DISTRICT OF COLUMBIA COURT OF APPEALS BOARD ON PROFESSIONAL RESPONSIBILITY



In the Matter of	*	
Joseph Owens, Esquire	*	Disciplinary Docket No. 2018-D041
Respondent	*	
Bar Registration No. 980884 Date of Admission: May 9, 2008	*	
	*	

ANSWER TO SPECIFICATION OF CHARGES

Respondent Joseph Owens hereby answers the Specification of Charges filed in the above-captioned proceedings and says:

- 1. That Respondent generally denies the allegations of misconduct contained in the Specification of Charges.
- 2. That Respondent admits the allegations of Paragraph 1 of the Specification of Charges.
- 3. That, while Respondent has no first-hand knowledge of the facts recited in Paragraph 2 of the Specification of Charges, he understands that Mr. Joselson is a naturalized United States citizen who once had a Top-Secret Clearance, with a "Special Compartmentalized Information" security level clearance.
- 4. That, while Respondent has no first-hand knowledge of the facts recited in Paragraph 3 of the Specification of Charges, Mr. Joselson reported to Respondent that his Security Clearance was denied.
- 5. That Respondent admits the allegation of Paragraph 4 of the Specification of Charges that Mr. Joselson entered into a flat fee agreement with Respondent and Jennifer Matthews, Esquire on February 25, 2017. However, Mr. Joselson requested an amendment to the original contract language requiring counsel to provide "original payment minus an appropriate deduction for work performed."
- 6. That Respondent admits the allegations of Paragraph 5 of the Specification of Charges.
- 7. That Respondent admits the allegations of Paragraph 6 of the Specification of Charges.
- 8. That, in response to the allegations of Paragraph 7 of the Specification of Charges, Respondent believed, at the time of the withdrawal at issue, that he had performed sufficient work such that he did not take receipt of unearned fees.

- 9. That Respondent admits the allegations of Paragraph 8 of the Specification of Charges.
- 10. That Respondent admits the allegations of Paragraph 9 of the Specification of Charges, except to the extent that he lacks first-hand knowledge of the underlying reasons for the postponement.
- 11. That Respondent admits the allegations of Paragraph 10 of the Specification of Charges.
- 12. That Respondent admits the allegations of Paragraph 11 of the Specification of Charges.
- 13. That Respondent admits the allegations of Paragraph 12 of the Specification of Charges.
- 14. That Respondent denies the allegation of Paragraph 13 of the Specification of Charges that he failed to discuss with Mr. Joselson the judge's request for alternate dates but admits the first two sentences of that paragraph.
- 15. That Respondent admits the allegations of Paragraph 14 of the Specification of Charges.
- 16. That Respondent admits the allegations of Paragraph 15 of the Specification of Charges.
- 17. That Respondent admits the allegations of Paragraph 16 of the Specification of Charges.
- 18. That Respondent admits the allegations of Paragraph 17 of the Specification of Charges.
- 19. That Respondent lacks sufficient knowledge or information to form a belief as to the allegations of Paragraph 18 of the Specification of Charges.
- 20. That Respondent admits the allegations of Paragraph 19 of the Specification of Charges.
- 21. That Respondent admits the allegations of Paragraph 20 of the Specification of Charges.
- 22. That Respondent admits the allegations of Paragraph 21 of the Specification of Charges.
- 23. That Respondent admits the allegations of Paragraph 22 of the Specification of Charges.
- 24. That Respondent admits the allegations of Paragraph 23 of the Specification of Charges.
- 25. That Respondent admits the allegations of Paragraph 24 of the Specification of Charges that he did not keep contemporaneous timesheets but states that he can account for his approximate time at various intervals of the representation.
- 26. That Respondent admits the allegations of Paragraph 25 of the Specification of Charges.
- 27. That Respondent admits the allegations of Paragraph 26 of the Specification of Charges.

- 28. That Respondent admits the allegations of the first sentence of Paragraph 27 of the Specification of Charges but denies the allegations in the remainder of that paragraph.
- 29. That Respondent lacks sufficient knowledge or information to form a belief as to the allegations of Paragraph 28 of the Specification of Charges but has no reason to dispute it.
- 30. That Respondent admits the allegations of Paragraph 29 of the Specification of Charges.
- 31. That Respondent admits the allegations of Paragraph 30 of the Specification of Charges.
- 32. That Respondent admits the allegations of Paragraph 31 of the Specification of Charges.
- 33. That Respondent admits the allegations of Paragraph 32 of the Specification of Charges.
- 34. That Respondent admits the allegations of Paragraph 33 of the Specification of Charges.
- 35. That Respondent admits the allegations of Paragraph 34 of the Specification of Charges.
- 36. That Respondent admits the allegations of Paragraph 35 of the Specification of Charges.
- 37. That Respondent admits the allegations of Paragraph 36 of the Specification of Charges.
- 38. That Respondent admits the allegations of Paragraph 37 of the Specification of Charges but denies any insinuation that he had any intent to misrepresent information to the Court and states, at that time, he believed that all complaints had been resolved in his favor.
- 39. That Respondent admits the allegations of Paragraphs 38 and 39 of the Specification of Charges.
- 40. That Respondent denies the allegations of Paragraph 40 of the Specification of Charges.
- 41. That Respondent admits the allegations of Paragraphs 41, 42, and 43 of the Specification of Charges.
- 42. That Respondent admits the allegations of the first and third sentence of Paragraph 44 of the Specification of Charges but denies the allegation of false statement in the second sentence of that paragraph.
- 43. That Respondent admits the allegations of Paragraphs 45 and 46 of the Specification of Charges. The Maryland Court determined I was unable to document my time.
- 44. That Respondent admits the allegations of Paragraph 47 of the Specification of Charges but denies that "Respondent did not pay the judgment." *See* Paragraph 50 of the Specification of Charges.

- 45. That Respondent admits the allegations of Paragraphs 48, 49, and 50 of the Specification of Charges.
- 46. That Respondent denies the allegations of Paragraph 51 of the Specification of Charges and states that he provided all responsive documents in his possession at the time of the request.
- 47. That Respondent denies the allegations of Paragraph 52 of the Specification of Charges.

Respectfully submitted,

Joseph Owens

Owens & Kurz, LLC

10400 Little Patuxent Parkway

Joseph Hert / Cleuns

Suite 290

Columbia, Maryland 21044

(855) 693-6752