



August 4, 2022

Virginia State Bar
Office of Bar Counsel
1111 East Main, Suite 700
Richmond, VA 23219-0026

VIA ELECTRONIC MAIL: [REDACTED]

Dear Office of Bar Counsel:

The 65 Project is a bipartisan, nonprofit effort to protect democracy from abuse of the legal system by holding accountable lawyers who engage in fraudulent and malicious efforts to overturn legitimate elections.

We write to request that the Office of Bar Counsel investigate the actions taken by William J. Olson relating to a concerted effort to overturn the legitimate 2020 presidential election results. Mr. Olson served as a legal advisor to Donald Trump and pushed Mr. Trump to replace the leadership in the White House Counsel's Office and the Department of Justice. Mr. Olson's objective was for the Justice Department to then file a Bill of Complaint he drafted in the United States Supreme Court. The Complaint sought, on behalf of the United States, for the Court to invalidate the results from six states that Mr. Biden won, thus overturning American democracy. Mr. Olson applied his legal skills and the integrity and influence that carries with his law license to advise Mr. Trump as a member of a conspiracy to commit seditious acts, obstruct governmental proceedings, and defraud the United States.

A full investigation by the Office of Bar Counsel will demonstrate the egregious nature of Mr. Olson's actions, especially when considered in light of his purposes and the direct and possible consequences of his behavior.

BACKGROUND

Donald Trump lost the 2020 presidential election.¹ Anticipating his loss, Mr. Trump and his allies began questioning the election's legitimacy months before even one voter had cast a

¹ See United States National Archives, Electoral College Results – 2020, available at <https://www.archives.gov/electoral-college/2020>.

ballot.² In fact, this fit a pattern of Mr. Trump declaring fraud or a rigged election any time he lost or anticipated a loss.

Joe Biden received over 81 million votes in November 2020, defeating Mr. Trump by over seven million votes and over four percentage points.³ Mr. Trump’s head of the U.S. Cybersecurity and Infrastructure Security Agency, Christopher Krebs, [announced](#) that the “November 3rd election was the most secure in American history. . . . There is no evidence that any voting system deleted or lost votes or changed votes or was in any way compromised.” Mr. Trump [fired him](#). William Barr, Mr. Trump’s own Attorney General, [declared that the Department of Justice](#) has “not seen fraud on a scale that could have effected a different outcome in the election.” Attorney General Barr announced his resignation less than two weeks later, but not before again confirming that the 2020 elections had been free and fair.⁴

Many of Mr. Trump’s own senior advisors agreed with Attorney General Barr and Mr. Krebs.⁵ Indeed, Deputy (and later Acting) Attorney General Jeffrey Rosen and Associate (and later Acting) Deputy Attorney General Richard Donoghue regularly refuted the false information and allegations that Mr. Trump and his allies asserted about a fraudulent election.⁶ Mr. Rosen has testified that on December 15, 2020, at a meeting that included Mark Meadows, White House Chief of Staff, that he and others told Mr. Trump that the information he was receiving from his political allies was not correct.⁷ And Mr. Donoghue has testified to the Select Committee to Investigate the January 6th Attack on the United States Capitol (Select Committee) that on December 27, 2020, he told Mr. Trump “in very clear terms” that after “dozens of investigations, hundreds of interviews” looking at “Georgia, Pennsylvania, Michigan, and Nevada,” the Department of Justice – Mr. Trump’s own Department of Justice – had concluded that “the major allegations are not supported by the evidence developed.”⁸

Despite clear proof that no fraud occurred, and that no one stole the election from him, Mr. Trump and his lawyers sought to overturn the legitimate results by filing 65 baseless lawsuits

² Kevin Liptak, *A List of the Times Trump Has Said He Won’t Accept the Election Results or Leave Office if He Loses*, CNN (Sept. 24, 2020), <https://www.cnn.com/2020/09/24/politics/trump-election-warnings-leaving-office/index.html>.

³ See Federal Election Commission, *Official 2020 Presidential General Election Results*, available at <https://www.fec.gov/resources/cms-content/documents/2020presgeresults.pdf>.

⁴ M. Balsamo, *Disputing Trump, Barr says no widespread election fraud*, Associated Press (Dec. 1, 2020), <https://perma.cc/4U8N-SMB5>.

⁵ See Deposition of Jason Miller (Feb. 3, 2022), available at <https://january6th.house.gov/sites/democrats.january6th.house.gov/files/2022.03.02%20%28ECF%20160%29%20Opposition%20to%20Plaintiff%27s%20Privilege%20Claims%20%28Redacted%29.pdf>; Interview of Jeffrey Rosen (Aug. 7, 2021), United States Senate Committee on the Judiciary, 117th Cong. 30, available at <https://www.judiciary.senate.gov/rosen-transcript-final>.

⁶ See Interview of Jeffrey Rosen *see also* Interview of Richard Donoghue (Oct. 1, 2021), available at <https://january6th.house.gov/sites/democrats.january6th.house.gov/files/2022.03.02%20%28ECF%20160%29%20Opposition%20to%20Plaintiff%27s%20Privilege%20Claims%20%28Redacted%29.pdf>

⁷ Interview of Jeffrey Rosen.

⁸ Interview with Richard Donoghue.

across the country.⁹ None succeeded and, in fact, courts have imposed sanctions on the lawyers who participated in these suits and referred them for sanctions to their respective state bars.¹⁰

But as the Select Committee has revealed, lawyers participated in the effort to overturn the presidential election from behind the scenes, as well. Indeed, these lawyers played an even more malevolent role because they largely orchestrated the effort. Perhaps worst of all, a handful of these attorneys engaged in the endeavor to upend American democracy from inside the government.

Mr. Olson is one such attorney.

FACTS GIVING RISE TO COMPLAINT

The effort to overturn the 2020 presidential election contained multiple strands. One involved litigating the 65 bogus lawsuits. When courts across the country uniformly rejected claims and allegations, many of Mr. Trump’s advisors became more extreme in their efforts.

Two significant undertakings to disrupt the election’s outcome centered on lawsuits filed by several Pennsylvania Republicans and by the State of Texas. The Pennsylvania Republicans, in *Kelly v. Pennsylvania*, sought to have the courts throw out nearly all absentee ballots cast in the 2020 election. The Pennsylvania Supreme Court rejected the effort and the plaintiffs sought to have the United States Supreme Court hear that matter. Additionally, on December 7, 2020, the State of Texas initiated a lawsuit with the United States Supreme Court against Pennsylvania, Georgia, Michigan, and Wisconsin. Texas sought for the Court to enjoin Pennsylvania and the other three defendant states from using the 2020 election results to appoint electors and to instead have the state legislatures choose electors or to have no electors at all. Texas based the request to disenfranchise over 20 million voters on factual and legal assertions that lacked any foundation and that state and lower federal courts had already uniformly rejected. Texas asserted that it – or any state – had the right to pursue these claims before the Supreme Court under its original jurisdiction, even though lower courts had already determined that substantially similar claims lacked merit.

Texas’s own solicitor general at that time refused to allow his name to be added to the matter, likely because of its frivolous nature.¹¹ United States Senator John Cornyn, also a Texas Republican – and former Texas Supreme Court justice – said at the time, “I frankly struggle to understand the legal theory” behind the lawsuit.¹² Republican Senator Ben Sasse called it a “PR

⁹ W. Cummings, J. Garrison & J. Sergent, *By the numbers: President Donald Trump’s failed efforts to overturn the election*, USA Today (Jan. 6, 2021), available at <https://www.usatoday.com/in-depth/news/politics/elections/2021/01/06/trumps-failed-efforts-overturn-election-numbers/4130307001/>.

¹⁰ See, e.g., *King v. Whitmer*, No. 20-13134 (U.S. Dist. Ct. E. Dist. Mich. Aug. 25, 2021), available at https://www.michigan.gov/documents/ag/172_opinion__order_King_733786_7.pdf.

¹¹ See Jim Rutenberg et. al., *77 Days: Trump’s Campaign to Subvert the Election*, N.Y. Times (Jan. 31, 2021), <https://www.nytimes.com/2021/01/31/us/trump-election-lie.html>.

¹² *Cornyn Questions 'Legal Theory' of Texas' Suit to Overturn Other States' Election Results*, CBS Austin (Dec. 10, 2020), <https://cbsaustin.com/news/local/cornyn-questions-legal-theory-of-texas-suit-to-overturn-other-states-election-results>.

stunt rather than a lawsuit.”¹³ Conservative commentators and legal scholars lambasted the filing.¹⁴

The Supreme Court summarily rejected the Pennsylvania Republican case on December 8, 2020¹⁵ and the Texas effort on December 11, 2020.¹⁶

Two weeks later – on Christmas Day – Mr. Olson spoke with Mr. Trump multiple times. During the first conversation, Mr. Trump encouraged Mr. Olson to contact Mr. Rosen to discuss Mr. Olson’s proposal to have the Department of Justice file an original action in the United States Supreme Court “based on *Texas v. Pennsylvania*,” but with the United States of America as the plaintiff. It is worth noting that at the same time, Mr. Rosen was facing pressure from the acting head of the Department of Justice Civil Division, Jeffrey Clark, to use Department resources to compel Georgia and six other states to reverse the votes of their citizens and award their electoral votes to Mr. Trump.

Mr. Rosen did not respond to Mr. Olson’s Christmas Day phone call and Mr. Olson called Mr. Trump to report that fact.

Three days later, Mr. Olson wrote a memorandum to Mr. Trump, marked as privileged and confidential and titled, “Preserving Constitutional Order.” Mr. Olson wrote, in part:

I wanted you to know that on December 26, I received a text from Mr. Rosen that said he had read our article proposing the suit, but only said "I think I understand your points." I responded to him in a text with an offer to help, but heard nothing back.

As I emailed Molly Saturday morning, we began acting on your question about our team revising the complaint filed by Texas into what could be the first draft of a complaint filed by the United States. The lawyers with whom I have been working took on that task, and we now have a draft that could be presented to you to review, and by you to Mr. Rosen to edit, improve and file. (A motion to accompany the complaint is also in the works.)

It is now the morning of December 28, 2020. I am assuming that the Attorney General is attempting to discourage filing such an

¹³ Mairead McArdle, *Sasse Predicts Supreme Court Will Toss ‘PR Stunt’ Texas Election Lawsuit*, Nat’l. Rev. (Dec. 10, 2020), <https://www.nationalreview.com/news/sasse-predicts-supreme-court-will-toss-pr-stunt-texas-election-lawsuit/>.

¹⁴ Emma Platoff, *U.S. Supreme Court Throws Out Texas Lawsuit Contesting 2020 Election Results in Four Battleground States*, Texas Tribune (Dec. 11, 2020), <https://www.texastribune.org/2020/12/11/texas-lawsuit-supreme-court-election-results>.

¹⁵ Order Denying Application for Injunctive Relief, available at <https://www.supremecourt.gov/search.aspx?filename=/docket/docketfiles/html/public/20a98.html>.

¹⁶ Order Denying Motion for Leave to File a Bill of Complaint, available at https://www.supremecourt.gov/orders/courtorders/121120zr_p860.pdf.

action, or is slow-walking his response to you. I believe that Department of Justice will do nothing except continue to run out the clock.

While time to act was short when we spoke on Christmas Day, time is **about to run out**.

In our long conversation earlier this week, I could hear the shameful and dismissive attitude of the lawyer from White House Counsel's office toward you personally – but more importantly toward the Office of the President of the United States itself. This is unacceptable. The feeling I had was that not just was he not offering you any options, but that he was there to make certain you did not consider any. But you do have options.

It is still possible that in response to this lawsuit that the U.S. Supreme Court will come to its senses and issue an Order that would disqualify the designation of electors selected by processes not authorized by state legislatures - indeed, often in defiance of state law. I believe we have a duty to try every judicial mechanism available to obtain relief. However, even if it results in another loss in the Supreme Court, this suit would serve an important function in exposing to the diminishing number of Americans who still have faith in government, the true depth of corruption.

If the Acting Attorney General were to refuse to file suit, and you were required to replace the AG to get it filed, it would create what the press would call a “constitutional crisis,” yet we are already in such a crisis brought on by corruption at the highest levels of government. We have suffered massive election fraud, and state and Federal courts avert their eyes. Election crimes have occurred, and the FBI and the Department of Justice see nothing. We have had a near collapse of the institutions of our government. Constitutionally, the President truly is the chief law enforcement of the United States – not the Attorney General whose position is not mentioned in the Constitution.

If the Supreme Court were then to refuse to act on this case, the deep corruption of that institution again would be laid bare for all to see – confirming what the People learned when the Texas case was dismissed. Thus, filing the case is a "win-win" with the overwhelming number of Americans who just voted for you. As you said, all you have is the People and the votes.

You have a duty to prevent this electoral fraud on the American People. The fact you were a candidate in the race may complicate

the matter, but your duty is to ensure the election was not stolen exists nevertheless. It is no understatement to say that the very existence of our Constitutional Republic is slipping away – that which was entrusted to our generation by the Founders and each succeeding generation – unless you act, and act promptly. In short form, respectfully, here is what must be done.

1. The Office of White House Counsel has failed the Office of the President. That office can be expected to not just to [sic] fail to offer solutions, but also to refuse to follow your orders, and even interpose roadblocks. Therefore, I urge you recruit and appoint Kurt Olsen [REDACTED] a lawyer in Washington, D.C., in whatever capacity may seem appropriate. Kurt formerly worked at Kirkland & Ellis, including working with Mr. Rosen when they were both at that firm, so he would be taken seriously. Kurt is a former Navy Seal, who has volunteered and worked tirelessly for weeks developing the papers for the suit brought by Texas. Also, this is a person who simply cannot be intimidated. You need a lawyer literally on your side who is principled, schooled in the constitution, brilliant, tough, and committed to both you and the Constitution. Then, Kurt can bring in a few other capable and principled lawyers to help you.

2. I do not believe you can do what is required to be done from Florida. And, it would send a message about your commitment to the task, to leave Mar-a-Lago to take charge at the White House. I urge you to return as soon as it can be arranged.

3. Order the Acting AG to file suit on behalf of the United States by 5 pm tomorrow, Tuesday, December 29. If he does not commit to exactly doing that, either replace him with a Senate-confirmed *DOI* official who will (there are several such persons), either allowing Mr. Rosen to return to being Deputy AG, or to leave *DOI*. This step will likely bring on a thousand stories making an analogy [sic] to "Saturday Night Massacre" in 1973 when President Nixon ordered AG Elliot Richardson to fire Archibald Cox as a special counsel investigating Watergate.

4. Task your new White House Counsel with identifying how the powers of the Presidency can be used to ensure that the People receive a fair election count, if that can be done. Through use of sampling from lists of registered voters it should not take long to accomplish this, but it requires the use of the powers given to your office. Our little band of lawyers is working on a memorandum that explains exactly what you can do. The media will call this martial law, but it that is "fake news" – a concept with which you

are well familiar.

5. Communicate to the People that you may have been one of the candidates in the election, but that you are acting as President of the United States to preserve the election process. This is not just within your power, it is your solemn duty. Joseph Story explained that the oath that you took was designed to be: "a suitable pledge of his fidelity and responsibility to his country; and creates upon his conscience a **deep sense of duty**, by an appeal, at once in **the presence of God and man**, to the most sacred and solemn sanctions which can operate upon the human mind."¹⁷

To summarize, Mr. Olson – a private attorney – drafted a Bill of Complaint on behalf of the United States to file against seven sovereign states, and encouraged the President to fire and replace multiple legal advisors until someone would carry out the plan for the Department of Justice to file Mr. Olson’s proposed draft.

Mr. Olson sought to cajole Mr. Trump into acting by accusing the Acting Attorney General of “slow-walking,” suggesting that a lawyer from the White House Counsel’s Office demonstrated a “shameful and dismissive attitude” toward Mr. Trump, stating that filing the complaint provided an opportunity for the United States Supreme Court to “come to its senses,” and telling Mr. Trump that he had a “duty to prevent this electoral fraud on the American People.”

Even as he wrote the letter, Mr. Olson acknowledged that it would provoke a “constitutional crisis,” a fact he justified by claiming, without basis, that such a crisis already existed because of “corruption at the highest levels of government. We have suffered massive election fraud, and state and Federal courts avert their eyes. Election crimes have occurred, and the FBI and Department of Justice see nothing.” He further egged on Mr. Trump, “If the Supreme Court were then to refuse to act on this case, the deep corruption of that institution would be laid bare for all to see – confirming what the People learned when the Texas case was dismissed.”

The Bill of Complaint that Mr. Olson helped draft contained multiple false statements of fact and law. For example, the Complaint stated:

The rampant lawlessness arising out of Defendant States’ unconstitutional acts is described in a number of currently pending lawsuits in Defendant States or in public view including:

- Dozens of witnesses testifying under oath about: the physical blocking and kicking out of Republican poll challengers; thousands of the same ballots run multiple times through tabulators; mysterious late night dumps of

¹⁷ Letter from William Olson to The President, Dec. 28, 2020, available at <https://int.nyt.com/data/documenttools/olson-memo-trump-election/e59dca011b5db8c5/full.pdf> (emphasis in original).

thousands of ballots at tabulation centers; illegally backdating thousands of ballots; signature verification procedures ignored;

- Videos of: poll workers erupting in cheers as poll challengers are removed from vote counting centers; poll watchers being blocked from entering vote counting centers—despite even having a court order to enter; suitcases full of ballots being pulled out from underneath tables after poll watchers were told to leave.
- Facts for which no independently verified reasonable explanation yet exists: On October 1, 2020, in Pennsylvania a laptop and several USB drives, used to program Pennsylvania’s Dominion voting machines, were mysteriously stolen from a warehouse in Philadelphia. The laptop and the USB drives were the only items taken, and potentially could be used to alter vote tallies; In Michigan, which also employed the same Dominion voting system, on November 4, 2020, Michigan election officials have admitted that a purported “glitch” caused 6,000 votes for President Trump to be wrongly switched to Democrat Candidate Biden. A flash drive containing tens of thousands of votes was left unattended in the Milwaukee tabulations center in the early morning hours of Nov. 4, 2020, without anyone aware it was not in a proper chain of custody.¹⁸

These claims had been asserted and reasserted by the Trump campaign many times, even after the allegations were shown to be false. Further, it was not accurate to claim that they were part of pending lawsuits.

Additionally, the Complaint contained false statements regarding the statistical likelihood that Mr. Biden would win – claims that state bar associations and the New York Court of Appeals have cited as a basis for seeking and imposing discipline on those assertions who made them. The Complaint repeats:

The probability of former Vice President Biden winning the popular vote in four of the Defendant States—Georgia, Michigan, Pennsylvania, and Wisconsin—independently given President Trump’s early lead in those States as of 3 a.m. on November 4, 2020, is less than one in a quadrillion, or 1 in 1,000,000,000,000,000. For former Vice President Biden to win these four States collectively, the odds of that event happening decrease to less than one in a quadrillion to the fourth power (i.e., 1 in 1,000,000,000,000,0004).¹⁹

Further, Mr. Olson’s draft sought to have all votes cast in the seven proposed defendant states thrown out. As the Complaint said, “Voters who cast lawful ballots cannot have their votes diminished by states that administered their 2020 presidential elections in a manner where it is

¹⁸ The full Bill of Complaint can be found at *Subverting Justice: How the Former President and His Allies Pressured DOJ to Overturn the 2020 Election*, Senate Committee on the Judiciary at 201-256, available at <https://www.judiciary.senate.gov/imo/media/doc/Interim%20Staff%20Report%20FINAL.pdf>.

¹⁹ *Id.* (at Bill of Complaint ¶ 11.)

impossible to distinguish a lawful ballot from an unlawful ballot.” Of course, Mr. Olson sought to have tens of millions of legal votes invalidated based on unsupported factual allegations and a theory of constitutional law and remedies that lacks any basis in law.

Finally, as Mr. Rosen repeatedly affirmed to each person pressuring him to file the Complaint, the United States had no authority to bring the suit.

Mr. Olson, therefore, was correct in his assumption that Mr. Rosen was serving as an obstacle to the Department of Justice filing this matter on behalf of the United States. That is because Mr. Rosen possessed the integrity to prevent such blatant abuse of the Department.

Mr. Rosen stands in sharp contrast to Mr. Olson, who sought to harness the power and authority of the Justice Department to seek to overturn the 2020 presidential election based on bogus and fraudulent claims that continue to harm our nation.

**A SUBSTANTIAL BASIS EXISTS FOR THE OFFICE OF BAR COUNSEL TO
INVESTIGATE MR. OLSON’S CONDUCT AND TO IMPOSE
APPROPRIATE DISCIPLINE**

The Office of Disciplinary Counsel should investigate on the following bases:

1. Mr. Olson used tactics to burden other persons.

Rule 4.4(a) (Respect for Rights of Third Persons) provides that, “In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or knowingly use methods of obtaining evidence that violate the legal rights of such a person.”

Mr. Olson marked his letter to Mr. Trump as privileged and confidential, manifesting his belief that an attorney-client relationship existed with Mr. Trump. On behalf of Mr. Trump, he sought to pressure Mr. Rosen and the White House Counsel’s Office to pursue his client’s interests.

Furthermore, as Mr. Olson made clear in that letter, it would succeed only if the Supreme Court “came to its senses.” That unlikely wish seemed even less remote a possibility since the Court had blocked two very similar Complaints less than three weeks earlier. Thus, it appears that Mr. Olson’s true motivation for pursuing the effort was to

serve an important function in exposing to the diminishing number of Americans who still have faith in government, the true depth of corruption.... If the Supreme Court were then to refuse to act on this case, the deep corruption of that institution again would be laid bare for all to see – confirming what the People learned when the Texas case was dismissed. Thus, filing the case is a "win-win" with the overwhelming number of Americans who just voted for you.

Additionally, Mr. Olson’s tactics of speaking ill of Mr. Rosen, Mr. Donoghue, and the White House Counsel’s Office – and in encouraging Mr. Trump to fire them – sought to embarrass and burden those individuals who disagreed with Mr. Olson’s approach.

Moreover, Mr. Olson pursued a Complaint that would invalidate the votes of tens of millions of citizens. The Third Circuit Court of Appeals addressed the notion of throwing out the valid votes of millions of Pennsylvanians by stating:

Granting relief would harm millions of Pennsylvania voters too. The Campaign would have us set aside 1.5 million ballots without even alleging fraud. As the deadline to certify votes has already passed, granting relief would disenfranchise those voters or sidestep the expressed will of the people. Tossing out those ballots could disrupt every down-ballot race as well. There is no allegation of fraud (let alone proof) to justify harming those millions of voters as well as other candidates.²⁰

Mr. Olson’s effort went further than the plaintiffs in the Pennsylvania case. He drafted a Complaint that, if not stopped by Mr. Rosen and Mr. Donoghue, would have led to a constitutional crisis and possibly the disenfranchisement of tens of millions of voters. He sought to harm those individuals without any basis and his effort burdened nothing less than American democracy.

2. Mr. Olson Engaged in Misconduct that Violates Rule 8.4

Rule 8.4 (Misconduct) provides that it constitutes professional misconduct to:

- (a) Violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- ...
- (c) Engage in conduct involving dishonesty, fraud, deceit, or misrepresentation which reflects adversely on the lawyer’s fitness to practice law...

Rule 3.1 provides that an attorney “shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis for doing so that is not frivolous, which includes a good faith argument for an extension, modification or reversal of existing law.”

Mr. Olson violated Rule 8.4(a) by attempting to file a Bill of Complaint with the United States Supreme Court that asserted knowingly false claims about the 2020 presidential election and that lacked any legal basis. He also knew, based on the Court’s own recent rejections of similar efforts – and Mr. Rosen’s analysis – that the United States did not have standing to bring such a suit against six states.

²⁰ *Donald J. Trump for President, Inc.*, 830 F. App'x at 390.

In addition, Mr. Olson lacked any basis for asserting that the 2020 presidential election resulted in a fraudulent outcome. Courts across the country had rejected the claims he wrote in his draft of the Complaint. In fact, the Justice Department found no such concerns and the Department's leadership – including the Attorney General – had publicly stated no fraud occurred.

That Mr. Rosen's and Mr. Donoghue's integrity prevented the Complaint from being filed does not save Mr. Olson from having violated Rule 8.4. Under subsection (a), a lawyer engages in misconduct by violating or *attempting* to violate the Rules or by assisting another in doing so. By drafting the Complaint and pressing the matter at the Department of Justice, Mr. Olson attempted to violate the Rules of Professional Conduct.

Finally, the entire enterprise that Mr. Olson participated in involved dishonesty, fraud, deceit, and misrepresentation. Further, this ethical standard applies to conduct that occurs outside of a tribunal.

The potential consequence of Mr. Olson's attempted interference with the administration of justice cannot be overstated. His proposed Complaint would, in his own words, spark a "constitutional crisis." His conduct warrants the severest of discipline.

That a member of our esteemed profession would engage in such actions – conduct that contributed to substantial harm to American democracy – should cause considerable distress within the entire legal community.

False statements intended to foment a loss of confidence in our elections and resulting loss of confidence in government generally damage the proper functioning of free society. When those false statements are made by an attorney, it also erodes the public's confidence in the integrity of attorneys admitted to our bar and damages the profession's role as a crucial source of reliable information.²¹

Mr. Olson abused his place of trust and played a significant role in the effort to overturn the 2020 election results.

²¹ *In the Matter of Rudolph W. Giuliani*, Supreme Court of the State of New York Appellate Division, First Judicial Dept., May 3, 2021, available at [https://www.nycourts.gov/courts/ad1/calendar/List_Word/2021/06_Jun/24/PDF/Matter%20of%20Giuliani%20\(2021-00506\)%20PC.pdf](https://www.nycourts.gov/courts/ad1/calendar/List_Word/2021/06_Jun/24/PDF/Matter%20of%20Giuliani%20(2021-00506)%20PC.pdf).

For the reasons set forth above, The 65 Project respectfully requests that the Office of Bar Counsel investigate Mr. Olson's conduct and impose appropriate discipline. And, because he has demonstrated a willingness – perhaps even eagerness – to engage in the same problematic behaviors and to defend his conduct, we ask that you treat this matter with urgency.

Sincerely,

A handwritten signature in cursive script that reads "Michael Teter".

Michael Teter
Managing Director, The 65 Project

