

No. 20-1249

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In the  
Supreme Court of the United States

♦  
GARY VICTOR DUBIN,

*Petitioner,*

v.

OFFICE OF DISCIPLINARY COUNSEL,

*Respondent.*

♦  
MOTION FOR LEAVE TO FILE AN AMICUS  
BRIEF ON BEHALF OF HUNDREDS OF  
PETITIONER'S CLIENTS HAVING BOTH  
INDEPENDENT STANDING AND ADDITIONAL  
REASONS SUPPORTING GRANTING REVIEW

♦  
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**MOTION FOR LEAVE TO FILE AN AMICUS  
BRIEF ON BEHALF OF HUNDREDS OF  
PETITIONER'S CLIENTS HAVING BOTH  
INDEPENDENT STANDING AND ADDITIONAL  
REASONS SUPPORTING GRANTING REVIEW**

Hundreds of Petitioner's Clients ("Clients"), many named in Exhibit 1 attached to this Motion, too numerous a class to include in the caption of this matter, respectfully move this Court, pursuant to Rule 37.2(a), for leave to file an Amicus Brief which is also attached in support of the Petition for Writ of Certiorari docketed in Case No. 20-1249.

This Motion is timely filed on March 22, 2021 as the Petition was filed on February 25, 2021. Petitioner consents to the filing, but Respondent, receiving timely notice, has not approved.

If this Motion is granted, Clients will bring to the Court's attention the following *additional* matters of great independent urgency beyond what is presented in the Petition, deserving to be high on Your Agenda, more fully described in the attached Amicus Brief:

1. *The Protection Of Petitioner's Clients Requires Granting Appellate Review.* Clients are real parties in interest having separate, independent standing, entitling them to support the Petition, heretofore ignored, unable to defend their constitutional rights, not named as parties, while cavalierly denied formal notice and any participation in the underlying disbarment proceedings, being victims nevertheless, highly prejudiced by the disbarment, having had their cases thereby disrupted and their investment in Petitioner's legal services lost, left foundering.

2. *The Protection Of The Public's Constitutional Rights Requires Granting Appellate Review.* There is strong public interest in having this Court grant review, not only on Client's behalf, but also on behalf of hundreds of thousands of homeowners, similarly situated annually, whose foreclosure defense attorneys continue to be unfairly disbarred nationally, state by state, by an autocratic state attorney disbarment system exactly as described in the Petition in Hawaii, otherwise thus far immune, evading any meaningful appellate, error correction or oversight enforcement of constitutional rights.

3. *The Protection Of Access To Justice For Millions Of Homeowners Requires Granting Appellate Review.* The general public and their families, in even more growing numbers as an aftermath of the current pandemic, continue to face foreclosure and eviction, unable to find representation, denied "Access to Justice," clogging our courts with *pro se* litigants, since such unfair disbarments, presently effectively unreviewable, are discouraging attorneys from representing homeowners especially on a *pro bono* basis as Petitioner had been doing, otherwise risking arbitrary loss of their law licenses, not being allowed any appellate oversight except in this usually non-error-correcting Court, while other professionals such as physicians are allowed full review unequally.

Respectfully submitted,

*/s/ Gary Victor Dubin*

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GARY VICTOR DUBIN

Honolulu, Hawaii *Counsel of Record*  
March 22, 2021 *Attorney for Client Amici*

# **EXHIBIT 1**

CLIENT AMICI

CHRISTIE ADAMS; TORU AKEHI; GWEN ALEJO-HERRING;  
GLORIA ALMENDARES; JERIS YUKIO AMAZAKI; DEBRA  
ANAGARAN; DIRK APAO; MARGARET APAO; JERRY BADUA; JULIA  
BADUA; LIAO LUCY BAMBOO; MIA BAN; ROMAN BAPTISTE;  
CHARLES BASS; LAURA BASS; AGRIPINO PASCUA BONILLA;  
RUTH ROJAS BONILLA; SHERILYN MAY ROJAS BONILLA; KANOA  
ROSS BRISTOL; DONNA BROOKS; DAVID R. BROWN; REYNALDO  
CABUDOL; CHRISTY CARRICO; PHINEAS CASADY; JOYCE  
CHANDLER; WILLIAM CHANDLER; JENNIFER CHAPMAN;  
STEPHEN CHEIKES; MERVIN HALFRED NAEA CHING; LUCIA  
CHING; SUTAH CHIRAYUNON; SEUNG CHOI; BRETT  
CHRISTIENSEN; AH MEI CHUN; HUGH JOHN COFLIN; JANET  
COFLIN; RUSSEL COLE; PAUL COLLINS; WATOSHNA LYNN  
COMPTON; GEORGE COSTA; GREGORY CLYDE SOUZA  
CRAVALHO; TONI NOELANI CRAVALHO; ROGER CUNDALL; ERIC  
LEE DAVIES; WILLIAM DAVIS; VANDETTA DAVIS; YUKIKO  
HAYASHI DAY; PAIGE DE PONTE; FATIMA DUNCAN; CAROLINA

CABUDOL EALA; EDWIN PAET EALA; DAVID WENDELL ELLIS;  
LORI LYNN ELLIS; JANICE ELLISON; SCOTT ELLISON; NELIE  
BANIAGA ESCALANTE; NORBERTO RAMELB ESCALANTE; ELENA  
FEDOROVA; AKIKO FERGERSTROM; JUSTIN FERGERSTROM;  
JOHN J. FREEPARTNER III; LISA MARIE FREEPARTNER;  
MICHAEL J. FUCHS; IRENE SAJOR GANO; ROYD ALLEN GANO;  
EDNA GANTT; PAUL GANTT; LEAH GILLESPIE; ROBERT  
GILLESPIE; ELIZABETH GILLETTE; DAVID GOODWIN; MALIA  
GRACE; ANTONIO GRAFILO; NELIA GRAFILO; HOWARD  
GREENBERG; KENNETH HAGMANN; MICHAEL JON HAMMER;  
DARRYL HASHIDA; SEAN HAYWORTH; NICOLE FLORES HOSAKA;  
TOD HOSAKA; CHRISTIAN JENSEN; DAVID KAPLAN; DONALD  
KARLEEN; BEATA KARPUSIEWICZ; JAROSLAW KARPUSIEWICZ;  
ELEANA KEAHI; YVONNE KEAHI; KEITH KIMI; OTELIAH KIND;  
KORY KLEIN; MARY KNUDSEN; RALPH KNUDSEN; LENORE  
LANNON; ROBERT LANNON; STEPHEN LAUDIG; MALLORY  
ASPILI LONGBOY; SHARI ARAKAWA LONGBOY; FRANK JAMES  
LYON; ERIC MADER; AMY KATHLEEN MAHER; MICHAEL  
CHARLES MAHER; GWEN MARCANTONIO; MARK

MARCANTONIO; ARMAND MARIBOHO; DARLA MARIBOHO;  
MARYELLEN MARKLEY; LAURA MARQUES; WILLIAM  
MCTHEWSON; EMILOU N.A. MIKAMI; RICKEY R. MIKAMI; TROY  
MIZUKAMI; JONNAVEN JO MONALIM; MISTY MARIE MONALIM;  
ROBERT-GAVIN MOORE; TERESA MOORE; THOMAS MORTON;  
TERRY LYNNE OHARA MOSELEY; YVONNE NIELSEN; AILYN  
OUNYOUNG; SAMRIT OUNYOUNG; DAVID L. OWLES; LORI Y.  
OWLES; RAQUEL PACHECO; JOHN PERREIRA; ROSE PERREIRA;  
MICHAEL PIERCE; MARIO PORTILLO; EBONI PRENTICE;  
ROSARIO RAMOS; LURLINE RAPOZA; MERRILYN M.J.L. RAPOZA;  
JOHN RIDDEL, JR.; JEANETTE ROSEHILL; MARCUS ROSEHILL;  
RAY J. RUDDY; MICHELE COLLEEN RUNDGREN; TODD  
RUNDGREN; JO RUSSO; KELLY KALANIKAPULAHA'OLE  
SAMPAIO; RICHARD MILIKONA SAMPAIO, JR.; JOHN SAVAGE;  
RONALD SCHRANZ; JOHN SHIGEMURA; JASON SIEGFRIED;  
MELEANA SMITH; JODY SOLBACH; ELIZABETH SPECTOR;  
DANIEL JOSEPH SPENCE; ELAINE DAMLOA SPENCE; EILEEN  
EVELYN STEPHENSON; CONNIE SWIERSKI; DAVID SWIERSKI;  
BONNIE SWINK; JACK SWINK; EVELYN TAKENAKA; NADINE

TAMAYOSE; REID TAMAYOSE; KARRI TESHIMA; CLOVER THEDE;  
DYLAN THEDE; LANA M. TOLEAFOA; SAUMANI LOPI TOLEAFOA;  
BRUCE ROBERT TRAVIS; ELISE TRAVIS; DARREN TSUCHIYA;  
LANCE TSUCHIYA; MALIA OLIVAS TSUCHIYA; ANTHONY  
TUCKER; GLADYS TUPULUA; HEDY UDARBE; RUSTICO UDARBE;  
VALERIE UYEDA; EDWARD VALLEJO; JON VAN CLEAVE, M.D.;  
PATRICK VERHAGEN; STEPHEN WARD; DONOVAN WEBB;  
VALERIE WOODS; JACK YOUNG; and NANCY PATSY YOUNG,