

**ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
IN THE SUPREME COURT OF ILLINOIS**

In the Matter of:)
)
)
) Supreme Court No:
)
JOHN F. SCHOMBERG)
)
Respondent))

**NOTICE OF FILING JOHN F. SCHOMBERG ATTORNEY DISBARMENT
COMPLAINT**

RESPONDENT:

**John Frederick Schomberg Esq
IDHS
69 W. Washington St
Suite 901
Chicago, Illinois 60602
312-814-2747
Email**

PLEASE TAKE NOTICE that on the 5th day of March, 2024, I filed with the Clerk of the ARDC the attached **JOHN F. SCHOMBERG ATTORNEY DISBARMENT**

COMPLAINT

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**

In the Matter of:)
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) Supreme Court No:
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TO: RESPONDENT

JOHN F. SCHOMBERG¹ ATTORNEY DISBARMENT COMPLAINT

Leo Stoller, Complainant, file a Attorney Disbarment Complaint against **JOHN F.**

SCHOMBERG, the Chief 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, 2024 for violation of ARDC Rule

5.1(a).

ATTORNEY DISBARMENT COMPLAINT

¹ **JOHN F. SCHOMBERG, the Chief lawyer for an Illinois Governmental Agency, the Illinois Department of Human Services, Department of Human Services. Mr. John F. Schomberg is un ethically, in direct violation of the Illinois Rules of Professional Conduct, attempting to deprive a disabled Person, Michael Stoller 30, an adult child, protected person from receiving the 15 hours of care that his doctor says Michael need, for his health safty and Welfare and violating ARDC Rule 5.1 in the process.**

The Respondent Attorney John F. Schomberg is charged with violating ARDC Rule 5.1(a).

Leo Stoller, Complainant, also file a Attorney Disbarment Complaint against John F.

Schomberg's associates 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). A attorney who is under the direct supervisory authority of John Schomberg.

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



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

[1] 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 to convict Roy A. Cannon by his own damning admissions and John Schomberg for violating ARDC Rule 5.1(a)..



Digitally signed by Reporter of Decisions
Reason: I attest to the accuracy and integrity of this document
Date: 2021.05.19 17:54:52 -05'00'

RULE 5.1: RESPONSIBILITIES OF PARTNERS, MANAGERS, AND SUPERVISORY LAWYERS

(a) A partner in a law firm, and a lawyer who individually or together with other lawyers possesses comparable managerial authority in a law firm, shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that all lawyers in the firm conform to the Rules of Professional Conduct.

(b) A lawyer having direct supervisory authority over another lawyer shall make reasonable efforts to ensure that the other lawyer conforms to the Rules of Professional Conduct.

(c) A lawyer shall be responsible for another lawyer's violation of the Rules of Professional Conduct if:

(1) the lawyer orders or, with knowledge of the specific conduct, ratifies the conduct involved; or

(2) the lawyer is a partner or has comparable managerial authority in the law firm in which the other lawyer practices, or has direct supervisory authority over the other lawyer, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.

(b) The lawyer John Schomberg having direct supervisory authority over Rory A. Cannon the record shows failed to make reasonable efforts to ensure that Rory A. Cannon conforms to the Rules of Professional Conduct. Instead the record before this commission clearly establishes that John Schomberg has used Roy A. Cannon, as a shield, to protect himself from further charges of professional misconduct, associated with this case by directing Roy A. Cannon to file the attached Documents marked a Exhibit 1.

(c) John Schomberg is responsible for Roy A. Cannon lawyer's violation of the Rules of Professional Conduct Rule 3.73(a) because Mr. John Schomberg:

(1)ordered Roy A. Cannon, with knowledge of the specific unlawful conduct, ratifies the conduct involved; and

(2) John Schomberg is the Chief Attorney representing the IDHS, with managerial authority in which Roy A. Cannon practices, and has direct supervisory authority over Rory A. Cannon and knows of the conduct at a time when its consequences can be avoided or

mitigated but fails to take reasonable remedial action by endorsing and redefining the professional misconduct conduct in filing the attached documents marked as Exhibit 1..

John Schomberg is liable under the Illinois Rules of Professional Conduct 5.1 for the Professional Misconduct charged against his associate Rory Cannon. See Exhibit 1

The Complainant has presented probable cause for the ARDC to open a attorney disciplinary investigation against Respondent John Schomberg for violating ARDC Rules 5.1(a) and Rory Cannon his associate.

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 John Schomberg 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 Inquiry permit the complainant to respond to any response that John Schomberg files in his defense.

That the ARDC issue an order that the Respondent John Schomberg have to take a fitness to practice law evaluation by a qualified psychologist or psychiatrists

That the ARDC issue an order to suspend Respondent John Schomberg from the practice of law pending its investigation and to Bar Respondent Rory A Cannon and/or John Schomberg or anym other lawyer from the office of John Schomberg, 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 investigator be named like Dan Webb to conduct a ARDC investigation of the Respondent John Schomberg and 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>;
- 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
- Rory.cannon@illinois.gov
- Smith, Valerie A. <Valerie.A.Smith@illinois.gov>;
-

/s/Leo Stoller 3-5-24

EXHIBIT 1

**STATE OF ILLINOIS
DEPARTMENT OF HUMAN SERVICES**

IN THE MATTER OF:)	
)	Before ALJ Ottaviani-Roelle
MICHAEL STOLLER,)	
)	Appeal No. 2300567736
Petitioner,)	
and)	
)	
ILLINOIS DEPARTMENT OF HUMAN)	
SERVICES,)	
)	
Respondent,)	

To: VIA E MAIL
Leo Stoller
5550 N. Kenmore Ave.
Chicago, IL 60640
ldms4@hotmail.com

VIA E MAIL
Honorable Karen Ottaviani-Roelle
Illinois Department of Human Services
69 West Washington Street, 4th Floor
Chicago, Illinois 60602
DHS.HSPApeals@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.

/s/Rory A. Cannon
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**

IN THE MATTER OF:)	
)	
MICHAEL STOLLER,)	Appeal No. 2300567736
)	
Grievant,)	
)	
)	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:)	
)	Before ALJ Ottaviani-Roelle
MICHAEL STOLLER,)	
)	Appeal Number 2300567736
<i>Grievant</i>)	
)	

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 Svcs*, 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: /s/Rory A. Cannon
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