

EXECUTIVE SUMMARY

Complaint Against Attorney Anthony R. Friedman (Bar No. 65531)

Submitted by: Albert B. Pepper Jr., Pro Se

Case Background

- Representation: *Albert Pepper v. Vladimir Gelfand, M.D., Chesterfield MedCenter, et al.*, Case No. 19SL-CC04680.
 - Jurisdiction: 21st Judicial Circuit, St. Louis County, Missouri.
 - Timeline: February 15, 2019 – June 30, 2023.
 - Respondent withdrew following failed mediation and departed The Simon Law Firm P.C. without adequate notice or protection of client interests.
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Core Allegations

1. Misleading Communications

- Guaranteed trial and high assurances of punitive damages “10–20 times compensatory” despite not having any knowledge at time of statement of \$1,000,000 policy cap.
- Failed to correct Complainants unjustified expectations for over three years.
- Respondent falsely assured Complainant early in litigation that statutory caps could be successfully argued as inapplicable but reversed this position at mediation without prior client consultation.

Rules Violated: 4-1.4, 4-7.1(a), 4-7.1(b), 4-8.4(c), 4-8.4(d).

2. Discovery Failures

- No spoliation letter sent to defense prior to litigation.
- Ignored missing medical records noted in deposition.
- Successor counsel later recovered 81 pages (one-third of file) critical to malpractice claim.
- Failed to competently prepare Complainant and key non-party witnesses for deposition,

- Failed to protect Complainant and key non-party witnesses in deposition by not raising timely, waivable objections to the form of questions, thereby allowing prejudicial testimony to be admitted and permanently preserved against the Complainant.

Rules Violated: 4-1.1, 4-1.3, 4-1.4

3. Expert Witness Mismanagement

- Promised 3–5 sessions; arranged only one phone call.
- Provided incomplete medical file to expert.
- Dismissed expert without seeking second opinion, abandoning causation/damages development.

Rules Violated: 4-1.1, 4-1.3, 4-1.4.

4. Dismissal of Client Input

- Ignored repeated requests for case theory and valuation.
- Failed to interview ex-wife and son despite acknowledging urgency.
- Used a single “case weakness” to pressure settlement, disregarding client’s counterarguments.

Rules Violated: 4-1.1, 4-1.3, 4-1.4, 4-8.4(c).

5. Mediation Misconduct

- No preparation, demand letter, valuation metrics, or lien/expense calculations.
- Admitted handling multiple mediations the same day.
- Failed to clarify mediator’s confidentiality assurance.
- Volunteered statutory caps, undermining Complainants negotiation strategy, in direct contradiction to prior assurances that the caps were inapplicable.
- Disclosed privileged client email to opposing counsel without consent.

Rules Violated: 4-1.1, 4-1.3, 4-1.4, 4-1.6, 4-8.4(c), 4-8.4(d).

6. Improper Withdrawal

1. First notice of withdrawal given mid-mediation.
2. Transferred case to junior associate with no trial experience.

Rules Violated: 4-1.16(d), 4-1.4, 4-1.3, 4-8.4(c).

Conclusion

Respondent's conduct demonstrates a **pattern of negligence, dishonesty, and breach of fiduciary duty**, including:

- Misleading promises and misrepresentation of the law.
- Failure to secure critical evidence,
- Breach of confidentiality, and
- Abandonment of client at a critical juncture.

Requested Action: Formal investigation and appropriate discipline to protect the public and uphold the integrity of the legal profession.

Respectfully submitted,

Albert B. Pepper Jr., Pro Se