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No. 24-

Supreme Court, U.S.
FILED

DEC 13 2024

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IN THE
Supreme Court of the United States

RAHUL DEV MANCHANDA,

Applicant,

v.

ATTORNEY GRIEVANCE COMMITTEE FOR THE
SUPREME COURT OF THE STATE OF NEW YORK,
APPELLATE DIVISION, FIRST JUDICIAL DEPARTMENT,

Respondent.

ON APPLICATION FOR INJUNCTION TO
ASSOCIATE JUSTICE SONIA SOTOMAYOR

**EMERGENCY APPLICATION FOR PRELIMINARY
INJUNCTION AND STAY OF ENFORCEMENT**

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SUPREME COURT, U.S.

TABLE OF CONTENTS

	Page
TABLE OF AUTHORITIES	ii
1. Jurisdiction.....	1
2. Requirements for a Preliminary Injunction.	1
3. Background.....	3
4. Constitutional Violations	8
5. Recent Divided Nationwide Case Law.	8

TABLE OF AUTHORITIES

Page(s)

Cases:

Winter v. Natural Resources Defense Council, Inc.,
555 U.S. 7 (2008)..... 2

Mario Cerame and Timothy Moynahan v. Christopher L. Slack,
No. 22-3106 (2d Cir. 2024) 9

Daniel Crowe, et al v. Oregon State Bar, et al,
No. 23-35193, D.C. No. 3:18-cv02139-JR 9

Greenberg v. Lehocky,
No. 22-1733 (3d Cir. 2023)..... 10

In R.M. v. Supreme Court of New Jersey,
185 N.J. 208 (N.J. 2005). 11

Peel v. Attorney Disciplinary Commission of Illinois,
496 U.S. 91 (1990). 12

Statutes & Other Authorities:

Supreme Court Rule 20.1 1

28 U.S.C. § 1651(a)..... 1

FRCP 65(a)..... 1

U.S.Const.amend.I..... 6, 8

U.S.Const.amend.V 6, 8

U.S.Const.amend.VI 6, 8

Plaintiff, Rahul Manchanda, for his notice of appeal and in support of his Emergency Application for Preliminary Injunction and Stay of Enforcement against defendants, alleges:

Jurisdiction

1. In the United States Supreme Court, Rule 20.1 of the Supreme Court Rules governs requests for extraordinary relief, including preliminary injunctions.
2. While the Supreme Court does not often issue preliminary injunctions due to its appellate nature, it can do so under certain conditions.
3. More broadly, statutes and procedural rules that apply to obtaining a preliminary injunction in federal courts include:

28 U.S.C. § 1651(a) - The All Writs Act allows the Supreme Court (and all federal courts) to issue writs necessary to aid their jurisdiction, including injunctions.

Federal Rule of Civil Procedure 65(a) - Governs preliminary injunctions in federal district courts.

4. Although the Supreme Court is not bound by the Federal Rules of Civil Procedure, it may consider the principles within Rule 65(a) when addressing requests for injunctive relief.

Requirements for a Preliminary Injunction

5. When considering a request for a preliminary injunction, courts generally apply the following four-part test established by case law. Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7 (2008):

(A) Likelihood of success on the merits.

(B) Likelihood of irreparable harm if the injunction is not granted.

(C) Balance of equities tips in favor of the party seeking the injunction.

(D) Public interest favors granting the injunction.

6. A preliminary injunction may be granted in any action where it appears that the defendant threatens or is about to do, or is doing or procuring or suffering to be done, an act in violation of the plaintiff's rights respecting the subject of the action, and tending to render the judgment ineffectual, or in any action where the plaintiff has demanded and would be entitled to a judgment restraining the defendant from the commission or continuance of an act, which, if committed or continued during the pendency of the action, would produce injury to the plaintiff.

7. A temporary restraining order may be granted pending a hearing for a preliminary injunction where it appears that immediate and irreparable injury, loss or damage will result unless the defendant is restrained before the hearing can be had.

Background

8. Plaintiff, at all times relevant hereto, was a lawyer for 25 years owning his own successful Wall Street New York City law practice for 22 years until he was summarily and without reason disbarred on November 21, 2024, said disbarment becoming permanent on December 21, 2024, hence the emergency nature of this application.

9. Plaintiff, an Indian American lawyer and litigant born and bred in Mt Kisco, Westchester County, New York in 1972, for 20 years starting in 2004 was getting battered in the New York City family, criminal, and civil courts wherein he lost his children and has not seen or spoken to them since November 2017, in violation of a still existing visitation order and schedule, only prevented by activist extreme feminist judges, racist law clerks, and biased court administrators, who routinely would lose his motions, sabotage his filings, not mail to him notices, threaten him with contempt or arrest, and local corrupt police officers who actually have arrested him for trying to see his kids on their birthdays and other family court matters, wherein Plaintiff was simply and peacefully trying to see his own kids.

10. Therefore, Plaintiff brought a series of protected speech government complaints, civil rights lawsuits, and law enforcement investigation requests, citing bias and discrimination by, what could only be objectively described as the two most dominant and powerful ethnic groups within the New York City judicial legal system (their names were provided), communist leftist socialist democrat Jews and Blacks.

11. This was obviously a proverbial legal and equitable “bomb” that was dropped on the entire New York City legal community, because it had never been done before.

12. However, as Plaintiff was soon to find out, by doing so, simply requesting government investigation into the same, he had no idea how the entrenched and comfortable powers that be, who occupy the highest seats of power and influence within the New York City judicial, executive, and legislative branches of government, in both federal, state, and local levels, would uniformly react, stick together, circle the wagons, and then collectively “push back.”

13. The Attorney Grievance Committee First Department (“AGC”) led by Staff Attorney Remi Shea and the New York County Supreme Court Appellate Division First Department (“Appellate Division”) led by Chief Judge Dianne Renwick used an extremely incompetent, mentally deficient, elderly, confused retiree named Rosalyn Richter as a “Referee Arbitrator” who could not even walk by herself, speak properly, write by herself, in order to wade through their hundreds of pages of retaliatory false “evidence” which consisted of alleged “discriminatory acts” that they falsely attributed to Plaintiff over the last 25 years of a legal career, and 23 years of my own private successful law practice located on Wall Street New York, all in retaliation for my first filing protected government complaints, civil rights lawsuits, and law enforcement investigation requests after 20 years of non-stop judicial, law clerk, and administrative communist leftist socialist democrat abuse.

14. The documentary evidence was clear that I was being ganged up on and discriminated against by the two most dominant ethnicities in the New York City Judicial/Legal system, communist leftist socialist democrat Blacks and Jews, who were involved in, empirically, 99% of the negative adverse decisions against Plaintiff over 20 years (names were provided).

15. Because I filed these protected speech government complaints and requests for government investigation, various communist leftist socialist democrat Black and Jewish members (and billionaire influential outsiders) of the AGC pushed and prodded Jorge Dopico, Chief Counsel, to go after me and my law license by pulling up, rather desperately, any and all “discriminatory acts” that they could find, aided and abetted by scores of my enemies both public and private, past and present, even though not even ONE of the “exhibits” that they pulled up could be attributed to me.

16. It was bad enough that I was retaliated against by government agencies in retaliation for filing legitimate complaints and requests for investigation (whistleblower protections) but the fact that they then used an 80 year old invalid to adjudicate this “evidence” was altogether elder abuse, department of labor violations (New York State and Federal), and other criminal and unethical conduct.

17. Even worse, Rosalyn Richter, this “Appointed Referee,” was a well known lesbian extremist and sexual deviant who was totally biased and conflicted against me, a well known republican christian conservative Indian American male, and because her law firm/NGO “Sanctuary For Families,” a hotbed of extreme feminist lesbian activity had, in the past 20 years, represented no less than 5 of my exes (also named) in “lawfare” litigation against me at the behest and instigation of my ex-wife, for free, in the New York City family courts, civil courts, criminal courts, and supreme courts.

18. The sheer shamelessness of this open, overt, and bald faced audacity to choose this broken,

morally, physically, and mentally twisted woman Rosalyn Richter, to determine if I should be able to continue to practice law or not, to be able to earn a living and take care of my family or not, while barely able to read her own notes, simply because I would not “hook line and sinker” swallow both her and her organizations’ communist leftist socialist democrat sexual desires, proclivities, and sexual deviancy, which are against my own traditional christian religious beliefs, was nothing short of egregious violations of the United States Constitution 5th Amendment right to due process, the 6th Amendment right to confront ones accusers or question the evidence against you, but also, in the greater picture, even if any one of the “exhibits” or “evidence” that the AGC submitted to the Appellate Division and Rosalyn Richter COULD be attributable to me, they were still protected free speech and expression pursuant to the 1st Amendment right to freedom of speech and expression.

19. None of the “exhibits” that they presented contained “fighting words,” or “hate crimes,” or “incitement to violence,” or any other types of limited proscribed speech, and nearly all of their “snippets” were either advised, counseled, written, posted, or attributable to any one of the hundreds of professionals that have worked for me over the past 25 years - and they were all named in my defense papers - ethics lawyers, per diem lawyers, full time associate attorneys, full time of counsel attorneys, law clerks, paralegals, online search engine optimization advertisers and marketers, professional and amateur book publishers, and tons more.

20. One would be hard pressed, if one were to look with a magnifying glass over the course of anyone’s life, where there would be zero incidents of supposedly “discriminatory conduct,

comments, or statements,” that could somehow be traced back to you.

21. But even worse, and more egregiously, in the trial court/arbitration, we proved with clear and convincing evidence, posted publicly, the names and professional titles of those individuals who in fact, were responsible for them.
22. This however, was no obstacle for the AGC or the Appellate Division, or the clinical mental and physical vegetable Arbitration Referee Rosalyn Richter, who simply waived away all of our constitutional, statutory, and case law arguments and defenses, and simply decreed that “Plaintiff (myself) was not credible.”
23. Since the effect of removing the right of a man to work in his chosen legal profession after perfecting and honing it for 25 years, at the ripe old age of 52, is tantamount to a death sentence to himself and his family (including young children), Plaintiff deserves much better than this.
24. Plaintiff, a celebrated and well recognized member of the New York State Bar since 2002, has appeared as a Law Expert on hundreds of television programs, scores of teaching CLE classes, even teaching at John Jay College of Criminal Justice in Manhattan New York.
25. However, an extremist group of left wing, communist, identity politics obsessed, biased, misguided, leftist, socialist democrat, and angry “insider threats” infiltrated within the New York City government, were able to hijack the entire New York City (Manhattan) court

system, its process, and churn out a singularly unjust, unfair, illegal, and immoral judicial order - that of permanent Disbarment from the practice of law with no hope for reinstatement.

26. No suspension, no interim relief, no warnings, not even any language allowing him to re-apply for admission.
27. A simple, draconian, death sentence simply for exercising protected speech, expression, and for filing government complaints, requests for investigation, and civil rights lawsuits alleging bias, discrimination, and racism by various New York City government officials, which these reactionary activist communist leftist judges then labeled “vexatious litigation,” “offensive,” “racist,” “homophobic,” or “anti-semitic,” which they were neither.

Constitutional Violations

28. And all of this was done in gross and overt violation of the 1st, 5th, and 6th Amendments to the United States Constitution, the New York State Constitution’s correlated provisions, and even recent case law in the last few months reiterating that even Lawyers have first amendment rights, and can not be unfairly and unduly silenced by biased, discriminatory, anti-American, and anti-Constitution infiltrators of the United States government, whether federal, state, or local.

Recent Divided Nationwide Case Law

29. Recent court cases have addressed concerns that attorney discipline committees may infringe upon lawyers' constitutional rights, particularly regarding freedom of speech and due process.

30. Notable examples include Connecticut's Anti-Discrimination Rule.
31. In December 2024 (only a few days after this same shameless circuit court disbarred me for the same protected activity), the U.S. Court of Appeals for the Second Circuit revived a lawsuit challenging Connecticut's professional conduct rule that prohibits attorneys from engaging in “harassment or discrimination” based on characteristics such as race, sex, and religion.
32. Attorneys Mario Cerame and Timothy Moynahan in Mario Cerame and Timothy Moynahan v. Christopher L. Slack, No. 22-3106 argued that this rule violated their First Amendment rights by potentially restricting discussions on topics like critical race theory and religious expression.
33. The appellate court determined that the plaintiffs had standing to pursue their claims, citing a “credible threat of enforcement” that could chill protected speech.
34. Oregon State Bar’s Anti-Trump Statement.
35. In August 2024, the Ninth U.S. Circuit Court of Appeals ruled in Daniel Crowe, et al v. Oregon State Bar, et al, 23-35193 that the Oregon State Bar violated a lawyer’s constitutional rights by publishing a statement critical of former President Donald Trump in a bar-funded magazine.

36. The court found that this action compelled members to associate with political views they might not endorse, infringing upon their First Amendment rights.
37. California's Moral Character Evaluations.
38. In December 2024, the State Bar of California announced that it would assess law applicants' participation in campus protests during moral character evaluations for licensing.
39. The Bar emphasized that evaluators must avoid considering protected political speech or expression, ensuring that applicants' First Amendment rights are not infringed upon during the review process.
40. Pennsylvania's Anti-Discrimination Rule.
41. In Greenberg v. Lehocky No. 22-1733 (3d Cir. 2023), the Third Circuit Court of Appeals addressed a challenge to Pennsylvania's Rule of Professional Conduct 8.4(g), which prohibits harassment and discrimination in the practice of law.
42. Attorney Zachary Greenberg argued that the rule infringed upon his First Amendment rights, as his continuing legal education presentations involved quoting offensive language from judicial opinions and discussing controversial topics.
43. The court's decision highlighted the tension between regulating professional conduct and

protecting free speech.

44. New Jersey's Confidential Disciplinary Proceedings.
45. In R.M. v. Supreme Court of New Jersey 185 N.J. 208 (N.J. 2005), the New Jersey Supreme Court examined the constitutionality of Rule 1:20-9, which mandated confidentiality in attorney disciplinary proceedings.
46. The court concluded that, as written and applied, the rule violated the First Amendment because it was not narrowly tailored to serve a compelling interest.
47. This decision underscored the importance of transparency and the public's right to scrutinize the disciplinary process.
48. Kentucky Bar's Sanction for Criticism of a Judge.
49. In 2012, the U.S. Court of Appeals for the Sixth Circuit ruled that the Kentucky State Bar violated attorney John M. Berry Jr.'s First Amendment rights.
50. Berry faced an ethics charge after criticizing the state Legislative Ethics Commission.
51. The court found that the bar's actions infringed upon his right to free speech, emphasizing that attorneys do not forfeit their First Amendment protections.

52. Illinois Attorney Advertising Case.
53. In Peel v. Attorney Disciplinary Commission of Illinois 496 U.S. 91 (1990), the U.S. Supreme Court held that an attorney's advertisement stating his certification as a civil trial specialist was protected commercial speech under the First Amendment.
54. The Court determined that the Illinois Attorney Disciplinary Commission's sanction violated the attorney's free speech rights, as the advertisement was neither false nor misleading.
55. New York's Attorney Discipline System and Due Process.
56. Discussions in legal circles have raised concerns about whether New York's attorney discipline system meets due process requirements.
57. Critiques focus on the procedural aspects of the system, questioning if it adequately protects attorneys' constitutional rights during disciplinary proceedings.
58. These cases and discussions highlight the ongoing legal discourse surrounding the balance between regulating professional conduct and safeguarding constitutional rights within the legal profession.

Dated: New York, NY
December 10, 2024

/s/Rahul Manchanda
RAHUL MANCHANDA
Petitioner pro se
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APPENDIX

TABLE OF CONTENTS

Page

ORDER OF THE STATE OF NEW YORK FOR THE COURT OF APPEALS, FILED DECEMBER 4, 2024.....1a

OPINION OF THE SUPREME COURT FOR THE STATE OF NEW YORK APPELLATE DIVISION, FIRST JUDICIAL DEPARTMENT, FILED NOVEMBER 21, 2024 3a

JURISDICTION STATEMENT OF THE COURT OF APPEALS FOR THE STATE OF NEW YORK, FILED DECEMBER 3, 2024.....23a

ORDER OF THE COURT OF APPEALS FOR THE STATE OF NEW YORK, FILED NOVEMBER 26, 2024.....25a

NOTICE OF APPEAL OF THE COURT OF APPEALS FOR THE STATE OF NEW YORK, FILED NOVEMBER 22, 202436a



State of New York
Court of Appeals

Heather Davis, Esq.
Chief Clerk and
Legal Counsel to the Court

Clerk's Office
20 Eagle Street
Albany, New York 12207-0195
518 455 7700

December 4, 2024

Rahul Manchanda
270 Victory Boulevard
New Rochelle, NY 10804

Re: Matter of Manchanda

Dear Mr. Manchanda:

This letter confirms the telephone notification that your proposed order to show cause was reviewed by Judge Rivera, who declined to sign the order.

With respect to your appeal, the jurisdictional inquiry initiated by letter dated November 27, 2024 is pending before the Court. Responses to the jurisdictional inquiry may be served and filed on or before December 11, 2024.

Very truly yours,

A handwritten signature in black ink, appearing to read "H. Davis", with a long horizontal flourish extending to the right.

Heather Davis

RMM

cc: Hon. Jenny Rivera
Remi E. Shea, Esq.

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SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: FIRST JUDICIAL DEPARTMENT

-----X

In the Matter of Rahul Dev Manchanda,
A disbarred attorney and counselor-at-law:

Attorney Grievance Committee
For the First Department,

M – 2024.03792
2024.03805
C – 2023.05258

Petitioner,

NOTICE OF ENTRY

Rahul Dev Manchanda,
(OCA Atty. Reg. No. 4025714),
Respondent.

-----X

PLEASE TAKE NOTICE that within is a certified copy of an order and decision duly made in this proceeding and duly entered and filed in the office of the Clerk of the Supreme Court of the State of New York, Appellate Division, First Judicial Department, on the 21st day of November 2024.

DATED: New York, New York
November 21, 2024

Respectfully,

Jorge Dopico,
Chief Attorney
Attorney Grievance Committee
Supreme Court, Appellate Division
First Judicial Department
180 Maiden Lane, 17th Floor
New York, NY 10038
(212) 401-0800

Andrea B. Carter

Of Counsel

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Supreme Court of the State of New York
Appellate Division, First Judicial Department

Present – Hon. Dianne T. Renwick,
Peter H. Moulton
Lizbeth González
Tanya R. Kennedy
Saliann Scarpulla,

Presiding Justice,

Justices.

Motion Nos. 2024-03792
2024-03805
Case No. 2023-05258

In the Matter of
RAHUL DEV MANCHANDA
an attorney and counselor-at-law:

ATTORNEY GRIEVANCE COMMITTEE FOR THE
FIRST JUDICIAL DEPARTMENT,
Petitioner,

RAHUL DEV MANCHANDA
(OCA Atty. Reg. No. 4025714),
Respondent.

Disciplinary proceedings instituted by the Attorney Grievance Committee for the First Judicial Department. Respondent, Rahul Dev Manchanda, was admitted to the Bar of the State of New York at a Term of the Appellate Division of the Supreme Court for the Second Judicial Department March 13, 2002.

Jorge Dopico, Chief Attorney,
Attorney Grievance Committee, New York
(Remi E. Shea, of counsel), for petitioner.

Respondent pro se.

Motion Nos. 2024-03792, 2024-03805 - August 26, 2024

In the Matter of Rahul Dev Manchanda, An Attorney

PER CURIAM

Respondent Rahul Dev Manchanda was admitted to the practice of law in the State of New York by the Second Judicial Department on March 13, 2002. At all times relevant to this proceeding, his registered business address on file with the Office of Court Administration was within the First Judicial Department.

Nature of Proceedings

The disciplinary charges stem from the Attorney Grievance Committee's (AGC) sua sponte investigation of respondent after he filed three complaints with the AGC and the Human Rights Council in 2021, each containing racist and anti-Semitic language. In response to the AGC's email asking that he respond to the allegations of misconduct, respondent replied again using racist and anti-Semitic rhetoric. The AGC then undertook a retrospective review of respondent's previous court filings and prior complaints filed with it, which revealed:

“[R]espondent's long-standing history of verbally attacking and disparaging members of the judiciary, the bar, and the public in the context of litigation, in complaints filed with the [AGC] and other agencies . . . and in reviews/complaints filed anonymously [online] Respondent has also disclosed confidential information about clients in response to negative Google reviews and repeatedly filed non-meritorious frivolous, vexatious, or clearly meritless appeals, motions, or other papers.”

Pursuant to its investigations, the AGC served respondent with a petition that included the following charges. In the first charge, the AGC alleged that respondent violated Rules of Professional Conduct (22 NYCRR 1200.0) (RPC) rule 8.4 (d) (a lawyer shall not “engage in conduct that is prejudicial to the administration of justice”) by

repeatedly making unfounded allegations of corruption by members of the judiciary.

This charge arose out of legal documents that respondent prepared and filed in state and federal courts attacking members of the judiciary, using “foul and vile language” to challenge their integrity, specifically:

- a federal civil rights action (later dismissed as frivolous) that respondent filed in the District of Connecticut against, among others, New York, and Connecticut judges (stemming from a custody dispute in which respondent was engaged with his ex-wife), in which he accused the defendants of engaging in criminal and sexually abusive behavior;
- a federal civil rights action that respondent filed in the Southern District of New York against federal immigration officials, during which respondent leveled racist and anti-Semitic attacks against the presiding judge and others); an action that respondent filed in Supreme Court, New York County, in which he launched ad hominem attacks against the New York City Human Resources Administration;
- an action filed *against* respondent in Supreme Court, New York County (stemming from a harassment campaign that respondent allegedly waged), in which the plaintiff was awarded costs on a discovery motion against respondent; respondent made anti-Semitic attacks in his motion in this Court for a stay, then tried to remove the action to the Southern District of New York, where (and in the U.S. Court of Appeals for the Second Circuit on appeal) he again leveled anti-Semitic attacks; and,
- a federal action that respondent filed in the Southern District of New York against a federal bankruptcy judge (also in the Southern District of New York), in which respondent again leveled anti-Semitic attacks.

In the second charge, the AGC alleged that respondent violated RPC rule 8.4 (h) (a lawyer shall not “engage in any other conduct that adversely reflects on the lawyer’s fitness as a lawyer”) by repeatedly making racist, anti-Semitic, homophobic, and misogynistic statements about members of the judiciary and the bar in complaints to the AGC and other agencies. This charge arose out of “offensive language” that respondent used not only to publicly criticize members of the judiciary within the context of litigation but also in complaints filed with the AGC and other agencies, specifically:

- a general complaint that respondent filed with the Commission on Judicial Conduct (CJC) in which he made racist attacks;
- complaints that respondent filed with the AGC against Attorneys A, B, and C, in which he made anti-Semitic attacks;
- a general complaint that respondent filed with the AGC in which he made anti-Semitic attacks;
- a complaint that respondent filed with the CJC against a Justice of this Court, in which he made anti-Semitic and racist attacks;
- a complaint that respondent filed with the Office of the United Nations High Commissioner for Human Rights, in which he made anti-Semitic and racist attacks; and,
- a complaint that respondent filed with the Administrative Office of the U.S. Courts, in which he made anti-Semitic attacks.

The third and fourth charges are related; the AGC alleged that respondent violated RPC rule 1.6(a) (“A lawyer shall not knowingly reveal confidential information . . . or use such information to the disadvantage of a client or for the advantage of the lawyer or a third person . . .”), by knowingly revealing confidential information about his clients in response to negative Google reviews, and RPC rule 8.4 (h) (a lawyer shall not “engage in any other conduct that adversely reflects on the lawyer’s fitness as a lawyer”) by using offensive language in those responses. These charges arose out of:

- homophobic attacks, based on privileged information, launched by respondent against client A.S.;
- racist attacks, based on privileged information, launched by respondent against client E.W.;
- attacks, based on privileged information, launched by respondent against client N.A.; and
- attacks, based on privileged information, launched by respondent against client M.H.A.

In the fifth charge, the AGC alleged that respondent violated RPC rule 8.4 (h) (a lawyer shall not “engage in any other conduct that adversely reflects on the lawyer’s fitness as a lawyer”) by making racist, anti-Semitic, homophobic, and misogynistic statements while holding himself out as a well-trained and extremely experienced lawyer in 20 years in Manhattan, New York City.

The sixth charge is not summarized here because the Referee did not recommend sustaining the charge and the AGC does not seek to disaffirm that recommendation. Accordingly, the allegations and evidence as they pertain to this charge are no longer relevant.

Finally, the seventh and eight charges are related; the AGC alleged that respondent violated RPC rule 3.1 (a) (“A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis in law and fact for doing so that is not frivolous”), by repeatedly filing non-meritorious, frivolous, vexatious, or clearly meritless appeals, motions, or other papers, and RPC rule 8.4 (d) (a lawyer shall not “engage in conduct that is prejudicial to the administration of justice”) through the same conduct. These charges arose out of respondent being “repeatedly warned against filing non-meritorious, frivolous, duplicative, vexatious, meritless appeals, motions, or other papers.” Respondent has been so warned in numerous courts by federal and state judges in the Southern District of New York, Second Circuit, and the First Department.

Relevant Prior Procedural History

It is worth reviewing the long and tortured procedural history of these disciplinary proceedings because it reveals a concerted effort by respondent to thwart and delay the proceedings. After the AGC filed its petition of charges in this case, in October 2023, respondent answered and moved to dismiss the petition. Soon thereafter,

respondent commenced a federal action in the Southern District of New York against an AGC staff attorney and the AGC chief counsel, among others. On November 3, 2023, respondent amended his complaint to name the NYPD and the FBI NYC Field Office as defendants.

On November 13, 2023, respondent's law firm filed for chapter 7 bankruptcy. According to respondent, the bankruptcy proceeding resulted in an automatic stay of the disciplinary proceedings under 11 USC § 362. By letter dated November 15, 2023, the AGC disputed respondent's representation and asserted that no bankruptcy stay was in place. Respondent replied by letter also dated November 15, 2023, contesting the AGC's representations.

On November 21, 2023, respondent separately moved (1) to hold a AGC staff attorney in contempt and, in effect, to sanction the attorney for frivolous conduct. In an order entered December 22, 2023, the U.S. District Court for the Southern District of New York (John P. Cronan, J.) sua sponte (1) dismissed respondent's claims that sought to initiate a criminal prosecution of defendants or others; (2) dismissed respondent's "claims against the United States, including the FBI, on sovereign immunity grounds, other than any claims brought under the Federal Tort Claims Act" (FTCA); (3) ordered respondent to show cause that he had complied with the FTCA's administrative exhaustion requirements, and (4) gave respondent notice of its intent to dismiss various of his claims, and to deny him leave to replead any dismissed claims for futility reasons (*see Manchanda v Reardon*, 2023 WL 8879226, 2023 US Dist LEXIS 229806 [SD NY, Dec. 22, 2023]). In an order entered January 2, 2024, the same court gave respondent further notice of its intent to dismiss his FTCA claims (*see Manchanda v Reardon*, 2024 WL 259776, 2024 US Dist LEXIS 14687 [SD NY, Jan. 2, 2024]). In an order entered

February 1, 2024, the same court, among other things, dismissed respondent's federal claims, declined to exercise supplemental jurisdiction over his state law claims, and denied respondent leave to amend his complaint on futility grounds (*see Manchanda v Reardon*, 2024 WL 382116, 2024 US Dist LEXIS 18025 [SD NY, Feb. 1, 2024]). Respondent appealed the dismissal of his case to the Second Circuit.

On February 23, 2024, respondent tried to file counterclaims against several AGC attorneys and the AGC, for malicious prosecution, abuse of process, computer trespass, conversion of computer data, violation of the federal wiretapping act, and tortious interference with new contracts/business, seeking \$20 million in compensatory and punitive damages on each count.

By email and letter dated February 24, 2024, respondent applied to hold all proceedings before the Referee in this matter at this Court's courthouse. In an unpublished order entered March 1, 2024, this Court referred the application to the Referee. In a ruling dated the same date, the Referee denied the application.

On March 6, 2024, respondent moved to disqualify the Referee, alleging, among other things, bias on the basis of the Referee's religion and sexual orientation, using the same kind of anti-Semitic, homophobic, and misogynistic language that the AGC had accused him of using in its petition of charges.

On March 21, 2024, respondent moved for a stay of this proceeding pending the determination of his appeal to the Second Circuit in his federal case and applied for an interim stay pending the determination of his motion. On March 27, 2024, this Court denied the application. Similarly, in an unpublished order entered April 5, 2024, this Court denied respondent's motion to disqualify the Referee, and restrained and

enjoined him from filing any additional motions or applications in this Court with respect to this disciplinary matter without prior leave of this Court.

Undeterred, on April 18, 2024, respondent attempted to commence a CPLR article 78 proceeding in Supreme Court, New York County, against the Referee and others. On April 30, 2024, the court (Judy H. Kim, J.) declined to sign respondent's proposed order to show cause. On May 8, 2024, respondent moved for a default judgment against the respondents in the proceeding.

In an order entered August 14, 2024, the U.S. Court of Appeals for the Second Circuit dismissed respondent's appeal from the dismissal of his federal case against the AGC, denied his motions for a stay and leave to file a surreply, and ordered him to show cause why a leave-to-file and monetary sanction should not be imposed (*Manchanda v Reardon*, 2024 WL 4196867, 2024 US APP LEXIS 23655 [2d Cir, Aug. 14, 2024]), cert denied ___ US ___ 2024 WL 4743697 [2024].¹ The Court held that respondent's appeal "include[d] numerous anti-Semitic and racist statements, directly against [its prior] warnings" (2024 WL 4196867, *1, , 2024 US APP LEXIS 23655, *3).

Referee's Liability Findings and Sanctions Recommendations

Meanwhile, in an unpublished order entered February 7, 2024, this Court granted AGC's petition of charges to the extent of appointing a Referee, to hear and report on the charges, making such findings of fact and conclusions of law, and recommending such disciplinary sanction, if any, as may be appropriate.² A hearing on

¹ Respondent responded by letter dated August 24, 2024. On or about September 11, 2024, respondent petitioned the Supreme Court of the United States for a writ of certiorari to the Second Circuit to review its August 14, 2024, order.

² By the same order this Court denied respondent's motion to dismiss, his motion to hold an AGC attorney in contempt and to sanction the attorney for frivolous conduct, and his supplemental motion to dismiss.

liability was conducted on April 11, 2024, and May 10, 2024. During the hearing, the AGC called one witness, presented documentary evidence, and cross-examined respondent regarding such documentary evidence. Respondent did not testify on his own behalf at the hearing, nor presented any witness or documentary evidence. The Referee issued a report finding that the AGC had proven all the charges outlined above and that the appropriate sanction should be disbarment. The specific findings are summarized as follows:

First, the Referee found incredible respondent's claim, espoused during cross examination by the AGC, that he either did not author or at least did not remember authoring the questionable language included in the court documents submitted to court on his behalf and in the books he purportedly authored. At the outset of the liability phase of the hearing, the AGC presented respondent with several of the documents annexed to its petition of charges, which the Referee received in evidence, to ask him questions about them. Throughout these lines of questioning, respondent claimed either not to have authored the documents, that he did not remember authoring or filing the documents, that he did not fully read them, or that someone else — his staff, editors of his books, or his ethics attorneys — wrote or filed them on his behalf, despite the documents having his email address, signature, or firm information on them. The Referee found respondent's answers to these questions to be evasive, rambling, incoherent, combative, implausible, and, ultimately, incredible, and concluded that he had, in fact, authored and filed the documents referenced by the AGC.

Second, the Referee rejected respondent's claim that he was being targeted for political reasons. During testimony, which the Referee characterized as rambling and often incoherent, respondent testified about being an informant for the FBI or the CIA

and made attempts to tie some of his current problems to a ruling that a federal judge made years ago relating to Iran's connection to the September 11 attack. However, as the Referee observed, "respondent contended that he could not discuss the details because it was CIA related, but argued that he was being targeted for political reasons." The Referee found that this testimony made absolutely no sense, and respondent offered not a shred of evidence that anyone in the federal or state judiciary was ruling against him because of his political beliefs or his alleged government connections. Even if respondent, at one point, had some government connection, the Referee wrote, it would not allow him to make unfounded, racist, and offensive remarks about multiple judges, attorneys, and court personnel.

Third, the Referee found credible the testimony of an attorney formerly employed by respondent and whom the AGC presented to corroborate the claim that the offensive and unsupported allegations included in the documents submitted were either created or approved by respondent. The former employee testified that "he did not file anything without respondent's approval, and he did not have access to [r]espondent's computer password. He did not use [r]espondent's electronic signature/stamp to sign things for [r]espondent." The Referee found it incredible "that [r]espondent would let [the former employee,] whom [respondent] contended was a problematic employee, file things without his permission and without reviewing them." Ultimately, the Referee rejected "respondent's claim that [his former employee's] testimony was retaliation against respondent or an attempt to cover up his own misconduct, particularly where the AGC had dismissed respondent's complaint against" the former employee, who had found employment elsewhere.

Fourth, the Referee rejected respondent's denial of the objectionable statements he made while holding himself out as a well-trained and extremely experienced lawyer in 20 years in Manhattan, New York City. The Referee found respondent's explanations to be ludicrous and nonsensical.

Fifth, the Referee also rejected respondent's attempt to minimize his objectionable response to the negative internet reviews of respondent. As the Referee noted, when he was asked about client A.S., respondent initially said that he did not recall who this individual was because he talks to a lot of people. After further questioning, however, respondent admitted that he had filed a complaint against A.S. because he thought A.S. was trying to engage in immigration fraud by entering into a "fake" same-sex marriage. The Referee noted that this assertion was impossible to reconcile with respondent's firm sending a retainer to the client. Respondent explained that he thought people were being sent to his office to "entrap" him into filing false asylum claims, which again would be inconsistent with sending A.S. a retainer and asking him to make a legal fee payment.

Finally, the Referee rejected respondent's attempt to shift responsibility to someone else regarding the offensive language and privileged information contained in his written answer to A.S. review. As the Referee noted, respondent claimed that he had search optimization people who he paid to fight online reviews. The Referee found it unbelievable that a hired firm would post such an offensive response to improve respondent's online presence. Furthermore, the Referee found, respondent failed to explain why such a firm would provide details of the representation — something only respondent or his employees would have known. The Referee also noted that respondent gave inconsistent testimony, stating that he consulted ethics attorneys about

what he could write in response, but then backtracked, saying he that would not write such things. In the Referee's view, respondent's "shifting and often incomprehensible testimony" did not convince the Referee that someone else wrote the response; instead, the Referee believed that he wrote the posting as owner of the firm. The Referee also rejected respondent's inconsistent explanations that ethics attorneys had reviewed the response to E.W.'s review but that he did not recall writing the response. Respondent's response to M.H.A.'s review, the Referee wrote, followed the same pattern.

As to the appropriate sanction, the Referee did not find any mitigating circumstance. As to aggravation, the Referee noted that respondent was previously the subject of three separate admonitions: first for using discourteous language in an email to a client; then for threatening to bring charges against a client after the client disputed a fee; and, finally, for pleading guilty to menacing in the third degree (Penal Law § 120.15), a class B misdemeanor. The Referee also considered, in aggravation, the filing injunction that this Court issued against respondent in connection with this disciplinary matter, and "[r]espondent's wasted and frivolous efforts to repeatedly try and get the disciplinary matter moved to federal court" Finally, in aggravation, the Referee noted respondent's contradictory, confusing, and incredible testimony throughout the hearing, his claims of ignorance and persistent efforts to shift blame to others, his unqualified lack of remorse or compassion. In ultimately agreeing with the AGC that disbarment was the appropriate sanction, the Referee, a retired judge, commented that in her many years as a judge, she had never seen an attorney who made the type of outrageous comments that were proven here, and that the record of frivolous filings was overwhelming.

Motion To Disaffirm and Cross-Motion To Confirm

Respondent moves to disaffirm the Referee's report and recommendation. Immediately in his motion, respondent makes the same kind of racist and anti-Semitic claims that he has made throughout this proceeding, argues that he is being unfairly persecuted by the AGC, which is itself being controlled by oppressive minority groups, and insists that such persecution has followed him since his divorce. He makes anti-Semitic, homophobic, misogynistic, and racist attacks against the Referee and the AGC staff attorneys as well. Respondent reiterates that the AGC has done nothing to discipline the other lawyers who worked for him and, he claims, committed misconduct; complains about the way that the AGC has litigated this case; and stresses that there is nothing unethical about pointing out biased, discriminatory, unethical, and illegal conduct. Respondent contends that the AGC did not prove any of the charges against him, and that its proffered evidence proves the decades-long crusade being waged against him. Merely dismissing the charges against him is not enough; respondent demands that this Court fashion a better remedy for the AGC's hysterical campaign against him, including costs, attorney's fees, and sanctions, and a filing injunction against the AGC. In support of his motion, respondent submits, among other things, a redlined copy of the Referee's report, with notes in the margins responding to specific findings.

The AGC cross-moves to confirm the Referee's report and recommendation. In opposition to respondent's motion, the AGC describes it as "nothing more than a continued showcase of respondent's spiteful attacks that should be considered in aggravation. They are inflammatory outbursts, unworthy of any serious consideration."

Discussion

On a motion to affirm a Referee’s report and recommendation, this Court must review the Referee’s report and determine whether the Referee properly found, by a fair preponderance of the evidence, each essential element of the charges (*Matter of Zappin*, 160 AD3d 1, 7 [1st Dept 2018], appeal dismissed 32 NY3d 946 [2018], lv denied 32 NY3d 915 [2019] quoting Rules for Atty Disciplinary Matters [22 NYCRR] § 1240.8 [b] [1]). The Referee’s credibility determinations are afforded great weight, since the Referee was in a superior position to observe the witnesses and their demeanor, and to hear their testimony (*see e.g. Matter of Antzoulatos*, 210 AD3d 31, 37 [2d Dept 2022]). Upon a finding that an attorney has committed professional misconduct, “[t]his Court may impose discipline or take other action that is authorized by law and, in the discretion of the Court, is appropriate to protect the public, maintain the honor and integrity of the profession, or deter others from committing similar misconduct” (22 NYCRR 1240.8 [b] [2]).

Initially, we find that the Referee’s liability findings sustaining the charges are fully supported by the record. As to charges one and two, the AGC established, by a fair preponderance of the evidence, that respondent has, for years, filed both documents containing unacceptably bigoted language in state and federal courts as well as complaints with a panoply of state, federal, and international agencies, thereby establishing respondent’s violation of RPC rules 8.4 (d) and (h), namely, that he engaged in conduct that, respectively, was “prejudicial to the administration of justice” and “adversely reflect[ed] on . . . [his] fitness as a lawyer.” Further, the Referee’s finding that respondent testified incredibly when he denied having authored the relevant documents is well supported by the record.

As to charges three and four, the AGC also established, by a fair preponderance of the evidence, that respondent both used intolerably vile and foul language and divulged privileged information when responding to clients' complaints about him online, thereby establishing his violation of RPC rule 1.6, forbidding lawyers from "knowingly reveal[ing] confidential information . . . or us[ing] such information to the disadvantage of a client or for the advantage of the lawyer," as well as RPC rule 8.4(h). The Referee's rejection, as unbelievable, of respondent's claims not to have authored those responses or to have obtained approval for the language that he used in those responses is amply supported by the record.

As to charge five, the AGC also established, by a fair preponderance of the evidence, that respondent used racist, anti-Semitic, homophobic, and misogynistic statements while holding himself out as a well-trained and extremely experienced lawyer in 20 years in Manhattan, New York City, thereby violating RPC rule 8.4(h). Again, the Referee properly rejected respondent's disingenuous, nonsensical claims that he did not know the statements to be objectionable until the liability hearing.

Finally, as to charges seven and eight, the AGC also established, by a fair preponderance of the evidence, that respondent repeatedly made meritless, frivolous, and vexatious arguments well beyond the point at which he should have known better, thereby establishing his violation of RPC rule 3.1 (a) ("A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis in law and fact for doing so that is not frivolous") and rule 8.4 (d). Respondent's targets for such filings have grown to include this very disciplinary proceeding and collateral attacks that he has launched on it in state and federal courts. He has shown no intention of stopping

or slowing down such filings, even in the face of disbarment by this Court or sanctions in the Second Circuit.

As to the sanction, the Referee's disbarment recommendation is amply supported by the record. Respondent's misconduct is unbecoming of an attorney and counselor-at-law in this State. There does not appear to be any reported case in which the attorney's misconduct similarly rose to the virulence that respondent has demonstrated well before and all throughout this disciplinary proceeding. Words fail to capture the severity and extent of his bigotry. The conduct here is simply shocking and outrageous.

Lawyers are expected, among other things, to "be courteous and civil in all professional dealings with other persons" (NY Rules of Prof Conduct, Standards of Civility [22 NYCRR part 1200, Appendix A] § 1 [Lawyers' Duties To Other Lawyers, Litigants, Witnesses And Certain Others] [I]); to "act in a civil manner regardless of the ill feelings that [they or] their clients may have toward others" (*id.* at [I][A]); to "disagree without being disagreeable" and without "antagonistic or acrimonious behavior," and to "avoid vulgar language, disparaging personal remarks [,] or acrimony toward other counsel, parties or witnesses" (*id.* at [I][B]); not to "engage in conduct intended primarily to harass or humiliate witnesses" (*id.* at [I][C]); not to "use any aspect of the litigation process . . . as a means of harassment" (*id.* at [VI]); and, to "conduct themselves with dignity and refrain from engaging in acts of rudeness and disrespect" (*id.* at [VII]). Respondent's misconduct evinces not only flagrant disregard for these standards of civility, but contempt for and rejection of them.

Accordingly, the AGC's cross-motion to confirm the Referee's report and recommendation should be granted, and respondent disbarred from the practice of law and his name stricken from the roll of attorneys and counselors-at-law in the State of

New York until further order of this Court. Respondent's motion to disaffirm the Referee's report and recommendation should be denied.

All concur.

Wherefore, it is Ordered that the motion by respondent Rahul Dev Manchanda to disaffirm the Referee's report and recommendation is denied, and

It is further Ordered that the cross-motion by the Attorney Grievance Committee for the First Judicial Department for an order pursuant to 22 NYCRR 1240.8(b) and 603.8-a(t) disbaring respondent, Rahul Dev Manchanda, is granted, and respondent is disbarred, and his name stricken from the roll of attorney in the State of New York, effective the date hereof and until further order of this Court, and

It is further Ordered that, pursuant to Judiciary Law § 90, respondent Rahul Dev Manchanda, is commanded to desist and refrain from (1) the practice of law in any form, either as principal or agent, clerk or employee of another, (2) appearing as an attorney or counselor-at-law before any court, Judge, Justice, board, commission or other public authority, (3) giving to another an opinion as to the law or its application or any advice in relation thereto, and (4) holding himself out in any way as an attorney and counselor-at-law; and

It is further Ordered that respondent Rahul Dev Manchanda, shall comply with the rules governing the conduct of disbarred or suspended attorneys (see 22 NYCRR 1240.15), which are made part hereof; and

It is further Ordered that if respondent, Rahul Dev Manchanda, has been issued a secure pass by the Office of Court Administration, it shall be returned forthwith.

Entered: November 21, 2024

A handwritten signature in black ink, appearing to read "Susanna M. Rojas". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Susanna Molina Rojas
Clerk of the Court

December 3, 2024

Heather Davis
Clerk of the Court
State of New York
Court of Appeals
20 Eagle Street
Albany, New York 12207-1095

RE: Matter of Manchanda, APL-2024-00166, Jurisdiction Statement

As per your letter dated November 27, 2024 which we just received yesterday, Jurisdiction lies with the New York State Court of Appeals with an Appeal as a Matter of Right pursuant to CPLR § 5601.

Specifically, per CPLR § 5601(b), an appeal as a matter of right may be based on Constitutional Grounds.

In our case, we allege violations of the United States Constitution 1st, 5th, and 6th Amendments in our Notice of Appeal as well as in our Ex Parte Emergency Order to Show Cause for a Temporary Restraining Order and/or Preliminary Injunction based on immediate and imminent threats to Plaintiff's due process rights to life, liberty, and property, infringement of his free speech and free expression, as well as impinging and obstructing Plaintiff's right to confront his accusers, question the evidence before him, have a competent and unbiased arbitrator or judge affecting his life, liberty and property.

This appeal as a matter of right per CPLR § 5601(b)(1) further applies because it is from an order of the appellate division which finally determines an action where there is directly involved the construction of the constitution of the state or of the United States.

The relevant portions of the New York State Constitution are Article I - Bill Of Rights, Section 8 - Freedom of speech and press, as well as Article I - Bill Of Rights, Section 6 - protection of certain enumerated rights, and even pursuant to CPLR §§ 5601(c) and (d), wherein an appeal may be taken to the court of appeals as of right in an action originating in an administrative agency (Attorney Grievance Committee 1st Dept), from an order of the appellate division granting where the appellant stipulates that, upon affirmance, judgment absolute shall be entered against him, or from a final determination of an administrative agency (Attorney Grievance Committee 1st Dept) or from a final arbitration award (Arbitrator Rosalyn Richter), or from an order of the appellate

division which finally determines an appeal from such a judgment or determination (multiple), where the appellate division has made an order on a prior appeal (multiple) in the action which necessarily affects the judgment, determination or award (Arbitrator Rosalyn Richter).

We hope that the Court finds this material useful.

Respectfully submitted,

Rahul Manchanda (Pro Se)
270 Victory Boulevard
New Rochelle, NY 10804
Tel: (646) 645-0993

To: Via U.S. Mail, Remi Shea, Attorney Grievance Committee 1st
Dept, 180 Maiden Lane, 17th Floor, New York NY 10038, NYC
County Supreme Court Appellate Division 1st Dept, 27 Madison
Avenue, New York NY 10010

STATE OF NEW YORK
COURT OF APPEALS

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RAHUL MANCHANDA,

Plaintiff,

Index No. _____

EX PARTE EMERGENCY ORDER
TO SHOW CAUSE FOR TRO OR
PRELIMINARY INJUNCTION

-against-

ATTORNEY GRIEVANCE COMMITTEE 1ST DEPT,
NEW YORK COUNTY APPELLATE DIVISION 1ST DEPT

Defendants.

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PLEASE TAKE NOTICE that upon the annexed affirmation of Rahul Manchanda dated November 26, 2024 and the exhibits annexed hereto, and upon all the pleadings and prior proceedings heretofore had herein, Plaintiff Rahul Manchanda files before this Honorable New York State Court of Appeals located at 20 Eagle Street, Albany, NY 12207 for an Ex Parte Emergency Temporary Restraining Order or Preliminary Injunction pursuant to CPLR §§ 6311, 6312, 6313, and 6301 *et seq*, and for such other and further relief as this Court may deem just, proper, and equitable.

Dated: New York, New York
November 26, 2024

By: Rahul Manchanda
270 Victory Boulevard
New Rochelle, NY 10804
Tel: (646) 645-0993

STATE OF NEW YORK
COURT OF APPEALS

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RAHUL MANCHANDA,

Plaintiff, AFFIRMATION IN SUPPORT

-against-

Index No. _____

ATTORNEY GRIEVANCE COMMITTEE 1ST DEPT,
NEW YORK COUNTY APPELLATE DIVISION 1ST DEPT,

Defendants.

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Plaintiff, Rahul Manchanda, for his notice of appeal and in support of his Ex Parte Emergency Order to Show Cause for a TRO and/or Preliminary Injunction against defendants, alleges:

1. Pursuant to CPLR §§ 6311, 6312, 6313, and 6301 *et seq*, "a preliminary injunction may be granted in any action where it appears that the defendant threatens or is about to do, or is doing or procuring or suffering to be done, an act in violation of the plaintiff's rights respecting the subject of the action, and tending to render the judgment ineffectual, or in any action where the plaintiff has demanded and would be entitled to a judgment restraining the defendant from the commission or continuance of an act, which, if committed or continued during the pendency of the action, would produce injury to the plaintiff."

2. A temporary restraining order may be granted pending a hearing for a preliminary injunction where it appears that immediate and irreparable injury, loss or damage will result unless the defendant is restrained before the hearing can be had.

3. Plaintiff, at all times relevant hereto, was a lawyer until he was summarily and without reason disbarred on November 21, 2024.

4. Plaintiff, an Indian American lawyer and litigant born and bred in Mt Kisco, Westchester County, New York in 1972, after 20 years starting in 2004 getting battered in the New York City family, criminal, and civil courts, wherein he lost his children and has not seen or spoken to them since November 2017, in violation of a still existing visitation order and schedule, only prevented by activist judges, law clerks, and court administrators, who routinely would lose his motions, not mail to him notices, threaten him with contempt or arrest, and local police officers who actually have arrested him for trying to see his daughter on her 8th birthday and other family court matters wherein Plaintiff was simply and peacefully trying to see his kids, brought a series of protected speech government complaints, civil rights lawsuits, and law enforcement investigation requests, citing bias and discrimination by, what could only be objectively described as

the two most dominant and powerful ethnic groups within the New York City judicial legal system (their names were provided), Jews and Blacks.

5. This was obviously a proverbial legal "bomb" that was dropped on the entire New York City legal community, because it had never been done before.
6. However, as Plaintiff was soon to find out, by doing so, simply requesting for an investigation into the same, he had no idea how the entrenched and comfortable powers that be, who occupy the highest seats of power and influence within the New York City judicial, executive, and legislative branches of government, in both federal, state, and local levels, would uniformly react, stick together, circle the wagons, and then collectively "push back."
7. The Attorney Grievance Committee First Department ("AGC") and the New York County Supreme Court Appellate Division First Department ("Appellate Division") used an extremely incompetent, mentally deficient, elderly, confused retiree named Rosalyn Richter who could not even walk by herself, or write by herself, in order to wade through their thousands of pages of "evidence" which consisted of "discriminatory acts" that they tried to attribute to me over the last 25 years of

a legal career, and 23 years of my own private successful law practice located on Wall Street New York, all in retaliation for my first filing protected government complaints, civil rights lawsuits, and law enforcement investigation requests after 20 years of non-stop judicial, law clerk, and administrative abuse.

8. The documentary evidence was clear that I was being ganged up on and discriminated against by the two most dominant ethnicities in the New York City Judicial/Legal system, Blacks and Jews, who were involved in, empirically, 99% of the negative adverse decisions against the Plaintiff (names were provided).

9. Because I filed these protected speech complaints and requests for investigation, various Black and Jewish members (and billionaire or influential outsiders) of the AGC pushed and prodded Jorge Dopico, Chief Counsel, to go after me and my law license by pulling up, rather desperately, any and all "discriminatory acts" that they could find, aided and abetted by scores of my enemies both public and private, past and present, even though not even ONE of the "exhibits" that they pulled up could be solely attributed to me.

10. It's bad enough that I was retaliated against by government agencies in retaliation for filing legitimate complaints and requests for investigation (whistleblower protections) but the fact that they then used an 80 year old invalid to adjudicate this "evidence" was altogether elder abuse, department of labor violations (New York State and Federal), and other criminal and unethical conduct.
11. Even worse, Rosalyn Richter, this "Appointed Referee," a well known lesbian extremist and sexual deviant was totally biased and conflicted out against me, a well known republican christian conservative Indian American male, because her law firm/NGO Sanctuary For Families had, in the past 20 years, represented no less than 5 of my exes (also named) in litigation against me, for free, in the New York City family courts, civil courts, criminal courts, and supreme courts.
12. The sheer shamelessness of this open, overt, and bald faced audacity to choose this woman to determine if I should be able to continue to practice law or not, while barely able to read her own notes, is nothing short of egregious violations of the United States Constitution 5th Amendment right to due process, the 6th Amendment right to confront ones accusers or question the evidence against you, but also, in the greater picture, even if any one of the "exhibits" or "evidence" that the AGC

submitted to the Appellate Division and Rosalyn Richter COULD be attributable to me, they were still protected free speech pursuant to the 1st Amendment right to freedom of speech and expression.

13. None of the exhibits that they presented contained "fighting words," or "hate crimes," or any other types of limited proscribed speech, and nearly all of their snippets were either advised, counseled, written, posted, or attributable to any one of the hundreds of professionals that have worked for me for the past 25 years - and they were all named - ethics lawyers, per diem lawyers, full time associate attorneys, full time of counsel attorneys, law clerks, paralegals, online search engine optimization advertisers and marketers, professional and amateur book publishers, and tons more.
14. One would be hard pressed, if one were to look with a magnifying glass over the course of anyone's life, where there would be zero incidents of supposedly "discriminatory conduct, comments, or statements," that could somehow be traced back to you.
15. But even worse, and more egregiously, in the trial court/arbitration, we proved with clear and convincing

evidence, posted publicly, the names and professional titles of those individuals who in fact, authored them.

16. This however, was no matter for the AGC or the Appellate Division, or the clinical mental and physical vegetable Referee Rosalyn Richter, who waived away all of our arguments and defenses, and simply decreed that "Plaintiff (myself) was not credible."
17. Since the effect of removing the right of a man to work in his chosen profession after perfecting and honing it for 25 years, at the ripe old age of 52, is tantamount to a death sentence by starvation to himself and his family (including young children), Plaintiff deserves much better than this.
18. Plaintiff, a celebrated and well recognized member of the Bar since 2002, has appeared as a Law Expert on hundreds of television programs, scores of teaching CLE classes, even teaching at John Jay College of Criminal Justice in Manhattan New York.
19. However, an extremist group of left wing, identity politics obsessed, biased, misguided, and angry "insider threats" within the New York City government were able to hijack the entire New York City (Manhattan) court system, its process,

and churn out a singularly unjust, unfair, illegal, and immoral judicial order - that of permanent Disbarment from the practice of law.

20. No suspension, no interim relief, no warnings, not even any language allowing him to re-apply for admission.

21. A simple, draconian, death sentence.

22. And all of this was all done in gross and overt violation of the 1st, 5th, and 6th Amendments to the United States Constitution, the New York State Constitution's correlated provisions, and even recent case law in the last few months reiterating that even Lawyers have first amendment rights, and can not be unfairly and unduly silenced by biased, discriminatory, anti-American, and anti-Constitution infiltrators of the United States government, whether federal, state, or local.

Dated: New York, NY
November 26, 2024

Rahul Manchanda

STATE OF NEW YORK
COURT OF APPEALS

-----x

RAHUL MANCHANDA,

Plaintiff, PROPOSED ORDER

-against-

Index No. _____

ATTORNEY GRIEVANCE COMMITTEE 1ST DEPT,
NEW YORK COUNTY APPELLATE DIVISION 1ST DEPT,

Defendants.

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This case coming on to be heard on Plaintiff's Ex Parte Emergency Order to Show Cause for Temporary Restraining Order and Preliminary Injunction, and the Court being fully advised, finds as follows:

The injury and harm to Plaintiff includes, but is not limited to, the continued and unlawful theft and conversion of his property in violation of state and federal law, to the point where he has been driven into bankruptcy multiple times over the past 20 years, destruction of his law firm business repeatedly, permanent injury to his reputation, finances, and relationship with his children, personal injury including heart attack, clinical anxiety, high blood pressure, and diabetes, said injuries and harm being irreparable, and there being no other adequate remedy at law available to Plaintiff at this time, and furthermore after balancing all equities, they fall in favor of the Plaintiff.

Therefore, a judgment declaring a TRO and a Stay on Disbarment issued and entered by the New York County Appellate Division First Department.

SO ORDERED.

New York State Court of Appeals

Entered: Dated: November ____, 2024

Time: _____

CERTIFICATE OF SERVICE

On November 26, 2024 undersigned did deliver a copy of the attached Ex Parte Emergency Order to Show Cause for a Temporary Restraining Order and Preliminary Injunction against Defendants ATTORNEY GRIEVANCE COMMITTEE 1ST DEPT, NEW YORK COUNTY APPELLATE DIVISION 1ST DEPT, by U.S. Mail.

Rahul Manchanda
270 Victory Boulevard
New Rochelle, NY 10804
Tel: (646) 645-0993

**NEW YORK STATE
COURT OF APPEALS**

Preliminary Appeal Statement

Pursuant to section 500.9 of the Rules of the Court of Appeals

1. CAPTION OF CASE (as the parties should be denominated in the Court of Appeals):

STATE OF NEW YORK COURT OF APPEALS
Rahul Manchanda,

-against-

New York State Attorney Grievance Committee First
Department, New York State Appellate Division First
Department

2. Name of court or tribunal where case originated, including county, if applicable:
New York County Appellate Division 1st Dept

3. Civil index number, criminal indictment number or other number assigned to the matter in the court or tribunal of original instance: 2021.1336

4. Docket number assigned to the matter at the Appellate Division or other intermediate appellate court: 2023-05258

5. Jurisdictional basis for this appeal:

- Leave to appeal granted by the Court of Appeals or a Judge of the Court of Appeals
- Leave to appeal granted by the Appellate Division or a Justice of the Appellate Division
- CPLR 5601(a): dissents on the law at the Appellate Division
- CPLR 5601(b)(1): constitutional ground (Appellate Division order)
- CPLR 5601(b)(2): constitutional ground (judgment of court of original instance)
- CPLR 5601(c): Appellate Division order granting a new trial or hearing, upon stipulation for judgment absolute
- CPLR 5601(d): from a final judgment, order, determination or award, seeking review of a prior nonfinal Appellate Division order
- Other (specify) Appeal As A Matter Of Right, Generally CPLR 5601

6. How this appeal was taken to the Court of Appeals (choose one) (see CPLR 5515[1]):

NOTICE OF APPEAL

Date filed: 11/22/2024

Clerk's office where filed: NYS APPELLATE DIV 1ST

ORDER GRANTING LEAVE TO APPEAL (civil case):

Court that issued order: _____

Date of order: _____

CERTIFICATE OR ORDER GRANTING LEAVE TO APPEAL (criminal case):

Justice or Judge who issued order: _____

Court: _____

Date of order: _____

7. Demonstration of timeliness of appeal in civil case (CPLR 5513, 5514):

Was appellant served by its adversary with a copy of the order, judgment or determination appealed from and notice of its entry? yes no

If yes, date on which appellant was served (if known, or discernable from the papers served): 11/21/2024

If yes, method by which appellant was served: personal delivery
 regular mail
 overnight courier
 other (describe EMAIL)

Did the Appellate Division grant or deny a motion for leave to appeal to this Court in this case? yes no

If yes, fill in the following information:

- a. date appellant served the motion for leave to appeal made at the Appellate Division: _____
- b. date on which appellant was served with the Appellate Division order granting or denying such motion with notice of the order's entry: _____, and
- c. method by which appellant was served with the Appellate Division order granting or denying such motion:
 personal service
 regular mail
 overnight courier
 other (describe _____)

8. Party Information:

Instructions: Fill in the name of each party to the action or proceeding, one name per line. Indicate the status of the party in the court of original instance and the party's status in this Court, if any. Examples of a party's original status include: plaintiff, defendant, petitioner, respondent, claimant, third-party plaintiff, third-party defendant, intervenor. Examples of a party's Court of Appeals status include: appellant, respondent, appellant-respondent, respondent-appellant, intervenor-appellant.

No.	Party Name	Original Status		Court of Appeals Status
1	Rahul Manchanda	Respondent	<input checked="" type="checkbox"/>	Appellant <input checked="" type="checkbox"/>
2	NYS Attorney Grievance Comm 1st Dept	Petitioner	<input checked="" type="checkbox"/>	Respondent <input checked="" type="checkbox"/>
3	NYC County Appellate Div 1st Dept	Intervenor	<input checked="" type="checkbox"/>	Respondent <input checked="" type="checkbox"/>
4				
5				
6				
7				
8				
9				
10				

9. Attorney information:

Instructions: For each party listed above, fill in the name of the one law firm and responsible attorney who will act as counsel of record, if the party is represented. Where a litigant is self-represented, fill in that party's data in section 10 below.

For Party No. 2 above:

Law Firm Name: Attorney Grievance Committee 1st Dept
 Responsible Attorney: Remi Shea
 Street Address: 180 Maiden Lane, 17th Floor
 City: New York State: NY Zip: 10038
 Telephone No: _____ Ext. _____ Email: _____

If appearing Pro Hac Vice, has attorney satisfied requirements of section 500.4 of the Rules of the Court of Appeals? yes no

For Party No. 3 above:

Law Firm Name: Unknown
 Responsible Attorney: Unknown
 Street Address: _____
 City: _____ State: _____ Zip: _____
 Telephone No: _____ Ext. _____ Email: _____

If appearing Pro Hac Vice, has attorney satisfied requirements of section 500.4 of the Rules of the Court of Appeals? yes no

For Party No. ___ above:

Law Firm Name: _____
 Responsible Attorney: _____
 Street Address: _____
 City: _____ State: _____ Zip: _____
 Telephone No: _____ Ext. _____ Email: _____

If appearing Pro Hac Vice, has attorney satisfied requirements of section 500.4 of the Rules of the Court of Appeals? yes no

For Party No. __ above:

Law Firm Name: _____

Responsible Attorney: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone No: _____ Ext. _____ Email: _____

If appearing Pro Hac Vice, has attorney satisfied requirements of section 500.4 of the Rules of the Court of Appeals? ___yes ___no

For Party No. __ above:

Law Firm Name: _____

Responsible Attorney: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone No: _____ Ext. _____ Email: _____

If appearing Pro Hac Vice, has attorney satisfied requirements of section 500.4 of the Rules of the Court of Appeals? ___yes ___no

(Use additional sheets if necessary)

10. Self-Represented Litigant information:

For Party No. 1 above:

Party's Name: Rahul Manchanda

Street Address: 270 Victory Boulevard

City: New Rochelle State: NY Zip: 10804

Telephone No.: (646) 645-0993 Ext. _____ Email: rdm@manchanda-law.com

For Party No. __ above:

Party's Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone No.: _____ Ext. _____ Email: _____

11. Related motions and applications:

Does any party to the appeal have any motions or applications related to this appeal pending in the Court of Appeals? ___yes ✓no

If yes, specify:

a. the party who filed the motion or application: _____

b. the return date of the motion: _____

c. the relief sought: _____

Does any party to the appeal have any motions or applications in this case currently pending in the court from which the appeal is taken? ___yes ✓no

If yes, specify:

- a. the party who filed the motion or application: _____
- b. the return date of the motion: _____
- c. the relief sought: _____

Are there any other pending motions or ongoing proceedings in this case? If yes, please describe briefly the nature and the status of such motions or proceedings: _____

12. Set forth, in point-heading form, issues proposed to be raised on appeal (this is a nonbinding designation, for preliminary issue identification purposes only):
- (1) Violation of Appellant's NYS & US Constitutional Rights in that the lower court used an invalid elderly incompetent arbitrator currently under care of NYS Elder Services as a Referee, (2) evidence demonstrates that Respondent at no time committed any of the acts being attributed to him as he was at all relevant times relying on no less than 5-20 associate/of counsel attorney employees/staff, 1-5 online search engine optimization companies, 5-10 different ethics lawyers, 5-10 per diem lawyers, and 1-5 book publishers/editors who, over the course of Respondent's 25 year legal career & 23 year old law firm ownership occasionally exceeded their authority or acted without Respondent's knowledge/permission. (3) None of the "offenses" are disbarable offenses under NYS & US Constitutions and are protected by the First Amendment to the US Constitution, anyway.

13. Does appellant request that this appeal be considered for resolution pursuant to section 500.11 of the Rules of the Court of Appeals (Alternative Procedure for Selected Appeals)?
- _____yes no

If yes, set forth a concise statement why appellant believes that consideration pursuant to section 500.11 is appropriate (see section 500.11[b]): _____ (Fill in on lines below)

14. Notice to the Attorney General.

Is any party to the appeal asserting that a statute is unconstitutional? _____yes no

If yes, has appellant met the requirement of notice to the Attorney General in section 500.9(b) of the Rules of the Court of Appeals? _____yes _____no

15. **ITEMS REQUIRED TO BE ATTACHED TO EACH COPY OF THIS STATEMENT:**

A. A copy of the filed notice of appeal to the Court of Appeals (with proof of service), a copy of the order granting leave to appeal to the Court of Appeals (civil case), or a copy of the certificate granting leave to appeal to the Court of Appeals (criminal case), whichever is applicable;

B. A copy of the signed order, judgment or determination appealed from to this Court (use document issued by the court, not internet version);

C. A signed copy of any order, judgment or determination which is the subject of the order appealed from, or which is otherwise brought up for review (use document issued by the court, not internet version);

D. Copies of all decisions or opinions relating to the orders set forth in subsections B and C above (use documents issued by the court, not internet versions); and

E. If required, a copy of the notice sent to the Attorney General pursuant to section 500.9(b) of the Rules of the Court of Appeals.

F. If required, a disclosure statement pursuant to section 500.1(f) of the Rules of the Court of Appeals.

Date: _____

Submitted by: _____

(Name of law firm)

(Signature of responsible attorney)

(Typed name of responsible attorney)

Attorneys for appellant _____

(Name of party)

-or-

Date: 11/22/2024

Submitted by: , pro se

(Signature of appellant)

Rahul Manchanda

(Typed/printed name of self-represented appellant)

NOTICE OF APPEAL TO COURT OF APPEALS

STATE OF NEW YORK
COURT OF APPEALS

Rahul Manchanda,
Plaintiff(s),

NOTICE OF APPEAL
Index No. _____

-against-

Attorney Grievance Committee 1st Dept, Appellate Division 1st Dept
Defendant(s).

PLEASE TAKE NOTICE that Rahul Manchanda
(name[s]) hereby appeal(s) to the Court of Appeals of the State of
New York from the order of the NYS Appellate Division 1st Dept,
entered on November 21, 2024, and from each and every part
thereof.

Dated: 11/22/2024

(Signature)



(Print Name) Rahul Manchanda

(Address) 270 Victory Boulevard
New Rochelle NY 10804

(Telephone) (212) 968-8600

TO:

Attorney Grievance Committee 1st Dept
180 Maiden Lane, 17th Floor
New York, NY 10038

(List names and addresses of attorneys
for all parties and of all
nonrepresented parties)

Note: The notice of appeal is filed in the office where the
judgment or order of the court of original instance is entered
(CPLR 5515[1]).

Appellate Division, First Judicial Department
22 NYCRR Section 1240.15

§ 1240.15 Conduct of Disbarred or Suspended Attorneys

- (a) Prohibition Against Practicing Law. Attorneys disbarred or suspended shall comply with Judiciary Law §§478, 479, 484 and 486. After entry of an order of disbarment or suspension, the affected respondent shall not accept any new retainer or engage in any new case or legal matter of any nature as attorney for another. However, during the period between the entry date of the order and its effective date, the respondent may wind up and complete, on behalf of any client, all matters which were pending on the entry date.
- (b) Notification of Clients. Within 10 days of the date of entry of an order of suspension or disbarment, the affected respondent shall notify, by certified mail and, where practical, electronic mail, each client of the respondent, the attorney for each party in any pending matter, the court in any pending matter, and the Office of Court Administration for each action where a retainer statement has been filed pursuant to court rules. The notice shall state that the respondent is unable to act as counsel due to disbarment or suspension. A notice to a respondent's client shall advise the client to obtain new counsel. A notice to counsel for a party in a pending action, or to the Office of Court Administration in connection with an action where a retainer statement has been filed pursuant to court rule, shall include the name and address of the respondent's client. Where counsel has been appointed by a court, notice shall also be provided to the appointing court.
- (c) Duty to Return Property and Files. Within 30 days of the date of entry of the order of suspension or disbarment, the affected respondent shall deliver to all respondent's clients or third parties, or to a successor attorney designated by such clients or third parties, all money and property (including legal files) in the possession of the respondent to which such clients or third parties are entitled.
- (d) Discontinuation of Attorney Advertising. Within 30 days of the date of entry of the order of suspension or disbarment, the affected respondent shall discontinue all public and private notices through advertising, office stationery and signage, email signatures, voicemail messages, social media, and other methods, that assert that the respondent may engage in the practice of law.
- (e) Forfeiture of Secure Pass. Within 30 days of the date of entry of the order of suspension or disbarment, the affected respondent shall surrender to the Office of Court Administration any Attorney Secure Pass issued to him or her.
- (f) Affidavit of Compliance. Within 45 days after the date of service of the order of disbarment or suspension, the affected respondent shall file with the Court, together with proof of service upon the Committee, an affidavit in the form in Appendix B to these Rules showing a current mailing address for the respondent and that the respondent has complied with the order and these Rules.
- (g) Compensation. A respondent who has been disbarred or suspended from the practice of law may not share in any fee for legal services rendered by another attorney during the period of disbarment or suspension but may be compensated on a quantum meruit basis for services rendered prior to the effective date of the disbarment or suspension. On motion of the respondent, with notice to the respondent's client, the amount and manner of compensation shall be determined by the court or agency where the action is pending or, if an action has not been commenced, at a special term of the Supreme Court in the county where the respondent maintained an office. The total amount of the legal fee shall not exceed the amount that the client would have owed if no substitution of counsel had been required.
- (h) Required Records. A respondent who has been disbarred or suspended from the practice of law shall keep and maintain records of the respondent's compliance with this rule so that, upon any subsequent proceeding instituted by or against the respondent, proof of compliance with this rule and with the disbarment or suspension order or with the order accepting resignation will be available.

**SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: FIRST JUDICIAL DEPARTMENT**

**In the Rahul Dev Manchanda,
A disbarred attorney and counselor-at-law:**

**Attorney Grievance Committee
for the First Judicial Department,**

Petitioner,

**Rahul Dev Manchanda,
(OCA Atty. Reg. No. 4025714),**

Respondent.

ORDER AND NOTICE OF ENTRY

**JORGE DOPICO
Chief Attorney
Attorney for Petitioner
ATTORNEY GRIEVANCE COMMITTEE
180 Maiden Lane, 17th Floor
New York, New York 10038
(212) 401-0800**

**Andrea B. Carter
Of Counsel**

**To: Rahul D. Manchanda, Esq.
30 Wall Street, Suite 8207
New York, NY 10005
rdm@manchanda-law.com;info@manchanda-law.com
Respondent, Pro Se
Sent By Email
Priority Mail: 9114 9012 3080 1813 5132 37
*CMRRR: 7005 0390 002 1818 8006***