

October 4, 2021

George S. Cardona
Office of Chief Trial Counsel
The State Bar of California
845 South Figueroa Street
Los Angeles, CA 90017

Re: Request for Investigation of John C. Eastman, California State Bar No. 193726

Dear Chief Trial Counsel Cardona:

We write to request that the State Bar investigate serious evidence of professional misconduct by Professor John C. Eastman in connection with his representation of former President Donald J. Trump in efforts to discredit and overturn the results of the 2020 presidential election. We concur in the view of the enclosed memorandum that there is substantial reason to investigate whether Mr. Eastman violated California Rules of Professional Conduct 3.1, 3.3, 4.1, 8.4(c), and/or 1.2.1 through his actions on behalf of his client Mr. Trump beginning in late 2020 and culminating in their efforts to hijack or postpone the final counting of the electoral votes at the January 6, 2021 Joint Session of Congress.

We draw your attention to Mr. Eastman's conduct as described in public documents and reports because we believe in the importance of protecting the rule of law by holding those who are sworn to defend it accountable under professional standards. Lawyers, particularly those who represent elected and appointed officials, have a solemn duty to the public to advise their clients within the four corners of the law, and to ensure that they do not allow themselves to become the tools by which those officials seek to undermine democratic governance. Our state bars set standards of professional responsibility for their members to ensure that in their zealous defense of their clients, lawyers also serve as the guardians of the rule of law. We accordingly urge an immediate and expeditious investigation.

We are available for consultation on the ethics rules addressed in the attached complaint should you wish to contact us. Otherwise, we urge careful attention to the enclosed memorandum in which our concerns regarding Mr. Eastman's conduct are set forth. Please be advised that California counsel for this matter is Christine P. Sun; she can be reached for any additional information at christine@statesuniteddemocracy.org.

Thank you in advance for your attention to this important matter.

Sincerely,

Ambassador Norman Eisen (ret.)
Founder and Executive Chair, States United Democracy Center
Former White House Special Counsel for Ethics and Government Reform

Joanna Lydgate
Founder and Chief Executive Officer, States United Democracy Center
Former Chief Deputy Attorney General of Massachusetts

Governor Christine Todd Whitman
Founder and Co-Chair, States United Democracy Center
Former Governor of New Jersey

Dennis Aftergut
Co-Chair, Coalition to Preserve, Protect & Defend
Former Assistant U.S. Attorney, Northern District of California
Former San Francisco Chief Assistant City Attorney

Frederick Baron
Former Associate Deputy Attorney General and Director, Executive Office for National Security
Former Assistant U.S. Attorney, District of Columbia
Former Special Assistant to the U.S. Attorney General

Ambassador Jeffrey Bleich (ret.)
Former President, State Bar of California

James J. Brosnahan
Senior Of Counsel, Morrison & Foerster LLP
Member, State Bar of California Trial Lawyers Hall of Fame

Governor Steve Bullock
Former Governor of Montana
Former Attorney General of Montana

Dean Erwin Chemerinsky
Dean and Jesse H. Choper Distinguished Professor Law, University of California, Berkeley,
School of Law

Honorable Jack Conway
Former Attorney General of Kentucky

Honorable John J. Farmer, Jr.
Former Attorney General of New Jersey
Former Assistant U.S. Attorney, District of New Jersey

Professor Claire Finkelstein
Algernon Biddle Professor of Law and Professor of Philosophy
Center for Ethics and the Rule of Law, Faculty Director
University of Pennsylvania

Honorable Joseph Grodin
Retired California Supreme Court Justice
Distinguished Professor *Emeritus*, University of California, Hastings College of the Law

Honorable Thelton Henderson
Retired U.S. District Court Judge, Northern District of California

Honorable Jim Hood
Former Attorney General of Mississippi

Honorable D. Lowell Jensen
Retired U.S. District Court Judge, Northern District of California
Former Deputy U.S. Attorney General

Honorable Patricia A. Madrid
Former Attorney General of New Mexico

Professor Richard W. Painter
S. Walter Richey Professor of Corporate Law, University of Minnesota Law School
Former Associate Counsel to the President

Louise H. Renne
Co-Chair, Coalition to Preserve, Protect & Defend
Former San Francisco City Attorney

Honorable Sarah Saldaña
Former Director, Immigration & Customs Enforcement
Former U.S. Attorney, Northern District of Texas

Honorable Fern M. Smith
Retired U.S. District Court Judge, Northern District of California
Former Director of the Federal Judicial Center

Professor Laurence H. Tribe (*California State Bar No. 39441*)
Carl M. Loeb University Professor *Emeritus*, Harvard University
Professor of Constitutional Law *Emeritus*, Harvard Law School

Honorable Joyce Vance
Distinguished Professor of the Practice of Law, University of Alabama School of Law
Former U.S. Attorney, Northern District of Alabama

Honorable Kathryn Werdegar
Retired California Supreme Court Justice

Honorable Grant Woods
Former Attorney General of Arizona

All titles and affiliations are listed for identification purposes only.