

Zackery D. Artim,
Attorney and Counselor at Law



13 July 2020

State Bar of Texas
Attention: Board of Directors
1414 Colorado Street
Austin, Texas 78701

Via fax: 512-427-4100
Via email: Trey Apffel tapffel@texasbar.com

Re: Larry McDougal


Greetings,

Regrettably, I cannot claim any personal knowledge or experience with Larry McDougal and must rely on his public acts and statements to determine his character. The complaint being made by a group of lawyers is that he questioned whether the wearing of a BLM shirt by a poll worker inside of a polling place violated election laws, and therefore he must be racist and unworthy of the position of President of the State Bar of Texas. To prove that Larry must be racist, they dug through his Facebook posts and found one from several years ago where he expressed the opinion that BLM is a terrorist group. These are not racist statements but are rather legitimate legal questions.

Surely, if I were working in a polling place and wore an NRA shirt, someone would rightfully question whether that shirt violated the same laws. After all, the NRA works to achieve many political objectives even though it is not in itself a political party. The NRA uses peaceful, legitimate methods to achieve political goals, such as helping some candidates win elections. So it is, among other things, a political organization and it would be inappropriate for a poll worker to wear an NRA shirt in a polling place.

Black Lives Matters has many layers. One layer consists of the masses of people who hold peaceful protests and demonstrations because they want positive social change, such as the residents here in Lewisville who recently held a march from the high school to City Hall without the use of violence. Another layer consists of individuals who hold themselves out as the *soi-disant* leadership of BLM, describe themselves as “well trained Marxists”, and call for political

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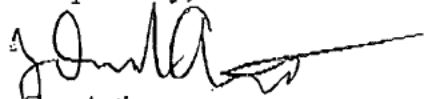
changes, including the dismantling or destruction of American institutions. In between those layers are people who believe in using violent means to achieve those political goals and are doing so across our country in a fiery manner. Given that BLM leadership publicly states they want to make changes to our political system, it is not unreasonable to view BLM as a political organization, and subject it to the same election laws that any other political organization must follow. More concerning, given how often BLM members use violence to achieve political goals, it is also not unreasonable for someone to question whether it is, in fact, a terrorist organization.

Both legal questions--whether BLM is a political organization, or whether BLM is a terrorist group--are topics that lawyers must be able to discuss freely without fear of retribution, particularly when the discussions are taking place as private individuals, rather than in some official capacity. For a group of lawyers to take offense to Larry's position and in retaliation demand his resignation is degrading to our profession. Such a lynch mob mentality is understandable coming from angry rioters in a city street, but not from people who have earned their law degrees and are supposed to hold themselves to a higher standard. Yes, I'm aware that the word "lynch" is now held to be offensive by many people, but I cannot think of a more appropriate word given the offensive actions being taken by the group who wish to destroy Larry's career and livelihood.

Larry McDougal should not step down as President of the State Bar of Texas over this matter; nor should he be reprimanded in any way. He is entitled to his own opinions, regardless of whether another lawyer finds those opinions offensive or not enlightened enough for their liking. The cancel culture that has taken hold of the United States and Texas is something that will ultimately backfire on those who practice it. The Orwellian groupthink, including that present at the State Bar of Texas, is simply unacceptable, embarrassing to the bar, and not worthy of anyone who holds a law license.

Larry McDougal's politics are his own. He is conservative, and conservative political viewpoints are not a crime or a grievable offense under the rules of the State Bar. Our profession is governed by ethics guidelines, which do not dictate politics or morals. Leave him in peace to do the great work he does and will continue to do -- both as a private lawyer and as President of the State Bar of Texas.

Respectfully,



Zac Artim,
SBOT# 24096735

Zackery D. Artim,
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P.S. One aside for anyone who studies history: “well trained Marxists” generally attempt at some point or another to lead bloody, vicious overthrows of government. We, as Texas lawyers, have all taken an oath to support both the US and Texas Constitutions. You must decide how this oath applies to you in this context. As for myself, my paternal grandfather immigrated from Hungary prior to World War 2. Many of his kin were exterminated by the Nazis, and many of the survivors were later purged by Stalin’s forces because there was no one to speak up for them against either regime. I can speak up for others and, just maybe, help prevent similar atrocities in the future. I certainly will not be silenced by those who would threaten me with violence, as I know where that road leads. ~Z



EVE SCHATELOWITZ
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July 13, 2020

State Bar of Texas
Attention: Board of Directors
1414 Colorado Street
Austin, Texas 78701

Via fax: 512-427-4100
Via email: Trey Apffel tapffell@texasbar.com

Re: *Larry McDougal*

Texas State Bar:

I have known Larry McDougal professionally, and as a personal friend, for several years. I have always known him to be ethical, hard-working, client-focused, and kind. He has always been very helpful to me. Whenever I need guidance or advice on a case, he is always helpful and replies to my questions immediately. I have never heard him utter an unkind or racist comment in all of these years we have known one another.

To determine someone's character, one only need look at the work they have done for the community around them. Larry cares about helping people accused of crimes -- even when the crime is one society deems heinous and beyond defense. He does this, because he believes in the Constitution and the rights it provides all citizens regardless of race, creed, or ethnicity. He looks to the law and to

Larry's position with regard to whether a poll worker wearing a BLM t-shirt inside the polling station violated electioneering laws is not racist -- it is a legal argument regarding the law. Larry is, first and foremost, a lawyer. A lawyer debating with other lawyers on a point of law in a lawyer's private Facebook group is the whole point of the group. It is one thing to have a heated

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debate about a political point or a point of law, but it is a horse of a different color to demand someone be sanctioned or threatened or have their livelihood destroyed over a difference of opinions. In this instance, when a certain group of lawyers took offense to his position, they then sought to troll his personal Facebook page and dug up private posts from years and years ago -- private posts that have zero to do with 2020, zero to do with who Larry McDougal is in 2020, and zero to do with who Larry McDougal is as a lawyer and as President of the State Bar of Texas. Now, it seems a group is demanding his resignation within hours or and they plan to protest if he does not resign. Lawyers are people, too, but we are held to a higher standard. Frankly, I expect this kind of behavior from the masses, but I do not expect it from lawyers who went to law school to learn the art of debate and how to behave professionally and stay above the fray of personal attacks.

Larry McDougal should not step down as President of the State Bar of Texas; nor should Larry be reprimanded in any way. He is entitled to his own opinions, regardless of whether another lawyer finds those opinions wrong or not “woke” enough for their liking. The cancel culture that has taken hold of the United States and Texas is something that will ultimately backfire on those who practice it. And the groupthink, including that present at the State Bar of Texas, is simply unacceptable, embarrassing to the bar, and not worthy of anyone who holds a law license.

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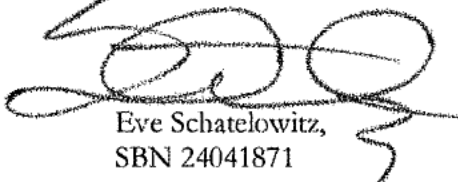


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Larry McDougal's politics are his own. He is conservative. That is a fact. Conservative political viewpoints are not, however, a crime or a grievable offense under the rules of the State Bar. Our profession is governed by ethics guidelines, which do not dictate politics or morals. Leave Larry McDougal in peace to do the great work he does and will continue to do – both as a private lawyer and as President of the State Bar of Texas.

Sincerely,



Eve Schatelowitz,
SBN 24041871



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Austin, TX 78701

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RE: PRESIDENT LARRY MCDOUGAL

Dear Sirs and Madams:

I am appalled by the joint statement made by the State Bar of Texas and Texas Young Lawyers Association concerning Larry McDougal and Black Lives Matter. As a member in good standing for 33 years I am shocked at the rush to judgment against Larry, who has never made a racist comment in the 30 years I have known and practiced law with him. Larry has always been a man of integrity, kindness, and a huge heart as large as the State of Texas. Larry expressed a private legal opinion, which was correct, by the way. Larry, like many of us, has been under attack for years by those in the legal profession who hate conservatives and liberally use profanity on Texas legal sites to express themselves.

Did any of you listen to Larry and consider his position, or were you so eager to pander to Black Lives Matter (hereinafter BLM) that you lost all reason? And, how many of you could stand up to intense biased scrutiny of every private opinion you had uttered in the last 6 or more years?

In 1992, the U.S. Supreme Court upheld an electioneering ban at polling places, meaning that states had the power to create laws to prevent voter INTIMIDATION (emphasis added) and ban electioneering around polling places. Texas states that a person "may not electioneer for or against any candidate, MEASURE (emphasis added), political party" within 100 feet of the voting site during early voting or on Election Day. As a white woman,

after watching BLM rioters since 2013: 1) speak out against and terrorize police, ("Pigs in a blanket! Fry em like bacon!"); 2) BLM leaders voice their Marxist views and anti-white views; 3) voice anti-family views; 4) voice anti-semitic views; 5) beat and murder whites, and blacks (such as David Dorn and black Trump supporters and black children); 6) loot; 7) tear down statues; 8) and burn buildings, I am personally terrified of anyone wearing a BLM shirt or with BLM on their car, and I would be afraid to vote anywhere near them. The entire world realizes BLM has been subsumed by the Democratic Party. Now could I walk in to vote with a MAGA hat on? Why not? It doesn't state any candidate or party. Your argument back to me would be that Make America Great Again has been subsumed by some in the Republican Party.

The "Joint Statement" made a declaration on behalf of 105,000 members of the State Bar. Well, you were not speaking for most of us, because the statement: "we applaud any organization whose primary goal seeks to ensure equal justice for all Americans," is not genuine or accurate as applies to BLM. Rather, it indicates group think and fear. I find the declaration shocking and horrendous, in light of all I mentioned above. Even Leo Terrell, a 30-year civil rights attorney stated recently: "Black Lives Matter have [sic] dominated social media... and the perception is that they control the Democratic Party." "I'm hoping, I'm begging I'm praying that they don't control the Democratic Party. But the current status right now, it is, it has controlled the Democratic Party. It has muted Democratic leadership. The Democratic leadership is afraid of Black Lives Matter for a variety of reasons."

Well, I'm hoping and praying that Black Lives Matter does not control the State Bar of Texas!

Very truly yours,

Georgia C. Trudeau