

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

STUBBORN MULE LLC, an Oregon limited liability company,

Plaintiff,

v.

GREY GHOST PRECISION, LLC, an Idaho limited liability company; and GREY GHOST PRECISION, LLC, a Washington limited liability company,

Defendants.

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GREY GHOST PRECISION, LLC, an Idaho limited liability company; and GREY GHOST PRECISION, a Washington limited liability company,

Counterclaimants,

v.

STUBBORN MULE LLC, an Oregon limited liability company,

Counter-Defendant.

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Case No. 2:22-cv-00399-DCN

**MEMORANDUM DECISION AND ORDER**

**I. MEMORANDUM**

Before the Court is Plaintiff Stubborn Mule's (hereinafter "Mule") (1) Motion for Order Suspending John Du Wors and to Show Cause Why the Suspension Should Not Last until He is Reinstated in Washington; and (2) Motion to Revoke Pro Hac Vice Status of John Du Wors. Dkt. 76.

On September 11, 2023, counsel for Grey Ghost Precision, LLC and Grey Ghost

Precision (collectively “Ghost”), John Du Wors, withdrew as counsel.<sup>1</sup> Dkt. 77.

On August 17, 2023, the Washington Supreme Court suspended Du Wors from the practice of law in the State of Washington for ethical violations pertaining to crimes he committed in Washington. Dkt. 76-3, at 1; Dkt. 76-4, at 9–10. Specifically, Du Wors was convicted of committing a hit-and-run with a motor vehicle and driving under the influence. Dkt. 76-4, at 9–10. Du Wors also violated the Washington Rules of Professional Conduct by lying to both the police and his insurance company about the hit-and-run. *Id.* at 11.

In the instant Motion, Mule asks the Court to revoke its September 23, 2022 Order (Dkt. 7) granting Du Wors *pro hac vice* status. Dkt. 76-1, at 3. In addition, Mule requests that the Court reciprocally discipline Du Wors pursuant to District of Idaho Local Civil Rule 83.5(b)(3) and to show cause why he should not be suspended from practicing before this Court.<sup>2</sup> *Id.*

In support of its Motion, Mule highlights that Du Wors improperly submitted various filings in this case after his Washington license had been suspended. Dkt. 76-1, at 3. However, Du Wors highlights that he is also licensed to practice law in New York and

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<sup>1</sup> Additionally, Ghost’s counsel, Keith Scully, withdrew from counsel on September 7, 2023. Dkt. 75. Arthur M. Bistline of Bistline Law, PLLC, a Coeur D’Alene, Idaho firm, remains as counsel for Ghost.

<sup>2</sup> The Local Civil Rule states:

Upon the receipt by this Court of a certified copy of a judgment or order showing that any attorney admitted to practice before this Court has been suspended, disbarred or otherwise disciplined by any other court of the United States or the District of Columbia, or of any state, territory, commonwealth or possession of the United States [], or has resigned in lieu of discipline, this Court will review the judgment and order and determine whether similar discipline should be imposed by this Court.

Dist. Idaho Loc. Civ. R. 83.5(b)(3).

California. Dkt. 4; Dkt. 76-4, at 18.

The Court finds it troubling that Du Wors did not immediately notify the Court of his suspension in Washington, and instead left it to Mule's counsel to do so several weeks later. Failure to notify the Court of his suspension violates Local Civil Rule 83.4(h) which requires *pro hac vice* attorneys to notify the Court of "any change in his or her status in another jurisdiction which would make him or her ineligible for membership in the bar of this Court under Local Rule 83.4." Dist. Idaho Loc. Civ. R. 83.4(h) (emphasis added). Even more disturbing is that Du Wors engaged in briefing in this case after he was suspended in Washington, where his law firm located.<sup>3</sup> Despite his bar admissions in California and New York, the Court finds Du Wors's failure to notify the Court of his Washington suspension is sufficient to impose reciprocal sanctions under Local Civil Rule 83.5 (b)(3), and to suspend Du Wors from appearing before this Court<sup>4</sup> until his Washington license is reinstated.

Further, considering that Du Wors has withdrawn as counsel in this case due to his suspension in Washington, the Court finds it appropriate to revoke his *pro hac vice* status.

## **II. ORDER**

### **IT IS HEREBY ORDERED:**

1. Mule's Motion (Dkt. 76) is **GRANTED**.
2. Pursuant to Local Civil Rule 83.5(b)(3), Du Wors is hereby **SUSPENDED** from

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<sup>3</sup> It appears that Du Wors has dissociated from Newman Du Wors LLP. Dkt. 74; Dkt. 76-2, ¶ 7.

<sup>4</sup> To be clear, "this Court" refers to the United States District Court for the District of Idaho.

practice before this Court, the United States District Court for the District of Idaho, immediately, and for so long as he is suspended from practice before the courts of the State of Washington. Upon reinstatement in the State of Washington, Du Wors may apply for *pro hac vice* status in this Court again.

3. The Court's previous order (Dkt. 7) granting Du Wors's *pro hac vice* status is **REVOKED**.
4. This order will go into effect immediately, however, pursuant to Local Civil Rule 83.5 (b)(3)(A), Du Wors has thirty (30) days from the date this order is issued to file a petition to set aside this order for the reasons set forth within the Rule.<sup>5</sup>



DATED: September 18, 2023

  
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David C. Nye  
Chief U.S. District Court Judge

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<sup>5</sup> The petition must demonstrate at least one of the following:

- (i) the procedure in the supervising court was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; (ii) there was such an absence of proof establishing misconduct that this Court would not accept as final the conclusions reached by the supervising court; (iii) the imposition of the disciplinary action stated in the order of the supervising court would otherwise result in a grave injustice; or (iv) the misconduct warrants discipline substantially different from that stated in the order of the supervising court.

Dist. Idaho Loc. Civ. R. 83.5(b)(3)(A).