

From: "Robert Nadeau"
Date: Friday, December 7, 2007 11:24 am
Subject: Re: Enough is Enough
To: [Maryann], [Former Attorney of Maryann's]
Cc: [Email addresses of 44 Lawyers in Maine]

I need to follow up regarding my prior response to [Former attorney of Maryann's] email to all of you. I don't like having to get personal about my personal affairs, but since so much of my life has, unlike any of yours, become so public, largely thanks to some of you, I have a few things to say.

What troubles me most is that apparently, at least some among you, there is a very strong indication that you have been gossiping about and trashing a person you don't even know, [Maryann]. Do you think that doing such a thing speaks well of your professionalism, regardless of whatever you may think of or dislike about me? What has [Maryann] ever done to any of you?

Looking at the email addresses to whom [Former attorney of Maryann's] forwarded his message, it seems to include only about 20% of the York County Bar. It seems logical to conclude that [Former attorney of Maryann's] selected those names because it is at least some of those persons who have been the players in the rumors, and others he believes were probably persons who have been subjected to hearing the rumors. I doubt seriously that many of the persons on [Former attorney of Maryann's] email list have been actual participants in whatever the rumors may have been. But it can't be ignored by me that spearheading his list is Candidate [Name], and that included in the list are [Names of 9 attorneys Bob has had issues with]? Worse yet is the fact that [Maryann's] former or current attorney, [Attorney's Name] of Kennebunk, has been a supporter of [The Candidate], [A Lawyer Bob sued], etc., and staunchly dislikes me, yet here are those folks being attributed with having spread unfair rumors about her!

To set the record as straight as I can, telling many of you more than any of you deserve to know:

1. [Maryann] is a beautiful person against whom, in my opinion, none of you specifically named by me above can hold a candle. She is courageous and a wonderful mother to two of the most beautiful kids anyone could ever meet. She comes from a wonderful, simple, monogamous family lineage. She was an exceptional student in high school and in college, Carnegie Mellon University, and is an accomplished violist (credits including performances with 10,000 Maniacs, among others). She has been put through great difficulties due to a first marriage from hell, causing her to come to me in 2003 for divorce representation.
2. [Maryann] and I ended up falling in love a few months later—something I never dreamed would ever happen between me and a client. As soon as I realized that, I informed her that she needed to retain outside, successor counsel for her divorce, which she did. She was upset, however, that she needed to do so and has told me since, that she had wanted me to somehow stay on as her counsel despite our relationship or in lieu of it until her divorce had finished properly—something that I obviously could not do. She is very upset that her subsequent lawyers, in her opinion, badly botched her divorce. In any event, the problem was that, although I immediately proceeded to and did file my notice withdrawal in anticipation of her retention of successor counsel, it needed the court's approval by rule, but we began our relationship before that approval was finally secured some three weeks later. So, when I decided two months later to follow a counselor's bad advice and to try to reconcile with my now ex-wife, it destroyed

[Maryann] who then, in consultation with her attorney, decided to file a bar complaint she subsequently, as I later learned, thrice tried to retract and dismiss without success.

3. In my opinion, the feeding frenzy occurred because others, i.e., [Bob's former associates], who had left my firm during and on the pretext of my relationship with [Maryann], through their attorney [Name], had been pressuring Bar Counsel to proceed against me, supported by their own bar complaints against me filed a few months later, after they filed suit against me to lay claim to certain accounts I felt belonged to my law firm. In their pleadings they pretty needlessly chose to inject the fact of [Maryann's] relationship/affair with me for public/press consumption (thereby compromising [Maryann's] divorce case, in my and, I believe, her opinion). Regardless, although they surprisingly won their accounts claim two years later, they were ordered to pay a judgment to me for their invasion of my privacy. And, I was publicly reprimanded for copying [former associates] on two letters I sent to their attorney, who was ignoring my phone calls, early in that litigation in late 2003, wherein I had requested of them to agree to an immediate sealing of what I thought was information about [Maryann] in their just filed pleadings that was compromising to her divorce case and, yes, needlessly harmful to my family and me as well.
4. The premature disclosure of [Maryann's] bar complaint not only kept her and me apart for the next two years while it ran its own train wreck of a course, even though I knew that reconciliation with my wife was not working out, but also became fodder for some of our colleagues to run against me in my re-election bid as judge of probate. Hence, more adverse publicity for me, and the political attacks from some of the candidates, often through surrogates, was pretty strong and upsetting to those close to me. So, I authorized the publication of a campaign ad just before the 2004 primary, that spoke of some things regarding each of my opponents. Among those things was what I partially incorrectly recalled I'd seen four years earlier, in a video some former grandparents/clients had asked me to review regarding [The Candidate's] arrival at their home one day to take their 2-year old grandson away for a court ordered visit with his allegedly neglectful mother. According to the information the clients gave to me, the child did not know [The Candidate], who spent only about 10 minutes or so at the home trying to acquaint him with her before she then took him away, very audibly and visibly screaming and frightened. My mistake in the ad was that I claimed that [The Candidate] could be seen ON CAMERA pulling the child from the grandparent's arms, but in fact my 4-year old memory (I didn't have the video to re-review at that time and the clients were represented by other counsel who was non-cooperative with me) was flawed. So, Bailey and the Law Court found that I "knowingly misrepresented" what could be seen on camera, in the ad. Clearly, I should not have run the ad without first obtaining and being certain about its exact content first. But there is no doubt in my mind and in the minds of many who have seen that video, after I re-obtained a copy of it, reportedly via [The Candidate] herself, that her handling of that pick-up of the toddler was and is very inconsistent with how I believe a guardian ad litem should handle such a situation, even though the subsequent supervised visit by the toddler with her mother at a McDonald's Restaurant reportedly went well. I do not want anyone serving in the probate court as a guardian ad litem or in any other capacity, to be unable to back off in such situations and consider alternative, less traumatizing approaches to accomplish a goal. I will be happy to make that video available to anyone who may wish to review it. In any event, [The Candidate] immediately brought the matter to the attention of the press, which resulted in very negative front page headlines for me that I survived in the primary, and she filed a huge package of materials very strangely addressed to everyone under the sun, so-to-speak, including not only the Judicial Conduct Committee, but also the BOOB, the Governor, the Chief Justice, the state

and federal AG's, the U.S. Attorney, and our congressman and U.S. Senators. The Law Court's judicial conduct decision ultimately followed after very considerable personal and professional expense to me.

5. After the bar stuff settled down, [Maryann] called me in June 2005, from [City], PA, where she had moved, had purchased her own home where she lived with and supported her two children with very little help from her ex-husband, and was holding down a decent, promising full-time job. She wanted to scrap it all in an instant, not because of any need, but clearly because she still truly loved me. And I felt the same about her. She thereafter lived with me in our home, with her children, here in Maine. We were incredibly happy despite the frustrations and disappointments of the then on-going judicial conduct proceedings, [Former associate's] litigation and my divorce, as well as issues with her ex. She was a terrific partner and mother of her children. In late July of this year, we separated on the heels of my receipt of my divorce judgment and a protection proceeding between [Maryann] and me that I believe we both regret, should have never been filed, and was dismissed by agreement.
6. [Maryann] has moved on courageously and successfully, to her new life. All of the pressures and sadness associated with the things with which I was involved ultimately put too much strain on us, despite the unparalleled, deeply positive feelings I will always believe we had for each other. She and I have communicated often. She deserves a great deal of credit, and she certainly does not deserve the rumor mill from, of all people, our own colleagues. I've apologized to her many times for leaving her, etc. in 2003, and she's apologized to me for the protection fiasco. Those of you who are guilty of the rumors should similarly apologize to her, in my opinion, and let people be. She didn't deserve that type of thing, nor did [Former attorney of Maryann's].
7. I accept all the bad stuff that has happened to me. This includes a very Draconian divorce judgment from a non-York county judge on appeal, that I am reasonably certain would not have been issued by the judges of the quality we are fortunate to have here in York County, that forced me into bankruptcy. I intend to and will rise above, in the end, or at least I am going to try. It is more than true that, right now and for a very long time now, I know and truly feel that I am unfortunately not well regarded by many. I feel that I am flapping in the wind like Swiss cheese, and having taken so many broadsides from our legal and judicial colleagues and from the media that fed on all of that during the past 4 years. But whatever you people may feel about me should never have been projected on either [Maryann] or [Former attorney of Maryann's].

I want to now forget that I've read [Former attorney of Maryann's] email to you folks, and I will do my best to do so.

Bob

-----Original Message-----

From: [Former Attorney of Maryann's]
Date: Thursday, December 6, 2007 4:19 pm
Subject: Enough is Enough
To: [Email addresses of 44 Lawyers in Maine]

Fellow legal associates:

For over three months, I have heard a rumor restated time and time again, that I am somehow involved with Attorney Nadeau's ex. I am presuming that this reference is being made about his ex-girlfriend and not his wife.

Let me be clear here. I have lived in Portland since August, essentially with my girlfriend of over a year. I have never been involved with, socialized with, nor spent any time with [Maryann], other than nearly two years ago, when our firm represented her in a small legal matter.

For those of you telling this to clerks, court officers, and others, I will happily give you the email address of my college and law school friends so that, at least, you can spread true rumors. Or you can simply spend more time at many of our fine York County High Schools, where engaging in such immature action is acceptable.

Thank you,

[Former attorney of Maryann's]