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20 December 2024

Via E-Mail

Jamed Wilder
Colorado Attorney Regulation Counsel
1300 Broadway
Suite 500
Denver, CO 80203

Regarding: Request for Investigation filed by [redacted] 24UPL59

Mr. Wilder,

I am in receipt of your letter dated October 8, 2024 regarding the above referenced matter. I sincerely appreciate you granting my request for an extension to December 20, 2024. Below is my response to your letter.

License to Practice
I am currently licensed to practice law in Minnesota and my registration number is 0504965.

Colorado Rule of Civil Procedure 205.1

CRCP 205.1 has four prongs to qualifying as a Colorado attorney: A) Licensed and on active status in another jurisdiction, B) Member in good standing of the jurisdiction holding a license, C) No domicile in Colorado, and D) Holding out as practicing Colorado law or soliciting Colorado clients without having an office in Colorado.

At the time of this incident, I was authorized to practice law in Minnesota and in good standing without having a domicile in Colorado, thus satisfying A through C, as I do currently. The dispute is with point D and holding out as practicing Colorado law, that was never the case.

To be clear, I have never solicited Colorado residents or practiced Colorado law. I have also never held myself out as doing so, and any suggestion otherwise would be a baseless reach at best.

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Factual Background

This arises from an event where John Wingo "John" called McCollum Crowley ("McCollum") looking for an attorney to take over six cases that were already filed. John's fight with 3M began with the filing of a Complain in the Minnesota Federal District Court on 20 April 2022. At that time, John was represented by Thomas Dayton Fiebiger and Rolf Fiebiger of Fiebiger Law LLC. As noted in the retainer agreement provided to your office, McCollum's representation did not begin until 27 May 2022. Upon signing the retainer, the case was assigned to attorney Brian Kluk as the lead attorney and Brian filed a Notice of Appearance with the court on 7 June 2022 officially taking over the already filed case from Thomas.

Over the course of a year and a half, [redacted] were reluctant to hand over all information when asked. They would cut recordings down to present a short clip of the recording that would allow statements to be taken out of context and insisted that they tell us what everything means and why we did not need what we were asking for. Since I was the person in the firm who had handled discrimination cases in the past (I was the director of my law school's Employment Discrimination clinic as a student attorney for a year), I was asked to be the point of contact. That same experience is what got their initial call to our switchboard routed to me instead of someone else.

Eventually, McCollum withdrew from representing [redacted] but I do not have details on that because that happened after I left the firm.

Analysis

In the letter submitted by [redacted] claim that I held myself out as practicing Colorado law because of my firm's email signature (a firm I am no longer with) which states "*Regional law firm with attorneys licensed in Minnesota, Wisconsin, Iowa, North Dakota, Colorado, and Arizona.*" Under our signoff and contact information. [redacted] highlights the word "Colorado" within that statement and my title at the time, "Associate Attorney", as an attempt to imply that I am holding myself out as a Colorado attorney soliciting Colorado clients. However, that understanding would contradict basic reading comprehension and interpretation of that statement. The statement clearly refers to the firm itself and not the specific attorney in the signature. Further, this statement appears on all employees' signatures. If it were interpreted the way [redacted] would like it to be interpreted, then every employee of McCollum Crowley across the country would be considered to be "practicing law in Colorado" or even practicing law without a license at all as it relates to support staff. Such a broad interpretation would be a ridiculous and absurd result and therefore, it must be rejected.

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[redacted] then points to my signature on the retainer agreement. At the time of signing, I was an Associate Attorney with McCollum Crowley as authorized by the Minnesota rules and was not practicing law without a license. This was confirmed when the Minnesota Board of Professional Responsibility when [redacted] attempted to file a slew of ethics complaints because her son did not get the outcome they so desperately wanted in a case they severely over valued from the beginning. Thus, at the time of signing, I was authorized to sign on behalf of McCollum Crowley in that matter. Further, the signing of retainers took place in Minnesota.

[redacted] attempts to claim that I signed and filed the Complaints in the district court, yet the file stamped Complaint[1] available through a website maintained by [redacted] (www.3MDiscrimination.com) shows that Brian Kluk is the one who signed and filed the Complaints. Further, her insinuation that an attorney must draft absolutely everything would eliminate the use of paralegals and legal administrative assistants within the practice of law which is again – absurd.

[redacted] then claims that the jurisdiction should have been in Colorado and that *but for* my involvement, it would have been. There are two problems with that. First, McCollum did not file the case initially. [redacted] were represented by Fiebiger Law LLC at the time of the initial filing over a month before McCollum was engaged. Fiebiger Law LLC is the responsible party for filing in Minnesota, not McCollum or anyone at McCollum, myself included. Second, is the issue of Personal Jurisdiction over 3M Company ("3M"). The allegations of discrimination originate from conduct occurring in North Dakota. 3M is incorporated in Delaware and headquartered in Minnesota. Using the established rules of Personal Jurisdiction, this makes it to where [redacted] had three options of filing their lawsuits: 1) North Dakota, 2) Delaware, or 3) Minnesota – none of which are Colorado.

[1] https://3mdiscrimination.com/wp-content/uploads/2023/05/John-Wingo-Amended-Complaint.pdf

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Conclusion

Based on the forgoing, I do not meet the fourth prong of holding myself out as a lawyer in Colorado and thus am not subject to the Colorado Attorney Regulation Counsel's jurisdiction. Additionally, I have not violated any rules of practice in Colorado or any other state as determined by the Minnesota Board of Professional Responsibility.

Finally, I never worked out of the Colorado office holding myself out as an attorney who practices Colorado law. I have also never solicited clients from Colorado. At all times relevant to this case, I was assigned to the Minnesota office as that was the only state I was authorized to practice law in during this case.

I hope this provides you with the information you need to close out this matter. I would encourage you to look at the orders issued in the case[2] as it reveals the pattern of how [redacted] operate to attempt to get their way and fabricate scenarios by taking things grossly out of context to skew a narrative in the direction they want it to go while claiming that everyone is "paid off by 3M" and if it does not go their way, it is just a giant "conspiracy". I hope that at some point, they can get the closure they so desperately need, but I have done nothing wrong.

If you have any further questions, please do not hesitate to contact me via email listed above or by calling my cell at 702.376.1599.

Regards,

AMICUS LAW PC

Wesley J. Cornwell

[2] https://www.pacermonitor.com/case/44272416/Wingo_v_3M_Company (Case Number: 0:22-cv-00994-WMW-JFD)

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