

THE _____
SCHOLL

LAW FIRM

AN ASSOCIATION OF ATTORNEYS

09 October, 2017

Ms. Beverly P. Sharpe, Counsel
Board of Professional Responsibility
10 Cadillac Drive, Suite 220
Brentwood, Tennessee 37027

Re: Kristina Cole
File No. 52676c-9

Dear Ms. Sharpe:

To first respond to Ms. Cole's Mother's note, neither I nor the State asked Kristina Cole to lie in her case. Ms. Cole's position was that she had no idea what was in the package that was delivered to her house. She did however track the package and talk to her Co-Defendant, White about it. In order to put on the defense that she did not know what was in the package, in my opinion she needed to testify. That testimony would aid the State in convicting White, but it would also help her defend herself. Kristina refused to do so because it would hurt her Co-Defendant, White's case.

Further, nothing in my representation of Kristina Cole was done because I "got mad". I have nothing personal against Ms. Cole and I hate that she was convicted and sentenced to 13+ years in jail for this case. I have been a criminal defense attorney for twenty-four (24) years. I am and have been certified as a Criminal Trial Law Specialist by the National Board of Trial Advocacy for at least fourteen (14) years. I have handled at least seventeen (17) death penalty cases in State and Federal court and innumerable murder and various felony cases. I DO NOT ask my clients to lie under oath and I do not lie to the Board of Professional Responsibility, the Court, or my clients. I value my law license and I would definitely not jeopardize it over Kristina Cole's methamphetamine charges.

As to the specifics of Ms. Cole's letter, the first page appears to be talking about multiple attorneys, so I assume she has filed against her new attorney also. I do not have an assistant named Kim, nor did I ever charge Ms. Cole for travel expenses. I will assume that these allegations were meant for someone else.

As to Ms. Cole questioning my statement that she was an emotionally demanding client, I stand completely by the statement. She cried at every lengthy meeting I had with her and during most phone calls. She called my office sometimes three times a day often leaving rude messages with my

office staff. These calls were her wanting to know if her suppression motion had been filed. All of this was covered in my last response to the Board, but for clarity I did not feel that the suppression motion was strong and I felt that it could damage the ability to resolve her case. I discussed this multiple times with her. However, I did fully research, prepare, file and have a hearing on the motion she requested. As for her not returning my calls when I was preparing for trial and actually needing to talk to her about her case, she was unavailable and did not respond back to me.

I am a successful and busy attorney, I am not a hand holder. I am not hired to coddle clients or make them feel better about their cases. I am hired because I am a good attorney and I get good results. I gave Ms. Cole the best advice I knew to give her. She was offered to cooperate over and over and over. She just didn't want to hear it. She wanted me to fight and win her case, but in my opinion it couldn't be done without her testifying that she didn't know what her Co-Defendant was shipping to her home. She wouldn't testify because her Co-Defendant/Boyfriend didn't want her to incriminate him. Had Ms. Cole followed my advice, she would not be in jail right now.

The relevance of her Co-Defendant/Boyfriend being incarcerated for his entire adult life and being a Caucasian in the Vice Lords, a violent predominately African-American gang, should be clear. Add to this that Ms. Cole had been in a "relationship" for years with this man and had never even seen him in person made it even more relevant. These two facts show the manipulative nature of this man. Further, the jail recordings provided in discovery and given to Ms. Cole show that Mr. White (with help from his Mother) juggled multiple girlfriends on the outside who handled his business. These girls were not aware of each other and he went to great lengths to keep them from running into each other at visitation. Ms. Cole didn't even merit face to face visitation with him, but she could receive methamphetamine shipments and pay for his illegal cell phones and cash cards.

Ms. Cole also accused me of being in contact with another unnamed attorney when writing my response to her initial complaint. I did not speak with any attorneys about Ms. Cole's complaint when writing my initial response. I did speak with Assistant District Attorney General, Chris Scruggs and defense attorney, Claiborne Ferguson both about my response after Ms. Cole's Co-Defendant/Boyfriend, Jason White stated that he read my response to Ms. Cole's complaint and that it stated that I colluded with the State to convict him. Obviously my response did not say that and I told them such.

Shortly thereafter, I was contacted by ADA Chris Scruggs and advised that a contract hit had been placed on him and attorney Claiborne Ferguson by Ms. Cole's Co-Defendant/Boyfriend, Jason White. The threat was taken very seriously and I will not get into the details as Ms. Cole still feels the need to assist her Co-Defendant/Boyfriend, thus putting everyone in danger. I was told this because my name had come up, but they did not believe that I was actively in danger at that time.

Ms. Cole did send a complaint about my representation of her to the NAACP. I am a member of the NAACP and had a lengthy conversation with a person from the organization about my representation of Ms. Cole. I was advised that they found no merit to her claim against me, but that they did feel

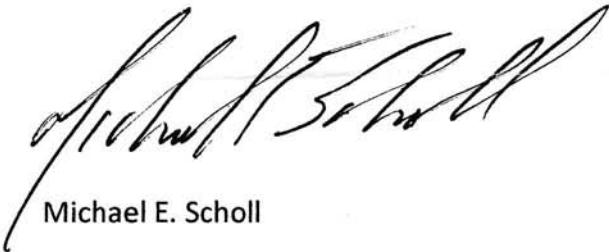
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bad for her. Everyone feels bad that Ms. Cole was taken advantage of except Ms. Cole. She wants to blame me for her current situation, but I competently handled her case and was prepared to fight for her in trial whether she testified or not. However, she fired me and hired another attorney. To put it simply, Ms. Cole is in jail as a result of her actions and her bad decisions.

Ms. Cole's complaint against me is unfounded and I ask that it be dismissed.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael E. Scholl". The signature is written in a cursive, flowing style with some loops and flourishes.

Michael E. Scholl

MES/dh

copy to: Kristina Cole