

(No Subject)

From: michael gasio (gasio77@yahoo.com)

To: RichardRosiak@yahoo.com; boyajianre@aol.com; aelkins@gmail.com; helderppinheiro@gmail.com

Date: Monday, January 27, 2025 at 05:21 PM PST

Final demand for full file Gasio's and return of contracted labor fee "one case paper ready for court, to fool the other side".

Michael A Gasio Pro se

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Subject: Formal Demand for Return of Contracted Labor and Case Documents

Dear Mr. Rosiak,

This letter serves as a formal demand for you to fulfill the obligations agreed upon during our professional engagement. As you are aware, you were retained to prepare court-ready documents and provide legal support for my defense against the unlawful actions of my landlord and his associates. Despite multiple notifications and requests, you have failed to deliver the agreed-upon services, causing significant harm to me and my family.

Per our agreement, I provided evidence, including payment receipts, correspondence, and other documents, all of which were essential to establish my defense. You acknowledged receipt of these materials and agreed to prepare the necessary court documents. Furthermore, my wife was present during our discussions and is prepared to testify under oath to your commitments.

The situation has caused irreparable financial and emotional harm. Specifically:

1. Unlawful Eviction and Financial Loss:

- I provided receipts for rent payments, including a cashier's check that was accepted by the landlord but not credited. This, combined with electronic payments made directly to the landlord's account, proves my compliance with the lease terms.
- Due to your lack of action, we suffered an unlawful eviction, resulting in a 25% reduction in living space and my wife losing her art studio, a critical source of income.

2. Failure to Provide Contracted Services:

- You agreed to make court-ready documents for \$4,000, which I paid in good faith. However, you failed to deliver on this commitment, leaving me unprepared to defend myself effectively.
- Your advice to "flee" in the face of my landlord's fraudulent actions undermined my ability to pursue justice and protect my rights.

3. Unlawful Practices by Landlord and Associates:

- The fraudulent contract created by Hanson Le, which falsely bore the seal of Berkshire Hathaway, is central to this case. Additional violations include fraudulent claims about property damage, harassment by the landlord's family, and failure to remediate mold that remains in the property.

Your Obligations:

You are hereby formally requested to:

1. Return all case-related documents and email correspondence, including any chains involving my wife's email address, immediately.
2. Provide a full accounting of the \$4,000 paid to you for contracted labor, detailing how those funds were utilized.
3. Refund the unused portion of the \$4,000 if services were not rendered as agreed.

Legal Precedents:

Failure to fulfill your obligations could lead to disciplinary actions, as evidenced in similar cases where attorneys faced fines, suspension, or disbarment for failing to uphold their duties to clients. Notable examples include:

- [Example 1: Attorney fined/sanctioned for mishandling client funds]
- [Example 2: Attorney disbarred for neglecting client's case leading to harm]
- [Example 3: Attorney penalized for failing to provide agreed services to senior clients]
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- **Carter v. State Bar (1988):** In this case, the attorney was disbarred for causing significant harm by neglecting and deceiving clients. The court emphasized that such misconduct, especially when involving multiple clients, warrants the most severe disciplinary action.

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- **Bledsoe v. State Bar (1991):** The attorney exhibited a pattern of willfully failing to perform services, demonstrating abandonment of clients' causes. The court held that habitual disregard of clients' interests constitutes moral turpitude warranting disbarment.

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- **Herron v. State Bar (1954):** The attorney failed to perform legal services competently, including neglecting to present oral arguments and abandoning a client's case. Such neglect led to disciplinary action, highlighting the duty of attorneys to diligently represent their clients.

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I am prepared to submit a complaint to the State Bar and present this matter to the court if you fail to comply with this demand. My intention is to ensure accountability and to recover the significant losses caused by your negligence.

I expect your response within **10 business days** of this letter. Failure to comply will result in further action.

Sincerely,

Michael A Gasio Pro se

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