

May 27, 2026

The Florida Bar
Attn: ACAP
651 E. Jefferson Street
Tallahassee, FL 32399-2300
ACAPIntake@floridabar.org

Re: Ethics Complaint Against Pamela Jo Bondi (Bar # 886440)

The undersigned file this complaint seeking an investigation and appropriate discipline under Florida Rules of Discipline Rule 3-5.1 against Pamela Jo Bondi,¹ a member of The Florida Bar, who has engaged in what appears to be serious professional misconduct that threatens the rule of law and the administration of justice.²

Several of the signatories on this complaint, along with over seventy attorneys, law professors, and former judges, filed a complaint concerning Ms. Bondi's alleged misconduct on June 5, 2025.³ This complaint re-alleges the claims set forth in the June 5, 2025 complaint and raises several new and substantial violations of The Florida Rules of Professional Conduct, including violations of Rule 4-1.1, Rule 4-3.8, Rule 4-5.1, and Rules 4-8.4(a), (c) and (d).⁴ Among the new apparent violations highlighted in this complaint are Ms. Bondi's violation of the Epstein Files Transparency Act, including her failure to supervise subordinate officers in their review and release of the files. This failure resulted in, *inter alia*, the release of sensitive victim information of nearly 100 individual survivors, causing what one lawyer has called "the single most egregious violation of victim privacy in one day in United States history."⁵ This complaint also highlights Ms. Bondi's creation of a culture of impunity that has resulted in repeated and unprecedented violations of court orders by attorneys of the Department of Justice (Department or DOJ). Finally, this complaint highlights that Ms. Bondi and her subordinates have repeatedly sought to bring charges against defendants without probable cause.

Notably, these violations occurred *after* the signatories' original complaint was filed in June 2025. The Florida Bar declined to consider the allegations contained in that filing on the asserted basis that The Florida Bar "does not investigate or prosecute sitting officers appointed under the U.S. Constitution while they are in office."⁶ As Jon May, the complainant on the June 2025 filing, explained in seeking mandamus from the Supreme Court of Florida, The Florida

¹ Ms. Bondi's Florida Bar Number is 886440. As of the time of filing this complaint, her office address was not available on the official lawyer's directory of The Florida State Bar. Her email address is listed as pam@ballardpartners.com.

² The facts contained in this memorandum have been limited to respect the Bar's rules regarding the length of inquiries. Petitioners can provide additional information upon request.

³ The Florida Bar has access to the June 5, 2025, complaint which was filed within the last year. It can also be found here: [Pamela-Bondi-Ethics-Complaint-6.5.25-1.pdf](#).

⁴ Under the Bar's record-retention policies, it still possesses this complaint (and will until at least June 5, 2026). See <https://www.floridabar.org/public/acap/filing-a-complaint/>.

⁵ Emergency Request for Immediate Judicial Intervention—Epstein Transparency Act, United States v. Jeffrey Epstein, 1:19-cr-00490 (Feb. 2, 2026), <https://www.courtlistener.com/docket/15887813/102/united-states-v-epstein/>.

⁶ Letter from Francisco J. Digon-Greer, Bar Counsel, Fla. Bar (Jun. 6, 2025) <https://assets.alm.com/c6/e6/cf9d1ee04fd1aefbf71b4b42fe84/the-florida-bar-bondi.pdf>.

Bar’s position was not supported by either Florida law or applicable precedent.⁷ Furthermore, and more importantly, The Florida Bar’s decision to not investigate the allegations in the June 2025 complaint removed a key deterrent to Ms. Bondi engaging in further unethical conduct. The Bar’s failure to investigate Ms. Bondi’s apparent misconduct may also have sent a signal that she could act without accountability, leaving her free to reduce the DOJ to a shell and causing a net loss of some 2,500 lawyers with an average of 14 years of experience.⁸

Now that Ms. Bondi is no longer Attorney General, it is imperative that The Florida Bar open an investigation of her apparent misconduct in that office. Ms. Bondi’s misdeeds were not minor – they resulted in prejudice to the legal rights of those contending with the Department of Justice and injury to the public’s perception of the fairness of the legal system. As a result, we call on The Florida Bar to expeditiously open an investigation into the allegations contained in this complaint, as well as those described in full in our June 5, 2025 complaint.

I. Summary of the Complaint

As outlined in this complaint, Ms. Bondi violated the Rules of Professional Conduct directly, and indirectly through her subordinates, by engaging in a sustained pattern of prohibited conduct. The root of the allegations set forth in this complaint arise from Ms. Bondi’s “zealous advocacy” memorandum,⁹ issued the first day of her tenure as Attorney General, which established a “fall-in-line-or-be-gone” philosophy that undermined the professional responsibility of Department lawyers to exercise independent judgement and to offer honest advice.¹⁰ The consequences of Ms. Bondi’s coercive actions include (1) the creation of an environment in which Department lawyers were induced to engage in acts they were ethically forbidden from doing, under threat of suspension or termination—or were fired for not doing so; (2) blatant violations of statutory obligations, including compliance with the Epstein Files Transparency Act, that prejudiced the public and victims; (3) violations of court orders in dozens of cases; and (4) a trend of prosecutors bringing charges without probable cause against protestors, vulnerable parties, and high-level “political enemies” of the President.

The Florida Rules of Professional Conduct limit the “zeal” of attorneys to “lawful and ethical measures.”¹¹ By creating a coercive environment that supported unethical activity, Ms. Bondi’s actions violated several rules, including Rule 4-3.8(a), which prohibits prosecutors from prosecuting an action unsupported by probable cause; Rule 4-5.1, which imposes ethical duties on Ms. Bondi to take reasonable measures with respect to her managerial duties as Attorney

⁷ See Petition for Writ of Mandamus, *May v. The Florida Bar*, SC2025-1020 at 13-17 (Jul. 15, 2025), <https://ldad.org/wp-content/uploads/2025/07/Petition-for-Writ-of-Mandamus.pdf>. The best evidence that federal officials were not “constitutional officers” in June 2025 is that The Florida Bar amended the Rules of Discipline in December 2025 to define the term to include them. See Florida Bar News, *Proposed Board Actions* (Oct. 16, 2025), <https://www.floridabar.org/the-florida-bar-news/proposed-board-action-66/>.

⁸ See Aysha Bagchi, *Trump Justice Department exodus hinders prosecutions, ex-officials say*, USA TODAY (Apr. 20, 2026), <https://www.usatoday.com/story/news/politics/2026/04/19/doj-exodus-lawyers-trump/89401004007/>.

⁹ Memorandum of U.S. Att’y Gen. Pamela Bondi to all Dep’t Emp. on General Policy Regarding Zealous Advocacy on Behalf of the United States (Feb. 5, 2025), <https://www.justice.gov/ag/media/1388521/dl?inline>.

¹⁰ Kalina Pierga, *Do or Be Dismissed: Zealous Advocacy Enforcement in Pam Bondi’s DOJ*, GEORGE J. OF L. ETHICS (Jan. 23, 2026), <https://www.law.georgetown.edu/legal-ethics-journal/blog/do-or-be-dismissed-zealous-advocacy-enforcement-in-pam-bondis-doj/>.

¹¹ See R. Regulating Fla. Bar 4-1.3, Comment.

General and her supervisory duties over subordinate lawyers to ensure that lawyers in the Department comply with their ethical duties; Rule 4-8.4(a), which makes it misconduct for a lawyer to “knowingly assist or induce another . . . to violate the Rules of Professional Conduct”; and Rule 4-8.4(d), which prohibits a lawyer from engaging in conduct that is prejudicial to the administration of justice.

As the Comment to Rule 4-8.4 recognizes, “Lawyers holding public office assume legal responsibilities going beyond those of other citizens. A lawyer’s abuse of public office can suggest an inability to fulfill the professional role of attorney.” Ms. Bondi served as the Attorney General of the United States, the highest-ranking lawyer in the United States government. Through her “zealous advocacy” memorandum and its application, Ms. Bondi sent a message to all Justice Department lawyers that they must disregard their applicable rules of professional conduct, fundamental ethical principles, and longstanding norms of the Department in order to zealously pursue the President’s political objectives—and, if they failed to do so, they would be disciplined or fired. Her personal actions, and those that she permitted under her supervision, indicate clear violations of the Florida Rules of Professional Conduct, warranting an investigation and sanctions.

II. Jurisdiction of The Florida Bar

Ms. Bondi is a member of The Florida Bar. During the time that Ms. Bondi served as the Attorney General, she was subject to the Florida Rules of Professional Conduct. Under Rule 4-8.5, she “is subject to the disciplinary authority of this jurisdiction although engaged in practice elsewhere.” The Comment to this Rule adds:

In modern practice lawyers frequently act outside the territorial limits of the jurisdiction in which they are licensed to practice, either in another state or outside the United States. In doing so, they remain subject to the governing authority of the jurisdiction in which they are licensed to practice. If their activity in another jurisdiction is substantial and continuous, it may constitute the practice of law in that jurisdiction. See rule 4-5.5.

A federal statute known as the “McDade Amendment,” 28 U.S.C. § 530B, explicitly provides that an attorney for the federal government, including the Attorney General, is bound by State laws, ethical rules and federal court rules in the State “where such attorney engages in that attorney’s duties, to the same extent and in the same manner as other attorneys in that State.”¹² Although Ms. Bondi headed a federal agency headquartered in the District of Columbia, she is not a member of the D.C. Bar and therefore is not subject to the disciplinary authority of the D.C. Bar under the current rules issued by the D.C. Court of Appeals.¹³ Under the choice of law

¹² 28 U.S.C. § 530B(a). Congress passed the McDade Amendment in 1998 in response to the Department of Justice’s claim that federal government lawyers were not bound by state ethics rules regarding contacting witnesses represented by counsel. See Nina Marino & Richard Kaplan, *Moving Towards a Meaningful Limitation on Wrongful Prosecutorial Contact with Represented Parties*, 4 PUB. INT. L. REV. 36 (1999). This law now binds all lawyers within the Justice Department, including the Attorney General. See *id.* § 530B(c) (cross-referencing 28 C.F.R. § 77.2(a) (“The phrase *attorney for the government* means the Attorney General . . .”).

¹³ Pursuant to Rule XI, Section 1(a) of the D.C. Court of Appeals’ Rules Governing the District of Columbia Bar, the D.C. Court of Appeals and the D.C. Board on Professional Responsibility have disciplinary jurisdiction over members of the D.C. Bar, persons appearing *pro hac vice* in a D.C. case, licensed special legal consultants, clinical professors providing legal services, and persons who have been suspended or disbarred by the D.C. Court of

rules issued by the Department of Justice to implement the McDade Amendment, however, Ms. Bondi was subject to Florida's ethical rules at the time of the actions set forth in this complaint.¹⁴ The Florida Bar therefore has disciplinary authority over this bar complaint and its Rules of Professional Conduct apply to Ms. Bondi's conduct that is the subject of this complaint.

On April 2, 2026, President Trump removed Ms. Bondi from her position as Attorney General. At the time of her removal, the President announced that Bondi would "transition to a much needed and important new job in the private sector."¹⁵ As of the time of writing, Ms. Bondi's profile in the official lawyer directory for The Florida Bar lists an email address with Ballard Partners, a government affairs firm with offices across the country, including Washington, D.C. and Florida.¹⁶ Ms. Bondi previously worked at Ballard Partners before her tenure as Attorney General. While it is unclear whether Ms. Bondi has returned to service with Ballard Partners, she no longer holds a position as a presidential appointee, requiring Senate confirmation, with the federal government and, as a result, no longer holds a position that could even conceivably be considered the equivalent of a "constitutional officer" under Florida law.¹⁷ Under Rule 3-7.16(d) of the Rules of Discipline, not only may The Florida Bar review complaints regarding former constitutional officers, any such complaint may be filed within 6 years of the date on which they vacated office.

Pursuant to Rule 3-7.3(a), Bar counsel for The Florida Bar must investigate any complaint alleging facts that "if proven, would constitute a violation of the Rules Regulating The Florida Bar." Bar counsel may only decline to pursue a violation if "the facts, if proven, would not constitute a violation of the Rules Regulating The Florida Bar."

Appeals. *See also* Bd. Pro. Resp. R. 8.5(a). ("A lawyer admitted to practice in this jurisdiction is subject to the disciplinary authority of this jurisdiction, regardless of where the lawyer's conduct occurs.")

¹⁴ *See* 28 C.F.R. § 77.4(c)(1) ("Where no case is pending, the attorney should generally comply with the ethical rules of the attorney's state of licensure, unless application of traditional choice-of-law principles direct the attorney to comply with the ethical rule of another jurisdiction or court, such as the ethical rule adopted by the court in which the case is likely to be brought.") *See also* R. Regulating Fla. Bar 4-8.5, Comment ("If the Rules of Professional Conduct in the 2 jurisdictions differ, principles of conflicts of laws may apply."). There are no material differences between the Florida and District of Columbia Rules of Professional Conduct that Ms. Bondi allegedly violated and therefore Florida's conflicts of laws rule does not apply.

¹⁵ Donald J. Trump (@realDonaldTrump) X.com (Apr. 2, 2026), <https://truthsocial.com/@realDonaldTrump/posts/116336247856387679>.

¹⁶ The Florida Bar, Lawyer Directory, Pamela Jo Bondi (last visited May 6, 2026), <https://www.floridabar.org/directories/find-mbr/?lName=bondi&fName=pamela&sdx=N&eligible=N&deceased=N&pageNumber=1&pageSize=10>; Ballard Partners, About Us (last visited May 6, 2026), <https://ballardpartners.com/about/who-we-are/>.

¹⁷ As signatory Jon May noted in a brief filed during the mandamus proceedings, "the phrase 'constitutional officer' only refers to individuals elected or appointed to offices identified in the Florida constitution." Petitioner's Reply to The Florida Bar's Response to Petition for Writ of Mandamus, *May v. The Florida Bar*, SC2025-1020 at 18 (Sept. 18, 2025), <https://ldad.org/wp-content/uploads/2025/09/Brief-on-Merits.pdf> (May Reply Brief). There is no true corollary to the concept of a constitutional officer in federal law. Only two officers are named in Article II of the U.S. Constitution: the President and Vice President. U.S. Const. Art. II, § 1, cl. 1, 3, 6. "While the phrase 'constitutional officer' is a familiar one in Florida law, it is not commonly used in federal jurisprudence. It appears to have been used by the Supreme Court to refer to an 'Officer of the United States' . . . only six times prior to Rule 3-7.16(d)'s adoption in 2000." May Reply Brief at 17 n. 2.

III. Discussion

A. Ms. Bondi Violated the Rules of Professional Conduct by Using Her “Zealous Advocacy” Memorandum to Establish a “Fall-In-Line-Or-Get-Out” Philosophy that Created an Unethical Catch-22 for Department Attorneys

On her first day as Attorney General (February 5, 2025), Ms. Bondi issued a memorandum to all Justice Department employees entitled *General Policy Regarding Zealous Advocacy on Behalf of the United States*.¹⁸ It states in part:

It is the job of an attorney privileged to serve in the Department of Justice to zealously defend the interests of the United States. Those interests, and the overall policy of the United States, are set by the Nation's Chief Executive, who is vested by the Constitution with all “[E]xecutive Power.” More broadly, attorneys are expected to zealously advance, protect, and defend their client’s interests. Department of Justice attorneys have signed up for a job that requires zealously advocating for the United States.

The responsibilities of Department of Justice attorneys include not only aggressively enforcing criminal and civil laws enacted by Congress, but also vigorously defending presidential policies and actions against legal challenges on behalf of the United States. The discretion afforded Department attorneys entrusted with these responsibilities does not include latitude to substitute personal political views or judgments for those that prevailed in the election.

When Department of Justice attorneys, for example, refuse to advance good-faith arguments by declining to appear in court or sign briefs, it undermines the constitutional order and deprives the President of the benefit of *his lawyers*. It is therefore the policy of the Department of Justice that any attorney who because of their personal political views or judgments declines to sign a brief or appear in court, refuses to advance good-faith arguments on behalf of the Administration, or otherwise delays or impedes the Department's mission will be subject to discipline and potentially termination, consistent with applicable law.¹⁹

The memo makes several foundational mistakes. First, the memo treats the President as either the primary or sole client of Department of Justice attorneys—which he is not.²⁰ Second, the memo places primacy on zealous advocacy, without recognizing that zealous advocacy under the Florida rules encompasses only “lawful and ethical measures.”²¹ Third, the memo presumes to override the independent legal judgment of individual attorneys and place them in the position of

¹⁸ Bondi, *supra* note 9, at 2.

¹⁹ *Id.* (emphasis added).

²⁰ See Bruce A. Green & Rebecca Roiphe, *Under Political Pressure: How Courts and Congress Can Help Prosecutors Seek Justice*, 87 YALE L. J. FORUM 138, 141 (Oct. 20, 2025) (“This view is false because DOJ lawyers do not serve any individual elected official. Instead, they ensure that the public is served by implementing the elected officials’ policy objectives while simultaneously safeguarding the public’s interest in maintaining the institutions of justice and ensuring the lawfulness of government action”); Bruce A. Green & Rebecca Roiphe, *May Federal Prosecutors Take Direction from the President?*, 87 FORDHAM L. REV. 1817, 1827 (2019); see also RESTATEMENT (THIRD) OF THE LAW GOVERNING LAWYERS § 97, comment c (2000) (discussing various permutations of the attorney-client relationship in the government context).

²¹ See R. Regulating Fla. Bar 4-1.3, Comment.

taking positions that violate their own professional responsibility obligations. In fact, under the guise of enforcing this “zealous advocacy” memo, Ms. Bondi and her close associates utilized heavy handed tactics to prevent *numerous* attorneys from complying with their own duties to “exercise independent professional judgment and render candid advice” as required by every relevant jurisdiction’s Rule 2.1 of professional conduct – or they terminated the attorney for his or her unwillingness to violate that duty. In doing so, Ms. Bondi not only required prosecutors to violate their fiduciary obligations to the public,²² but also violated several Rules herself.

The June 5, 2025 complaint cited three glaring examples of the campaign of coercion conducted by Ms. Bondi and her senior managers. The Bar can consult our prior complaint for the details, but we summarize these examples here for convenience.

Erez Reuveni. Todd Blanche, then the Deputy Attorney General, first suspended and then fired DOJ lawyer Erez Reuveni for telling the truth to a federal district judge in Maryland about why an immigrant, Kilmar Garcia, was deported to El Salvador. Ms. Bondi endorsed this action in a television broadcast. But Mr. Reuveni was required to make these concessions by the duty of candor to the tribunal imposed on him by Maryland Rules of Professional Conduct 19-303.3(a)(1) & (4), which provide in relevant part: “An attorney shall not knowingly . . . make a false statement of fact or law to a tribunal . . . or offer evidence that the lawyer knows to be false.”²³ The court thanked Mr. Reuveni, *no less than three separate times*, for his “candor.”²⁴

In subsequent appellate proceedings, two judges on a panel of the Fourth Circuit Court of Appeals took special note of the treatment of Mr. Reuveni:

Of note, in response to the candid responses by the Government attorney to the district court’s inquiry, that attorney has been put on administrative leave, ostensibly for lack of “zealous[] advocacy.” . . . But, the duty of zealous representation is tempered by the duty of candor to the court, among other ethical obligations, and the duty to uphold the rule of law, particularly on the part of a Government attorney. United States Department of Justice, Home Page, <https://www.justice.gov/> (last visited May 6, 2026) (“Our employees adhere to the highest standards of ethical behavior, mindful that, as public servants, we must work to earn the trust of, and inspire confidence in, the public we serve.”).²⁵

Denise Cheung. Emil Bove, then the Principal Associate Deputy Attorney General, and Edward Martin, then the Interim U.S. Attorney for the District of Columbia, sought to get Ms. Cheung, an Assistant U.S. Attorney under Mr. Martin, to open a criminal investigation in a circumstance where she and her senior colleagues agreed that the available evidence was insufficient to support such action.²⁶ She also refused to sign a letter to a bank declaring that probable cause

²² See, e.g., Bruce A. Green & Rebecca Roiphe, *A Fiduciary Theory of Prosecution*, 69 AM. U. L. REV. 805, *passim* (2020).

²³ Md. R. Prof. Conduct 19-303.3(a)(1), (4).

²⁴ Hr’g Tr. No. 8:25-cv-00951, 19 (D. Maryland Apr. 4, 2025) (on file with the author) at 20, 35-36, and 50.

²⁵ *Abrego Garcia v. Noem*, No. 25-1345, 2025 WL 1021113 (4th Cir. Apr. 7, 2025) (concurring opinion of judges Thacker and King), slip op. at 8 n. 4.

²⁶ See The Att’y Gen. Guidelines for Domestic FBI Operations, Op. Att’ys Gen. 20-22 (Sep. 29, 2008) (discussing circumstances justifying predicated investigations (and thus use of grand jury subpoenas)). Part II.B.3(a) states:

A predicated investigation may be initiated on the basis of any of the following circumstances:

existed to justify seizing assets held by the bank. Ms. Cheung had an ethical duty to evaluate whether there was sufficient evidence to open a criminal investigation and for claiming that contract funds held by a bank were subject to seizure and forfeiture. But rather than acknowledge Ms. Cheung's exercise of her professional judgment, Mr. Martin demanded that she sign a letter stating that she was commencing a criminal investigation and ordering the bank not to disburse any funds. When she refused to ignore her ethical duties by signing the letter, Martin forced her to resign. Ms. Cheung's conclusions were subsequently validated by a U.S. magistrate judge and at least one other U.S. Attorney's office.

Prosecutors Handling the Prosecution of Eric Adams. Mr. Bove and Ms. Bondi accepted the resignations of Ms. Sassoon and almost a dozen other Department lawyers handling (or told to handle) the Adams prosecution because they refused to ask a court to dismiss a well-founded indictment as part of a political deal.²⁷ In a letter addressed to Ms. Bondi, Ms. Sassoon explained that offering to drop a prosecution, without prejudice, in exchange for a promise of assistance would violate Section 1-8.100 of the Department's *Justice Manual*:

[T]he rule of law depends upon the evenhanded administration of justice. The legal judgments of the Department of Justice must be impartial and insulated from political influence. It is imperative that the Department's investigatory and prosecutorial powers be exercised free from partisan consideration. It is a fundamental duty of every employee of the Department to ensure that these principles are upheld in all of the Department's legal endeavors.²⁸

She also pointed out that:

Threatening criminal prosecution even to gain an advantage in civil litigation is considered misconduct for an attorney. *See, e.g.*, D.C. Bar Ethics Opinion 339; ABA Criminal Justice Standard 3-1.6 ("A prosecutor should not use improper considerations, such as partisan or political or personal considerations, in exercising prosecutorial discretion.")²⁹

Ms. Sassoon acknowledged the "zealous advocacy" memorandum, but said that, because she could not see any good-faith basis for the proposed deal, to support it in court would violate her duty of candor under New York Rule 3.3.³⁰

Lawyers in the Criminal Division were required to exercise their independent professional judgment with respect to whether the motion to dismiss the indictment could be filed in good

a. An activity constituting a federal crime or a threat to the national security has or may have occurred, is or may be occurring, or will or may occur and the investigation may obtain information relating to the activity or the involvement or role of an individual, group, or organization in such activity.

²⁷ Jonah E. Bromwich & William K. Rashbaum, *3 Adams Prosecutors Resign Rather Than Express Regret to Justice Dept.*, THE N.Y. TIMES (Apr. 22, 2025), <https://www.nytimes.com/2025/04/22/nyregion/eric-adams-prosecutors-resign.html#:~:text=On%20April%2022%2C%202025%2C%20three%20Manhattan%20federal.of%20a%20charity%20charged%20with%20defrauding%20do%20nors>.

²⁸ U.S. Dep't of Just., Just. Manual § 1-8.100 (2025). She also cited § 9-27.260 of the Manual, which states: "prosecutors may not be influenced by a person's 'political association, activities, or beliefs.'"

²⁹ Letter from Danielle Sassoon, Fmr. U.S. Att'y S.D.N.Y. to Pamela Bondi, U.S. Att'y Gen. (Feb. 12, 2025) (on file with the author), at 2.

³⁰ Rules of Professional Conduct [22 NYCRR 1200.0] Rule 3.3.

faith and whether it was otherwise consistent with their professional duties. But instead of acknowledging and accommodating their concerns and ethical obligations, Mr. Bove treated Ms. Sassoon's letter as her resignation, moved the case to the Public Integrity Section, called a meeting with the attorneys in the unit, and gave them an hour to decide who would sign the motion with the implied threat of dismissal looming over the conversation. Since Ms. Sassoon's letter was originally addressed to Ms. Bondi, and Mr. Bove was Ms. Bondi's deputy, it is reasonable to assume, subject to further investigation, that she was aware of and approved his actions.

Ms. Bondi's memorandum – which has never been rescinded – and the campaign of coercion and intimidation she set in motion to implement it go far beyond the particulars of the three examples discussed above. Rather, they influenced—and were intended to influence—the conduct of all Department lawyers in every matter. Indeed, because the Department is the one federal agency focused directly on the law, and staffed by lawyers, Ms. Bondi's campaign affected all federal lawyers. Thus, it was profoundly prejudicial to the administration of justice in both existing and future cases and accordingly violates the spirit of Rule 5-8.4(d).

Ms. Bondi's actions, directly and through subordinates like Messrs. Blanche, Bove, and Martin, violated Rule 4-8.4(a), which provides that it is misconduct for a lawyer to “violate or attempt to violate the Rules of Professional Conduct, *knowingly assist or induce another to do so, or do so through the acts of another. . .*”³¹ As described above, Ms. Bondi acted directly, or through her senior managers, to compel their subordinate lawyers to violate their professional obligations. These actions were knowing, moreover, since in every case, one or more lawyers were fired or allowed to resign *after* they had explained how following these orders would cause them to act unethically. Finally, Ms. Bondi's actions violate Rule 4-5.1, the ethical rule regarding a lawyer's ethical responsibility with respect to her managerial duties as Attorney General and her supervision over subordinate lawyers.³²

The ethical problem vividly illustrated by the three examples above concerns both Ms. Bondi's managerial and supervisory duties. Ms. Bondi's “zealous advocacy” memorandum and the actions of her senior team set in motion measures designed to ensure that subordinates would *violate* their ethical obligations whenever it served the priorities of the Administration. Such activity is surely more blameworthy than the usual violation of Rule 4-5.1, which turns on the reasonableness of a supervisor's efforts. It is even more egregious that the person who drove this campaign was the Attorney General of the United States, the highest-ranking lawyer in the nation and the holder of an august and storied office.

B. Ms. Bondi Violated the Rules of Professional Conduct Through Her Direct and Indirect Participation in the Department's Actions Related to the Release of the Epstein Files

³¹ R. Regulating Fla. Bar 4-8.4(a) (emphasis added).

³² Rule 4-5.1(a) requires that managers “make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that all lawyers therein conform to the Rules of Professional Conduct.” Rule 4-5.1(b) applies to the Department of Justice and requires a lawyer “having direct supervisory authority over another lawyer [to] make reasonable efforts” to ensure that their subordinates conform to the Rules.

The Department of Justice’s release, redaction, withholding, and messaging related to the Epstein Files,³³ which Ms. Bondi both participated in directly and oversaw as Attorney General, has been fundamentally flawed from the beginning. These flaws include (i) Ms. Bondi’s false statements concerning the existence of a Jeffrey Epstein “client list,” (ii) ongoing and systemic failures to ensure the Department’s compliance with the Epstein Files Transparency Act—including by releasing highly personal information about Epstein’s survivors, and (iii) actions that appear to be aimed at withholding documents related to the President. These actions violated Ms. Bondi’s professional responsibilities under Rules 4-1.1, 4-5.1(a) and 4-8.4.

1. Ms. Bondi Misled the Public About the Existence and Scope of the Epstein Files

In February 2025, Ms. Bondi said in an interview with *Fox News* that the Epstein client list was “sitting on my desk right now to review.”³⁴ A few days later, Ms. Bondi spoke to *Fox News* again to hype a release of documents at the White House, saying that it was “breaking news” and that they were releasing a significant number of documents.³⁵ The next day, the Department of Justice provided binders of largely previously-released documents related to Jeffrey Epstein (referred to as *The Epstein Files: Phase 1*) to a handful of conservative commentators and content creators at the White House.³⁶ In July, the Department and the FBI issued a joint memorandum stating that they had reviewed all the files and that “this systematic review revealed no incriminating ‘client list.’”³⁷

2. Ms. Bondi Failed to Ensure that the Department Complied with the Epstein Files Transparency Act, Resulting in the Release of Victim Information

Congress passed the Epstein Files Transparency Act (EFTA) in November 2025, following Ms. Bondi’s contradictory statements on the existence of the Epstein “Client List” and the Department of Justice’s inconsistent statements and actions concerning the existence and releasability of other Epstein documents.³⁸ The EFTA requires that the Department of Justice release records related to Jeffrey Epstein, Ghislaine Maxwell, and several other categories of related information, subject to an exception protecting victims from any disclosure which would “constitute a clearly unwarranted invasion of personal privacy.”³⁹

³³ The term “Epstein Files” refers to documents, including those required to be produced under the Epstein Files Transparency Act, Pub. L. 119-38 § 2(a), 139 Stat. 656 (2025), that relate to Jeffrey Epstein or his co-conspirators and that are in the possession of the Department of Justice.

³⁴ Nadine Yusif, *Trump says US attorney general should release any ‘credible’ information on Epstein*, BBC (Jul. 16, 2025), <https://www.bbc.com/news/articles/ckgl4dl334go>.

³⁵ <https://www.fox5atlanta.com/news/epstein-files-release>.

³⁶ Michael Kosnar, et al., *Hyped release of ‘Epstein Files’ sparks anger and disappointment on right*, NBC NEWS (Feb. 27, 2025), <https://www.nbcnews.com/politics/justice-department/hypedrelease-epstein-files-sparks-anger-disappointment-right-rcna194087>.

³⁷ US Department of Justice, *Memo on Epstein Investigation* (Jul. 2025), <https://www.justice.gov/opa/media/1407001/dl?inline>.

³⁸ Pub. L. 119-38, 139 Stat. 656 (2025).

³⁹ Pub. L. 119-38, §§ 2(a), (c)(1)(A).

Notwithstanding this straightforward direction from Congress, Ms. Bondi failed to ensure that the Department of Justice met its legal obligations.⁴⁰ Perhaps the most egregious failure was the Department's failure to redact sensitive victim information related to almost 100 victims. Attorneys for Epstein's victims described this ongoing pattern of DOJ's failure to prevent the release of victim information in their request for emergency intervention filed days after a January 30, 2026 release of documents.⁴¹ As described in the filing, on December 19, 2025, the Department released documents under the EFTA that contained the "unredacted names and dates of birth" of victims, including a document that identified over 30 victims.⁴² Instead of establishing reasonable measures to protect the disclosure of information in further releases, the Department of Justice released documents on January 30, 2026 that included information about over 100 survivors, including nearly 40 nude photos of women, some who may have been underage.⁴³ As the survivors' lawyers explained in their filing, DOJ's release may have been "the single most egregious violation of victim privacy in one day in United States history."⁴⁴ While the Department issued a nine-page memorandum instructing staff on how to review the Epstein files, only two pages deal with identifying victim information and those instructions fail to require a multi-level review process.

3. Ms. Bondi Violated Rules 4-1.1, 4-4.1(a), 4-5.1(a), and 4-8.4(c) and (d) Through Her Actions Related to the Epstein Files

Ms. Bondi's misleading communications with third parties, including her statements on *Fox News*, made in the course representing the government were inconsistent with Rule 4-4.1(a) and 4-8.4(c). Ms. Bondi's statement in February 2025 on *Fox News* that she had Epstein's client list on her desk, made in her role as the Attorney General and during her representation of the United States, was false. These statements, and her actions during the same week, in which she supported the release of the *Epstein Files: Phase I*, appeared calculated to mislead the public

⁴⁰ The extensive failures of the Department of Justice to comply with the Epstein Files Transparency Act have been catalogued by several organizations, including Democracy Defenders Fund. *See, e.g.*, Letter from Democracy Defenders Fund to Department of Justice Office of Inspector General, *RE: Request for Audit of Department of Justice's Compliance with the Epstein Files Transparency Act* (Jan. 7, 2026), [fb1cd5_85d27291e5db4cac824dc487793834f0.pdf](https://www.democracydefendersfund.org/en/2026/01/07/letter-to-doj-re-request-for-audit-of-department-of-justice-compliance-with-the-epstein-files-transparency-act); Letter from Democracy Defenders Fund to Department of Justice Office of Inspector General, *RE: Supplement to January 7 Request for Audit of Department of Justice's Compliance with the Epstein Files Transparency Act (Corrected Copy)* (Jan. 23, 2026), [dea5ed_8e9c4ab913854ce0a87573bc3fd70db3.pdf](https://www.democracydefendersfund.org/en/2026/01/23/letter-to-doj-supplement-to-january-7-request-for-audit-of-department-of-justice-compliance-with-the-epstein-files-transparency-act-corrected-copy); Letter from Democracy Defenders Fund to Department of Justice Office of Inspector General, *RE: Second Supplement to January 7 Request for Audit of Department of Justice's Compliance with the Epstein Files Transparency Act* (Feb. 6, 2026), [f9c23f_dc27c236acad4153ad6cc7e7d77e6d73.pdf](https://www.democracydefendersfund.org/en/2026/02/06/letter-to-doj-second-supplement-to-january-7-request-for-audit-of-department-of-justice-compliance-with-the-epstein-files-transparency-act). In recent days, both the Department of Justice's Office of Inspector General and the Government Accountability Office have announced that they will be reviewing DOJ's compliance with the EFTA. Dan Mangan, *DOJ watchdog investigating handling of Jeffrey Epstein Files*, CNBC (Apr. 23, 2026), <https://www.cnbc.com/2026/04/23/epstein-files-doj-audit.html>; Theodoric Meyer, *GAO agrees to review Justice Department's handling of the Epstein files*, WASH. POST (Apr. 28, 2026), <https://www.washingtonpost.com/politics/2026/04/28/epstein-files-gao/>.

⁴¹ Emergency Request for Immediate Judicial Intervention—Epstein Transparency Act, *United States v. Jeffrey Epstein*, 1:19-cr-00490 (Feb. 2, 2026), <https://www.courtlistener.com/docket/15887813/102/united-states-v-epstein/>.
⁴² *Id.*

⁴³ Hafiz Rashid, *Epstein Survivors Furious After DOJ Screws Up File Redactions*, THE NEW REPUBLIC (Feb. 2, 2026), <https://newrepublic.com/post/206026/epstein-survivors-doj-take-down-files-redaction-failures>.

⁴⁴ Emergency Request for Immediate Judicial Intervention—Epstein Transparency Act, *United States v. Jeffrey Epstein*, No. 1:19-cr-00490 (Feb. 2, 2026), <https://www.courtlistener.com/docket/15887813/102/united-states-v-epstein/>.

into believing that Ms. Bondi had access to evidence of criminal misconduct that she did not, in fact, have access to at that time. This was a clear misrepresentation of the facts.⁴⁵ By making statements that were demonstrably false to third parties with the apparent intent of deceiving the public as to her access to information related to Mr. Epstein, Ms. Bondi violated Rule 4-4.1(a).

Moreover, given the unique position of the Attorney General as the chief law enforcement officer for the nation, and the reliance that the public places on the Department of Justice to be a fair arbiter of justice, it seems obvious that a large segment of the public would have reasonably relied on Ms. Bondi's statements.⁴⁶ As The Florida Bar recognizes, "[l]awyers holding public office assume legal responsibilities going beyond those of other citizens."⁴⁷ By making dishonest statements and engaging in actions that appear calculated to mislead the public, Ms. Bondi also violated her ethical obligations under Rule 4-8.4(c).⁴⁸ More importantly, Ms. Bondi violated the trust of the American public.

Ms. Bondi's failure to ensure that the Department released the information required under the EFTA, limited redactions to only what is permitted by law, notified the public of those redactions, and prevented the release of victim information, also implicated her ethical obligations under Rules 4-1.1, 4-5.1(a), and Rule 8.4(d). Ms. Bondi's actions, personally and through her subordinates, reflected reckless disregard for compliance with the EFTA. Ms. Bondi should have ensured that a program was established that effectively ensured that DOJ attorneys' redactions and withholdings were fully consistent with the law and that all other documents were released. Her failure to do so shows a shocking lack of competence, as required by Rule 4-1.1. It also constitutes a failure to establish a reasonable system to ensure that other Department attorneys competently applied the EFTA, as required by Rule 4-5.1(a). Finally, Ms. Bondi's actions, and those of her subordinates, in releasing private victim information not only were inconsistent with the EFTA, they also may have violated the Privacy Act (5 U.S.C. § 552a). Under Florida law, violations of statutes can constitute "conduct . . . that is prejudicial to the administration of justice," in violation of Rule 4-8.4(d).⁴⁹ Ms. Bondi was in control of the sensitive and private information of dozens of victims and under a legal obligation to maintain those confidences. Her failure to take adequate precautions to prevent the release of such information, even after being warned by outside counsel about prior reckless disclosures, can only be considered reckless and prejudicial to the administration of justice.

⁴⁵ While a small percentage of documents released were not publicly available, Ms. Bondi's actions—including the fanfare of a White House reveal—clearly suggested that the documents being released had not previously been released. Under Florida Bar Rule 4-4.1, even "[p]artially true but misleading statements as well as omissions can constitute a misrepresentation," *The Fla. Bar v. Arugu*, 350 So. 3d 1229, 1233 (Fla. 2022); R. Regulating Fla. Bar 4-4.1, Comment ("Misrepresentations can . . . occur by partially true but misleading statements or omissions that are the equivalent of affirmative false statements.").

⁴⁶ Of course, "[d]eceptive conduct does not have to be successful in order to be found dishonest." *The Fla. Bar v. Watson*, 76 So. 3d 915, 923 (Fla. 2011).

⁴⁷ R. Regulating Fla. Bar 4-8.4, Comment.

⁴⁸ See, e.g., *The Fla. Bar v. Fredericks*, 731 So. 2d 1249, 1252 (Fla. 1999) (stating that "in order to find that an attorney acted with dishonesty, misrepresentation, deceit, or fraud, the Bar must show the necessary element of intent[, but] in order to satisfy the element of intent it must only be shown that the conduct was deliberate or knowing") (cleaned up) (citations omitted).

⁴⁹ See *The Florida Bar v. Bryant*, 813 So. 2d 38, 42-43 (Fla. 2002) (lawyer who accepted sex from a prostitute in exchange for legal services violated Florida statute prohibiting prostitution and Rule 4-8.4(d)); *The Florida Bar v. Varner*, 780 So. 2d 1, 3-4 (Fla. 2001) (violation of a criminal statute prohibiting intentional submission of deceptive documents to an insurer violates Rule 4-8.4(d); violation does not require conviction or even filing of charges).

C. **Ms. Bondi Violated the Rules of Professional Conduct by Violating Court Orders and Superintending Her Staff’s Violation of Court Orders**

Under Ms. Bondi’s direction and oversight, DOJ lawyers, from Ms. Bondi on down, have violated an unprecedented number of binding court orders. Indeed, this has happened so many times that it would be impossible to properly inventory them within the 25-page limit imposed by the Bar. Several judges and journalists have created or commissioned partial lists, and these provide a damning perspective on the scale of these violations. By far, most court order violations have occurred in immigration-related habeas corpus cases. We discuss those cases first, followed by non-habeas cases. They demonstrate violations of Rules 4-5.1 and 4-8.4.

1. **Ms. Bondi Failed to Prevent or Rectify Over 100 Violations of Court Orders in Habeas Cases**

Minnesota. The most widely reported list was created by Patrick J. Schiltz, the Chief Judge of the U.S. District Court for Minnesota. Shortly after DOJ informed him that it had failed to comply with an order either to provide a detainee with a hearing or release him – “one of dozens of court orders with which respondents have failed to comply in recent weeks”⁵⁰ – Chief Judge Schiltz attached to his next order a list, admittedly “hurriedly compiled by extraordinarily busy judges,” of 96 orders that ICE had violated in 74 cases across that judicial district.⁵¹ He observed: “This list should give pause to anyone – no matter his or her political beliefs – who cares about the rule of law. ICE has likely violated more court orders in January 2026 than some federal agencies have violated in their entire existence.”⁵²

After the U.S. Attorney for Minnesota called the list “far beyond the pale of accuracy,”⁵³ the court then led a careful review of the list and found that DOJ had actually violated 97 orders in 66 of the original 74 cases.⁵⁴ Even more shocking, the court attached a new list of 113 *additional* violations the district’s judges had identified in 77 additional cases.⁵⁵ Most of these violations occurred after the release of the first list. In conclusion, the judge declared:

If anything is “beyond the pale,” it is ICE’s continued violation of the orders of this Court. Increasingly, this Court has had to resort to using the threat of civil contempt to force ICE to comply with orders. The Court is not aware of another occasion in the history of the United States in which a federal court has had to threaten contempt—again and again and again—to force the *United States government* to comply with court orders.⁵⁶

New Jersey. After DOJ failed to comply with one of his orders, Judge Michael Fabiarz of the District of New Jersey ordered DOJ to tally the number of times its clients had failed to comply with an order issued by a judge in that district between December 5, 2025 and February 5,

⁵⁰ *Juan T.R. v. Noem*, No. 26-cv-0107 (PJS/DLM) (D. Minn. Jan. 26, 2026).

⁵¹ *Juan T.R. v. Noem*, No. 26-cv-0107 (PJS/DLM) (D. Minn. Jan. 28, 2026), Appendix (D. Minn. Jan. 28, 2026).

⁵² *Id.*, slip op. at 2-3.

⁵³ *Id.* (D. Minn. Feb. 26, 2026), slip op. at 2-3.

⁵⁴ *Id.*, slip op. at 4.

⁵⁵ *Id.*, slip op. at 5.

⁵⁶ *Id.*, slip op. at 5-6 (italics in original).

2026.⁵⁷ DOJ's statistics showed between 52 and 72 violations in 547 matters.⁵⁸ This included 17 cases in which a person was removed from the district despite an order prohibiting removal and 12 occasions where bond hearings were held later than the required date.⁵⁹ Another district judge said these numbers were low.⁶⁰

The judges discussed above recognized that the high degree of noncompliance with court orders was related to the interaction between (i) the dramatically increased level of ICE activity in their districts and (ii) the failure of DOJ to provide correspondingly increased legal resources.⁶¹ It seems reasonable to assume that this same phenomenon is occurring nationwide, and hence the number of immigration-related violations of court orders in any given judicial district should be roughly proportional to the amount by which ICE activity has increased in that district. The total is likely in the hundreds, if not thousands. Ms. Bondi took no apparent action to rectify these violations or to direct DOJ attorneys to take reasonable steps to prevent their agency clients from committing further violation of court orders.

2. Ms. Bondi Failed to Prevent or Rectify Violations of Court Orders in Over 30 Non-Habeas Cases

The website *Just Security* maintains a database of categories of action by the federal government that can undermine the presumption of regularity that historically has attached to actions of the federal government.⁶² The database covers the entirety of President Trump's current administration and is current as of April 4. It can be expected to be reasonably accurate; if anything, it under-reports reality. One of the categories of activity that it tracks is violations of court orders by the federal government. As of March 19, the site had identified 34 non-habeas-related violations.⁶³ We do not attempt to discuss them all, but focus on those where Ms. Bondi herself or her immediate staff were clearly involved.

United States v. Jefferson. Judge Novak of the Eastern District of Virginia, *sua sponte*, ordered Lindsey Halligan "to file a pleading explaining the basis for her continued identification of herself as the United States Attorney for th[at] District . . . in the face of . . . binding Court Orders . . . that found Ms. Halligan's appointment as Interim U.S. Attorney unlawful. . . ." ⁶⁴ The Court later said "Ms. Halligan's response, in which she was joined by both the Attorney General and the Deputy Attorney General, contains a level of vitriol more appropriate for a cable news talk show and falls far beneath the level of advocacy expected from litigants in this Court,

⁵⁷ *Kumar v. Soto*, No. 26-cv-00777 (MEF) (D.N.J. Feb. 17, 2026), slip op. at 1.

⁵⁸ The New York Times characterized the list as showing 52 violations. See Mattathias Schwartz, et al., *Officials Violated More Than 50 Court Orders in New Jersey, Justice Dept. Tells Judge*, THE N.Y. TIMES (Feb. 18, 2026), <https://www.nytimes.com/2026/02/18/us/politics/court-orders-new-jersey-immigrants.html>. A different New Jersey district judge identified 56 admitted violations and another 16 instances of "acknowledged . . . noncompliance." See *Cartagena Hueso v. Soto*, 3:26-cv-01455 (D.N.J. Feb. 26, 2026), slip op. at 6 n.7.

⁵⁹ *Kumar v. Soto*, *supra*, slip op. at 2-3.

⁶⁰ See *Singh v. Tsoukaris*, 1:26-cv-1531 (D.N.J. Feb. 20, 2026), slip op. at 3.

⁶¹ See, e.g., *Juan T.R. v. Noem* (D. Minn. Feb. 26, 2026), slip op at 4 ("What [DOJ] attorneys 'didn't deserve' was the Administration sending 3000 ICE agents to Minnesota to detain people without making any provision for handling the hundreds of lawsuits that were sure to follow.").

⁶² See Ryan Goodman, et al., *The "Presumption of Regularity" in Trump Administration (4th Ed.)*, Just Security (Mar. 19, 2026), <https://www.justsecurity.org/120547/presumption-regularity-trump-administration-litigation/>.

⁶³ See *id.*

⁶⁴ *U.S. v. Jefferson*, 816 F. Supp. 3d 590, 592 (E.D. Va. Jan. 20, 2026).

particularly the Department of Justice.⁶⁵ Ultimately, the Court concluded, “Ms. Halligan’s continued identification of herself as the United States Attorney for this District ignores a binding court order and may not continue; otherwise, Ms. Halligan and anyone who joins her on a pleading containing the improper moniker subjects themselves to potential disciplinary action in this Court pursuant to the Court’s Local Rules.”⁶⁶ In other words, by signing Ms. Halligan’s pleading, Ms. Bondi herself was violating a court order. Indeed, the court concluded that Ms. Halligan, and thus Ms. Bondi,

[r]ather stunningly, . . . ha[d] also turned a blind eye to an Order from the Chief Judge of the Fourth Circuit]. . . . The Court finds it inconceivable that the Department of Justice, which holds a duty to faithfully execute the laws of the United States — even those with which it may have disagreement — would repeatedly ignore court orders, while simultaneously prosecuting citizens for breaking the law. In the wise words of Judge J. Harvie Wilkinson III of the Court of Appeals for the Fourth Circuit, “[w]e yet cling to the hope that it is not naive to believe our good brethren in the Executive Branch perceive the rule of law as vital to the American ethos.”⁶⁷

The court concluded by ordering “Ms. Halligan [to] provide a copy of this Memorandum Order to the Attorney General and Deputy Attorney General, since they appear as signatories on her Response.”⁶⁸

Perkins Coie LLP v. U.S. Department of Justice. In this litigation, the judge issued a temporary restraining order (TRO) enjoining seven defendant agencies from implementing three sections of an executive order (EO) directed to a law firm. The order also commanded the agencies not to repeat derogatory statements contained in the EO.⁶⁹ One month later, Ms. Bondi and the Director of the Office of Management and Budget sent a memorandum to all federal agencies that included the derogatory language specifically proscribed by the TRO:

The Executive Branch’s position is that Executive Order 14230 is permissible, and that the Court’s order was erroneous. The government reserves the right to take all necessary and legal actions in response to the “dishonest and dangerous” conduct of Perkins Coie LLP, as set forth in Executive Order 14230.

The court decorously stated: “This intentional additional promulgation of derogatory statements about plaintiff across all the Executive branch agencies hardly appeared to comply with the TRO Order and raised some concern about the general presumption by courts ‘that executive officials will act in good faith.’”⁷⁰

United States v. Mangione. The judge handling the prosecution of Luigi Mangione stated at his arraignment that, “given the nature of this case, I would like to just remind all counsel of the strictures of Local Criminal Rule 23.1 about public commentary about this matter that could

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ *Id.* at 596 (quoting *Abrego Garcia v. Noem*, No. 25-1404, 2025 WL 1135112, at *3 (4th Cir. Apr. 17, 2025))(emphasis added).

⁶⁸ *Id.* at 602.

⁶⁹ *Perkins Coie LLP v. U.S. Department of Justice*, No. 25-cv-716 (DAH) (D.D.C. Mar. 12, 2025).

⁷⁰ *Id.* Memorandum and Order (Apr. 25, 2025), slip op. at 7-8 (citation omitted),

https://storage.courtlistener.com/recap/gov.uscourts.dcd.278290/gov.uscourts.dcd.278290.173.0_1.pdf.

impede or affect Mr. Mangione’s ability to get a fair trial”⁷¹ Five months later, she issued an order stating that

multiple employees at the Department of Justice may have violated Local Criminal Rule 23.1, and this Court’s order of April 25, 2025 specifically identifying strictures of this rule for counsel and directing the prosecution team to ensure that the highest levels of the Department of Justice, up to and including Attorney General Bondi, were aware of and understood they were bound by this Rule. . . . The statements referenced in [a letter from Mangione’s counsel] by two high-ranking staff members of the Department of Justice, including within the Office of the Attorney General, appear to be in direct violation of this Rule and the Court’s April 25 Order.⁷²

These are just three of the 34 cases of noncompliance with court orders listed in the *Just Security* database. The Bar should review them all in order to gauge the extent of conduct that courts have referred to as “disregard,” “fail[ure] to comply,” “refusal to comply,” “willful refusal to comply,” “flagrant violation,” “repeated, material violations,” “direct contravention,” “thumbing their nose,” “attempt[s] to achieve the very end the Court’s injunction was put in place to prevent,” “blatant lack of effort,” “blatant disregard,” “particularly glaring . . . failure,” “contrivance,” “defiance,” “lack of good faith government efforts at compliance,” “apparent willingness to disregard this Court’s orders, even after previous admonition,” and “interpretation[s] border[ing] on violating Federal Rule of Civil Procedure 11(b).”⁷³

3. Ms. Bondi Violated Rules 4-5.1 and 4-8.4 by Failing to Take Action to Prevent the Violation of Court Orders by Department Officials

In all of the habeas cases, and in the other 31 cases listed in *Just Security*, lawyers that Ms. Bondi supervised, directly or indirectly, were found to have violated court orders, and thus are also subject to discipline themselves for violating Rule 4-8.4(d) or the equivalent rule in their admitting jurisdiction. And every one of them did so under Ms. Bondi’s supervision. Ms. Bondi should be hard-pressed, therefore, to show that she complied with Rule 4-5.1(a) (requiring managers to “make reasonable efforts to ensure that the firm [which includes a government agency legal office] has in effect measures giving reasonable assurance that all lawyers therein conform to the Rules of Professional Conduct”), and Rule 4-5.1(b) (requiring lawyers “having direct supervisory authority over another lawyer [to] make reasonable efforts” to ensure that their subordinates conform to the Rules).⁷⁴ The most charitable characterization of the foregoing

⁷¹ *United States v. Mangione*, No. 25-cr-176 (MMG) (S.D.N.Y. Apr. 25, 2025), transcript at 17, <https://storage.courtlistener.com/recap/gov.uscourts.nysd.640793/gov.uscourts.nysd.640793.27.0.pdf>.

⁷² *Id.*, Order (S.D.N.Y. Sept. 24, 2025), slip op. at 1-2, <https://storage.courtlistener.com/recap/gov.uscourts.nysd.640793/gov.uscourts.nysd.640793.53.0.1.pdf>.

⁷³ The quoted phrases, all written by federal district judges, are all reprinted at https://www.justsecurity.org/120547/presumption-regularity-trump-administration-litigation/-post-134271-_Toc224729275.

⁷⁴ There is no question that Rule 4-5.1 applies to supervisors in legal offices contained within a government agency. See R. Regulating Fla. Bar 4-5.1, Comment. (“[L]awyers who have managerial authority over the professional work of a ‘firm’... include members of a partnership, the shareholders in a law firm organized as a professional corporation, and members of other associations authorized to practice law; lawyers having comparable managerial authority in a legal services organization or a law department of an enterprise *or government agency*...”) (emphasis added). See also R. Regulating Fla. Bar 4, Preamble (“‘Firm’ or ‘law firm’ denotes a lawyer or lawyers in a law

examples is that, as Attorney General, Ms. Bondi failed to take reasonable steps to ensure that her subordinates complied with court orders – or that there even were enough subordinates to do so. A more likely characterization is that, rather than assure that her subordinates conformed to the Federal Rules of Professional Conduct, Ms. Bondi’s supervisory actions exhibited a flagrant disregard toward the need to comply – and the need to have adequate resources to comply – with court orders. It begs credulity to believe that the repeated and escalating expressions of consternation and resolve by federal district judges did not filter their way up to the Attorney General’s office. And the most ominous characterization is that Ms. Bondi, particularly through her “zealous advocacy” memorandum, was actually trying to get her subordinates to ignore or dissemble about their obligations to the courts before which they practiced. Such conduct would violate Rule 4-8.4(a), which provides that it is misconduct for a lawyer to “violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another. . . .”⁷⁵

Furthermore, Ms. Bondi’s actions violated Rule 4-8.4(d). It is well-established that violations of court orders can constitute “conduct . . . that is prejudicial to the administration of justice,” in violation of Rule 4-8.4(d).⁷⁶ As shown above, Ms. Bondi has acted directly to violate court orders in at least two cases where she signed her name to a pleading or memorandum.

Given the unique role that the Department of Justice plays in our nation’s legal system, The Bar needs to investigate this issue.

D. Ms. Bondi Violated the Rules of Professional Conduct by Initiating, Inducing, Supporting, and Knowingly Permitting Prosecutions Lacking Probable Cause

The singular distinguishing feature of prosecutions initiated or supervised by Ms. Bondi is the staggering number that were initiated without probable cause. This fatal flaw led to a historically unprecedented number of proposed indictments being rejected by grand juries. Based on data from the Department’s Bureau of Justice Statistics, in Fiscal Year 2010, grand juries refused to issue an indictment only 11 times out of over 162,000 presentations by federal prosecutors.⁷⁷ But under Ms. Bondi’s leadership of DOJ, grand jury declinations became commonplace; indeed, they were almost the norm for high-profile prosecutions of President Trump’s political enemies. Even where prosecutors persuaded grand juries to issue indictments, judges commonly dismissed them. And despite intense political pressure from above, line prosecutors commonly refiled felony charges as misdemeanors or moved for their dismissal altogether.

As described below, Ms. Bondi was required by the Rules of Professional Conduct to refrain from bringing charges that lacked probable cause and to establish procedures that would prevent such cases from being brought. Ms. Bondi not only failed to adhere to these ethical obligations

partnership, professional corporation, sole proprietorship, or other association authorized to practice law; or lawyers employed in the legal department of a corporation *or other organization.*”) (emphasis added).

⁷⁵ R. Regulating Fla. Bar 4-8.4(a) (emphasis added).

⁷⁶ See *Florida Bar v. Leigh*, 405 So. 3d 347, 354-357 (Fla. 2025) (violation of “numerous court orders” constitutes violation of Rule 4-8.4(d)); *Florida Bar v. Stremms*, 357 So. 3d 77, 86 (Fla. 2022) (“numerous court orders”); *The Florida Bar v. Committee*, 136 So. 3d 1111, 1116 (Fla. 2014) (“court orders”).

⁷⁷ See Department of Justice, Bureau of Justice Statistics, *Federal Justice Statistics 2010 – Statistical Tables* (Dec. 2013), pp. 11-12, Tables 2.2 and 2.3, <https://bjs.ojp.gov/content/pub/pdf/fjs10st.pdf>. Total presentations calculated by subtracting total declinations (30,670; from Table 2.3) from all offenses (193,021; from Table 2.2).

but took affirmative steps to induce Department attorneys to bring cases that lacked probable cause. In doing so, Ms. Bondi violated Rule 4-3.8, Rule 4-5.1, and Rule 8.4(a).

1. **Ms. Bondi’s Department of Justice Brought Cases Lacking Probable Cause Against Protestors and Vulnerable Populations, Including Immigrants**

Initially, prosecutions without probable cause initiated by DOJ under Ms. Bondi tended to involve people protesting the Administration’s signature immigration policies. Some examples:

Los Angeles. The acting U.S. Attorney for the Southern District of California, Bill Essayli, directed the filing of felony charges against at least 38 protesters arrested at or near immigration sites in Los Angeles last summer.⁷⁸ After 21 days, only seven had resulted in viable indictments. Prosecutors dismissed five and nine had been refiled as misdemeanors. Some indictments were not signed by any career prosecutors.

After a grand jury had refused to issue an indictment in one case, Mr. Essayli’s voice was heard from a prosecutor’s phone on speaker in the hallway outside, “screaming” that prosecutors should disregard the Justice Manual’s instruction that they should only pursue defendants who will “more likely than not be found guilty beyond a reasonable doubt by an unbiased trier of fact and [whose] conviction will be upheld on appeal.”⁷⁹ Mr. Essayli ordered the prosecutor to secure indictments as directed by the Attorney General. When asked about this incident by the *LA Times*, Ms. Bondi endorsed him in a statement: “My friend, U.S. Attorney Bill Essayli, is a champion for law and order who has done superlative work to prosecute rioters for attacking and obstructing law enforcement in Los Angeles.”⁸⁰

Chicago. After several weeks of peaceful protests at an ICE processing facility, federal agents began spraying the crowd with tear gas and pepper spray and arresting protesters. Grand juries refused to return an indictment against at least three of these protesters, which a federal court noted “equates to a finding of lack of probable cause that any crime occurred.”⁸¹

Washington, D.C. Sean Dunn, a DOJ paralegal, became famous as “Sandwich Man” after he was charged with felony assault on a federal agent (punishable by up to eight years in prison) for throwing a salami submarine sandwich at a CBP officer.⁸² After a grand jury refused to indict Dunn, prosecutors charged him with misdemeanor assault (which does not require a grand jury). A petit jury then acquitted him.⁸³

⁷⁸ Except as noted, factual statements in this and the following paragraph draw from James Queally & Brittny Mejia, *Trump’s top federal prosecutor in L.A. struggles to secure indictments in protest cases*, *LA Times* (Jul. 23, 2025), <https://www.latimes.com/california/story/2025-07-23/protester-charges-essayli>.

⁷⁹ Department of Justice, *JUSTICE MANUAL, Principles of Federal Prosecution*, § 9-27.220 Comment, <https://www.justice.gov/jm/jm-9-27000-principles-federal-prosecution-9-27.220>.

⁸⁰ A federal judge ruled two months later that Mr. Essayli had been illegally serving as U.S. Attorney. See Kyle Cheney & Josh Gerstein, *Judge Rules LA’s top federal prosecutor was illegally appointed*, *Politico* (Oct. 28, 2025), <https://www.politico.com/news/2025/10/28/judge-los-angeles-top-federal-prosecutor-illegally-appointed-00626804>.

⁸¹ See *Illinois v. Trump*, 2025 WL 2886645 (N.D. Ill. Oct. 10, 2025), at *5.

⁸² Factual statements drawn from Alan Feuer, et al., *Prosecutors Fail to Obtain Indictment Against Man Who Threw Sandwich at Federal Agent*, *THE N.Y. TIMES* (Aug. 27, 2025), <https://www.nytimes.com/2025/08/27/us/politics/trump-sandwich-assault-indictment-justice-department.html>.

⁸³ Zach Montague, *Jurors Find Sandwich Hurler Not Guilty of Assault*, *THE N.Y. TIMES* (Nov. 6, 2025), <https://www.nytimes.com/2025/11/06/us/politics/trump-sandwich-guy-verdict.html>.

Prosecutors charged a woman, Sidney L. Reid, with the same offense after she struggled with an ICE officer who grabbed her arms and pushed her against a wall when she filmed ICE officials outside the D.C. jail. Grand juries refused three times within a 30-day period to issue an indictment. Prosecutors again filed a misdemeanor charge, and she likewise was acquitted.⁸⁴

In a case unrelated to immigration, the U.S. Attorney's office charged Torez Riley with unlawful possession of a handgun after he was stopped by police officers and a group of federal agents while entering a Trader Joe's.⁸⁵ In a hearing on the case, Magistrate Judge Zia M. Faruqui, who had previously served twelve years as a prosecutor, excoriated the prosecution for proceeding with the case when it emerged that the officers had no reason besides skin color to look through his bag, calling the prosecution after the unjustifiable stop "maddening," "lawlessness" and "beyond the boundaries." Prosecutors then moved for dismissal.

Secret Service agents had twice interviewed a mentally ill woman, Nathalie Rose Jones of Indiana, after she threatened the President in social media posts. But they didn't file charges against her until she participated in a protest march around the White House. A grand jury refused to indict her, however, and the government ultimately dismissed the charges.⁸⁶

Similarly, prosecutors filed a felony charge against an intellectually-disabled man, Edward Dana, for making threats against the President in the presence of police while he was intoxicated. A grand jury declined to indict him, and prosecutors shifted to filing misdemeanor charges in District of Columbia Superior Court.⁸⁷ The judge who granted DOJ's motion to dismiss filed an order expressing extraordinary frustration with the government's conduct in that case and others. The order recited

the longstanding requirement from the Principles of Federal Prosecution that a prosecutor may commence or recommend federal prosecution only if he/she believes that the person will more likely than not be found guilty beyond a reasonable doubt by an unbiased finder of fact and that the conviction will be upheld on appeal. . . . Given that there have been an unprecedented number of cases that the U.S. Attorney dismissed in the past ten days, all of whom were detained for some period of time, the Court is left to question if this principle still applies.⁸⁸

2. Ms. Bondi's Department of Justice Brought Cases Lacking Probable Cause Against the President's Perceived Enemies

⁸⁴ Sophie Rosenthal, *Woman found not guilty of assaulting FBI agent during ICE arrest outside DC Jail*, WUSA9 (Oct. 16, 2025), <https://www.wusa9.com/article/news/legal/sidney-reid-trial-not-guilty-fbi-agent-ice-arrest-assault-charge-dc-jail/65-fa3b180e-e72f-43d2-ad36-bbcc91fad9d0>.

⁸⁵ Factual statements drawn from Dave Jamieson, *Judge Warns of 'Lawlessness' In Trump's DC Policing Takeover*, HUFFPOST (Aug. 25, 2025), <https://sg.news.yahoo.com/judge-warns-lawlessness-trumps-dc-192448793.html>.

⁸⁶ Factual statements drawn from Alan Feuer, *Grand Juries in D.C. Reject Wave of Charges Under Trump's Crackdown*, THE N.Y. TIMES (Sept. 6, 2025), <https://www.nytimes.com/2025/09/06/us/trump-dc-national-guard-grand-juries-crime.html>.

⁸⁷ *Id.*

⁸⁸ *United States v. Eduardo Alexander Dana*, No. 25-MJ-000152 (D.D.C. Sept. 4, 2025) (all italics in original)(citation omitted), https://storage.courtlistener.com/recap/gov.uscourts.dcd.283924/gov.uscourts.dcd.283924.16.0_1.pdf.

Ms. Bondi took her practice of prosecuting without probable cause to a new level after September 20, 2025, when President Trump upbraided her, in a message that he posted on social media, for not moving quicker to pursue his enemies:

Pam: I have reviewed over 30 statements and posts saying that, essentially, “same old story as last time, all talk, no action. Nothing is being done. What about Comey, Adam “Shifty” Schiff, Leticia??? They're all guilty as hell, but nothing is going to be done.” Then we almost put in a Democrat supported U.S. Attorney, in Virginia, with a really bad Republican past. A Woke RINO, who was never going to do his job. That's why two of the worst Dem Senators PUSHED him so hard. He even lied to the media and said he quit, and that we had no case. No, I fired him, and there is a GREAT CASE, and many lawyers, and legal pundits, say so. Lindsey Halligan is a really good lawyer, and likes you, a lot. We can't delay any longer, it's killing our reputation and credibility. They impeached me twice, and indicted me (5 times!), OVER NOTHING. JUSTICE MUST BE SERVED, NOW!!! President DJT.⁸⁹

Bondi promptly launched criminal prosecutions or investigations of the named individuals and others. These prosecutions all share a second characteristic: a lack of probable cause.

Letitia James. The President has resented Letitia James, the Attorney General of New York, ever since she secured a civil fraud judgment against him in state court.⁹⁰ In retaliation, the Justice Department began a criminal investigation of allegations that Ms. James had made false statements in mortgage documents associated with the purchase of a second home. Erik Siebert, the “RINO” prosecutor above, was the U.S. Attorney for the Eastern District of Virginia. President Trump wanted him out because Siebert had “expressed concerns . . . about the viability” of these charges.⁹¹ Siebert resigned the day before the President’s message, and two days after the message Ms. Bondi appointed Lindsey Halligan as his successor. Ms. Halligan, who had no experience as a prosecutor, presented an indictment by herself to a grand jury in Norfolk on October 9, 2025. She secured a two-count indictment. Ms. James moved to have it dismissed on the basis that Ms. Halligan was illegally appointed. In response, Ms. Bondi additionally named her as a “Special Attorney,” stating that she “ratif[ied] Ms. Halligan’s actions before the grand jury. . . .”⁹²

A federal district judge granted Ms. James’s motion on November 24 and dismissed the indictment.⁹³ Different federal prosecutors presented the case to a Norfolk, Virginia grand jury on December 4, but it declined to issue an indictment. One week later, prosecutors tried a third time

⁸⁹ *United States v. James*, 810 F. Supp. 3d 752 (E.D. Va. 2025).

⁹⁰ Factual statements drawn from Taylor Robinson, *A Timeline of the Conflict Between Letitia James and Donald Trump*, THE N.Y. TIMES (Oct. 9, 2025), <https://www.nytimes.com/2025/10/09/us/politics/letitia-james-trump-conflict-timeline.html>, and *United States v. James*, *supra*.

⁹¹ Glenn Thrush et al., *U.S. Attorney Investigating Two Trump Foes Departs Amid Pressure President*, N.Y. TIMES (Sept. 19), <https://www.nytimes.com/2025/09/19/us/politics/erik-siebert-comey-letitia-james.html>.

⁹² Att’y Gen. Order No. 6485-2025, *set forth in* Opinion and Order Granting Motion to Dismiss Indictment, *U.S. v. James*, No 2:25-cr-00122 (Nov. 24, 2025).

⁹³ Ryan J. Reilly, Gary Grumbach and Dareh Gregorian, *Grand jury declines to indict N.Y. Attorney General Letitia James, less than two weeks after the first case was dismissed*, NBC NEWS (Dec. 4, 2025), <https://www.nbcnews.com/politics/justice-department/grand-jury-declines-indict-ny-attorney-general-letitia-james-less-two-rcna247310>.

to obtain an indictment, this time from a grand jury in Alexandria, Virginia. It also refused to issue the indictment.⁹⁴

James Comey. Another person named in President Trump’s message is former FBI Director James Comey, who the President dislikes for investigating the role Russia played in the 2016 presidential election.⁹⁵ President Trump believes that Mr. Comey made false statements in congressional testimony, but Special Counsel John Durham, lawyers with the U.S. Attorney’s office in Washington, D.C., and Erik Siebert all conducted investigations and concluded that there was no basis for a criminal prosecution, which further inflamed the President.⁹⁶ Three days after being appointed U.S. Attorney by Ms. Bondi, Lindsey Halligan presented a three count indictment to a grand jury in Alexandria, Virginia. She made the presentation alone and no one else signed it. The grand jury refused to indict on one charge, but 14 grand jurors (just two more than the required minimum) voted to issue an indictment on the other two charges. This indictment was likewise dismissed by the district judge, who found that Ms. Halligan was illegally appointed.⁹⁷

Six Members of Congress. In November 2025, two U.S. senators and four House members, all veterans, collaborated on a video that reminded U.S. military servicemembers of their ability to refuse to comply with illegal orders.⁹⁸ The President demanded their prosecution, calling their video “SEDITIONOUS BEHAVIOR, punishable by DEATH.”⁹⁹ Prosecutors with the U.S. Attorney’s office in D.C. charged the legislators with felonious interference with the “loyalty, morale, or discipline of the military,” but a grand jury would not issue the indictment.¹⁰⁰

Jerome Powell. President Trump is unhappy with the Chair of the Board of Governors of the Federal Reserve because he won’t lower interest rates sufficiently. President Trump has actively called for a criminal investigation of cost overruns in the renovation of the Federal Reserve’s headquarters. The D.C. U.S. Attorney’s office opened a grand jury investigation and served two subpoenas on the Board. The Board successfully moved to quash them, with the district judge stating:

⁹⁴ Ryan J. Reilly, et al., *Justice Department again fails to indict New York Attorney General Letitia James*, NBC NEWS (Dec. 11, 2025), <https://www.nbcnews.com/politics/justice-department/justice-department-fails-third-attempt-indict-new-york-attorney-genera-rcna248282>.

⁹⁵ Marina Dunbar, *Trump v Comey: a timeline of the president and ex-FBI director’s feud*, THE GUARDIAN (Sept. 26, 2025), <https://www.theguardian.com/us-news/2025/sep/26/donald-trump-james-comey-timeline-feud>.

⁹⁶ Katherine Faulders, et al, *Ex-Special Counsel John Durham Undercut Case Against James Comey in Interview with Prosecutors: Sources*, ABC NEWS (Oct. 6, 2025), <https://abcnews.go.com/US/special-counsel-john-durham-undercut-case-james-comey/story?id=126164120>.

⁹⁷ *United States v. Comey*, 810 F. Supp. 3d 768 (E.D. Va. 2025). Mr. Comey was indicted again on April 28, 2026 for allegedly threatening the president via an arrangement of seashells on a beach. See *United States v. Comey*, No. 4:26-cr-16-FL-RN (E.D.N.C. filed Apr. 28, 2026).

⁹⁸ Sen. Elissa Slotkin (@SenatorSlotkin), x.com (Nov. 18, 2025), <https://x.com/SenatorSlotkin/status/1990774492356902948>.

⁹⁹ Donald J. Trump (@realDonaldTrump), x.com (Nov. 20, 2025) <https://truthsocial.com/@realDonaldTrump/posts/115582703277798715>.

¹⁰⁰ Factual statements drawn from Perry Stein & Salvador Rizzo, *D.C. grand jury declines to indict six Democratic lawmakers*, WASH. POST (Feb. 10, 2026), <https://www.washingtonpost.com/national-security/2026/02/10/dc-grand-jury-kelly-slotkin-pirro/>.

There is abundant evidence that the subpoenas' dominant (if not sole) purpose is to harass and pressure Powell either to yield to the President or to resign and make way for a Fed Chair who will. On the other side of the scale, the Government has offered no evidence whatsoever that Powell committed any crime other than displeasing the President.¹⁰¹

The judge denied a motion to reconsider on the basis that it “neither offers new evidence nor points to any material error.”¹⁰² U.S. Attorney Jeanine Pirro closed the investigation, albeit without prejudice, on April 24.¹⁰³

John Brennan. As with James Comey, President Trump dislikes former CIA Director John Brennan because of his work investigating Russia's role in the 2016 election. Here, too, Special Counsel John Durham concluded that there was no basis for prosecution. The U.S. Attorney for the Southern District of Florida has opened a criminal investigation, but the career prosecutor who oversees national security investigations for that office recently resigned “over concerns about the legal viability” of the case.¹⁰⁴

Cassidy Hutchinson. Ms. Hutchinson is a former White House aide whose testimony over several days was the dramatic high point of the January 6 Committee's hearings. Ms. Bondi tasked DOJ's Civil Rights Division with opening an investigation of whether Ms. Hutchinson testified falsely. Despite skepticism within DOJ about the viability of such case, Ms. Bondi directed that the investigation be opened just days before she was fired, raising the inference that she initiated the case as a way of saving her job.¹⁰⁵

Even as she launched this fusillade of cases against the president's enemies, Ms. Bondi continued to press baseless cases against protesters. One of the more significant efforts involved the felony assault prosecution of sixteen people who demonstrated against the Administration's immigration surge in Minnesota, brought days after the killings of Renee Good and Alex Pretti.¹⁰⁶ Ms. Bondi personally attended the announcement of the charges, trumpeting them on social media (“NOTHING will stop President Trump and this Department of Justice from enforcing the law”) and posting photos of several defendants in apparent violation of DOJ policy.¹⁰⁷ Overall, of the total 35 cases brought against protestors, 14 were dismissed in total and 19 resulted in misdemeanors.¹⁰⁸

¹⁰¹ *In re Grand Jury Subpoenas*, 2026 WL 710202 (D.D.C. Mar. 13, 2026), at *1. All factual statements in this paragraph are drawn from that opinion.

¹⁰² *In re Grand Jury Subpoenas*, Case 1:26-mc-00012-JEB (Apr. 3, 2026).

¹⁰³ Lucy Bayly & David Goldman, *Jeanine Pirro drops criminal probe of Jerome Powell*, CNN (Apr. 24, 2026), <https://www.cnn.com/2026/04/24/business/doj-criminal-probe-of-powell>.

¹⁰⁴ Factual statements drawn from Charlie Savage, et al., *Prosecutor Withdraws from Trump Team's Investigation of Ex-CIA Chief*, THE N.Y. TIMES (Apr. 17, 2026), <https://www.nytimes.com/2026/04/17/us/justice-dept-trump-investigation-cia-brennan.html>.

¹⁰⁵ Factual statements drawn from Alan Feuer & Michael S. Schmidt, *Justice Dept's Civil Rights Division Is Investigating Star Witness Against Trump*, THE N.Y. TIMES (Apr. 7, 2026), <https://www.nytimes.com/2026/04/07/us/doj-cassidy-hutchinson-investigation-trump.html>.

¹⁰⁶ Maria Sacchetti, *Justice Dept. charges 16 Minneapolis Protestors with assault, Interference*, THE WASH. POST (Jan. 28, 2026), <https://www.washingtonpost.com/nation/2026/01/28/trump-pretti-shooting-minneapolis-officers-leave/>

¹⁰⁷ See U.S. ATTORNEYS' MANUAL, § 1-7.600

¹⁰⁸ Matt Spic, *After highly publicized arrest, feds dismiss a third of ICE protester charges*, MPR NEWS (May 6, 2026), <https://www.mprnews.org/story/2026/05/06/feds-dismiss-third-of-ice-protester-charges>.

3. Ms. Bondi Violated Rules 4-3.8(a), 4-5.1 and 4-8.4(a) by Initiating, Inducing, Supporting, Ratifying, or Knowingly Permitting Department of Justice Prosecutions Absent Probable Cause

a. Rule 4-3.8(a)

The comment to Rule 4-3.8, “Special Responsibilities of a Prosecutor,” explains that “[a] prosecutor has the responsibility of a minister of justice and not simply that of an advocate. This responsibility carries with it specific obligations” The first of these, Subsection (a), declares: “The prosecutor in a criminal case must . . . refrain from prosecuting a charge that the prosecutor knows is not supported by probable cause.”

As described above, Ms. Bondi was personally involved in several of the foregoing prosecutions, and clearly had first-hand knowledge of their lack of evidence. In particular:

- She appointed Lindsey Halligan presumptively because Ms. Halligan, unlike the previous U.S. Attorney and all the career lawyers in the office, was willing to prosecute Letitia James and James Comey.
- She ratified all of Ms. Halligan’s actions in connection with the first attempt to indict Ms. James. She then oversaw not one but two more attempts to win an indictment, both of which the grand juries rejected.
- She defended Bill Essayli against claims he instructed Assistant United States Attorneys (AUSAs) to disregard the Justice Manual’s requirement to file charges only if it was “more likely than not [that a defendant would] be found guilty beyond a reasonable doubt.”
- She directed the commencement of an investigation of Cassidy Hutchinson despite prosecutors’ doubts about the merits of the case.
- She traveled to Minnesota to announce the prosecution of sixteen protesters.

As to the other examples summarized above, the Bar can and should investigate Ms. Bondi’s knowledge regarding probable cause. In so doing, however, it should bear in mind that, while the term “‘knows’ denotes actual knowledge of the fact in question[, a] person’s knowledge may be inferred from circumstances.”¹⁰⁹ These circumstances can include “the rushed circumstances surrounding the filing of the complaint” and the fact that “other [prosecutors] did not believe the complaint was supported by probable cause . . . and refused to sign or file it.”¹¹⁰ The general rule across jurisdictions is also that the refusal of a grand jury to issue an indictment is *prima facie* evidence of lack of probable cause.¹¹¹ While Ms. Bondi might plausibly insist that she subjectively believed probable cause existed in any one of the foregoing cases, their sheer

¹⁰⁹ R. Regulating Fla. Bar, Ch. 4, Preamble, Terminology; *see also* *Livingston v. Virginia State Bar*, 744 S.E.2d 220, 226 (Va. 2013); *see also In re Aubuchon*, 309 P.3d 886, 896 (Az. 2013).

¹¹⁰ *In re Aubuchon*, 309 P.3d at 895.

¹¹¹ *See Illinois v. Trump*, *supra*, 2025 WL 2886645, at *5 (refusal of grand juries to return an indictment “equates to a finding of a lack of probable cause that any crime occurred”). *See also Watts v. Bon Secours Mercy Health*, 2026 WL 607622 (N.D. Ohio Mar. 4, 2026), at *10; *Miller v. Spires*, 2010 WL 11618927 (D.N.M. Dec. 20, 2010), at *3; *Kossler v. Crisanti*, 564 F.3d 181, 187 (3d Cir. 2009); *Froehlich v. Ohio Dep’t of Mental Health*, 871 N.E.2d 1159, 1161-1162 (Ohio 2007); *Shipp v. United States*, 212 Fed. Appx. 393 (6th Cir. 2006) (Tennessee law); *Perry v. Sharber*, 803 S.W.2d 223, 225 (Tenn. Ct. App. 1990); *Galafaro v. Kuenstler*, 147 A.2d 550, 554 (NJ Ct. App. 1958); *Schnathorst v. Williams*, 36 N.W.2d 739, 745-746 (Iowa 1949).

numbers belie any broader such contention.¹¹² It is simply not plausible that Ms. Bondi thought probable cause existed in all of these cases. It is vastly more plausible that she was simply and enthusiastically doing her boss's bidding, out of fear of losing her job.

Even if Ms. Bondi denies any knowledge of the circumstances of a particular prosecution, the fact is that every prosecutor involved worked for her, and those prosecutors were acting under the direction of her zealous advocacy memorandum – under pain of losing their jobs if they didn't prosecute these cases regardless of probable cause. Thus, she is accountable for the natural and reasonably foreseeable consequences of that memorandum, including the knowledge possessed by her subordinates.

b. Rule 4-5.1

The U.S. Attorneys and AUSAs who have worked on the foregoing cases have likely all violated Rule 4-3.8(a). And every one of them has done so under Ms. Bondi's supervision. Rather than assure that her subordinates conformed to the Federal Rules of Professional Conduct, Ms. Bondi's "zealous advocacy" memorandum and her actions described above appear actually to have been designed to ensure that subordinates would *violate* their ethical obligations in the service of President Trump's vendettas. Ms. Bondi not only "kn[ew] of the conduct at a time when its consequences c[ould] be avoided or mitigated [and] fail[ed] to take reasonable remedial action" but actually appears to have created the impetus for these violations in contravention of Rule 4-5.1.

c. Rule 4-8.4(a)

Rule 4-8.4(a) provides that it is misconduct for a lawyer to "violate or attempt to violate the Rules of Professional Conduct, *knowingly assist or induce another to do so, or do so through the acts of another. . . .*"¹¹³ In every case above, Ms. Bondi acted directly, or through U.S. Attorneys like Bill Essayli, Lindsey Halligan, and Jeanine Pirro, to compel their subordinate lawyers to violate those lawyers' special obligations as prosecutors. Again, the Bar can confirm Ms. Bondi's knowledge of the foregoing prosecutions, but in the highest profile cases, it has been well-documented that prior U.S. Attorneys, Special Prosecutors, and career prosecutors all had previously concluded that probable cause did not exist.

IV. Conclusion

For over a year, Ms. Bondi served as the Attorney General of the United States. In that role Ms. Bondi was the chief law enforcement official for the United States, charged with overseeing the fair administration of justice across the country. Notwithstanding her obligation to the Nation, Ms. Bondi's conduct while in office raised profound questions about her adherence to her professional responsibility obligations. For the foregoing reasons, we urge The Florida Bar to investigate the allegations of serious professional misconduct discussed here and to take appropriate action.

¹¹² Cf. *Aubuchon, supra*, 309 P.3d at 895 ("The subjective opinions expressed by these interested individuals do not overcome the above-described evidence showing a lack of probable cause.").

¹¹³ R. Regulating Fla. Bar 4-8.4(a) (emphasis added).

Respectfully submitted:

_____/s/_____

Peggy A. Quince
Chief Justice, Florida Supreme Court (Ret.)
Board Member, Lawyers Defending American Democracy

LAWYERS DEFENDING AMERICAN DEMOCRACY

By: _____/s/_____

Scott Harshbarger, Chairman

DEMOCRACY DEFENDERS FUND

By: _____/s/_____

Amb. Norman Eisen (ret.), Executive Chair

LAWYERS FOR THE RULE OF LAW

By: _____/s/_____

Daniel N. Arshack, President

_____/s/_____

Judge Nancy Gertner
U.S. District Judge, District of
Massachusetts (Ret.)

_____/s/_____

Judge Michael Luttig
U.S. Circuit Judge, U.S. Court of Appeals
for the Fourth Circuit (Ret.)

This complaint is joined by over 120 retired federal and state judges, law professors, and practitioners. A full list of additional signatories is available at <https://ldad.org/wp-content/uploads/2026/05/Bondi-Signatories-5.26.26.pdf>.