

The Law Firm Of



A Professional Corporation

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January 12, 2005

RECEIVED '05

Stanton A. Hazlett, Esq.
Disciplinary Administrator
Supreme Court of Kansas
701 Jackson Street, First Floor
Topeka, Kansas 66603-3729

JAN 14. 2005

DISCIPLINARY
~M1N1STRAT08

RE: *Medical Supply Chain, Inc. vs. US Bancorp, N.A., et al.*

Dear Mr. Hazlett,

I write to send you a series of pleadings from a case my firm has been involved in as defense counsel for the past two years, *Medical Supply Chain, Inc. vs. US Bancorp, et al.* The case was originally before Judge Carlos Murguia in the U.S. District Court of Kansas. After losing on a motion to dismiss, plaintiff appealed to the Tenth Circuit, which has recently denied the appeal and remanded the case to Judge Murguia for sanctions to be entered against plaintiffs counsel, Bret D. Landrith. Per his most recent pleading, Mr. Landrith's contact information is 2961 SW Central Park #G33, Topeka, Kansas 66611, (785) 267-4084, and his Kansas Supreme Court number is 20380.

I am not certain whether a duty of reporting currently exists on me pursuant to Supreme Court Rule 226-8.3. However, I had enough concerns about it, specifically in relation to Rules 226-1.1 and -3.1, that I felt it appropriate to forward the pertinent pleadings from this case to your office for consideration as to Mr. Landrith.

The enclosed materials include:

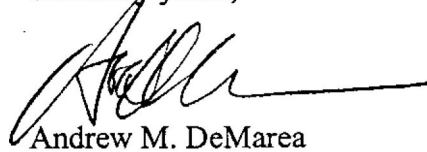
1. Plaintiffs Complaint for Urgent Injunctive Relief (October 22, 2002);
2. Plaintiffs Amended Complaint (November 12, 2002);
3. Clerk's Courtroom Minute Sheet of November 18, 2002, denying plaintiffs TRO, and a transcript of the hearing from that date;
4. Clerk's Courtroom Minute Sheet of December 12, 2002, denying plaintiffs Preliminary Injunction, and a transcript of the hearing from that date;
5. November 19, 2003 Memorandum and Order from Judge Murguia, dismissing plaintiffs case;
6. Memorandum and Order, from Judge Murguia, denying plaintiffs motion for new trial;
7. January 7, 2003 letter from Tenth Circuit clerk, regarding deficiencies in plaintiffs brief as filed;

COMPLAINT

8. January 9, 2003 Order from Tenth Circuit, denying plaintiffs motion for preliminary injunction pending appeal;
9. December 10, 2003 Order and Judgment from Tenth Circuit, explaining new case number for the appeal (provided here simply as an explanatory reference for you about the case numbering);
10. November 8, 2004 Order and Judgment from Tenth Circuit denying appeal and ordering plaintiff and plaintiffs counsel to Show Cause why they should not be sanctioned;
11. Appellant's November 8, 2004 response to the Court's Order to show cause;
12. December 30, 2004 Order from the Tenth Circuit, sanctioning plaintiffs counsel to pay attorneys fees and double costs, and remanding case to Judge Murguia for that purpose;
13. December 30, 2004 Order from the Tenth Circuit, denying plaintiffs motion for rehearing *en bane*;
14. January 11, 2005 brief filed by plaintiffs counsel with the District Court, styled, "Notice of Motion for En Bane Rehearing of Sanctions Filed by Plaintiff Appellant and Intent to Submit Evidence All Parties' Reasonable Attorney's Fees Exceed \$360.00 An Hour";
15. January 11, 2005 brief, apparently filed by plaintiffs counsel with the Tenth Circuit, styled, "MOTION FOR EN BANC REHEARING OF PANEL SUA SPONTE SANCTIONS".

Please contact me if I can answer any questions for you or be of assistance in any regard. Otherwise I will leave this matter to your office for handling, if necessary.

Sincerely yours,



Andrew M. DeMarea

Enclosures

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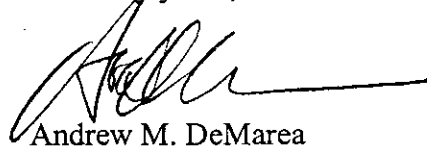
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