

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  <b>Timothy S. Noon, Esq. (SBN 166193)</b>  <b>Noon &amp; Associates, APC</b>  <b>501 West Broadway, Suite 1260</b>  <b>San Diego, CA 92101</b></p> <p>TELEPHONE NO.: 619.235.6200 FAX NO. (Optional): 619.235.6233  E-MAIL ADDRESS (Optional): tnoon@noonlaw.com  ATTORNEY FOR (Name): Petitioner Richard G. Prantil</p>	<p>FOR COURT USE ONLY</p>
<p><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO</b></p> <p><input checked="" type="checkbox"/> CENTRAL DIVISION, SMALL CLAIMS, 330 W. BROADWAY, ROOM 241, SAN DIEGO, CA 92101  <input type="checkbox"/> CENTRAL DIVISION, CIVIL, 330 W BROADWAY, ROOM 225, SAN DIEGO, CA 92101  <input type="checkbox"/> CENTRAL DIVISION, FAMILY COURT, 1555 6TH AVE., SAN DIEGO, CA 92101  <input type="checkbox"/> CENTRAL DIVISION, MADGE BRADLEY, 1409 4TH AVE., SAN DIEGO, CA 92101  <input type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081  <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN, EL CAJON, CA 92020  <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910</p>	
<p>PLAINTIFF/PETITIONER: Richard G. Prantil  DEFENDANT/RESPONDENT: Kraig Dorner</p>	<p>CASE NUMBER:  <b>37-2018-00023677-CU-HR-CTL</b></p>
<p style="text-align: center;"><b>DECLARATION</b></p>	

See attached Declaration of Richard G. Prantil

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: September 14, 2018

Richard R. Prantil

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)

- Attorney for     Plaintiff     Petitioner     Defendant  
 Respondent     Other (Specify):

1 I, Richard G. Prantil, declare:

2 1. I do not intend to try to relitigate this proceeding in this Declaration and have the  
3 utmost respect for this Court's exercise of its discretion. However, given the accusations and  
4 related proceeding, I am compelled to respond substantively. As a twenty eight (28) year  
5 California attorney and a certified family law specialist for twenty-five (25) years, it remains  
6 disturbing to me that Mr. Dorner would use the First Amendment as an excuse for his stalking  
7 and bullying tactics. This is nothing more than an excuse to try and get me to drop my lawsuit  
8 against him for his failure to pay my significantly-reduced fees for services I provided to him.

9 2. In an earlier Declaration, Mr. Dorner attempted to make a point that he "knew" of  
10 my alleged unethical conduct prior to him retaining me, yet somehow he overlooks that fact for  
11 the two and a half years (2.5) I represented him. The attorney/client relationship deteriorated for  
12 two (2) main reasons. The first is obvious as he became more and more belligerent regarding his  
13 bill. I gave him significant discounts for my services because of his military service. Opposing  
14 counsel's bill in Mr. Dorner's dissolution case is more than twice my bill. Mr. Dorner's bill is not  
15 less not because I did not do the work, it is because of my decision to provide him services at a  
16 vastly reduced rate or simply not bill him for work that I did.

17 3. The second reason for the deterioration of our relationship is Mr. Dorner's  
18 belligerent attitude and his inability to be truthful. This lack of veracity is also present in the  
19 declarations that the *witnesses* filed. In the early outset of the dissolution case, Mr. Dorner lied to  
20 me by failing to inform me regarding property he had acquired in Ohio with community funds as  
21 is required by Family Law Disclosure rules. When opposing counsel disclosed this failure, we  
22 needed to disclose that failure to the Court and to the Court appointed Special Master. Court  
23 records will confirm Mr. Dorner was eventually sanctioned for his lack of veracity.

24 4. If the Court reviews the declaration of Teresa Nadeau, a former girlfriend with  
25 whom he carried on a relationship while he was married to his now current ex-wife as well at the  
26 same time dating his fiance in San Diego, she states that Mr. Dorner told to her two (2) key  
27 things. First, that he would never pay me, and second that I had talked him out of hurting his  
28 wife. That is a true statement. When my wife received the picture taken a few blocks from our

1 house, it was obvious to me that he was stalking me now in my neighborhood. This was  
2 frightening to me and my family, I had no choice but to file a restraining order against him, yet I  
3 acknowledge this Court's ruling.

4 5. Mr. Dorner's witnesses, like him, will submit false statements for him. Mr.  
5 Dorner, throughout the time I represented him told me on several occasions that he can get his  
6 friends to write any declaration I wanted. I **never** took him up on that offer. My best recollection  
7 was that one of these friends was Richard Sprunger. I am speaking out about his witnesses at this  
8 point because not only did they lie in their declarations, Mr. Martino especially lied about my  
9 neighborhood and that he was the one who put the picture in the letter to my wife. It is interesting  
10 to note that this statement does not appear in any declaration, but was made after the Court called  
11 this behavior *bizarre*. This fact was only disclosed during testimony and should be discredited. It  
12 was Mr. Dorner all along who sent that letter to my wife.

13 6. Mr. Martino provided in a declaration in support of Mr. Dorner's opposition to the  
14 Petition that he was in my outer office while Mr. Dorner and I were in a meeting and at the end of  
15 the meeting when Mr. Dorner and I were in the outer office area and I apologized to Mr. Dorner  
16 for yelling at him. I do not have an outer office area, and it is a seating area. This exchange was  
17 witnessed. Mr. Martino was not in the building. It was the opposite in that Mr. Dorner  
18 apologized to me.

19 7. At the first hearing, Mr. Dorner and his counsel filed a points and authorities on  
20 the day of the hearing. As the minute order reflects, the Court continued the matter for my  
21 attorney so he could submit a response. I was ready to proceed with that hearing at the time but  
22 for this late filing. The Court asked us to settle this matter and Mr. Dorner and his attorney made  
23 that impossible because of the outlandish and unsubstantiated requests that they made and their  
24 respective outrageous conduct.

25 8. At the second hearing, as the minute order reflects, the Court continued the matter  
26 four (4) days so that my wife could be present. Note that was the Court's request.

27 9. As a Family Law attorney, I have always maintained that an amicable relationship  
28 with my clients helps enormously in my representation of them. Mr. Dorner was friends with my

1 office mate who referred him to me. At no time did I ever go for drinks with him  
2 unaccompanied. He was always included because of this relationship with my office mate.

3 10. As for the suggestion that I would advise my client to meet with opposing counsel  
4 for drinks and try and settle, that is completely untrue.

5 11. As for the disclosure during the deposition that his former wife had contacted me,  
6 Mr. Dorner, in a declaration signed under penalty of perjury in response to that statement says the  
7 following:

8 *I absolutely positively believe in my heart that Ms. Jach knew that I was*  
9 *going to hire Mr. Prantil otherwise why would she keep my phone records*  
10 *to be used at a later time on this issue or to her advantage? Why not*  
11 *bring the potential recusal to the Court's attention when I filed my*  
12 *Response back in September/October of 2014?*

13 Mr. Dorner goes on further to say:

14 *I believe timing is a method to attempt to create dissension and mis-trust*  
15 *between Mr. Prantil and myself. If Mr. Prantil was recused from the*  
16 *case, I do not have the financial means to hire a new attorney. I would*  
17 *then have two (2) very bad choices, either settle on Petitioner's*  
18 *unreasonable terms or proceeding without an attorney.*

19 The Family Court offered at a subsequent hearing for Ms. Dorner to assert the privilege,  
20 but nothing ever came of it.

21 12. I properly filed in the Family Law case a charging lien. The charging lien was  
22 properly served on Mr. Dorner's family law attorney (I have been told that Mr. Dorner has now  
23 replaced that attorney and is representing himself for the moment in the Family Law action) and  
24 Ms Dorner's attorney putting them on notice that I must be included in any monetary issue  
25 involving a division of the Dorner community and any subsequent payment to Mr. Dorner.

26 13. Mr. Dorner's first reference that I *interrupted a hearing to discredit him* (Mr.  
27 Dorner) *by telling the judge that I owed him money* is again a complete fabrication. I was noticed  
28 for an *ex parte* by Ms. Dorner's attorney Fran Setzer regarding enforcement of the charging lien,  
among other financial and disbursement issues.

14. Second, I received notice from the clerk of the Court to attend the Dorner  
Mandatory Settlement Conference. I attended that settlement conference with my attorney Lisa

1 Damiani. After putting everyone on notice regarding the charging lien, we left. I believe Ms.  
2 Damiani and I were there for all of fifteen (15) minutes. Late in the afternoon on that very same  
3 day, while I was accompanying my daughter for a dental appointment, I received a call from the  
4 Court room clerk and participated in the conclusion of the settlement conference at the behest of  
5 Commissioner Ratekin, who was the settlement judge. I only communicated through her  
6 Courtroom clerk. The funds to secure my charging lien, as a result of that settlement conference,  
7 were later deposited into Ms. Damiani's trust account, and these funds (a little over \$52,000.00)  
8 remain in that account.

9 15. The charging lien puts all attorneys and their clients on notice that if any of them  
10 act outside of the charging lien, they are subject to not only a civil suit, but also State Bar  
11 intervention.

12 16. Mr. Dorner misses the point in my request for the restraining order. He parked the  
13 truck with the banners outside my office and then remained there for several hours. This occurred  
14 on numerous occasions and was witnessed by just about everyone in the office. That is bizarre at  
15 best which I believe constitutes stalking. The picture of the truck in front of the pizza parlor near  
16 my house is stalking. Sending the picture to my wife is unnerving to any reasonable person,  
17 again what I believe is stalking. Mr. Dorner has no business in my neighborhood. Mr. Dorner  
18 stated that he was there visiting a friend who lives near a park. There is no park in my  
19 neighborhood. The only park is Balboa Park, which is quite a distance away from my house and  
20 you need to cross a canyon. Again more mistruths.

21 17. As for his PTSD, Mr. Dorner was subject to a vocational assessment and was  
22 found to have these issues. The letter from his doctor and from the vocational assessment speak  
23 for themselves. Mr. Dorner misquotes what that letter states.

24 18. I believe Mr. Dorner hides behind his right to free speech. If I was such an  
25 unethical attorney, and he found out about me being unethical at the outset of my representation  
26 of him, why did he wait until it was time to pay my bill, refuse to pay my bill, sign a substitution  
27 of attorney, and hire another attorney. This case is about that simple fact. Mr. Dorner does not  
28 want to pay me.