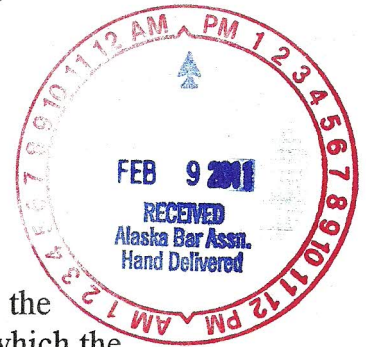


Alaska Bar Association
Re: ABA File No. 2010D243
Grievance against attorney Marla Greenstein

February 4, 2011



Preface

Did the Bar include, in the grievance presented to attorney Greenstein, the documents and recordings Haeg requested be part of the record upon which the grievance is decided? (List of witnesses date stamped April 24, 2006 by the Alaska Commission on Judicial Conduct (ACJC); December 21, 2010 letter to David Haeg from the ACJC; the record of Judge Joannides August 25, 2010 hearing; the record of the ACJC October 10, 2010 public meeting; and the Bar recording of the Bar's December 1, 2010 public meeting concerning attorney Greenstein's actions.) See Haeg's grievance complaint and supplement.

If all this was not presented to attorney Greenstein Haeg requests the Bar do so immediately, ask for attorney Greenstein's response, and give Haeg a chance to comment on this second response.

Overview

The main issue in Haeg's complaint against Judge Margaret Murphy, which attorney Greenstein investigated, was that *while* Judge Murphy presided over Haeg's prosecution she was chauffeured by the main *witness against Haeg*.

- (1) That Judge Murphy was chauffeured by a Trooper or law enforcement is immaterial. Judge Murphy being chauffeured by the prosecution's main witness (Trooper Gibbens) in the same case Judge Murphy was presiding over is incredibly material.
- (2) Prejudice to Haeg is greatly diminished if the prosecution's main witness chauffeured Judge Murphy after she had sentenced Haeg. Prejudice to Haeg is overwhelming if the prosecution's main witness chauffeured Judge Murphy *while* she was deciding Haeg's case. No one would believe it fair if the main witness against him or her got to chauffeur the judge while the judge decided his or her case. The prosecution would never agree it was fair if Haeg got to chauffeur the judge deciding Haeg's case. In other words this kind of prosecution would violate due process, be unconstitutional, and render the resulting conviction null and void.
- (3) Actual prejudice is proven: The State's case to convict Haeg of severe guide crimes was Haeg killed wolves where he guided to benefit his guide

business. During his trial testimony Gibbens falsified the wolf kill locations to Haeg's guiding area. Upon confrontation Gibbens admitted no evidence was found in Haeg's guide area. Yet Judge Murphy did nothing to Gibbens for this admitted perjury - or to cure the perjury's taint from Haeg's trial. Afterward, at Haeg's sentencing, Judge Murphy used Gibbens admitted perjury as the specific reason to justify Haeg's severe sentence. If Judge Murphy used Gibbens perjury to justify Haeg's sentence it's likely the jury used the same perjury to justify his conviction.

Chauffeur/witness Gibbens first gave Judge Murphy an affidavit falsifying evidence locations in March of 2004 - in order to seize Haeg's property. Chauffeur Gibbens continued to be the main witness against Haeg until Haeg was sentenced at the end of September 2005 – a span of 18 months. There is no telling how much poison chauffeur Gibbens may have passed onto Judge Murphy in this time.

Attorney Marla Greenstein's investigation

On March 28, 2006 the ACJC date stamped receiving Haeg's complaint against Judge Murphy:

“Everyone who was present at my trial and sentencing cannot believe the continuous unethical and unfair conduct displayed by Judge Murphy. Judge Murphy accompanied the State Prosecutions main witness Trooper Gibbens around town 100% of the time everywhere when court was in recess and it was an everyday occurrence to see them talking, joking, and laughing as they traveled around town together reinforced the pattern of bias and prejudice the Judge openly displayed. Every single time anyone saw Judge Murphy out of court she was with Trooper Gibbens.”

On March 31, 2006 attorney Greenstein asked Haeg to provide names of witnesses to the chauffeuring.

On April 30, 2006 the ACJC date stamped receiving Haeg's list of 4 witnesses (Tony Zellers, Tom Stepnosky, Drew Hilterbrand, and Wendell Jones), which included their phone numbers. This list included the statement:

“Every time we ever saw Judge Murphy away from Court she was always with Trooper Gibbens being driven to (the store, hotel, airport). She even had meals with Trooper Gibbens at the Hotel McGrath B&B. Everyone thought it was very unusual that this type of activity was happening with the Judge and Trooper Gibbens considering Trooper Gibbens was the State's main witness.” See Haeg's grievance supplement.

On or about January 12, 2007 and on or about September 23, 2009 the following occurred during a tape-record phone conversations:

- (1) Attorney Greenstein stated that she had interviewed both Judge Murphy and Trooper Gibbens and both claimed the only time Trooper Gibbens chauffeured Judge Murphy was after Haeg had been sentenced. See Judge Joannides referral.
- (2) When asked by Haeg what witnesses had been contacted and what they testified attorney Greenstein stated: *“I’m the staff investigator”*; *“I talked to everybody...including the names you gave me”*; that *“everyone I interview said ...the rides were provided by somebody else – not Trooper Gibbens”*; that she *“got no indication from anybody that the judge ever took a ride with the Trooper”* during Haeg’s *“trial or sentencing”*; that Haeg told her the rides took place before sentencing *“but nobody else”* stated they had seen this; that *“I’m telling you it even if everything you say is true it wouldn’t be that significant a thing”*; and that *“I do the documentation”*. See Judge Joannides referral.
- (3) Jackie Haeg verbally testified to attorney Greenstein that during Haeg’s trial Jackie had seen Gibbens chauffeuring Judge Murphy “everywhere”, “to the store”, “back and forth from the hotel”, and “to eat”. See Judge Joannides referral.
- (4) As Jackie Haeg testified verbally to the chauffeuring attorney Greenstein stated four times that Jackie did not have to testify verbally because attorney Greenstein already had Jackie’s statement in writing. In addition, when Jackie suggested attorney Greenstein needed to talk to other people besides witness Gibbens and Judge Murphy, attorney Greenstein replied, *“No, I talked to the people that your husband gave me the list of. I’ve spoke to them as well.”* See Judge Joannides referral.

Superior Court Judge Stephanie Joannides’ investigation

On November 21, 2009 Haeg applied for PCR, on March 3, 2010 Judge Murphy was assigned to decide Haeg’s PCR application (over Haeg’s objections Judge Murphy could not decide a case in which she was incriminated and a named witness/defendant), and on April 30, 2010 Judge Joannides was assigned to review Judge Murphy’s denial of Haeg’s motion Judge Murphy be disqualified for cause.

On July 9, 2010 Judge Joannides ordered that Haeg could supplement the record of why Judge Murphy must be disqualified and on July 25, 2010 Haeg did so. In addition to the tape recordings/transcriptions of attorney Greenstein’s phone conversations Haeg provided affidavits from Jackie Haeg and from the same 4 witnesses (Tony Zellers, Tom Stepnosky, Drew Hilterbrand, and Wendell Jones)

he had provided for attorney Greenstein's investigation of Judge Murphy. See Judge Joannides referral.

All the affidavits stated that not only had attorney Greenstein never contacted the witnesses, had she contacted them they would have all testified they had personally seen Gibbens chauffeuring Judge Murphy *before* Haeg was sentenced – in exact opposition to attorney Greenstein's claims. One witness, Tom Stepnosky, stated in his affidavit that he had contacted attorney Greenstein on his own and specifically told her he had personally seen Trooper Gibbens give Judge Murphy rides before David Haeg was sentenced - in exact opposition to attorney Greenstein's claims of what *all* witnesses testified. See Judge Joannides referral.

Haeg also provided an excerpt of the official court record of his prosecution, which captured Judge Murphy and Trooper Gibbens admitting that Gibbens was chauffeuring Murphy before Haeg was sentenced – in exact opposition to Judge Murphy, Trooper Gibbens, and attorney Greenstein's testimony.

On July 28, 2010 Judge Joannides issued an order for the ACJC to produce attorney Greenstein's record of her investigation of Haeg's complaint against Judge Murphy. Attorney Greenstein failed to ever provide Judge Joannides with the record of her investigation. See Judge Joannides referral.

On August 25, 2010 Judge Joannides disqualified Judge Murphy for cause. See Judge Joannides referral.

On August 27, 2010 Judge Joannides certified that she had sent "Marla Greenstein" a document "REFERRING AFFIDAVITS TO COMMISSION FOR ITS CONSIDERATION". This referral included certified transcriptions of Marla Greenstein's phone conversations with Haeg and his wife Jackie and certified transcriptions of the court record of Haeg's case that captured Judge Murphy and witness Gibbens admitting Gibbens was chauffeuring Murphy before Haeg was sentenced. This record also proves two witnesses Haeg provided attorney Greenstein to the chauffeuring, Tony Zellers and Wendell Jones, were physically present when Murphy and Gibbens admitted this. See Judge Joannides referral.

In this document Judge Joannides also states, "*This court was only tasked with resolving David Haeg's disqualification request. It is not privy to the Commission investigation and the statements made by the witnesses, Judge Murphy, or Trooper Gibbens. Therefore, it takes no position on materials submitted herein. In addition, this order does not resolve any allegations of impropriety. Therefore, the attached materials are being submitted to the Judicial Conduct Commission for its consideration.*" See Judge Joannides referral.

Alaska Bar Association grievance complaint against attorney Greenstein

On November 17, 2010 Haeg contacted the ACJA to see what was going to happen because of Judge Joannides referral and attorney Greenstein stated that Judge Joannides never referred anything to the ACJC and that Judge Murphy would not be reinvestigated.

On December 1, 2010 the Alaska Bar Association held a public meeting concerning attorney Greenstein's actions. Bar Chief Counsel Steve Van Goor refused to answer the question if Judge Joannides referral required the Bar to investigate attorney Greenstein. At this meeting irrefutable evidence was presented the Bar had covered up for corrupt attorneys Brent Cole and Scot Leaders and that it was the Bar's pattern and practice to cover up for corrupt attorneys.

On December 22, 2010 Haeg filed a grievance complaint against attorney Greenstein with the Alaska Bar Association. The Bar acknowledged receiving this complaint on December 28, 2010.

On December 23, 2010 Haeg received two documents from the ACJC that were material to his complaint. On December 26, 2010 Haeg emailed these documents to Van Goor, requesting receipt confirmation. When no confirmation resulted, Haeg sent the documents, along with why they were material, to the Bar by certified return receipt USPS. The Bar acknowledged receipt on January 6, 2011.

One document was the witness list Haeg had provided to attorney Greenstein, date stamped as received by the ACJC on April 24, 2006. This proves that the exact same 4 witnesses attorney Greenstein claimed to have documented testifying they had not seen Trooper Gibbens chauffeuring Judge Murphy before Haeg was sentenced, are the very same witnesses who swore on affidavits, under penalty of perjury, that they had never been contacted by anyone investigating Judge Murphy (other than David Haeg) and that had they been contacted they would have testified they had personally observed Trooper Gibbens chauffeuring Judge Murphy before Haeg was sentenced.

The other document was a letter dated December 21, 2010, from the ACJC. This letter claimed the ACJC could not find Jackie Haeg's letter/written statement in the record of attorney Greenstein's investigation of Judge Murphy – and there was no record of the ACJC every having received a statement from Jackie Haeg.

This is the letter/written statement attorney Greenstein acknowledged, during the tape-recorded phone conversations, the ACJC receiving. Attorney Greenstein then tried to use this receipt by ACJC to keep Jackie Haeg from also testifying verbally about the chauffeuring. See Judge Joannides referral.

Attorney Greenstein's response to Haeg's grievance complaint

On January 21, 2011 attorney Greenstein wrote a "verified" letter responding to Haeg's grievance. Haeg has no idea if attorney Greenstein had been presented the two supplemental grievance documents (above) Haeg provided the Bar.

On January 28, 2010 Haeg received a letter from the Bar asking for his "verified" written response to attorney Greenstein's letter.

Haeg's response

- (1) Attorney Greenstein does not refute that she falsified the very essence of the testimony of every witness Haeg provided for her investigation.
- (2) Attorney Greenstein testifies Haeg's complaint "was fully investigated by staff" This is misleading. Attorney Greenstein is the only investigator and the "staff", other than attorney Greenstein herself, consists of a single secretary.
- (3) Attorney Greenstein testifies her investigation was "reviewed and overseen by the full Commission." This is misleading. The "full Commission" only meets a few times per year and only attorney Greenstein is allowed to present evidence to the full Commission. If attorney Greenstein falsifies evidence, or fails to present evidence, the "full Commission" will never know.
- (4) Attorney Greenstein testifies, "As a result of the investigation, the complaint was dismissed without any disciplinary action". This proves that as a direct result attorney Greenstein's "investigation" (documenting no chauffeuring of Judge Murphy by witness Gibbens happened before Haeg was sentenced) Judge Murphy was exonerated - when in fact Judge Murphy had been chauffeured by witness Gibbens before Haeg was sentenced, testified falsely about this during attorney Greenstein's investigation into it, and then attorney Greenstein falsified all witness testimony that would have proven Haeg's complaint and that Judge Murphy had lied.
- (5) Attorney Greenstein testifies, "Mr. Haeg has subsequently sought to re-open the matter and the Commission has declined to do so." This is not true. Haeg informed the Alaska Supreme Court of what happened and they stated that if Haeg wished to review the actions of the ACJC Haeg should file a complaint with the ACJC and, if Haeg is not satisfied with the results, then Haeg can ask the Alaska Supreme Court to take action. Haeg has yet to file a complaint with the ACJC.

(6) Attorney Greenstein testifies, “our Formal Ethics Opinion #025 addresses whether the conduct that Mr. Haeg complains of would constitute a violation of the Alaska Code of Judicial Conduct. This is not true. Opinion #025 states, “A judicial officer who accepted rides *from law enforcement* while on duty in a small village without any form of public transportation did not violate the Code of Judicial Conduct where no ex parte communication concerning the pending criminal matter occurred.” Haeg complained *the main witness against him* chauffeured the judge while that same judge presided over Haeg’s prosecution. Everyone would agree nothing is wrong with a Trooper chauffeuring a judge in a remote village. No one would agree it is fair for the main witness against a defendant to be chauffeuring the judge while the judge presided over the defendant’s prosecution. The replacement of “main witness against Haeg” with “law enforcement” stripped Haeg’s complaint of all substance.

(7) Attorney Greenstein testifies, “Whether that opinion [#025] was the result of Mr. Haeg’s specific complaint is confidential.” This is misleading. In tape-recorded phone conversations attorney Greenstein specifically tells Haeg that Opinion #025 is a direct result of Haeg’s complaint. See Judge Joannides referral.

(8) Attorney Greenstein testifies that she interviewed only 2 of the 4 witnesses that Haeg had provided her. This is not true. In a tape-recorded conversation Haeg asked attorney Greenstein, “And *who did you interview* – may I ask?” attorney Greenstein replied, “Well, *in addition to the names you gave me* I talked to Trooper Gibbens and the Judge”. . See Judge Joannides referral.

In the same tape-recorded conversation as above Jackie Haeg told attorney Greenstein, “Dave’s pretty upset cause they [Judge Murphy and Trooper Gibbens] are both lying – everybody else that was there with us saw it too...*you probably need to ask some more people besides those two.*” Attorney Greenstein replied, “No, *I talked to the people that your husband gave me the list of. I’ve spoke to them as well.*”

In another tape-recorded conversation with attorney Greenstein, over 2 years after the one above, Haeg stated, “The problem I have Marla is I was there with I believe like 7 witnesses and an attorney and – and...”

Attorney Greenstein, “*I talked to everybody. I talked to the attorneys. I talked to everybody. I talked to people in the courtroom. I talked to a bunch of people. And they view things differently than you.*”

(9) Attorney Greenstein testified, “In Mr. Haeg’s matter, I interviewed: Mr. Haeg’s attorney Arthur Robinson, Mr. Tony Zellers, a witness and co-defendant who had settled earlier; Tom Stepnosky; Trooper Gibbens; and the subject judge

(who also provided a written statement to the Commission).” This is not true. Tony Zellers has sworn an affidavit that attorney Greenstein never interview him and had she interviewed him, he would have testified exactly opposite to what Greenstein claimed he had testified. See Judge Joannides referral. And Tom Stepnosky testified he contacted attorney Greenstein, so her claim that she “interviewed” him is true; yet Mr. Stepnosky has also sworn an affidavit that attorney Greenstein falsified the very essence of his testimony. See Judge Joannides referral.

(10) Attorney Greenstein testified, “To the extent that Mr. Haeg states that I claimed that I contacted all the witnesses, that is not correct. I did contact the witnesses above [Arthur Robinson, Tony Zellers, and Tom Stepnosky] and believe that I communicated that to Mr. Haeg in various phone conversations with him.” This is not true. See #8 and #9 above. See also the complete transcriptions of the “various phone conversations” in Judge Joannides referral.

(11) Attorney Greenstein testified, **“The witnesses did state that they observed transportation provided by Trooper Gibbens”**. This is not true. Attorney Greenstein’s tape-recorded phone conversation with David and Jackie Haeg:

Jackie Haeg: “Dave’s pretty upset cause they [Judge Murphy and Trooper Gibbens] are both lying...everybody else that was there with us saw it too and they were all – you know and all the jurors. So – well I don’t know what to tell...”

Attorney Greenstein: “OK”

Jackie Haeg: “...you probably need to ask some more people besides those two.”

Attorney Greenstein: “No, I talked to the people that your husband gave me the list of. I’ve spoke to them as well.”

Jackie Haeg: “And what did they tell you?”

Attorney Greenstein: “- Um – they said they – that they did see – um – a trooper giving her rides and – **but they – they couldn’t identify which – who the trooper was.**”

Attorney Greenstein to David Haeg: **“everyone I interview said ...the rides were provided by somebody else – not Trooper Gibbens”**

See Judge Joannides referral.

(12) Attorney Greenstein testified, “The Commission did not find that those facts [*that a law enforcement giving a judicial officer rides – see Opinion #025*] constituted a violation of the code of judicial Conduct.” This is misleading. Haeg’s complaint was *the main witness against him was chauffeuring the judge while that same judge was presiding over Haeg’s prosecution*. The two situations are completely different.

(13) Attorney Greenstein testified, “Mr. Haeg asserts that Judge Joannides referred affidavits to our office on August 27, 2010. I have enclosed copies of the filings and orders between Judge Joannides and our office. We did not receive anything dated after August 25, 2010.” This is not true.

Judge Joannides certified that on August 27, 2010 a 43-page document, that implicated attorney Greenstein in a conspiracy to cover up that Judge Murphy was chauffeured by the main witness against Haeg (Trooper Gibbens) while Judge Murphy presided over Haeg’s prosecution, was faxed to “Marla Greenstein”. See Judge Joannides August 27, 2010 referral, which states: “August 27, 2010 CONFIDENTIAL ORDER REFERRING AFFIDAVITS TO COMMISSION FOR ITS CONSIDERATION” and “This court was only tasked with resolving David Haeg’s disqualification request. It is not privy to the Commission investigation and the statements made by the witnesses, Judge Murphy, or Trooper Gibbens. Therefore, it takes no position on the materials submitted herein. In addition, this order does not resolve any allegations of impropriety. *Therefore, the attached materials are being submitted to the Judicial Conduct Commission for its consideration.*”

(14) Attorney Greenstein testified, “I also searched CourtView to see if any August 27th document issued and have not found any reference to an August 27th document or to affidavits affecting our office.” This is misleading. Judge Joannides confidential referral would not have shown up on CourtView. See Judge Joannides referral.

(15) Attorney Greenstein testified, “The court documents also reflect that we filed appropriate requests with the court to reconsider the request for our confidential documents.” This is not true. No request was ever made for Judge Joannides to reconsider her request for attorney Greenstein’s documentation of the investigation into Judge Murphy because of Haeg’s complaint. See court documents and/or CourtView.

(16) Attorney Greenstein testified, “That request [that Judge Joannides reconsider her order for attorney Greenstein’s documentation of the investigation into Judge Murphy] was granted. This is not true. Judge Joannides withdrew her request on the same day she granted Haeg’ motion to disqualify Judge Murphy for

cause – because after Judge Murphy was disqualified there was no reason for Judge Joannides to see attorney Greenstein’s documentation. Judge Joannides specifically stated she “was only tasked with resolving David Haeg’s disqualification request.” See Judge Joannides referral.

(17) Attorney Greenstein fails to make a single mention of the most shocking grievance claim Haeg made against her – that she completely falsified the testimony from every witness Haeg provided her at her request.

Over and over attorney Greenstein claimed no witnesses observed Trooper Gibbens chauffeuring Judge Murphy before Haeg was sentenced:

Attorney Greenstein: “It sounds like there was no communication about the case and they didn’t share any meals together and the rides were provided by somebody else – not Trooper Gibbens.

Haeg: “They said the rides were provided by somebody other...”

Attorney Greenstein: “Yes...”

Haeg: “...than Trooper Gibbens?”

Attorney Greenstein: “Yes.”

Haeg: “Well that’s the biggest pile of shit I’ve ever heard in my life.”

Attorney Greenstein: “-Um-that’s what – that’s what everyone I interviewed said.”

Haeg: “And who did you interview – may I ask?”

Attorney Greenstein: “Well in addition to the names you gave me I talked to Trooper Gibbens and the Judge”.

Jackie Haeg: “Dave’s pretty upset cause they are both lying...everybody else that was there with us saw it too and they were all – you know and all the jurors. So – well I don’t know what to tell...”

Attorney Greenstein: “Ok”

Jackie Haeg: “you probably need to ask some more people besides those two.”

Attorney Greenstein: “No, I talked to the people that your husband gave me the list of. I’ve spoke to them as well.”

Jackie Haeg: “And what did they tell you?”

Attorney Greenstein: “- Um – they said they – that they did see – um – a trooper giving her rides and – but they – they couldn’t identify which – who the trooper was.”

Jackie Haeg: “Hmmm...Well I’ll let you talk to David again.”

David Haeg: “And you got no indication from anybody that they ever got – ever – the judge ever took a ride with the trooper during my trial or sentencing, correct?”

Attorney Greenstein: “Correct.”

David Haeg: “Didn’t I tell you it happened?”

Attorney Greenstein: “You – you did but nobody else.”

David Haeg: “Nobody told you it happened?”

Attorney Greenstein: “Right”

Every witness Haeg provided attorney Greenstein has now sworn an affidavit that attorney Greenstein never contacted them and that had they been contacted they all would have testified they had personally observed Trooper Gibbens chauffeuring Judge Murphy before Haeg was sentenced. This exposes all the witnesses to felony perjury charges if attorney Greenstein has documentation, as she states she has, that she contacted these witnesses and they denied they had seen Trooper Gibbens chauffeuring Judge Murphy before Haeg was sentenced.

Disappearance of Jackie Haeg’s written statement

The only witness testimony other than Haeg’s that was not subject to falsification by attorney Greenstein, because it was in writing, was Jackie Haeg’s written statement. Attorney Greenstein acknowledged receiving this written statement 4 different times during the tape-recorded phone conversations – as attorney Greenstein tried to prevent Jackie from verbally testifying about the chauffeuring. See Judge Joannides referral.

Yet this evidence, which attorney Greenstein had an irrefutable duty to make part of the record of her investigation of Haeg’s complaint, is “missing” and the ACJC cannot even confirm ever receiving it. See December 21, 2010 ACJC letter.

Because of the tape-record phone conversation between attorney Greenstein and Jackie Haeg we know what Jackie's written testimony was – that Jackie and “everyone else” had personally witnessed Trooper Gibbens chauffeuring Judge Murphy “everywhere” before Haeg was sentenced. Yet now even this physical evidence, that attorney Greenstein admitted receiving, has been removed from the record of attorney Greenstein's investigation of Judge Murphy.

CONCLUSION

In attorney Greenstein's “verified” response she testifies that she did not contact all the witnesses Haeg provided her – in direct opposition to the tape-recordings of her stating she contacted everyone of the witnesses provided by Haeg.

Attorney Greenstein now testifies that she “contacted” only 2 of the witnesses Haeg had provided, Tony Zellers and Tom Stepnosky. Both of these witnesses have sworn under oath attorney Greenstein never contacted them (Tom Stepnosky swore he contacted attorney Greenstein on his own) and that attorney Greenstein falsified the testimony that had been given by Tom Stepnosky and would have been given by Tony Zellers – had he ever been interviewed.

The only other witness attorney Greenstein now testifies she interviewed, other than the complained of Judge Murphy and Trooper Gibbens, was Arthur Robinson – who Haeg had never suggested to attorney Greenstein because of the falling out between Robinson and Haeg. See Judge Joannides referral.

Court records prove Robinson was present during every moment of Haeg's 5-day trial and 2-day sentencing – and thus it was very intelligent for attorney Greenstein to interview him. Attorney Greenstein claimed not a single witness, other than Haeg, had testified they had seen Trooper Gibbens chauffeuring Judge Murphy before Haeg was sentenced – so this also had to be what Robinson testified.

As Haeg was finalizing this response he realized Arthur Robinson was the only witness attorney Greenstein testified interviewing who had: (1) not claimed attorney Greenstein had falsified contacted him and (2) not claimed attorney Greenstein had falsified their testimony.

On February 4, 2011, to make sure attorney Greenstein had not also falsified the testimony of this last remaining witness, Haeg made contact with Arthur Robinson – in spite of the falling out between them.

The following is a transcription of the conversation (a CD of the actual conversation is attached to prove the transcription is accurate):

HAEG: How goes it?

ROBINSON: Oh pretty good. What's up?

HAEG: Hey I'm -uh- -uh- oh I filed a complaint -uh- you rec -uh- this is David Haeg. I don't know if you recognize me or not but -um- I had filed a complaint -um- about -uh- Trooper Gibbens during my trial and sentencing chauffeuring the Judge.

ROBINSON: Yeah.

HAEG: And it went – I filed it with the Alaska Commission on Judicial Conduct and it's still kind of ongoing what happened there but the – the –lady Marla Greenstein states that she talked to you during her investigation into that. Is that true or not?

ROBINSON: That's not true.

HAEG: Ok so beyond any doubt you can say that ...

ROBINSON: Nobody ever contacted me to talk to me about Trooper Gibbens and – and – and – and – and Margaret running around together in the Trooper car.

HAEG: Ok... And do you remember that happening during my trial ...

ROBINSON: I saw it.

HAEG: ... and or sentencing?

ROBINSON: I saw it during the trial – I believe. I – I could be wrong. You know all those days kind of blend together. But while we were there I saw it.

HAEG: Ok and you're for sure it happened before I was sentenced? And you remember when I got sentenced?

ROBINSON: Well what I'm saying David is I don't – you know it's been a while there. All those days kind of blend together now – looking back on it and I can't say for sure whether it was during trial or during sentencing. I don't remember.

HAEG: Ok but you do remember that before my case was finished – before I got sentenced at whatever one or two in the morning that they were ...

ROBINSON: Well I – yeah before you –before it was over – yeah I can say that much.

HAEG: Ok well that's -uh- you know all I was calling about. Is because now both Trooper Gibbens and Judge Murphy have testified that no rides ever took place...

ROBINSON: Hmm...

HAEG: ... until after I was sentenced and the really funny thing Chuck is the court ...

ROBINSON: ...till after you were sentenced...

HAEG: ... huh?

ROBINSON: David listen. Sentencing went to the wee hours in the morning and I'm pretty sure that what I saw happened before that proceeding ended.

HAEG: Ok yep. Well the funny thing Chuck is the Court Record – you know the tape recordings the Court had running...

ROBINSON: Uh huh...

HAEG: ...captured Judge Murphy and Trooper Gibbens laughing and joking about the chauffeuring and so now...

ROBINSON: Before the – before you were – before the sentence was completed?

HAEG: Correct.

ROBINSON: Ok.

HAEG: And so now they have testified that...

ROBINSON: It never happened.

HAEG: ...it never happened.

ROBINSON: Till after you were sentenced.

HAEG: And – there – there own voices are recorded and it actually is in a posi – in a timeframe when your voice is on the tape, and Tony Zellers is on the tape, mines on the tape. And now -uh- Marla Greenstein is stating that she contacted you and you testified that the rides never took place.

ROBINSON: Oh that never happened. Nobody ever contacted me about any rides.

HAEG: Ok well...

ROBINSON: ...at all.

HAEG: ... of all – you know – you probably understand I'm upset about a lot of things but now I'm – now I'm goanna have – now there's goanna be careers ended here.

There's goanna be judges careers ended, troopers careers ended...

ROBINSON: I don't know why they would lie about something like that. I mean you know what they should've said was 'hey McGrath is a small town. I needed a ride so he gave me one.' But you know to say that it never happened and for this other lady to say that she contacted me and talked to me about it - it is bullshit.

HAEG: Ok well she did that in a verified response so I'm goanna – I'm goanna have her career. -Uh- this corruption in this state Chuck is goanna take a big old beating when I'm done with it...

ROBINSON: Well...

HAEG: ...so...

ROBINSON: ...somebody needs to beat it I guess... (05:00)

HAEG: ...well...

ROBINSON: ...it's – it's definitely present...

HAEG: ...well...Chuck if you...

ROBINSON: ...in a lot of ways...

HAEG: ...if you're as you said if you are one of the good old boys it's great - because then you never get harmed from it. But if you're...

ROBINSON: Right.

HAEG: ... somebody named Dave Haeg or one of the little people you get fucking flattened by it.

ROBINSON: Yeah.

HAEG: And I'm...

ROBINSON: ...Well anyway David I can say for certain that the lady – nobody ever contacted me and asked me a question at all about anything having to do with your trial (laughs) period. So nobody ever contacted me about you know the Judge getting rides from the Trooper.

HAEG: Ok. Well that was it and you know like I said I appreciate it – you calling me back and I – I don't know the - your secretary whatever said you had some family emergency and...

ROBINSON: Yeah my mother died here a week ago and I've been here since about the first part of January – she was here – I was here for about 3 weeks before she died...

HAEG: Well that...

ROBINSON: ... that's why I'm back here...

HAEG: Well I'm sorry to here that and I you know hope - hope you're doing ok on that but...

ROBINSON: Yeah I'm hanging in there David.

HAEG: Ok well thanks again Chuck and -uh- we'll keep plugging away here.

ROBINSON: All right talk to you later.

HAEG: Ok thanks. Bye.

ROBINSON: Bye.

In a “verified” response attorney Greenstein has now falsified that she contacted Arthur Robinson – who also would have testified he had personally witnessed Trooper Gibbens chauffeuring Judge Murphy during Haeg’s trial and sentencing.

In other words, attorney Greenstein has now committed felony perjury in her “verified” response - to cover up the fact that she did not contact a single witness while investigating Haeg’s complaint – when repeatedly she has stated otherwise.

Attorney Greenstein has claimed not one witness (other than Haeg) testified seeing Trooper Gibbens chauffeuring Judge Murphy before Haeg was sentenced. Yet every last witness, even those Haeg did not provide, has now testified that, had they been contacted, they would have testified they had personally witnessed Trooper Gibbens chauffeuring Judge Murphy before Haeg was sentenced.

The reason attorney Greenstein falsified all witness testimony is obvious - to cover up that Judge Murphy and Trooper Gibbens provided Haeg with an unfair and unconstitutional prosecution – which makes it null and void.

Proof that the chauffeuring happened before Haeg was sentenced is beyond doubt, even without witness testimony. The court record of Haeg’s prosecution captured Judge Murphy and Trooper Gibbens admitting the chauffeuring was taking place before Haeg was sentenced. Attorney Greenstein documented both Judge Murphy and Trooper Gibbens testified no chauffeuring took place before Haeg was sentenced and Judge Murphy’s testimony was in writing. The only way for this cover up to have worked was if attorney Greenstein conspired with Judge Murphy and Trooper Gibbens to make sure all testimony was in agreement – no chauffeuring occurred until after Haeg was sentenced – eliminating, or nearly eliminating, Haeg’s claim this made his prosecution unconstitutional.

Consequences are enormous. Assistant Attorney General Andrew Peterson, on the court record during Judge Joannides July 9, 2010 scheduling hearing, stated Judge Murphy must be notified of Haeg’s allegations Judge Murphy lied during attorney Greenstein’s investigation, “because this may be a career ender for Judge Murphy.” See July 9, 2010 scheduling hearing.

Requested Relief from the Alaska Bar Association

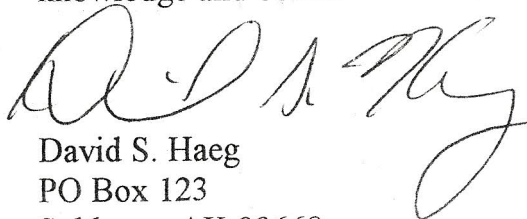
- (1) Attorney Greenstein be disbarred permanently.
- (2) Bar recommendation to the ACJC that attorney Greenstein be prosecuted for perjury, corruption, and conspiracy.
- (3) Bar recommendation to the ACJC that Judge Murphy be reinvestigated for being chauffeuring by the main witness against Haeg while Judge Murphy presided over Haeg's prosecution.
- (4) Bar recommendation to the ACJC that Judge Murphy be prosecuted for conspiracy and testifying falsely during attorney Greenstein's first investigation.
- (5) Bar recommendation to the U.S. Department of Justice that attorney Greenstein, Judge Murphy, and Trooper Gibbens be prosecuted for perjury, corruption, and conspiracy, under color of law.

If the Bar fails to take the above action Haeg, and what he believes is an increasing number of those seriously concerned, will fly to Washington DC to demand federal prosecution of the Bar, and all individuals involved, for corruption, conspiracy, and pattern/practice to cover up for attorneys, judges, and law enforcement who, using the color of law, are violating rights to unjustly strip defendants of everything. Haeg will not leave until DOJ agrees to prosecute.

Also, proof of the corruption will be hand delivered to all major news media; including Frontline, 20/20, New York Times, Dateline, and Washington Post.

The above is just the start of what those who died for our constitution demand of all Americans to address the incomprehensible fact that the only investigator of judges in an entire State is falsifying her investigations to cover up for corrupt judges who are conspiring with law enforcement to violate our constitution.

The information I have provided above is true and correct to the best of my knowledge and belief.



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