

Gordon Queenan

From: Gordon Queenan
Sent: Friday, August 20, 2021 12:33 PM
To: Charlie Cain
Cc: barry@arringtonpc.com; Scotti Beam; Andrea Hall; Andrew Ho; Angie Maher; Bernie Rhodes; Beth Chambers; Brad Johnson; Burns Law Firm; Christopher Seerveld; Eric Holway; Erin Adams; Franklin Patterson; Geoffrey Blue; Ingrid Defranco; Joe Sibley; John Zakhem; Kendra Stark; Margaret Boehmer; Mark Grueskin; Mi Vo; Michael Reagor; Randy Corporon; Scott Gessler; Shaun Pearman; Stephen Dexter; Thomas Quinn; Trey Rogers
Subject: RE: 2020cv034319; Coomer vs. DJTFP, et al.;

DATE FILED: October 4, 2021 9:51 AM

FILED ID: 4ADFC74BE238F
CASE NUMBER: 2020CV34319

Charlie,

If that is going to be the argument in your response, so be it. With regard to your letter, we do not know what statement you are asking her to retract, so if you could clarify, that would allow us to better evaluate your demand. We are unaware of any statement Ms. Malkin made that would require retraction.

Have a good weekend,
GQ



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From: Charlie Cain <ccain@cstrial.com>
Sent: Friday, August 20, 2021 12:12 PM
To: Gordon Queenan <gqueenan@prpclegal.com>
Cc: barry@arringtonpc.com; Scotti Beam <sbeam@cstrial.com>; Andrea Hall <andrea@thehalllawoffice.com>; Andrew Ho <andrew@rklawpc.com>; Angie Maher <angie.maher@jacksonkelly.com>; Bernie Rhodes <bernie.rhodes@lathrogpm.com>; Beth Chambers <beth.chambers@jacksonkelly.com>; Brad Johnson <brad.johnson@lathrogpm.com>; Burns Law Firm <tblf@pm.me>; Christopher Seerveld <cseerveld@drc-law.com>; Eric Holway <eric.holway@jacksonkelly.com>; Erin Adams <eadams@grsm.com>; Franklin Patterson <fpatterson@prpclegal.com>; Geoffrey Blue <gblue@gesslerblue.com>; Ingrid Defranco <ingrid.defranco@gmail.com>; Joe Sibley <sibley@camarasibley.com>; John Zakhem <jszakhem@jacksonkelly.com>; Kendra Stark <kstark@grsm.com>; Margaret Boehmer <mboehmer@grsm.com>; Mark Grueskin <mark@rklawpc.com>; Mi Vo <mvo@jacksonkelly.com>; Michael Reagor <mreagor@drc-law.com>; Randy Corporon <rbc@corporonlaw.com>; Scott Gessler <sgessler@gesslerblue.com>; Shaun Pearman <shaun@pearmanlawfirm.com>; Stephen Dexter <stephen.dexter@lathrogpm.com>; Thomas Quinn <tquinn@grsm.com>; Trey Rogers <trey@rklawpc.com>
Subject: Re: 2020cv034319; Coomer vs. DJTFP, et al.;

EXHIBIT

A

Gordon Queenan

From: Gordon Queenan
Sent: Tuesday, August 24, 2021 3:24 PM
To: Charlie Cain; Zakhem, John
Cc: barry@arringtonpc.com; Scotti Beam; Andrea Hall; Andrew Ho; Maher, Angie; Bernie Rhodes; Chambers, Beth; Brad Johnson; Burns Law Firm; Christopher Seerveld; Holway, Eric; Erin Adams; Franklin Patterson; Geoffrey Blue; Ingrid Defranco; Joe Sibley; Kendra Stark; Margaret Boehmer; Mark Grueskin; Vo, Mi; Michael Reagor; Randy Corporon; Scott Gessler; Shaun Pearman; Stephen Dexter; Thomas Quinn; Trey Rogers; Steve Skarnulis; Brad Kloewer
Subject: RE: 2020cv034319; Coomer vs. DJTFP, et al.

No, they aren't. All your complaint says is my client interviewed Oltmann and promoted the interview. In fact, your complaint expressly states that "Malkin conceived a story that the results of the election were fraudulent and consciously set out to establish that Dr. Coomer did in fact subvert the election and perpetuate a fraud." That is a curious assertion as she affirmatively stated she did NOT believe there was evidence he subverted the election. You filed a lawsuit. Presumably you had a Rule 11 basis. You asked my client to retract a statement. What statement are you asking to be retracted? I'm not interested in a cite to a 65 page document. You can do better than that.



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From: Charlie Cain <ccain@cstrial.com>
Sent: Tuesday, August 24, 2021 3:16 PM
To: Zakhem, John <jszakhem@jacksonkelly.com>; Gordon Queenan <gqueenan@prpclegal.com>
Cc: barry@arringtonpc.com; Scotti Beam <sbeam@cstrial.com>; Andrea Hall <andrea@thehalllawoffice.com>; Andrew Ho <andrew@rklawpc.com>; Maher, Angie <angie.maher@jacksonkelly.com>; Bernie Rhodes <bernie.rhodes@lathropgpm.com>; Chambers, Beth <beth.chambers@jacksonkelly.com>; Brad Johnson <brad.johnson@lathropgpm.com>; Burns Law Firm <tblf@pm.me>; Christopher Seerveld <cseerveld@drc-law.com>; Holway, Eric <eric.holway@jacksonkelly.com>; Erin Adams <eadams@grsm.com>; Franklin Patterson <fpatterson@prpclegal.com>; Geoffrey Blue <gblue@gesslerblue.com>; Ingrid Defranco <ingrid.defranco@gmail.com>; Joe Sibley <sibley@camarasibley.com>; Kendra Stark <kstark@grsm.com>; Margaret Boehmer <mboehmer@grsm.com>; Mark Grueskin <mark@rklawpc.com>; Vo, Mi <mvo@jacksonkelly.com>; Michael Reagor <mreagor@drc-law.com>; Randy Corporon <rbc@corporonlaw.com>; Scott Gessler <sgessler@gesslerblue.com>; Shaun Pearman <shaun@pearmanlawfirm.com>; Stephen Dexter <stephen.dexter@lathropgpm.com>; Thomas Quinn <tquinn@grsm.com>; Trey Rogers <trey@rklawpc.com>; Steve Skarnulis <skarnulis@cstrial.com>; Brad Kloewer <bkloewer@cstrial.com>
Subject: Re: 2020cv034319; Coomer vs. DJTFP, et al.

Counsel, the defamatory statements made or authorized by your clients are stated with particularity in our First Amended Complaint.

Gordon Queenan

From: Gordon Queenan
Sent: Tuesday, August 24, 2021 8:18 PM
To: Charlie Cain; Burns Law Firm
Cc: Zakhem, John; barry@arringtonpc.com; Scotti Beam; Andrea Hall; Andrew Ho; Maher, Angie; Bernie Rhodes; Chambers, Beth; Brad Johnson; Christopher Seerveld; Holway, Eric; Erin Adams; Franklin Patterson; Geoffrey Blue; Ingrid Defranco; Joe Sibley; Kendra Stark; Margaret Boehmer; Mark Grueskin; Vo, Mi; Michael Reagor; Randy Corporon; Scott Gessler; Shaun Pearman; Stephen Dexter; Thomas Quinn; Trey Rogers; Steve Skarnulis; Brad Kloewer; Beth Chambers
Subject: RE: 2020cv034319; Coomer vs. DJTFP, et al.

Charlie,

I am not terribly concerned by your skepticism. I'm not asking what a retraction, in the abstract, would look like. We all saw the Newsmax retraction that your office drafted, which, incidentally, was not accurate. I'm asking: what *specific statement* are you asking Ms. Malkin to retract? If there is something she actually said that was false, please direct me to it with more specificity than it is somewhere in your complaint. If it is in there, I don't see it. If I am missing something obvious, I apologize.

I am not interested in setting up a time to chat with you so you on this topic. I have not found our telephone conversations to be very productive. This is a pretty straightforward inquiry and, while I am sympathetic to you needing to respond to 14 attorneys, that is the bed you made. You keep giving general answers, with amorphous statements like there were 'questions that should have been asked.' That, as you are fond of saying, is non-responsive. Failing to ask questions would not require a retraction. Tell me what you think my client said that was false.

As to the attacks on counsel regarding professionalism, I think you should take a moment for self-reflection. We all sat through a deposition where we were treated to your private text messages including the plumber arriving, communications with Elevation Beer Company (if memory serves), and insulting text messages from your associate to you regarding the deponent. We warned you repeatedly the text messages were on screen and the best you could do was, hours in, tell Brad to stop texting you. Further, Brad was on the Zoom call, knew the text messages were visible, and still sent those text messages. Did he really not know they would be visible to everyone, including the deponent he was disparaging? A lighthearted meme of Kevin from The Office in an e-mail seems pretty innocuous both in general and when compared to your office's conduct. But, to circle back to your comment to John, should I judge all future inquiries by your office through the lens of how you and your colleagues acted during that deposition? I don't think I'm going to do that.

I would note that there have been a number of conferrals where you guys have opened the door (i.e. attorneys deposing their own clients), been challenged on your position, and then faded into the night. I'd ask that you stop initiating these conversations if you don't want to participate in them. Further, mandating the disclosure of attorney work product or attorney-client communications in order to get a response to these basic inquiries is a non-starter. So, I'll try one last time – did you want my client to retract a specific statement or was this just a gambit to feign reasonableness for the Court? When I saw you e-filed it, I assumed it was the latter, but I try to give people the benefit of the doubt. Let me know.

Have a good night,
Gordon



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From: Charlie Cain <ccain@cstrial.com>

Sent: Tuesday, August 24, 2021 5:34 PM

To: Burns Law Firm <tblf@pm.me>

Cc: Zakhem, John <jszakhem@jacksonkelly.com>; Gordon Queenan <gqueenan@prpclegal.com>; barry@arringtonpc.com; Scotti Beam <sbeam@cstrial.com>; Andrea Hall <andrea@thehalllawoffice.com>; Andrew Ho <andrew@rklawpc.com>; Maher, Angie <angie.maher@jacksonkelly.com>; Bernie Rhodes <bernie.rhodes@lathrogpm.com>; Chambers, Beth <beth.chambers@jacksonkelly.com>; Brad Johnson <brad.johnson@lathrogpm.com>; Christopher Seerveld <cseerveld@drc-law.com>; Holway, Eric <eric.holway@jacksonkelly.com>; Erin Adams <eadams@grsm.com>; Franklin Patterson <fpatterson@prpclegal.com>; Geoffrey Blue <gblue@gesslerblue.com>; Ingrid Defranco <ingrid.defranco@gmail.com>; Joe Sibley <sibley@camarasibley.com>; Kendra Stark <kstark@grsm.com>; Margaret Boehmer <mboehmer@grsm.com>; Mark Grueskin <mark@rklawpc.com>; Vo, Mi <mvo@jacksonkelly.com>; Michael Reagor <mreagor@drc-law.com>; Randy Corporon <rbc@corporonlaw.com>; Scott Gessler <sgessler@gesslerblue.com>; Shaun Pearman <shaun@pearmanlawfirm.com>; Stephen Dexter <stephen.dexter@lathrogpm.com>; Thomas Quinn <tquinn@grsm.com>; Trey Rogers <trey@rklawpc.com>; Steve Skarnulis <skarnulis@cstrial.com>; Brad Kloewer <bkloewer@cstrial.com>; Beth Chambers <bethc@corporonlaw.com>

Subject: Re: 2020cv034319; Coomer vs. DJTFP, et al.

I am genuinely skeptical that any defendant is unclear about what a retraction would look like or what statements would be subject to a retraction. Mr. Burns, I am particularly skeptical of the seriousness of you or your clients' inquiry after you appeared in a court hearing in a beach outfit and posted an Office meme as part of a recent conferral email.

That said, if any defendant's counsel will represent to me that their client is genuinely considering whether to retract their statements about Dr. Coomer, then please contact Scotti Beam, Steve, or me directly and we will set up a time to discuss the parameters of the retraction and the specific statements that would be the subject of the retraction. I will do this with each defendant's counsel independently.

Regards,

Charlie

From: Burns Law Firm <tblf@pm.me>

Reply-To: Burns Law Firm <tblf@pm.me>

Date: Tuesday, August 24, 2021 at 3:39 PM

To: Charles Cain <ccain@cstrial.com>

Cc: John Zakhem <jszakhem@jacksonkelly.com>, Gordon Queenan <gqueenan@prpclegal.com>, Barry Arrington <barry@arringtonpc.com>, Scotti Beam <sbeam@cstrial.com>, Andrea Hall <andrea@thehalllawoffice.com>, Andrew Ho <andrew@rklawpc.com>, "Maher, Angie" <angie.maher@jacksonkelly.com>, Bernie Rhodes <bernie.rhodes@lathrogpm.com>, "Chambers, Beth"