ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION IN THE SUPREME COURT OF ILLINOIS

Supreme Court No:

NOTICE OF FILING A RORY A. CANNON ATTORNEY DISBARMENT COMPLAINT

RESPONDENT:

Rory A. Cannon Esq IDHS 69 W. Washington St Suite 901 Chicago, Illinois 60602 312-814-2717 Email rory.cannon@illinois.gov

PLEASE TAKE NOTICE that on the 5th **day of March, 2024**, I filed with the Clerk of the ARDC the attached ATTORNEY DISBARMENT COMPLAINT AGAINST RORY .A. CANNON via email

/S/Leo Stoller Executive Director Americans for the Enforcement of Attorney Ethics (AEAE) P.O. Box 60645 Chicago, Illinois 60660 312-545-4554 email Ldms4@hotmail.com www.rentamark.net

ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION IN THE SUPREME COURT OF ILLINOIS

Supreme Court No:

TO: RESPONDENT

RORY A. CANNON¹ ATTORNEY DISBARMENT COMPLAINT

Leo Stoller, Complainant, file a Attorney Disbarment Complaint against Rory A. Cannon lawyer

for an Illinois Governmental Agency, The Illinois Department of Human Services with the

Clerk of the Illinois Attorney Registration and Disciplinary Commission (ARDC) via email on

March 5, 2023 for violation of ARDC Rule 3.7(a).

¹ Rory A. Cannonn, the lawyer for an Illinois Governmental Agency, the Illinois Department of Human Services, Mr. Rory A. Cannon is un ethically, in direct violation of the Illinois Rules of Professional Conduct, attempting to deprive a disabled Person, Michael Stoller 32, an adult child, protected person from receiving the 15 hours of care per daythat his doctor says Michael need, for his health safety and Welfare. The Evidence before the Commission establishes that attorney Rory A. Cannon is in direct violation of ARDC Rule 3.7(a)

ATTORNEY DISBARMENT COMPLAINT

The Respondent Attorney Rory A. Cannon is charged with violating ARDC Rule 3.7(a).



Digitally signed by Reporter of Decisions Reason: I attest to the accuracy and integrity of this document Date: 2021.05.19 17:43:12 - 05'00'

RULE 3.7: LAWYER AS WITNESS

(a) A lawyer shall not act as advocate at a trial in which the lawyer is likely to be a necessary witness

Comment

 Combining the roles of advocate and witness can prejudice the tribunal and the opposing party and can also involve a conflict of interest between the lawyer and client.

Advocate-Witness Rule

[2] The tribunal has proper objection when the trier of fact may be confused or misled by a lawyer serving as both advocate and witness. The opposing party has proper objection where the combination of roles may prejudice that party's rights in the litigation. A witness is required to testify on the basis of personal knowledge, while an advocate is expected to explain and comment on evidence given by others. It may not be clear whether a statement by an advocate-witness should be taken as proof or as an analysis of the proof.

The evidence of Rory A. Cannon clear violation of ARDC Rule 3.7 is contained in the attached

three documents marked as Group Exhibit 1. The Commission needs no further evidence.

The Complainant has presented probable cause for the ARDC to open a attorney

disciplinary investigation against Respondent Rory A. Cannon for violating ARDC Rules 3.7(a)

and 8.4 (c) & (d).

The Attorney Registration and Disciplinary Commission was established by the Illinois

Supreme Court to deal with issues of professional misconduct of attorneys. The serious allegations of **professional misconduct** that the Complainant has raised and our contained in this disciplinary complaint against the Respondent Rory A. Cannon are issues that must be resolved the ARDC that the Commission is solely empowered to act upon under the Illinois Rules of Professional Misconduct.

WHEREFORE, Complainant prays that the Inquiry Board immediately assign this matter to a hearing, panel, that a date for hearing be immediately set, that the hearing be conducted and that the panel make findings of fact, conclusions of law and a recommendation for such discipline as is warranted by its findings.

That the ARDC issue an order that the Respondent Rory A. Cannon have to take a fitness to practice law evaluation by a qualified psychologist or psychiatrists

That the ARDC issue an order to suspend Respondent Rory A. Cannon from the practice of law pending its investigation and to Bar Rory A Cannon from participating in an IDHS Appeal scheduled for March 7, 2024 in IDHS Appeal Number 2300567736.

MOTION TO STAY PENDING THE FILING A WRIT OF MANDAMUS BEFORE THE ILLINOIS SUPREME COURT

In the alternative, if the ARDC declines to assign this matter to a hearing panel, that a date for hearing be immediately set, that the hearing be conducted and that the panel make findings of fact, conclusions of law and a recommendation for such discipline as is warranted by its findings., the complaint requests that the ARDC stay this proceeding pending the Complainant's filing a Writ of Mandamus before the Illinois Supreme Court, requesting that a special 4 investigator be named like Dan Webb to conduct a ARDC investigation of the Respondent Rory A. Cannon..

> /s/Leo Stollerr Executive Director Americans for the Enforcement of Attorney Ethics (AEAE) P.O. Box 60645 Chicago, Illinois 60660 312-545-4554 email Ldms4@hotmail.com www.rentamark.net

Date: March 5, 2024, 2022

Certificate of Mailing and Emailing

I hereby certify that this Attorney Disbarment complaint is being served by via email on the Illinois Attorney Registration and Disciplinary Commission (ARDC) and/

- Patrick, Rahnee <Rahnee.Patrick@Illinois.gov>;
- Schomberg, John F <John.Schomberg@Illinois.gov>;
- keith.mckinley@illinois.gov <keith.mckinley@illinois.gov>;
- Avila, Vereniz <Vereniz.Avila@illinois.gov>;
- Harvey, Ciera <Ciera.Harvey@illinois.gov>;
- Reyes, Anastasia <Anastasia.Reyes@Illinois.gov>;
- duane.rylko@seiuhcil.org <duane.rylko@seiuhcil.org>;
- perta.owens@seiuhcil.org <perta.owens@seiuhcil.org>;
- greg.kelly@seiuhcil.org <greg.kelly@seiuhcil.org>;
- terry.harikins@seiuhcil.org <terry.harikins@seiuhcil.org>;
- DHS.HSPOvertime@Illinois.gov <DHS.HSPOvertime@Illinois.gov>
- grace.hou@illinois.gov <grace.hou@illinois.gov>;
- governor@Illinois.gov <governor@Illinois.gov>;
- insspectorgeneral@illinois.gov insspectorgeneral@illinois.gov

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- Rory.cannon@illinois.gov
- Smith, Valerie A. <Valerie.A.Smith@illinois.gov>;
- philip kiss <philip_kiss@comcast.net>

/s/Leo Stoller Date: 3-5-24

EXHIBIT 1

STATE OF ILLINOIS DEPARTMENT OF HUMAN SERVICES

IN THE N	MATTER OF:)		
)	Before	e ALJ Ottaviani-Roelle
MICHAEL STOLLER,)		1.1. 22005(772)(
Þe	etitioner,)	Appea	ll No. 2300567736
and)		
)		
ILLINOIS DEPARTMENT OF HUMAN SERVICES,)		
)		
Re	espondent,)		
V	IA E MAIL			<u>VIA E MAIL</u>
To: Le	eo Stoller			Honorable Karen Ottaviani-Roelle
55	50 N. Kenmore Ave.			Illinois Department of Human Services
	nicago, IL 60640			69 West Washington Street, 4 th Floor
ld	ms4@hotmail.com			Chicago, Illinois 60602
				DHS.HSPAppeals@illinois.gov

NOTICE OF FILING

Please take notice that on March 4, 2024, the attached Respondent's Appearance, Witness Disclosure, and Exhibits was filed at the Illinois Department of Human Services, Office of General Counsel, 69 West Washington Street, Suite 901, Chicago, Illinois 60602, a copy of which is hereby served upon you.

/s/Rory A. Cannon

Rory A Cannon Deputy General Counsel

CERTIFICATE OF SERVICE

I, Rory A. Cannon, certify that I served the instant Respondent's Appearance, Witness Disclosure, and Exhibits upon the above-named persons in the manner stated above from Chicago, Illinois, 60622, on March 4, 2024.

<u>/s/Rory A. Cannon</u> Rory A. Cannon Deputy General Counsel Illinois Department of Human Services 69 W. Washington St., Suite 901 Chicago, Illinois 60602 (312) 814-2717

STATE OF ILLINOIS DEPARTMENT OF HUMAN SERVICES

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IN THE MATTER OF:	
MICHAEL STOLLER,	
Grievant,	

Appeal No. 2300567736

Administrative Law Judge Ottaviani-Roelle

APPEARANCE

NOW COMES the ILLINOIS DEPARTMENT OF HUMAN SERVICES, and herein enters its appearance in the above-referenced action, by and through its attorney Rory A. Cannon on this 4th day of March, 2024.

/s/Rory A. Cannon

Rory A. Cannon Deputy General Counsel Illinois Department of Human Services 69 W. Washington St. Suite 901 Chicago, IL 60602 Phone: (312) 814-2717 rory.cannon@illinois.gov

STATE OF ILLINOIS DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:	
MICHAEL STOLLER,	
Grievant	

Before ALJ Ottaviani-Roelle Appeal Number 2300567736

ILLINOIS DEPARTMENT OF HUMAN SERVICES WITNESS DISCLOSURE

Now comes RORY A. CANNON on behalf of the ILLINOIS DEPARTMENT OF HUMAN SERVICES ("IDHS"), and intends to offer the following witnesses who may testify about the following matters:

CIERA HARVEY

Ciera Harvey is employed as a Senior Rehabilitation Counselor for IDHS in the Division of Rehabilitation Services ("DRS"). Ms. Harvey was the Counselor for Michael Stoller's ("Grievant's") Home Services Program ("HSP") case. If called as a witness, Ms. Harvey will testify about her redetermination of Grievant's HSP hours. Ms. Harvey may further testify in opposition to anything presented by Grievant. Ms. Harvey may be contacted through the undersigned Counsel.

RORY CANNON

Rory Cannon is employed as a Senior Public Service Administrator and Deputy General Counsel for IDHS in the Office of General Counsel. Mr. Cannon was the liaison with the Office of the Illinois Attorney General for the *Stoller v. Ill. Dep't. Human Srvs*, DuPage County, 20 MR 349 case. If called as a witness, Mr. Cannon will testify about the orders entered in the DuPage County case and the affect they have on Grievant's HSP hours. Mr. Cannon may further testify in opposition to anything presented by Grievant. Mr. Cannon may be contacted via the below information in his signature block.

By<u>:/s/Rory A. Cannon</u> RORY A. CANNON Deputy General Counsel

Rory A. Cannon Illinois Department of Human Services 69 West Washington Street, Suite 901 Chicago, IL 60602 (312) 814-2717 rory.cannon@illinois.gov