

21 October 2021

David Binetti
West Ada Parents Association
372 S. Eagle Rd. Suite 195
Eagle, ID 83616

Amy G. White, Partner
Anderson Julian & Hull LLP
250 S 5th Street #700
Boise, ID 83702

RE: Notice of Grievance Filing

Ms. White,

Given that it has been nearly a full week since my email of 15 October without response, I will assume you have elected not to clarify your involvement in advising Trustee Amy Johnson of the West Ada School District Board of Trustees during an ongoing investigation related to the complaint I submitted to Trustee Rene Ozuna (in her capacity as Vice-Chair) on 10 October 2021.

Accordingly, I will be filing a grievance with the Idaho State Bar under Rule 1.7, Conflict of Interest, which prohibits a lawyer from representing a client if the representation involves a concurrent conflict of interest, and specifically referencing subsection (b)(3), which only provides for an exception to the rule if,

`"(T)he representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal;"`

My contention is that by simultaneously advising Trustee Amy Johnson as an individual and the West Ada School District as an institution you are in breach of this rule, given that I have filed a complaint against Trustee Johnson for violation of District policy and thus placing those two parties in opposition to one another on an issue requiring adjudication.

Moreover, your direct involvement in Trustee Johnson's efforts to avoid investigation (via documents addressed to you but leaked to the press by Trustee Johnson) has

produced conditions that should have immediately resulted in your recusal and recommendation the District seek independent third-party counsel on this topic once a formal complaint had been filed.

Yet you not only failed to recuse, you continue to actively manage an opaque investigation into Trustee Johnson's actions despite being a central player in those actions, and are shutting down legitimate inquiries of the public in regard to this matter. This calls into question the legitimacy of the investigation and damages the Public Trust in ways not easily repaired.

I had hoped to receive clarification from you without necessitating a formal grievance, but your continued silence on this topic leaves me with no other option. I assume that the Idaho State Bar will be in contact if and when they determine an investigation is warranted.

Most sincerely,

David Binetti
West Ada Parents Association

cc:
Mr. Robert A. Anderson, Founder
Mr. Brian K. Julian, Founder
Ms. Karri Carmouche, Firm Administrator

Attachments:
Email to Amy G. White 15 October 2021
Trustee Amy Johnson Complaint 10 October 2021
Trustee Amy Johnson Complaint 17 October 2021
Opinion of Chief Deputy Attorney General Brian Kane 8 October 2021
Opinion of Lead Deputy Attorney General Jeff Nye 10 September 2021
West Ada School Policy Section 201.4
West Ada School Policy Section 201.1
Response of Trustee Ed Klopfenstein 12 October 2021
Transcript of WASD Special Board Meeting 13 October 2021
Idaho Education News Article 12 October 2021
Idaho Statesman News Article 13 October 2021
Idaho Rules of Professional Conduct 1 July 2014