FBT FA19-5040574 S : SUPERIOR COURT JORIZ TIBERI : JUDICIAL DISTRICT OF FAIRFIELD : AT BRIDGEPORT, CONNECTICUT V. FRANK TIBERI : FEBRUARY 16, 2022 BEFORE THE HONORABLE ANTHONY TRUGLIA, JUDGE APPEARANCES: Representing the Plaintiff: ATTORNEY SHAWNA HAMILTON DOSTER Representing the Defendant: ATTORNEY LISA KNOPF Guardian ad Litem: ATTORNEY JANIS LALIBERTE Representing Attorney Doster: ATTORNEY SUZANNE SUTTON Joriz Tiberi - ordering party Recorded and Transcribed by: Renae Mattei Court Recording Monitor 1061 Main Street Bridgeport, CT 06604

1 1 THE COURT: Good morning, Marshal. Good morning, everyone. Please be seated. 2 3 So before the Court at this time is the matter 4 of Joriz - I apologize if I'm mispronouncing it -5 Tiberi v. Frank Tiberi. If counsel would please identify themselves for the record. Plaintiff's counsel first. 7 ATTY. DOSTER: Attorney Shawna Hamilton Doster for Joriz Tiberi, who is not here yet. 10 THE COURT: Okay. ATTY. KNOPF: Good morning, your Honor. Lisa 11 Knopf for Frank Tiberi, who's seated at counsel table 12 13 to my left. 14 THE COURT: Okay. Good morning, sir. MR. TIBERI: Good morning. 15 Janis Laliberte, Guardian ad 16 ATTY. LALIBERTE: Litem for the minor child, your Honor. 17 18 THE COURT: All right. So --19 ATTY. SUTTON: Your Honor, if I may. 20 have an appearance in this case, but I am 21 22

I do not representing Attorney Doster in a professional responsibility case related to this case. that's why I'm sitting here today.

THE COURT: And your name, ma'am?

ATTY. SUTTON: Suzanne Sutton. Thank you.

THE COURT: Suzanne Sutton.

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Sorry. Suzanne Sutton of Cohen ATTY. SUTTON:

1 and Wolf. 1 THE COURT: Okay. Very good. 2 3 ATTY. SUTTON: Thank you. 4 THE COURT: All right. Okay. So this is a 5 hearing on the motion for permission to withdraw 6 appearance by counsel for the plaintiff. 7 ATTY. DOSTER: Yes, your Honor. 8 THE COURT: Which was dated February 10th, 2022. Court had the impression that it was an urgent situation so we scheduled a quick hearing on it. 10 ATTY. DOSTER: Yes, your Honor. 11 THE COURT: Did you give notice to your client, 12 counsel? 13 14 ATTY. DOSTER: I did. THE COURT: You did. How did you give notice? 15 ATTY. DOSTER: Via email. 16 THE COURT: All right. Email. Okay. Have you 17 spoken to her since? 18 19 ATTY. DOSTER: I just called to confirm that she 20 was coming. THE COURT: Okay. 21 ATTY. DOSTER: I did -- I have a witness here 22 23 and she confirmed with the witness yesterday. I have a screenshot of the text that it was today at 9:30 24 25 and she would see her here.

> THE COURT: All right. So you're representing to the Court that you gave her notice of today's

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this on the record. So why don't we take just a, say

a ten minute recess and we'll resume at 10 o'clock.

Hopefully by then she'll be here or we'll understand

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what the status is. Okay.

ATTY. LALBIERTE: Thank you, your Honor.

ATTY. KNOPF: Thank you, your Honor.

THE COURT: Court stands in recess until 10 o'clock.

(Whereupon a recess is taken.)

THE COURT: Okay. So we're back on the record.

All right. So you were not able to reach her by
telephone. You called her. You got her voicemail or
whatever.

ATTY. DOSTER: Correct.

THE COURT: Okay. All right.

And, Madam Clerk, we haven't heard from the plaintiff; correct?

THE CLERK: No, we haven't, your Honor.

THE COURT: All right. All right.

ATTY. DOSTER: Your Honor, may I show you the text that she sent to my witness that says 9:30 am tomorrow Bridgeport. I just got notice. Truglia will be hearing Shawna's motion to withdraw tomorrow for the second time. I will be testifying to her conspiring with opposing counsel to defeat a court order. Yes, I'm calling them out on unethical misconduct. I feel some audience in the courtroom would help so all attorneys and judges know people are watching. Janis Laliberte will be there and Lisa Knopf. They conspired with Shawna - that's my first

1 name - to defeat a court order in front of Grossman 1 last month. This is my client talking about me. 2 3 This is the witness that she --4 THE COURT: All right. So you have a text there 5 from your client? 6 ATTY. DOSTER: To my witness. Yes. 7 THE COURT: I see. So that text is from your 8 client to the witness essentially confirming that she's aware of today's proceedings. That's all I'm 10 really interested in knowing about. ATTY. DOSTER: All right. I'm so sorry. I 11 can't hear you. 12 THE COURT: I said --13 ATTY. DOSTER: Can I stand back here? 14 THE COURT: Is it possible to print that out? 15 So I need a piece of --16 ATTY. DOSTER: I actually thought it was 17 printed. But I can go downstairs and print it. 18 19 THE COURT: Yeah. I need it to be printed. I 20 need something to mark as an exhibit. ATTY. DOSTER: Sure. Of course. So could we 21 have a recess and I'll go print it? I'm sorry. Or I 22 23 can just go print it. THE COURT: All right. So you have a witness 24 25 that is the person who received that text. Is that 26

ATTY. DOSTER: Correct. This is actually her 27

THE COURT: Yes. Go ahead.

like this?

DIRECT EXAMINATION BY ATTY. DOSTER:

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1
          Kerry Anne, you are -- I'm trying to lay a foundation
1
   only. Can you tell the Court your relation to this case,
2
3
   please?
          I belong to a group of mothers that is involved in
   something called Jennifer's Law. And Joriz Tiberi reached
   out to our group and me specifically about a year and a half
7
   ago. And I worked with her briefly until I stopped. And
8
   then --
          And I'm sorry. Why did you stop?
9
          Because she wasn't really following the advice that I
10
   was giving her. And her behavior wasn't really in line with
11
   what we believe is our group's mission is.
12
          Okay. So and that was how long ago?
13
14
          About a year and a half.
      Α
          And when was the next time you heard from Joriz
15
   Tiberi?
16
          She sent -- she left me a voicemail on the 10^{th}
17
   telling me that she had information for me that she didn't
18
19
   want to write down or leave in a voicemail and that --
20
      Q
          All right.
          -- I should call her.
21
          And that was February 10<sup>th</sup>?
22
23
      Α
          Correct.
          Of this year?
24
      Q
          Of 2022.
25
      Α
          And how is it that you and I became -- were
26
   introduced to one another?
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1
          The founder of our group -- we have a small group of
1
   attorneys that we look to use that we trust or have
2
3
   relationships with. And the founder of our group --
4
          Let me stop you for just one second. What is the
5
   name of the group?
          Connecticut Protective Moms.
      Α
7
          And when you say we, who's the we that you're talking
8
   about?
9
      Α
          The board. Me and the other board members.
          And how many board members are there? Just out of
10
   curiosity?
11
12
      Α
          Four.
          Okay.
13
      Q
14
          I believe it's four.
      Α
          And who's the founder?
15
      Q
      Α
          A woman named Betsy Keller.
16
          Okay. So you were saying that the founder of the
17
   group, you all have what? I'm sorry. Can you start again?
18
19
      Α
          When these --
20
               THE COURT: Counsel, the whole point of this is
          just to find out whether your client got notice.
21
22
               ATTY. DOSTER: Okay. Fine. I'm sorry.
23
               THE COURT: So let's try to move it along.
          So you came here today because Joriz Tiberi notified
24
   you that there was a hearing today. Am I correct?
25
          Yes.
26
      Α
          And how did she notify you of that?
27
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9
1
          How did she what?
1
      Α
          How did she notify you that there was a hearing
2
3
   today?
4
               She told me in text message that it starts at
5
   9:30, who the judge was. And she sent me the actual copy of
   what you filed.
7
          Okay. So do you have that text --
      Α
          I do.
          -- message in front of you? Could you please pull it
10
   up?
          Sure.
11
      Α
12
          Let me know when you have it in front of you.
          I have it.
13
      Α
          Okay. And what is the date and time of the first
14
   message she sent you about today's hearing?
15
16
          It was yesterday at 1:34 pm.
      Α
          And you're on your phone right now; correct?
17
          Correct.
18
      Α
19
          And what does the text message say?
20
                I just got notice Truglia will be hearing
   Shawna's motion to withdraw tomorrow for the second time.
21
22
   I'll send you her reasons. I will be testifying to her
23
   conspiring with opposing counsel to defeat the court order.
   9:30 am tomorrow, Bridgeport. And then send me a PDF copy
24
   of the motion that you've put on file to withdraw.
25
          So there's three texts in a row that you got;
26
   correct?
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One long text 9:30 am and then the motion. Correct. 1 Okay. And then what are there --2 0 3 Α I said already, that seems quick. She said yes. 4 calling them out on their unethical misconduct. I feel some audience in the courtroom would also help so all attorneys and judges know people are watching. And then she asked me 7 if I could post that on our Facebook group page. And I told her what do you want me to post. I don't know if can do 8 that. I guess some support and bodies to sit in the courtroom and watch. It's mostly for intimidation so they 10 know people are watching. Janis Laliberte will be there and 11 Lisa Knopf. They conspired with Shawna to defeat a court's 12 order in front of Grossman last month. 13 14 THE COURT: All right. I assume this can be printed out and put on paper. 15 16 ATTY. DOSTER: Yes, your Honor. THE COURT: Okay. So based on that the Court 17 will find that you've made sufficient efforts to 18 19 notify your client. That she has actual notice of 20 today's proceedings. So we'll proceed. 21 ATTY. DOSTER: Thank you. THE COURT: All right. Attorney Knopf, I assume 22 there's no cross-examination of the witness or 23 anything. 24 25 ATTY. KNOPF: No, your Honor. THE COURT: All right. Okay. Very good. 26

ATTY. DOSTER: I do want to keep her up there,

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1
          if that's possible, for proceeding.
               THE COURT: In support of your motion?
2
               ATTY. DOSTER: Yes, your Honor.
3
4
               THE COURT: Okay. All right. Go ahead.
5
               ATTY. DOSTER:
                              Okay.
          On the 10th, February 10th of 2022 you received a
6
   voicemail for Joriz; correct?
7
8
      Α
          Correct.
          And what did that voicemail say?
          That she has information for me that might be able to
10
   help other people and that she didn't want to leave it in a
11
   voicemail or write it in a text. And she asked me to call
12
13
   her.
      Q And just to --
14
                (Whereupon Attorney Doster and Attorney Sutton
15
      confer.)
16
          And so when did you speak to her?
          I shot her a text on Sunday and we arranged a time on
18
   Monday to talk between 1:45 and 3:00.
20
          And did you call her at that time or did she call
21
   you?
          I called her. She didn't pick up and she called me
22
   back shortly thereafter.
          Okay. And you guys had a conversation. And can you
24
   please tell the Court what she said in that conversation to
25
26
   you?
         She told me that you are -- you have gone to the dark
27
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1 | side and --

- 2 Q And me? Me? You're talking about --
- 3 A Yes. You. Shawna --
- 4 Q -- me, Attorney Hamilton Doster. Okay.
- 5 A -- was going to the dark side and not to recommend
- $6\mid$ her to anybody else who comes -- who approaches our group
- 7 and that she was going to take you down.
- 8 Q And how many times did she say she was going to take
- 9 me down?
- 10 A Multiple.
- 11 Q And did you ask her what that meant?
- 12 A She said that she wants to make sure that you were
- 13 going to do what you want her to.
- 14 Q And did she tell you that she was going to get me
- 15 disbarred?
- 16 A She was going to get you disbarred. She was going to
- 17 | file a malpractice suit against you and --
- 18 THE COURT: What type of suit?
- 19 MS. LINNANE: Malpractice.
- 20 THE COURT: Okay.
- 21 A Yeah. And to get you disbarred.
- 22 | Q And did she say that she wanted to punish me?
- 23 A She wanted you -- yes. She did not use the word
- 24 punish necessarily. But she said that, you know, she wants
- 25 to retaliate toward you for what she thinks that you've
- 26 done.
- 27 | Q And did she tell you what it is that she thinks that

A Well, he thought it was disturbing too. But he also in fact said, you know, you need to be careful about how you respond to this because that could -- this could also happen to you. You know.

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Q And as you're here today you are actually frightened.

a terrible attorney why do you insist that she remains on

And what was her answer?

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27

your case.

1 1 Α She said I'm going to make her do what I want her to 2 do. And then she called you back yesterday; right? 3 Q After she sent me the text message we spoke after 5 Yes, she did call me. that. And what did -- and then what did she say about me? 7 She told me that you're stupid and you're too drunk Α 8 to know what you're doing. And what --0 10 And she continued to talk about how she was going to file a malpractice suit and take you down. And that she had 11 filed an additional malpractice suit against another 12 attorney, I guess, in the case. 13 14 And did you -- what was her demeanor that you explained to me when she was talking about me? 15 16 I think that was also something I said to you that 17 was alarming to me. That it was almost as though she was enjoying it and she was laughing and seemed happy about this 18 19 -- not the situation. But also taking pride in her actions. 20 ATTY. DOSTER: At this point I'd like to ask to 21 be taken off the case given the evidence that I have presented to you. 22 23 THE COURT: Okay. One second, counsel. 24 Any? 25 ATTY. KNOPF: No. THE COURT: All right. You can step down. 26

Thank you.

MS. LINNANE:

1 THE COURT: Before you leave, counselor, you're 1 going to give me a copy of the email that you sent to 2 3 your client. Right? 4 ATTY. DOSTER: Yes. 5 THE COURT: And also you're going to turn that 6 text that was just read into the record into a paper 7 document that we can mark as an exhibit. Right? 8 ATTY. DOSTER: Yes, your Honor. THE COURT: Okay. All right. Why don't you have a seat. Okay. So I take it there's no other 10 evidence in support of your --11 ATTY. DOSTER: I mean, there's plenty of other 12 13 evidence that I had to go to the police. 14 THE COURT: Hold on. Hold on. Hold on. Hold 15 on. ATTY. DOSTER: I don't even know what evidence 16 you want. I'm so flustered right now. 17 18 THE COURT: Okay. Okay. Okay. 19 ATTY. SUTTON: Your Honor, if I may. 20 THE COURT: Yes. ATTY. SUTTON: Suzanne Sutton. 21 22 THE COURT: Attorney Sutton. 23 ATTY. SUTTON: My client also feels so threatened that she actually filed -- at my 24 25 suggestion when down to the police and filed a complaint because she is -- she is feeling that 26 threatened and that upset about this particular 27

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client that she has. And in looking at the Rules of Professional Conduct in 1.7 I mean there's just, to me, no way that she could overcome this conflict between this particular client. And if you're looking at the Rules I'm looking at 1.7(a)(2), your Honor. In that her own personal conflict with this client substantially will interfere with the ability to properly represent not because of any fault of Attorney Doster, but because it is incomprehensible to assume that these two people can work together for a common goal when one of those persons is threatening to take her down. I don't know that that means. Either physically or litigiously. To alleging a conspiracy. Alleging a drinking problem. You know, alleging all these things against my client. It just makes it impossible for her to be able to properly represent her. And I just don't see any way that she can overcome this properly. And I'm worried about her protection and I'm worried about her --

THE COURT: I understand.

ATTY. SUTTON: -- being able to abide by the rules.

THE COURT: All right. Madam Clerk, please place Attorney Doster under oath.

THE CLERK: Please raise your right hand. Do you solemnly swear or solemnly and sincerely affirm,

1 as the case may be, that the evidence you shall give 1 concerning this case shall be the truth, the whole 2 3 truth, and nothing but the truth --4 ATTY. DOSTER: I do. 5 THE CLERK: -- so help you god or upon penalty 6 of perjury? ATTY. DOSTER: I do. 7 8 THE CLERK: Please state your name and address 9 for the record. 10 ATTY. DOSTER: Attorney Shawna Hamilton Doster. 361 North Maple Avenue, Greenwich, Connecticut 11 06830. 12 THE CLERK: Thank you. 13 14 THE COURT: Do you need a moment, ma'am? Do you want me to give you --15 ATTY. DOSTER: I need a tissue. 16 THE COURT: We have that. 17 ATTY. DOSTER: Please. 18 19 THE COURT: All right. Counsel, so now you're 20 under oath and you're going to tell me why it is you want me to grant your motion to withdraw. If you 21 22 can. 23 ATTY. DOSTER: Yes, your Honor. THE COURT: Do you need some time? Because I 24 25 can --ATTY. DOSTER: No. 26 27 THE COURT: You can have a seat if you wish.

1 ATTY. DOSTER: Thank you. Well, as you saw, the basis of my motion was that there is a conflict 2 3 between the attorney and client. That the 4 relationship has broken down such that I cannot 5 represent Ms. Tiberi anymore. The reasons for that are what you heard right now. Is that she - and I 7 don't know who she's associating with - are 8 threatening me. I am scared. She's on -- I don't know what I can say or not say, but I'm going to say it because --10 THE COURT: Well, in your motion --11 12 ATTY. DOSTER: Okay. THE COURT: -- number one --13 14 ATTY. DOSTER: Um. THE COURT: Hold on. Hold on. 15 16 ATTY. DOSTER: Yes. THE COURT: You say there no longer exists a 17 viable attorney-client relationship --18 19 ATTY. DOSTER: That's what I was trying to say. 20 THE COURT: -- between the undersigned counsel and her client. Okay. 21 22 ATTY. DOSTER: Yes. 23 THE COURT: And you stand by that; correct? ATTY. DOSTER: I do. 24 Yes. 25 THE COURT: Okay. On February 4th, 2022 the plaintiff, meaning your client --26

ATTY. DOSTER: Correct.

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1 THE COURT: -- informed you that you had 1 committed malpractice in her pending divorce action. 2 3 Right? 4 ATTY. DOSTER: Yes, your Honor. 5 THE COURT: Do you stand by that statement? ATTY. DOSTER: Yes, I do. 7 THE COURT: Okay. 8 ATTY. DOSTER: And I have the email if you'd like me to submit it. THE COURT: Pardon me? 10 ATTY. DOSTER: I have the email if you would 11 like me to submit it. 12 THE COURT: Yes, I would 13 14 ATTY. DOSTER: Okay. THE COURT: Do you have it? 15 ATTY. DOSTER: 16 I do. THE COURT: Okay. Would you like to offer it? 17 18 ATTY. DOSTER: Yes, please. 19 THE COURT: We can mark it. Madam Clerk, could 20 we mark that. Show it to Attorney Knopf. ATTY. DOSTER: My file is actually in that room 21 22 back there. Could I go get it? 23 ATTY. LALIBERTE: I'll get it. Thank you, Janis. 24 ATTY. DOSTER: 25 THE COURT: So we're talking about the February 4th email? 26 ATTY. DOSTER: February 4^{th} , 2022 at 8:35 am. 27

1 1 THE COURT: Okay. Show it to Attorney Knopf. So, Attorney Doster, paragraph three you say on 2 3 February 8th via email the plaintiff, meaning Ms. 4 Tiberi, announced to opposing counsel, defendant, and 5 the GAL that the undersigned had committed professional misconduct. 6 7 ATTY. DOSTER: Yes, your Honor. 8 THE COURT: Do you have a copy of that email as well? ATTY. DOSTER: Yes, your Honor, I do. 10 THE COURT: Okay. Any objection, Attorney 11 Knopf? 12 ATTY. KNOPF: No. 13 14 THE COURT: Okay. Very good. Madam Clerk, full exhibit. Court exhibit. 15 16 All right. Marshal. THE CLERK: This will be court exhibit A. 17 ATTY. KNOPF: No. 18 19 THE COURT: Okay. Very good. Court exhibit. Full exhibit. 20 THE CLERK: This will be court exhibit B. 21 22 THE COURT: Where in this document does it claim 23 that you committed malpractice? ATTY. DOSTER: I'm sorry. Which? It's the 24 February 4^{th} , 2022. 25 THE COURT: February 4th, 2022. 26 ATTY. DOSTER: February 4th, 2022 is the one 27

1 where she -- it is paragraph two. 1 THE COURT: Oh. I see. I see. I'm sorry. I 2 3 missed it. 4 ATTY. DOSTER: You see it. Okay. 5 THE COURT: Okay. Very good. 6 ATTY. DOSTER: First sentence that runs onto the second line. 7 8 THE COURT: Okay. Hold on. Okay. All right. Very good. Okay. Very good. Okay. I'll get back 10 to you. ATTY. DOSTER: I'm sorry? 11 THE COURT: I said I'll get back to you. 12 ATTY. DOSTER: I do have -- if the Court wishes, 13 14 I have additional things that have come in since I filed this motion and additional things I could not 15 put in this motion for fear of violating any sort of 16 ethical duty towards her. 17 18 THE COURT: All right. But before we get there. 19 Attorney Knopf, do you have an objection to this 20 motion? ATTY. KNOPF: Do I have an objection. No, your 21 22 Honor. 23 THE COURT: You do not. ATTY. KNOPF: No, I do not. 24 25 THE COURT: Okay. Attorney Laliberte, did you want to weigh in in some fashion on this? 26

ATTY. LALIBERTE: No, your Honor. I think the

evidence is clear that -- I think the testimony is clear that there is a problem here. THE COURT: Okay. Thank you. ATTY. LALIBERTE: Thank you. THE COURT: All right. Thank you very much, counsel. All right. Based on the evidence presented the Court finds good cause to grant the motion. motion is granted. You are excused from any further obligations on this file. It is so ordered. ATTY. DOSTER: Thank you. THE COURT: Court stands in recess. ATTY. KNOPF: Thank you, your Honor. ATTY. LALIBERTE: Thank you, your Honor.

1 2	FBT FA19-5040574 S	:	SUPERIOR COURT
3	JORIZ TIBERI	:	JUDICIAL DISTRICT
4 5			OF FAIRFIELD
6 7	v.	:	AT BRIDGEPORT, CONNECTICUT
8	FRANK TIBERI	:	FEBRUARY 16, 2022
9 10			
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12 13			
14			
15	<u>CERTIFICATION</u>		
16	<u> </u>		11 1 1 0 17
17			
18			
19	I hereby certify the foregoing pages are/electronic		
20	version is a true and correct transcription of the audio		
21	recording of the above-referenced case, heard in Superior Court,		
22	Judicial District of Fairfield, Bridgeport, Connecticut, before		
23	the Honorable Anthony Truglia, Judge, on the 16th day of February,		
24	2022.		
25			
26			
27	Dated this 9^{th} day of June, 2022 in Bridgeport,		
28	Connecticut.		
29			
30 31			
32			
33		_	Renae Mattei
34		Co	urt Recording Monitor