

STATE OF VERMONT
PROFESSIONAL RESPONSIBILITY BOARD

In Re: Glenn Robinson, Esq.
PRP File No. 2013- 172

Motion for Order Barring Respondent or His Agents from Contacting Complainant Pamela Binette

For the reasons set out more specifically below, Disciplinary Counsel requests the Hearing Panel to issue an order, pursuant to its authority under Rule 2 C (2), barring Respondent and his agents from contacting or attempting to contact Pamela Binette, the complainant in Counts II and III in this matter, regarding any matter connected with this case without Disciplinary Counsel being present.

1. On July 18, 2017, Ms. Binette contacted Disciplinary Counsel asking for help in preventing Respondent's father, M. Jerome Diamond from attempting to contact her.
2. Disciplinary Counsel, in turn, emailed Respondent's Attorney advising him that :

“Ms. Binette said that Mr. Diamond tried to contact her this past weekend. She told me he tried to talk to her again today. Ms. Binette told Mr. Diamond that she did not want to meet with him or your client. Mr. Diamond suggested that if she would feel more comfortable speaking with a female, he could email here some questions and a “female investigator” from your office could follow up and meet with her.

Ms. Binette does not want to meet with Mr. Diamond, your client or anyone from your office.

I have asked Ms. Binette to contact me immediately if anyone connected with Atty. Robinson tries to contact her. If that happens, I will ask the Board to convene an emergency hearing to get the Board's help in stopping attempts by Atty. Robinson to speak with Ms. Binette.” Exhibit DC-1 (attached)
3. On August 31, 2017, Disciplinary Counsel drove to the home Ms. Binette shares with her parents in Beebe Plain, Vermont to discuss these proceedings, the effect of these proceedings on her health and her testimony in the deposition scheduled for September 12, 2017.
4. In the course of discussing these issues, Ms. Binette complained angrily to Disciplinary Counsel that on August 30, 2017 a “female investigator” , who had ostensibly come to the Binette home to serve a formal Notice of the September 12, 2017 deposition on her, had asked her a series of questions and recorded question and answer on her (the investigator's) cell phone. Ms. Binette said that the investigator, who had a letter from

Attorney McGee, then asked Ms. Binette to swear to the truth of what she (Ms. Binette) had said.

5. On September 1, 2017, Disciplinary Counsel emailed Atty. McGee requesting he email me a copy of the recording of Ms. Binette's August 30, 2017 statement.

Disciplinary Counsel contends that the conduct described in paragraph # 4 is unreasonable and unfair to Ms. Binette because:

- Respondent was notified on July 18, 2017 that Ms. Binette did not want Respondent, or anyone acting on his behalf, to contact her;
- By Respondent's own account, Ms. Binette has "mental health problems" that at times seriously impair her decision-making;
- There was no reason for Respondent to take a recorded statement from Ms. Binette at her home on August 30, 2017 because he had "noticed" her for deposition which was to take place in two weeks (September 12, 2017);

Disciplinary Counsel respectfully asks the Panel to "take up" this matter at the September 13, 2017 pre-hearing conference.

Dated at Burlington, Vermont on September 1, 2017

Robert V. Simpson, Jr.
Disciplinary Counsel

