, all of what Jason has been hung up on was not going to work. He apparently was operating under the mistaken belief that if his statements had been suppressed he would have been able to testify at the trial with none of his statements being used against him. That is not the law. I am actually appalled that Hughes put that in his draft because it is just not the law. Flagrantly wrong.

Brandon Sample, Esq.

Admitted to Practice in the State of Vermont, the Supreme Court of the United States, the U.S. Courts of Appeals for the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, & D.C. Circuits and the U.S. District Court for the Northern & Western District of Texas, the Eastern & Western District of Wisconsin, the Northern, Central & Southern District of Illinois, the Southern District of Indiana, the District of Colorado, the District of North Dakota, the Eastern District of Michigan, the Eastern & Southern Districts of New York, the District of Vermont, and the District of Columbia



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--- On Wed, 03 Feb 2021 10:52:47 -0500 Julie Gandy <jgandy79@gmail.com> wrote ---

Brandon,