

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
700 Stewart Street, Suite 2310  
Seattle, WA 98101  
(206) 370-8400

ANDREW U. D. STRAW,	)	
<i>Plaintiff,</i>	)	Case No.: 20-cv-294-JLR
	)	<u>Hon.</u> James L. Robart
v.	)	Judge Presiding
	)	Hon.
AVVO, INC.,	)	<u>Magistrate Judge</u>
<i>Defendant.</i>	)	Jury Trial Demanded

**AMENDED COMPLAINT**

I, *plaintiff* Andrew U. D. Straw, acknowledging the dismissal of my operative complaint and grateful for the leave to amend, take this opportunity and provide this amendment to my complaint, specifically addressing points in the ORDER at Dkt. 44:

**DKT. 44 ORDER ISSUES, ADDRESSED**

**DEFAMATION & RATING.**

1. Given the established law mentioned by the Court that Avvo’s ratings system is not capable of causing defamation damage due to the First Amendment, I acknowledge that argument, but the 9<sup>th</sup> Circuit has not, so I wish to preserve this defamation claim on appeal.
2. As a civil rights figure, many people say hateful things to me, and I understand their right to do so, but I must say that doing this to

someone after forcibly taking my personality to generate a profile that earns Avvo money raises questions about the propriety. You can't just do anything under the First Amendment. Forcing me to have a profile and claim it to have some minor control over what appears there and then dragging me through the mud while calling this a "directory" should not be protected by this or any court.

### **DEFAMATION & VSB STATUS.**

3. Regarding damages based on the false statement that my Virginia law license was in **disabled status**, I claim damages *per se* as the Court said, and as the facts may allow on discovery. I claim that Avvo had every opportunity to check the VSB record for me, which has not been in disabled status since **2015**. (Ex. 5).
4. Knowing the civil rights violence imposed on me by my former employer (**21.5x** the suspension that even Indiana's Bar Counsel **recommended**), Avvo had obligations to listen to me and not place false statements of that level of importance on my profile.
5. 4 years of falsely stating to the public that my Virginia license was in disabled status shows through the length of time alone that **actual malice** was present. This is billed to be the largest lawyer

directory of American lawyers. They cannot be so glaringly negligent without it being purposeful, especially since Avvo was quite diligent to quickly post my Indiana suspension in 2017.

6. In any event, the existence of **malice is a question of fact** and disputes about the facts belong before a jury or at least the Court sitting for a bench trial on motion for summary judgment, which has not happened yet.
7. My evidence shows that there was **actual malice** more likely than not simply because of the context. Avvo claims on its website that it consults with state bars to place that bar status on its profiles and it had 4 years to do so truthfully in my case. Waiting that terribly long in combination with using the bar status to inform its ratings (resulting in a low rating for me) shows **actual malice**, regardless of whether the rating is protected by itself. When Avvo says that it checks with the state bars, it can't just wait for 3 years (2016-2019), leaving a lesser, non-practicing status from 2015 on a profile of an active in good standing attorney. This can only be called **reckless behavior** that cares not one jot what the truth or false status is when a directory of this size is placing false bar status

information on its profile for me for **4 years**. Given Avvo has a practice and policy of checking these profiles, it must be held to the standard of reporting this accurately.

8. 4 years of placing false bar status on my profile is simply extreme.

1 or 2 months, maybe I could see it, but not 4 years, not when it is **automated**. It reminds me very much of the way my former

employer has exploded a **60-day** Disciplinary Commission suspension recommendation based on **no discipline** imposed in 4 federal lawsuits to **1,292 days of suspension** as of today without any precedent justifying it and **1,112 days** of it has been “discretionary.”

<http://www.state.in.us/judiciary/files/order-discipline-2017-98S00-1601-DI-12.pdf> (Indiana ORDER).

9. I do not concede that there was no actual malice. My having demanded that the malicious actions cease and that the false information be removed **and their removing it** after my threats does not paint a smile on the earlier demonstrated actual malice.

10. At worst, the update after I caught Avvo proves they **admit** their wrongdoing. Such an admission does not clear what they did to my license and reputation, but it is strong evidence of their bad

intent earlier, *only adjusted once caught*. Their having obeyed my 2019 command to them about my status does not excuse what they did for about 4 years.

11. This is like saying an auditor's demand to stop stealing company funds changes the nature of earlier embezzlement for 4 years. *It does not*. Avvo knew for 4 years what my license status was because they are in *the business of knowing* and reporting that information for millions of attorneys, and this must be acknowledged. Bar status is part of their website, built in, and they routinely check bar status with state authorities, such as what they did with Indiana. Avvo must be held to a high standard that they set for themselves by claiming to cover almost the entire profession of law, assuming duties not to place false bar status on profiles. Falling below that standard for literally *years* for one disabled attorney proves actual malice. It certainly does not prove neutrality or goodwill to do that to me. They knew or should have known that the VSB status for me was wrong for literally years on my profile and at some point in that 4 years, it shifted from what could plausibly be called a mistake (if only done for a short time) to

being **actual malice and falsehood** from the reckless acts (disregarding truth and falsehood) against me due to the long length of time of the false statement on my profile for the world to see.

12. It is their business to put bar status on profiles, not mine. I did not place that there. It was done automatically and outside my control.

13. **Elements:** 1) Avvo in stating falsehoods about my license in Virginia deprived me of the confidence of the public; 2) obviously, it injured me in my business and I explained this at length, though it is obvious (no client hires an attorney who cannot practice!); 3) the statement on my profile was defamatory *per se* as defined by the Court, and was; 4) made with actual malice, as explained above. My factual and legal statements above and throughout support each element.

#### **TORTIOUS INTERFERENCE.**

14. I have had an active Virginia law license from 2016-2020 and this is a directory that many of my prospective Virginia clients would check. That is the purpose of a lawyer directory and why

Avvo makes money. It is meant to connect attorneys and clients, with advertisements.

15. The reckless way that I was shown as not having any active law license in Virginia for from 2016-2019 would make the pool of clients dry up to zero instantly and taint me forever, not to mention any employer in Virginia who may wish to hire me.
16. The third parties are not “everyone on the planet,” or “amorphous,” but **disabled people who live in Virginia** who look for a disability rights attorney. This is a definable and circumscribed group. Given my background, [www.andrewstraw.com](http://www.andrewstraw.com), it is perfectly reasonable that this is my principal clientele.
17. Most people check Google when doing a background check on something as important as a prospective attorney. When I Googled “Andrew Straw disability lawyer,” Avvo’s profile of me is the **third result**, immediately below **my CV**.
18. I cannot escape Avvo and they need to treat me right.
19. My business expectancy is to provide the services I am lawfully able to provide as a lawyer, but for the interference and false information Avvo placed on my profile, and which bounced

around the Internet (Google) for any Virginia disabled person to see.

20. No one hires a lawyer who does not have an active license, period. Unauthorized practice of law is a crime in Virginia. Virginia Code § 54.1-3904 states that, “Any person who practices law without being authorized or licensed shall be guilty of a Class 1 misdemeanor.”

21. **Elements:** 1) the contractual relationship is between me and a potential disabled client in Virginia (any and all of them as a group); 2) defendant Avvo knows of this relationship because it is the whole purpose of their business to display attorney profiles so potential clients can see them and listing bar status is part of that business; 3) the intentional interference was to inform any potential disabled Virginia clients that I did not have any active in good standing law license in Virginia for 3 years (2016-2019) such that my practice of law would violate Virginia Code § 54.1-3904 and make me a criminal; 4) it is improper to use a lawyer directory to say false and damaging things to the public about a disabled lawyer that reaches the jurisdiction where they practice and falsely telling



potential clients that the attorney's shop is closed, essentially; 5) it is a matter for a jury to determine the damages of telling clients an attorney is disabled and implying he cannot practice law (with a low rating based on this falsehood) for 3 years (2016-2019), but I have claimed a specific amount in my count.

### **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS.**

22. It is worth noting that false communications over the Internet to deprive someone of money are not immune from criminal law, such as wire fraud. 18 U.S.C. § 1343:

<https://www.justice.gov/archives/jm/criminal-resource-manual-941-18-usc-1343-elements-wire-fraud>

23. The Court mentioned how IIED is proven.

24. **Elements:** 1) outrageous and extreme conduct, which I claim doing injury to my law practice to deprive me of income with false statements over the Internet meets this standard. It is outrageous to make me into a federal crime victim. See also:

<http://crime.andrewstraw.com>

25. I have been such a victim from the crimes of others my entire life, from *in utero* to present. I have an eggshell skull as a result; I

have brain damage from the U.S. Military. *Straw v. Wilkie*, 20-2090 (Fed. Cir.)

26. Avvo does not get to destroy my ability to obtain clients and money income using its ubiquitous directory of attorneys and false statements about my bar status on my Avvo profile for years. I am in *poverty* over this.

27. 2) My disabilities have been well known since I was featured by the ABA in 2014 as an “asset to the profession.” [https://www.americanbar.org/groups/diversity/disabilityrights/initiatives/awards/spotlight/straw\\_a/](https://www.americanbar.org/groups/diversity/disabilityrights/initiatives/awards/spotlight/straw_a/)

28. Avvo also knew, as proven from its publishing my bar status as “disabled,” that *I am disabled* and having bipolar publicly known shows Avvo knew *I have an eggshell skull type of brain damage that affects the emotions and memory*, and that they should be careful rather than reckless. They chose falsehood and recklessness, even actual malice.

29. 3) I have stated many times how emotionally traumatized I was by having no business despite my active law license, very expensive, and being forced into poverty and relying on \$1,188 per

month SSDI after spending tens of thousand of dollars and years of my life preparing to be a lawyer. My mother even died my final year of law school from her Camp LeJeune breast cancer.

30. Avvo damaged me emotionally and they knew they were doing it. If Avvo wants a medical report on damages/trauma, I am ready to submit to that. My bipolar, however, has already been adjudicated many times as part of disability cases, state and federal. I allege Avvo hurt me in conspiracy with my former employer, but we are not to discovery yet. Their actions are, however, consistent with how my former employer acted.

31. The Indiana Supreme Court ADA coordinator reached outside of her office to injure me with emails to opposing counsel and offering her uninvestigated disciplinary attacks to make me lose in Indiana state and federal courts. It is a dirty business. I believe that there has been communication between my former employer and Avvo since this is the *modus operandi* I demonstrated Indiana uses. It sneaks around to interfere and make sure that it wins, well below the dignity of the court itself. I want that information about communications and Avvo is now on notice that I want it.

**ADA TITLES II & V: 42 U.S.C. §§ 12132, 12133, 12203**

32. This is all about retaliation. I make it easier to understand by putting my rebuttal to the Indiana Supreme Court discipline into a URL and an alternative view of each case in another URL. I will post them again here: <http://InReStraw.andrewstraw.com>  
<http://aba.andrewstraw.com> <http://kloecker.andrewstraw.com>  
<http://sconiers.andrewstraw.com>  
<http://rutherford.andrewstraw.com> I made another URL to explain the due process violations. <http://dueprocess.andrewstraw.com>
33. I incorporate them all by reference, including all other URLs to which I link.
34. The Indiana Supreme Court picked up the word frivolous from 3 federal ADA cases (in one of which, I was trying to sue my former employer, that Court, for getting involved in my trial cases surreptitiously using its heinous ADA coordinator, who was communicating with opposing counsel). But the Indiana Supreme Court also punished me for losing an ADA case against the ABA that was NOT called frivolous by the federal judge. *Straw v. ABA*, 1:14-cv-5194 (N.D. Ill. 2015). In fact, the ABA dropped me from its

membership because of the Indiana suspension, partly based on my 2014 case against the ABA (*very circular*), and then the ABA settled with me in my second ABA case. *Straw v. ABA*, 18-1795 (7<sup>th</sup> Cir. 2018). This paid for my ticket to the Philippines in 2018.

35. In every single case, the Indiana Supreme Court **ADA coordinator** retaliated against my 2014 ADA complaints by attacking ADA federal cases that were not yet decided by the federal judges and remarkably, **my own disabilities**. There is no more powerful example than this of violating 42 U.S.C. § 12203 & 28 C.F.R. § 35.134.

36. I proved I am right, then the Indiana Supreme Court colludes with a handful (3) of Midwest federal judges to ridicule me *without any sanction*, and then the Indiana Supreme Court takes *the ridicule alone* without sanction and puffs it up to indefinite suspension, like I am worse than ANY CRIMINAL.  
<http://curtishill.andrewstraw.com>

37. I know this is worse because the ABA says in [Rule 10](#) that the maximum suspension for misconduct is **3 years**, but I am up to 3.5 years and my ~25 pleadings have been ignored for 3.0+ years. Even

the Clerk of the U.S. Supreme Court is resisting taking my filings, making legal arguments for the Indiana Supreme Court, so I sued him. *Straw v. Harris, et. al.*, 20-5188 (D.C. Cir.). Why would I sue him? Because the U.S. Supreme Court is the only court in a position to stop what Indiana is doing, but it won't. I keep asking in various manifestations, but I cannot get certiorari to save my life. This capricious failure to protect me was not possible in 1924 and all of my appeals would have been heard and decided. It was an extremely Republican and elitist Republican government that legislatively removed the right to appeal to the U.S. Supreme Court, with Chief Justice of the United States Taft announcing that courts of appeals would become little supreme courts with very rare exceptions and it is this way. [Judges Act of 1925](#).

38. This is the *Lochner* Court that gave FDR and the New Deal such a hard time with outdated and conservative policies and prompted FDR to plan to [pack the Supreme Court of the United States](#). The legacy of that 1925 Act is that I do not have a federal court to protect my rights against Indiana and I have to go around, as here, fighting fires and collaborators because I have no rights at

the U.S. Supreme Court. I only have privileges if they deign to hear me.

39. This is not what the Founders wanted and in 1924, I would have been heard.

40. I provide in the above links the citations needed to show that I filed a non-frivolous ADA lawsuit against the ABA, my former employer (Indiana Supreme Court) **retaliated against it with discipline**, and Avvo dutifully posted the discipline on its website and left it there for 3 years. *Straw v. Indiana Supreme Court, et. al.*, 1:16-cv-3483-SEB (S.D. Ind. 2017) (**Dkts. 1-11 & 1-13**, my ADA complaint and the **ADA coordinator retaliatory discipline** complaint).

41. It is worth noting that I had an **OPEN** federal lawsuit to stop the Indiana Supreme Court discipline/discrimination but Indiana suspended me anyway with the federal case still open. The Indiana **ORDER** provided not one citation to precedent and the Disciplinary Commission Bar Counsel told me in discovery that this was the first instance of a lawyer being disciplined like this.

42. The Court said that reinstating me was totally a matter of “discretion.” So, I have **1,112 discretionary suspension days** from my former employer, attacking my ADA work after someone broke both my legs and my pelvis driving to *that Court* to work!

43. The Court can view my x-rays.  
<http://disability.andrewstraw.com>

44. Multiple federal courts in 2020 have acknowledged that I am ADA-eligible. One such was *Straw v. North Carolina*, 7:18-cv-74 (E.D.N.C. 2020) (Dkt. 92). My disabilities and eligibility to use the ADA are *res judicata*. The disabilities themselves are permanent and that is why I am eligible for SSDI.

45. This situation is extraordinary in every way. The Southern District of Indiana Chief Judge, Hon. Magnus-Stinson, hurriedly dismissed my case in a flourish of dishonesty because she was in the process of [hiring](#) the Indiana hearing officer (Hon. James R. Ahler) to be a [federal judge](#), along with the 7<sup>th</sup> Circuit where he was my appellee.

[http://www.ca7.uscourts.gov/news/positions/2017\\_appt\\_Judge\\_Ahl](http://www.ca7.uscourts.gov/news/positions/2017_appt_Judge_Ahl)



[er.pdf](#) *Straw v. Indiana Supreme Court, et. al. (Ahler)*, 17-1338 (7<sup>th</sup> Cir. 7/6/2017).

46. Indiana Bar Counsel said in response to discovery that it ***admitted*** “it has never before specifically made losses in several disability-related federal lawsuits the subject of a Verified Disciplinary complaint. (#23)”
47. Also, Indiana Bar Counsel ***admitted*** that, “\* \* \* the Verified Complaint was filed while Andrew Straw still had a federal disability discrimination lawsuit pending in the Southern District of Indiana against the Indiana Supreme Court. (#38)”
48. Indiana Bar Counsel also ***admitted*** that, “\* \* \* Andrew Straw did not receive any sanctions in any of the cases covered by the 4 counts. (#41)”
49. Indiana Bar Counsel ***admitted*** that, “\* \* \* it does not know whether the judges in all 4 cases unanimously agree that Andrew Straw should be disciplined for misconduct as a result of his having filed those cases \* \* \* (#43)”
50. Indiana Bar Counsel ***admitted*** that, “\* \* \* it has never investigated for 16 months or more and then brought a Verified

Complaint against a woman lawyer or a minority lawyer specifically for pursuing lawsuits based primarily on gender or race civil rights, respectively, and then losing with a court's insult of "frivolous" (#52)"

51. Indiana Bar Counsel *admitted* that, "it has asked Andrew Straw to consider surrendering his license and putting it into a disabled status as an alternative to discipline. (#58)"

52. **Exhibit 6** provides the Indiana Bar Counsel's admissions.

53. To be clear, my choices in Indiana were a permanent suspension for being disabled, *Straw v. Indiana*, 20-1332 (4<sup>th</sup> Cir. 2020), or what appears to be a permanent suspension on accusations I am incompetent and *discretionary suspension* that has lasted over 3 years beyond the imposed sanction.

54. The total suspension thus far (and counting) is **21.5x** what the Disciplinary Commission suggested and this was done by my former employer. In other words, *there is a relationship here*, however bad. **Exhibit 7** shows the **"brief suspension"** recommendation of the Indiana hearing officer at the end. **Exhibit 8** is the recommendation of the Indiana Bar Counsel showing **60**

**days of suspension was suggested** (NOT 1,292 days of suspension with lifting the suspension “discretionary.”).

55. Bar Counsel exhibited its hostility in every way it could, but could not invent that any sanction had occurred to justify longer than 60 days. It admitted as such to me. **Ex. 6**

56. It also wanted me to self-immolate, but my refusals were justified by the VSB ORDER 100%. **Exhibit 9** is a true and correct copy of my VSB ORDER, so it is permanent part of the record in this case.

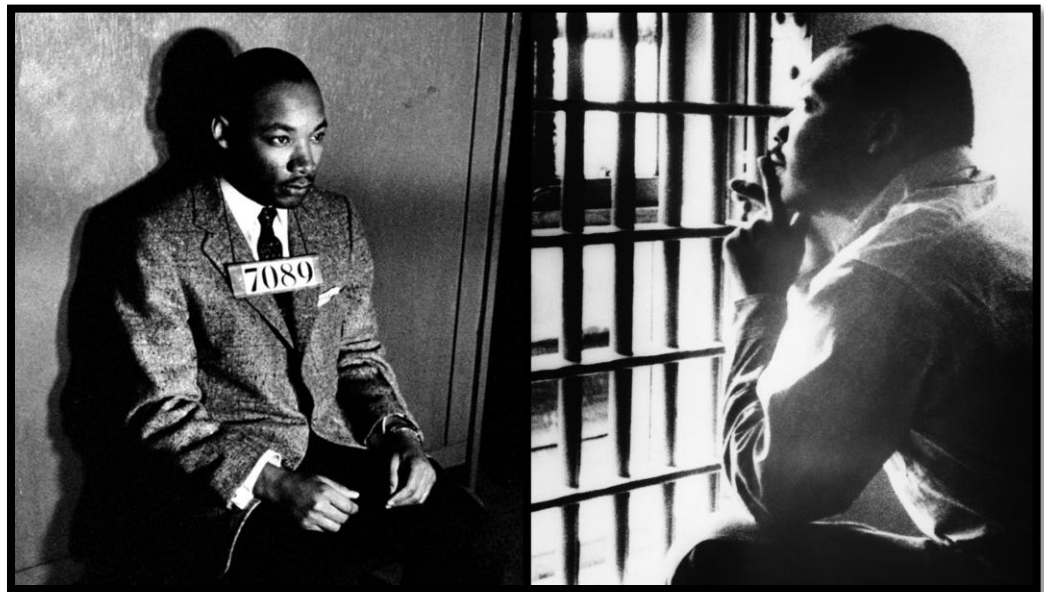
57. You don’t impose increased discipline for opposing discipline of this kind, that is retaliatory and not based on justice. I feel confident that the egregious omissions of my being a former employee of that Indiana court and physically disabled while driving there to work will cause this Court serious concern, like it did VSB. This is a hatchet job (VSB says “drive-by shooting”), very political in nature, and should be rejected by everyone.

58. It should be a precedent for punishing a state supreme court that is, as I will always say, *off the rails*, but the biggest powers

have shown no interest in protecting me. That is on their conscience and I wish them all the dreams that go with it.

59. One thing I cannot stand is when someone violates me and says they are sorry many years later after they learned the error of their ways. Don't tell me you're sorry. Give what is right today.

60. I am a civil rights leader, oppressed now, and what is happening to me is no different than this photo. The humiliation intent is exactly the same. I used my First Amendment right to petition like him and to complain about civil rights violations against me, like him, and I was promptly punished, like him.



61.

62. <https://www.theatlantic.com/magazine/archive/2018/02/letter-from-a-birmingham-jail/552461/>

63. I am not a criminal or even a quasi-criminal, but criminals are treated better than me, a civil rights leader!

64. When Avvo collaborated in promulgating the Indiana discipline with my former employer while falsely showing I was not admitted in good standing in Virginia, it became subject to the anti-retaliation provisions of the ADA.

65. **Elements:** 1) I showed definitively that I was involved in massive amounts of **protected activity** under the ADA, namely using that law in federal court over the objections of my former employer, who was a proposed defendant in one of the cases (*Sconiers*).

66. 2) The **adverse action** of my former employer was to make me unemployable, ruining my law career with its defamatory suspension and driving me into poverty, which they were successful in doing with the collaboration of entities outside of Indiana, such as Avvo. Collaboration in civil rights violence is not allowed and this is quite explicit in the rules and regulations of the ADA, Title II. The DOJ technical assistance manual is even clearer:

II-3.11000 Retaliation or coercion. Individuals who exercise their rights under the ADA, or assist others in exercising their

rights, are **protected from retaliation**. The prohibition against retaliation or coercion **applies broadly** to **any individual or entity** that seeks to prevent an individual from exercising his or her rights or to **retaliate against him** or her for having exercised those rights. **Any form of retaliation or coercion, including threats, intimidation, or interference, is prohibited** if it interferes with the **exercise of rights** under the Act.

67. 3) the causal link is the discipline, which my unreliable and discriminating former employer generated and perpetuates as discrimination indefinitely **by discretion** and Avvo picked that up in 2017 and left it on my profile, knowing it would injure me and displaying that knowledge by **reducing its rating** for me.

68. Avvo knows precisely how damaging that was because it used a mathematical model to carefully calculate how damaging and placed it right there on my profile. So convenient for the Court.

69. My question is how does Avvo act with such diligence when placing Indiana's attack in 2017 on my Indiana license, but it took 4 years to update my Virginia license to reflect my being in Active in Good Standing status from 2016-2019? The last time I was in disabled status was 2015.

70. Avvo is a willing partner here for my former employer, and has used its profile for me to **accentuate the negative and hide the positive.**
71. All elements of an ADA retaliation claim are present here. Avvo as a lawyer directory must know, also, that clients are not the only people who can see this website. I have applied for many jobs over the years and was called among the top candidates even for very senior positions, but never got a call back or an interview. See pages 3-4 of [www.andrewstraw.com](http://www.andrewstraw.com).
72. Indiana's suspension is a major part of it, and Avvo is going along and making it worse by posting it on my profile.
73. Just saying it is true that I was suspended is no defense.
74. If someone is wrongly convicted of a heinous crime and remains in jail with no means to challenge it, there is an obligation not to make it worse by injuring the person's reputation simply because they were "convicted." Being punished does not prove anything. [Solzhenitsyn](#). [Nelson Mandela](#). [Aung San Suu Kyi](#). Martin Luther King, Jr. was also jailed for his civil rights work. So was [Gandhi](#). They used to call criticism of the government and jail

for it the crime of sedition. Sedition is still alive and I have proved it.

75. While I am nowhere near as accomplished as these legends of humanity, I still feel that kinship as I fight for disability rights and am opposed by the powerful, including Avvo and my former employer, two peas in a pod.

76. Every powerful institution seems to think that its power alone makes it infallible, but in my experience, **power invites fallibility and error** because there are sinful and evil influences on the powerful and privileged. These include pride inflated to megalomania, and with this a very poor ability to listen to other people, especially the less fortunate. I am less fortunate. Poisoned at birth and brain damaged. Worked my ass off for decades to finally reach law school and my mother dies from the same poisoning. Then, I am fortunate enough to be chosen to work for the Indiana Supreme Court (1 out of about 500 applicants), but a reckless driver breaks both my legs and my pelvis on the way there to work. When my brain damage came out in the bar exam application, I was quickly fired.



77. Is it better to have opportunity dangled in front of you after much suffering and deprivation, or better to have none at all? It does seem like the scheme of the torture to have a taste of water and then desert for decades.
78. Avvo cannot spread the original conviction/suspension and cause more injury. Lawyer discipline is a *quasi-criminal* matter and this should inform every count. *In re Ruffalo*, [390 U.S. 544, 551](#) (1968).
79. The VSB ORDER at **Exhibit 9** shows that this is a very disputed discipline. VSB rightly ridiculed Indiana's use of its ADA coordinator to attack my disability rights work and my disabilities, including from the car accident on the way to the Indiana Supreme Court to work.
80. I got an *in-absentia* hearing in Indiana and a 3-judge panel that swore it was unconflicted in Virginia. Both come to opposite conclusions using the same "clear and convincing" evidence standard.

81. The Indiana Supreme Court retaliated against my complaint in 2014 and is my former employer, where I was an *Indiana attorney* when I left employment there.

82. This is why I need this Court to make the declaratory judgment. VSB has evaluated this and found Indiana to be woefully wrong in violating its former employee, disabled from working there and attacked by the **ADA coordinator**.

83. This demonstrates on a preponderance that Virginia was right and not Indiana. That's enough for the declaration. The standard here is a preponderance in this civil lawsuit.

### **EXHIBITS & BACKGROUND**

84. There are 10 exhibits (Exhibit 1 – Exhibit 9, plus Exhibit 3.1) attached to this COMPLAINT. All are true and correct copies as best I could duplicate them with my technology I have on penalty of perjury.

85. **Exhibit 1** is the Avvo profile for me as it appeared on the Internet on 9/28/2019 when I printed it to PDF. The relevant information appears on **pages 7, 11, 12, 13**. Some pages did not

print correctly, for some reason, but the relevant information appears.

86. Avvo has admitted that it did maintain my Virginia State Bar license in “disability status” from some point in the past through 2019, when Avvo switched my VSB license to “active in good standing” on my repeated demands. Given the fact that my license was in a “disabled” status until 2015 (**Ex. 5**), it is more likely than not that the false information about my Virginia license was present on my profile from 2015 to 2019, *four years*. From 2015-2016, it was inactive in good standing.

87. **Exhibit 2** consists of several screen shots I took on my cellular phone. The first page is my VSB profile on May 2, 2019, showing my active law license status at that time. Pages 2-4 show my Avvo profile at that time. The Avvo profile showed that my VSB license was in **disabled status** (page 3). It also shows Indiana suspended me in 2017.

88. The URL for my Avvo profile shows its current contents.

<https://www.avvo.com/attorneys/20005-dc-andrew-straw-1901411.html>

89. Please note that Avvo listed me as **3.1/10**, at the level of Caution. Now, without any reason given and during the course of this lawsuit, my score has gone up to **4.0/10**, the minimum level to take it out of the red **“Caution”** zone and into the blue **“Concern”** zone. This appears to be an admission from Avvo that it was abusing me with its ratings system. It also appears to alter evidence relevant to this case.

90. Note that the ratings do not distinguish between Indiana and Virginia, even though I was not punished in Virginia and the VSB ridiculed my former employer, calling this discipline a “drive-by shooting.” (VSB exoneration ORDER, **Ex. 9**: <https://www.vsb.org/docs/Straw-062217.pdf>)

91. **Exhibit 4** shows the mocking email, suggesting that I am a top Avvo rated lawyer. This just verifies the wickedness of Avvo and its partners. Laughing at a guy when he is down is awful.

92. **Exhibit 5** shows my actual membership record with the Virginia State Bar from **1999 to 2020**. During that entire period, I did not have a suspension or in fact any punishment for misconduct with the exception of a summary suspension for 21 days while VSB

determined whether I should receive reciprocal discipline based on the Indiana discipline in 2017.

93. VSB, after a full evidentiary hearing by a 3-judge panel and considering the situation with my former employer and my allegations of this discipline being ADA retaliation (and having evidence that it was), VSB said that I proved by *clear and convincing evidence* that I would not be disciplined in Virginia for the exact same actions because my cases were **not totally frivolous**.

94. I am an asylum seeker, living in poverty in the Philippines because American courts have consistently and viciously attacked me, denying me the protections of disability law and the state and federal constitutions. **Exhibits 3 and 3.1** are my CPA letters from the Philippines DOJ recognizing my asylum seeker status and calling me a “Person of Concern” to be assisted by Philippines government agencies.

95. I am weak. I am disabled both physically and mentally. I am financially destitute, living on SSDI and paying my home health aide out of this. I am outcast.

96. Courts have acted to deny me justice for my poisoning by the U.S. Marine Corps and the death of my mother from the same cause. The military hid my poisoning for decades and never informed me or my mother or father, and the United States was rewarded for this *treachery* by refusing justice using the N.C. statute of repose to deny us all. *Straw v. United States*, 16-17573-GG (11<sup>th</sup> Cir. 5/22/2019) (certiorari **DENIED** 6/1/2020); *Straw v. N.C.*, 20-1295 (4<sup>th</sup> Cir. 2020).

97. The MDL would not allow me the use of the disability exception in that state law or apply new U.S. Supreme Court precedent handed down during the middle of the case that the FTCA's time limits may be tolled. *United States v. Kwai Fun Wong*, [13-1074](#).

98. Justice simply failed in every way for me and my family. Federal courts have conspired together with my former employer to discriminate against me and retaliate when I file lawsuits and use the word [frivolous as a weapon](#).

99. Both my legs and my pelvis were crushed as I drove to the Indiana Supreme Court to work, and the hostility from those

ungrateful justices has dogged me for 19 years.

<http://disability.andrewstraw.com> I can't even use the ADA without them calling me incompetent and nitpicking me when they do not know my level of pain and suffering and **never will**.

100. They punish me like I am a criminal, but let their friends off with virtually nothing when *they are* criminals.

<http://curtishill.andrewstraw.com>

101. U.S. courts have denied health coverage for my poisoning. *Straw v. Wilkie*, 20-2090 (Fed. Cir.).

102. And when one judge who is wrong makes a decision, all the others gang up to deny me in a multitude of different cases, and God forbid I ever win an appeal in a higher hornet's nest. I used to be a very high level officer of the Indiana Supreme Court and I know how such high level justices think.

103. They conspire against each other over such titles as chief judge or chief justice. You cannot just be outside this system once you have been inside. You must become a **hated pariah** who has no rights, even more so someone like me who is an irritating gadfly and proud to provide the service.

104. This is why the Indiana Attorney Disciplinary Commission recommended **60 days** of suspension for me, but as of today, I have suffered through **1,292 days**. (**Ex. 7 & Ex. 8**). While a criminal groper of 4 women (including a state legislator), Indiana Attorney General Curtis T. Hill, received only **4%** of the Disciplinary Commission recommendation for [his criminal acts](#), I have received **2,150%** of the suspension recommendation for doing civil rights work and complaining about the decades of discrimination by my former employer.

105. Why, you may ask? Not for incompetence, because there is no precedent for this. This is revenge, proven and documented, for my ADA complaints about my former employer in 2014 and anyone who participates in it in any way needs to be punished. It is part of why I reported Curtis Hill. [Indianapolis Star](#). [Goshen News](#).

106. The Indiana Bar Counsel admitted to me in discovery that no such case has ever been imposed on anyone in Indiana and I am the first, lucky me. **Ex. 6** You can see that NO PRECEDENT was applied and there was no guidance for the Indiana Supreme Court, only raw power imposed. Such raw power under [Article 7, Section](#)



[4, of the Indiana Constitution](#) that they say they can deny me as long as their **discretion** dictates. And no federal court would reach the merits and defend me, after all the sacrifices I have made.

107. Strange, you may say, but perhaps not when a court goes off the rails and nobody except the Virginia State Bar was willing to say the **Indiana emperors are wearing no clothes**. “Drive-by shooting.”

108. Read the ORDER (*In Re Straw*, [68 N.E.3d 1070](#) (Ind. 2/14/2017) and you will see that no precedent was applied. The recommendations of the Disciplinary Commission and hearing officer were ignored, and I was hit with a hammer when no discipline was justified at all.

109. No federal court would review this, including the U.S. Supreme Court on direct appeal. *Straw v. Indiana Supreme Court*, docket [16-1346](#).

110. So, this is why I am seeking asylum under International Law. I have no rights in the USA. While I sometimes fool myself that I have rights, I in fact do not have rights and I know from judicial admissions that judges often just pick winners and make excuses

that look like opinions. ([Hon. Richard Posner](#)) **Example:** *Straw v. Indiana*, 18-2878 (7<sup>th</sup> Cir. 2018) (**Dkt. 17**).

111. I have listed my cases and complaints at the following website: <http://all.andrewstraw.com>

112. I have called for reform. <http://reform.andrewstraw.com>

113. My persistence in demanding my rights is regularly attacked and called frivolous when it is *not frivolous*. I have complained to the Administrative Office of U.S. Courts on this subject.

114. [https://www.uscourts.gov/sites/default/files/andrew\\_u.\\_d.\\_straw\\_public\\_comment\\_proposed\\_changes\\_code\\_rules\\_0.pdf](https://www.uscourts.gov/sites/default/files/andrew_u._d._straw_public_comment_proposed_changes_code_rules_0.pdf)

115. Law Professor Ruth Colker has written on the subject of judges calling disability rights frivolous when they are not, and how race is treated more favorably than disability. *The Power of Insults*. On page 38 of her article, she explains this and I agree with her analysis.

<https://www.law.berkeley.edu/wp-content/uploads/2019/01/Paper-Colker.pdf>

116. **Exhibit 6** is the answers to my discovery request to the Bar Counsel of the Indiana Attorney Disciplinary Commission and is a true and correct copy of the same.

117. **Exhibit 7** is a true and correct copy of the Indiana hearing officer's report, with his "**brief suspension**" recommendation.

118. **Exhibit 8** is a true and correct copy of the Indiana Bar Counsel recommendation, including a "**60-day suspension.**"

119. **Exhibit 9** is a true and correct copy of my **VSB ORDER** from 2017.

#### **ADDITIONAL FACTS RE: AVVO & DISCIPLINE**

120. Avvo maintained a web profile of me on its directory of all lawyers. It placed false information that made me look terrible and like I was not able to practice law anywhere. **Exhibit 2.**

121. I printed my Avvo profile as its existed on 9/28/2019, to a PDF and this PDF is included as **Exhibit 1 (pp. 7, 12, & 13)**. This is the URL that takes you to the Avvo profile (which I printed) about me and about which my case here was filed:

<https://www.avvo.com/attorneys/20005-dc-andrew-straw-1901411.html>

122. Please note that the **3.1 score out of 10** was present on this website and has risen to **4.0**. This is still a very low score and reflects extremely badly about me and my ability to practice law.

123. Very few potential clients would hire someone with such a low score.

124. The reason for this score is my Indiana discipline. *In Re Straw*, 68 N.E.3d 1070 (Ind. 2/14/2017). I have explained the illegitimacy of this discipline at the following websites, which I hereby incorporate:

125. <http://discipline.andrewstraw.com>

126. <http://dueprocess.andrewstraw.com>

127. <http://curtishill.andrewstraw.com>

128. Avvo made such a big statement about the explosion of false Indiana discipline at the top of my profile, right next to my picture and in red, but would not even post the link to the Virginia State Bar ORDER calling that Indiana discipline a “drive-by shooting.” **This Indiana discipline is disputed. See above.** This is the VSB ORDER disputing it, rejecting it completely:

<https://www.vsb.org/docs/Straw-062217.pdf> (Ex. 9)

129. Given the fact that I have sued for nearly two decades of discrimination by the Indiana Supreme Court shows that dissent from VSB to my former employer’s bogus discipline, there should at

least have been a statement that another state, a larger state, disagreed completely and absolutely. That larger state, Virginia, said I met the **clear and convincing evidence** standard to show I deserve **NO DISCIPLINE AT ALL**. VSB imposed no discipline, explaining that my so-called frivolous filings were not in fact “totally frivolous.” *Moseley*.

130. It is nonsensical that an ADA coordinator can retaliate against my complaint and leave me with **over 3.5 years of suspension, 1,292 days** as of today. I should have had my license reinstated, a thorough rebuke of the Indiana Supreme Court, and monetary damages to match ***19 years of deliberate discrimination, retaliation, and dishonesty***. Even the 7<sup>th</sup> Circuit participated in the dishonesty by hiring my Indiana hearing officer ***when I was suing him before the 7<sup>th</sup> Circuit***. That court soured on me in every single appeal since that time. <http://ca7.andrewstraw.com>

131. The 7<sup>th</sup> Circuit **hired that hearing officer** and made him a **federal judge**, but that’s not enough. *Straw v. U.S. District Court, et. al.*, 1:18-cv-278-CMH (E.D. Va.) (Dkts. 7 & 20). I have a

statement about this at the U.S. Supreme Court, but I could get no justice **ANYWHERE**.

132. [https://www.supremecourt.gov/DocketPDF/17/17-7499/42922/20180410140826934\\_00000001.pdf](https://www.supremecourt.gov/DocketPDF/17/17-7499/42922/20180410140826934_00000001.pdf) (Docket 17-7499)

133. My trial judge (Chief Judge of the Southern District of Indiana) who dismissed my case against that hearing officer participated and was on the committee hiring him when she dismissed my lawsuit. *Straw v. Indiana Supreme Court, et. al.*, 1:16-cv-3483-JMS (S.D. Ind. 2/16/2017). It should be no surprise that the dismissal happened 2 days after the discipline was imposed on me **using the hearing officer's report**. *In Re Andrew U. D. Straw*, 68 N.E.3d 1070 (Ind. 2/14/2017).

134. Avvo is cooperating with this Indiana ADA discrimination and retaliation and is expanding the reach of injury to the entire world and certainly all of my potential clients in Virginia.

135. I cannot think of another state supreme court so dishonest as the one in Indiana. Part of this is because Indiana has 5 Republican justices of one mind, one political position, chomping at the bit to

injure someone who sacrificed for them and went on to be a civil rights leader.

136. They want to prevent me from being a disability rights public figure<sup>1</sup> and civil rights lawyer. Their lies have been adopted and promulgated by Avvo on my profile both in posting the discriminatory discipline and including it in the rating.

137. I, meanwhile, was disabled by the crimes of others:  
<http://crime.andrewstraw.com>

138. A reckless driver broke both my legs and my pelvis while I was on the way to work at the Indiana Supreme Court and my reward was FMLA violations, ADA Title II violations (admitted), and retaliation when I made complaints. You can see my injuries from serving that Court and NO ONE has the right to help them injure me by attacking my disability rights cases. It is morally heinous to hurt me after my extreme sacrifices to 400 state courts, including the court that won't stop discriminating against me.  
<http://disability.andrewstraw.com>

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<https://courts.illinois.gov/R23 Orders/AppellateCourt/2015/1stDistrict/1143094 R23 .pdf> (page 2)

139. It is so bad for me that I am seeking asylum in the Philippines for human rights violations and political abuses in the United States. **Ex. 3 & 3.1.**

140. I have provided websites with information about my disabilities and the discrimination flowing from them and these should be considered here: <http://disability.andrewstraw.com> and <http://camplejeune.andrewstraw.com>

141. Some false information Avvo had on my profile last year (2019) regarding my Virginia State Bar law license has been removed.

142. Removing that false information that I was not active but disabled is an admission on the part of Avvo that the information was false. We know now from VSB that it was false likely for 4 years. 2015-2019. And I was active for the overwhelming part of 2016-2020. I am active right now.

143. I proved this to Avvo by presenting my 2016 VSB card which showed that I was active in good standing since 2016. This is over about 4 years ago and Avvo should have had the proper information



about me for the entire last 5 years, since my disability status ended.

144. My initiating documents for JAMS arbitration showed that Avvo did not correct the error until 2019, after I demanded it.

145. While I am pleased that Avvo corrected this egregious error so easily verified by VSB at any time, presenting me to the public as having **no active law license** was exceptionally hostile and dishonest from 2016-2019.

146. This is the largest directory of American lawyers on the planet. To hurt me here causes me maximum distress, damage to my reputation, and represents collusion with Indiana to hurt me severely.

147. Not only was the VSB ORDER wholly absent, my VSB license was falsely presented as being in disabled status. I had to put an explanation into my own profile, making the profile only about this discipline and not about advertising me honestly.

148. I believe **\$1,500,000** for that kind of injury to a civil rights leader and lawyer is modest. This injury can go on and on and on

after 3 years of misleading the public. NO WONDER I have not had any clients from Avvo, not even in Virginia.

149. When Avvo says I have no active law license because I was punished and puts a red statement about the Indiana discipline, and judges me as a lawyer at 3.1/10, that is collusion with Indiana to ruin my life and my career.

150. This is part of the Indiana scheme to make sure I am defined as being incompetent, and that I have no clients and stay in poverty, removing the threat from me as a civil rights leader who worked for the Courts and complains about them. It was right there in red.

151. Avvo About page: [https://www.avvo.com/about\\_avvo](https://www.avvo.com/about_avvo)

### PERSONAL FACTS

152. My residence is in the Philippines now. I have no office myself, only online presence.

153. I have engaged in reform efforts to protect disability access, some successful.

154. I live at 40% of the poverty level now because I support my home health aide and 4 Filipino children whose fathers abandoned them or were murdered in front of them.

155. Due to the lack of justice in the United States, the abuses of my person, and many violations of my human rights under International Law, the Philippines Department of Justice certified me as an asylum seeker on **October 2, 2019**. **Exhibits 3 & 3.1**. I remain in this status as of **August 28, 2020**.

### **DISABILITIES**

156. I have severe physical and mental disabilities from public service. I hereby incorporate by reference the following documents from *Straw v. Village of Streamwood, et. al.*, 3:16-cv-50387 (N.D. Ill.)(an ADA Title II case about sidewalks and curb cuts full of snow piles and ice): my affidavit regarding disabilities, Exhibit 4 in that case, and all evidence thereof mentioned in that affidavit, Exhibits 5-10. The x-rays of my broken legs and pelvis are easily seen on the webpage I set up to display and explain my disabilities, including mental ones, which I incorporate here: <http://disability.andrewstraw.com>

157. I have been attacked for having mental disabilities from being poisoned at my birth when I was born aboard Camp LeJeune Naval Hospital, part of a massive [EPA Superfund site](#). I incorporate these

websites and all others in this document as URL exhibits, noting that they sometimes are updated for increased accuracy:

<http://camplejeune.andrewstraw.com>

<http://bipolar.andrewstraw.com>

158. I have been adjudicated as disabled by Illinois Court of Appeals, which recognized that **I am a disability rights public figure**. *Straw v. Chamber*, 2015 IL App (1st) [143094-U](#) (at \*2).

159. Further, the U.S. Department of Education forgave my \$52,000 student loan due to my being on SSDI with severe disabilities and because I live in poverty, which I proved each year for 3 years. This disability forgiveness was finalized on or about September of 2017 with the final closing of the account after 3 years of monitoring my poverty on or about September 27, 2020.

160. I am a disability rights political figure because I founded “Disability Party” on 2/5/2013 and it now has thousands of followers in the U.S.A. and abroad.

161. The ADA Amendments Act of 2008 guarantees that mitigating or ameliorating treatments should be disregarded when

considering the disability. 42 USC § 12102(4)(E)(i). The same standard is true of the Rehabilitation Act of 1973.

162. The state of my right hip and right femur and left leg and ankle show that I would be in a wheelchair all the time without that metal keeping my bones together. I am even missing a large portion of the top of my right femur from the total hip replacement, which includes a prosthetic partial femur. I must be considered as a person who uses a wheelchair because I could be in that state with a single trip and fall, I have used a wheelchair in the past for months, and the ADA says I am in that “wheelchair-using state” forever **as a matter of law**. 42 USC § 12102(4)(E)(i).

163. I have sued the City of South Bend in Indiana and sought the assistance of the Federal Highway Administration’s Office of Civil Rights in 2015. *Straw v. City of South Bend, et. al.*, 3:16-cv-342-JED-MGG (N.D. Ind.). FHWA assisted me and agreed with me.

164. FHWA said that blocking accessible features with snow is prohibited under the ADA, Title II. (Exhibit 16, *Straw v. Streamwood*). I settled with South Bend years ago. Similarly, I settled with Kane County, Illinois, on or about March 2017 due to

that local government leaving a large pile of snow in 50% of its handicap parking serving the Election Board office when I was a congressional candidate there.

165. These settlements are evidence that my ADA work in the N. District of Illinois and the N. District of Indiana is yielding some results for people with disabilities. I have also set an Illinois human rights precedent that businesses deliberately piling snow into handicap parking is discrimination on its face. *Straw v. Reposteria*, 2015CP3451 (Ill. Hum. Rts. Comm. 2018). I had standing to do this because of my physical disabilities obtained from my sacrifice to **400+ Indiana courts.**

166. The Indiana Supreme Court has discriminated against me for the past **19 years** for the reasons I gave in *Straw v. Indiana Supreme Court, et. al.*, 1:16-cv-3483-SEB-TAB (S.D. Ind. 2/16/2017) (**Dkts. 1-11 & 1-13**) and *Straw v. Indiana Supreme Court, et. al.*, 1:15-cv-1015-RLY (S.D. Ind. 2016). See also, *Straw v. Vermont*, 2:19-cv-00221-CR (D.VT) and *Andrew U. D. Straw v. State of Indiana, by Gov. Eric Holcomb*, 49D10-1907-PL-030392 (Marion

County Superior Court #10). Also, *Straw v. Indiana*, 1:19-cv-03034-SAG (D.MD). See also: <http://camplejeune.andrewstraw.com/>

167. I sued the United States in Virginia for the massive due process disability civil rights violation infestation in the Midwest federal courts, including the **7<sup>th</sup> Circuit hiring my appellee** and making him a **federal judge** before disfavoring me in his favor in my appeal using *res judicata* when **I never sued him before**. *Straw v. U.S. District Court, et. al.*, 1:18-cv-278-CMH (E.D. Va.) (NB: Dkts. **7 & 20**). Some people have all the luck.

168. I am very sensitive and absolutely intolerant to disability discrimination and denial of my rights to accommodations and this increases the level of damages that are due here.

### **COUNT I: TORT OF DEFAMATION**

169. Please note my statements above on the objections in the Court's ORDER at **Dkt. 44**, since they inform this count. The falsehoods on my Avvo profile, including falsely suggesting that I had no active law license in Virginia, 2016-2019, was defamation that injured me in my reputation and law practice and colluded with my abusers in Indiana. A) Defendant made **statements of fact**,

such as the **posting of my Virginia license as “disabled,”** implying my worthlessness as a lawyer that I did not have an active law license in Virginia when I did in fact have an active Virginia law license. **Ex. 5.** B) Defendant **published** these falsehoods and malice. C) The statements **caused injury *per se*** due to the wide circulation of that information. D) The statements were **either false** or contained opinions that were not based on fact, but instead **malice**. E) The statements were **not privileged** and were done in an employment context and a business context. I claim **\$750,000** in damages for the defamation, which had no excuse.

170. NB: The Court insisted that the ratings are protected by the First Amendment, see above, but I reserve my right to challenge this on appeal once there is a final ORDER with prejudice.

## **COUNT II: TORTIOUS AND INTENTIONAL INTERFERENCE WITH PROSPECTIVE CONTRACTUAL RELATIONS**

171. Please note my statements above on the objections in the Court’s ORDER at **Dkt. 44**, since they inform this count. By representing me in a false and malicious light, the statements of Avvo interfered with my ability to contract with the people who



visited this website. Their actions caused me damage *per se*.

Damages: **\$250,000**.

**COUNT III: TORT OF INTENTIONAL INFLICTION OF  
EMOTIONAL DISTRESS**

172. Please note my statements above on the objections in the Court's ORDER at Dkt. 44, since they inform this count. Given the intentional nature of keeping damaging information on my Avvo profile for the whole world to see from 2016-2019, I also claim intentional infliction of emotional distress damages in the amount of **\$250,000**. Bar status is part of the business of Avvo and appears on lawyer profiles. That status comes directly from state bars, not from attorneys. I have bipolar disorder, which is brain damage and a disorder of the emotions and this acts as an **eggshell skull** (emotions and memory) that the defendant has injured. A) Defendant acted **intentionally** or with **recklessness and willfulness** and totally in disregard for the truth of my bar status. B) Defendant's conduct was **outrageous**, especially in falsely listing me as having no active Virginia law license when that was **not true**. See also 18 U.S.C. § 1343. Presenting the Indiana suspension

without mentioning the controversy of VSB rejecting the Indiana discipline was also outrageous and created a deliberate false impression that I have done something wrong instead of analyzing the abuse of my former employer. I have analyzed it.

<http://dueprocess.andrewstraw.com> and

<http://curtishill.andrewstraw.com> and

<http://discipline.andrewstraw.com> and

<http://reform.andrewstraw.com> C) Defendant's actions are the

**cause** of my emotional distress, though this is a question of fact. D)

I experienced **extreme emotional distress** and **trauma** at having such false information harming me and my reputation for the whole world to see, though this too is a question of fact for a doctor to diagnose. My feelings are available and present to me and I was extremely distressed and traumatized, made worse by having the damage to my brain, especially the emotional center, the hippocampus.

#### COUNT IV – ADA TITLE II VIOLATIONS

173. Please note my statements above on the objections in the Court's ORDER at Dkt. 44, since they inform this count. To

cooperate with the Indiana Supreme Court and its total ban on any disabled person having an active law license was collusion under the ADA regulations, and thus subject to compensatory damages under *Barnes v. Gorman*, 536 U.S. 181 (2002). 28 CFR §§ 35.130 & 35.134 (“No public or private entity...”). The Title II Technical Assistance Manual explains private entities are covered.<sup>2</sup> I had the right to file a lawsuit under the ADA as an aggrieved person with a disability. 42 U.S.C. § 12133. The Indiana discipline attacked my work in 4 ADA cases. See: <http://discipline.andrewstraw.com>  
<http://InReStraw.andrewstraw.com>

174. The ADA provides no exception for when a judge “thinks” a lawsuit is frivolous. Indiana punished me in retaliation for my ADA complaints and attacked 4 lawsuits asserting disability rights under the ADA against literally scores of defendants. This was

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<sup>2</sup><https://www.ada.gov/taman2.html#II-3.11000>

II-3.11000 Retaliation or coercion. Individuals who exercise their rights under the ADA, or assist others in exercising their rights, are protected from retaliation. The prohibition against retaliation or coercion applies broadly to **any individual or entity** that seeks to prevent an individual from exercising his or her rights or to retaliate against him or her for having exercised those rights. **Any form of retaliation or coercion, including threats, intimidation, or interference, is prohibited** if it interferes with the exercise of rights under the Act.

ILLUSTRATION 1: A, a private individual, harasses X, an individual with cerebral palsy, in an effort to prevent X from attending a concert in a State park. A has violated the ADA.

retaliation under 42 U.S.C. §§ 12132, 12133, & 12203 and 28 C.F.R. § 35.134. Whether I was right or wrong on the law, I had facts that showed discrimination and was protected in using the Courts.

175. Neither Indiana nor Avvo has the right to punish me for my disability work or humiliate me in front of millions of people and clients.

176. Indiana may control a **sil**o of disciplinary power and the U.S. Supreme Court may be willing to let it do anything, but that does not protect Avvo and its **colluding with discrimination and retaliation**.

177. Colluding with retaliation is retaliation.

178. Avvo cannot claim not to know because I complained about my profile for months.

179. The Virginia State Bar exoneration was publicly known and I presented it to Avvo and put it into a comment on my profile, but Avvo insisted on placing the Indiana Supreme Court's suspension on my profile for over 3.5 years. I asked to remove the profile, but Avvo would not when it would have cost them nothing to comply. I

claim discrimination/retaliation damages for the collusion with Indiana at **\$250,000**.

**TOTAL DAMAGES: \$1,500,000**

### PRAYER FOR RELIEF

180. I demand **\$1,500,000** in compensatory damages. Avvo has no immunity as a public agency or state may claim. There also is no statute of limitations issue. When Avvo places false information to injure an attorney on its website, it must be fully responsible for what it publishes and repeats from elsewhere.

181. This is not a CDA § 230 case.

182. Such a lawyer directory has the potential ability to either help an attorney or injure him permanently, ending his career. Avvo has chosen the latter for me and I will not stand for it.

183. While I do not claim punitive damages, I am not against them theoretically and would accept punitive damages if the Court and/or a jury deem that to be proper under the circumstances, noting that *Barnes* forbids punitive damages in ADA cases.

184. When a state like Indiana engages in a “**drive-by shooting**” and then corrupts the federal courts to protect those abuses (**21.5x**

the Commission-recommended suspension in retaliation for ADA complaints), no private corporation must protect this at risk of contributing to it and *making it worse*. **Ex. 7 & Ex. 8**. I further seek the below declaratory judgments and all other relief the Court or a jury may deem proper under the circumstances to complete justice.

### DECLARATORY JUDGMENT

185. I seek declaratory judgment that if an attorney who is disabled is suspended as Indiana has done for an outrageously long time (**1,292 days of suspension, 86% of which is “discretionary”**) and another state totally **exonerates him as VSB did here**, he or she may ask all attorney directory websites like Avvo to remove her or his profile with information about the suspension and it must be done *when asked* and with *no delay*.

186. Insisting on publicizing the discriminatory and excessive and heavy-handed former employer suspension participates in the damage done and increases it exponentially, and this should be declared also.

187. If Avvo had done this on its own instead of colluding with a state entity, Titles II & V may not apply, but Avvo clearly colluded with a state entity that discriminated and retaliated and that allows me to demand damages. This should be declared.

188. Further, I seek a declaration that **banning all disabled people from the practice of law, as Indiana does, violates Title II of the ADA.** This is necessary so the defendant and all others who follow accept this legal fact and stop adding fuel to that ableist fire by publicizing its negative impacts and causing reputation damage to people like me. The Indiana rules that ban all disabled people from practicing law are Ind. Adm. & Disc. Rule 23, Sections 2(c) & 3(b):

Section 2. Grounds for Discipline or Suspension

Section 2(c) Disability. **Any attorney who becomes disabled** by reason of physical or mental illness or infirmity \* \* \* **shall be subject to suspension by reason of the disability.**

Section 3(b) Disability suspension. **Any attorney found disabled** by reason of physical or mental illness or infirmity \* \* \* **shall be suspended indefinitely** for the duration of the disability.

189. Indiana found me to be both mentally and physically disabled and then did this to me. There is no denying that this is the reason for the indefinite “discretionary” suspension

and nothing that I did in federal court deserved 3.5 years of suspension. Those federal cases (no sanction in the original cases!) (**Ex. 6**) were simply a pretext to allow Indiana to thump me with hostility, with hate.

190. I ask this Court to **denounce the ban** with a declaratory judgment. This will inform the Court on the type and level of injury done by Avvo in colluding with the Indiana Supreme Court. Avvo participated in this pretextual discipline that goes on forever due to the banning rules.

191. I fully admit that it would serve my purposes to get a declaration that I would take elsewhere under 28 U.S.C. 1738 and the constitutional protection for Full Faith and Credit.

### **JURISDICTION AND VENUE**

192. This Court has jurisdiction over this action under 28 U.S.C. § 1331, as it is a federal question action based on the ADA Title II and its anti-collusion provisions in the ADA regulations, which laws are valid legislation under the 14<sup>th</sup> Amendment, plus Washington common law on defamation and the other torts, listed in the counts. *Tennessee v. Lane*, 541 U.S.C. 181 (2004). 28 U.S.C. §§ 1332, 1367.



193. Venue properly lies in this federal district under 28 U.S.C. §1391(b)(1), as the defendant is a Seattle corporation.

### MEDIATION STATEMENT

194. I am open to using a mediation program of this Court if Avvo approaches this in good faith, given the above.

I, *plaintiff* Andrew U. D. Straw, certify that to the best of my knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, that the above statements and factual representations are true and correct under penalty of perjury. **Date: August 28, 2020**

Respectfully submitted,



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s/ ANDREW U. D. STRAW  
700 12th ST NW, STE 700  
PMB 92403  
Washington, D.C. 20005  
Telephone: (847) 807-5237  
andrew@andrewstraw.com

## CERTIFICATE OF SERVICE

I, Andrew U. D. Straw, certify that I filed the above AMENDED COMPLAINT and 7 EXHIBIT(S) with the Clerk of this Court via CM/ECF on **August 28, 2020**, and this will be served on all attorneys of record and permanently available through Pacer.gov. This document is requested to be served by the U.S. Marshal when service is done.

Respectfully submitted,

A handwritten signature in black ink that reads "Andrew U. D. Straw". The signature is written in a cursive style with a prominent initial "A".

s/ ANDREW U. D. STRAW  
700 12th ST NW, STE 700  
PMB 92403  
Washington, D.C. 20005  
Telephone: (847) 807-5237  
andrew@andrewstraw.com  
*Plaintiff, Proceeding Pro Se*