

Was Jay Cutler gone the day McChild was hired as coach?

Think about this: As soon as Pat Bowlen hired a new coach, then a new GM (instead of the other way around as is customary), those two new yahoos signed seldom-successful QB Chris Simms to a two-year, \$6,000,000 contract.

That doesn't sound like a contract for a clipboard-carrying, back-up QB in the NFL. Jeff Garcia (who happens to be married to a Playboy *Playmate of the Year*) has moved from team to team, usually with good success and he won't get that kind of money to back up JaMarcus Russell in Oakland. And Patrick Ramsey, a serviceable back-up who was once a competent starter, didn't sign a contract with the Titans for \$3 million a year.

So, what was going on? And was Cutler right to be so upset about the lack of candor and honesty of McChild? It looks more every day like that was the case.

While there were grave concerns about the Broncos defense, there were none about the offense. So what did McChild do immediately upon being offered a job no one else offered him - as a head coach in the NFL?

He decimated the team - defensively *and* offensively.

If any Broncos fan believes McChild ran the New England Patriots offense, they've never heard of Bill Belichick. And McChild didn't develop Tom Brady, either. Next he'll take credit for arranging a blind date for Brady with Gisele Bündchen. Or with Brady's earlier girlfriend, actress Bridget Moynahan? That'll be next.

Tom Brady was Super Bowl XXXVI MVP in 2002, two years *before* McChild became the team's QB coach. And he was an extremely successful QB for the Pats *long before* McChild became offensive coordinator in 2006.

As far as McChild's claim to fame for developing Matt Cassel into a "great" QB, remember that the Patriots traded this one-year starter to Kansas City even before they were comfortable Tom Brady had recovered from surgeries to his left knee and infections from those surgeries.

McChild was offensive coordinator, and Cassel QB on a team that dropped to a 11-5 record and missed the playoffs after Brady had led the same team to an undefeated 16-0 season, only to lose the Super Bowl on a late drive engineered by Eli Manning. So, McChild's accomplishment that entitled him to be named Broncos head coach was taking an exceptional team and making it average?

And as for Matt Cassel's one decent year, Broncos fans remember Rex Grossman. He led the Chicago Bears (Cutler's new team) to a 13-3 record and appearance in Super Bowl XLI in 2007.

McChild did nothing exceptional for the Pats last season. And QB phenoms are not uncommon. It appears more and more like McChild decided when he got the Broncos job that he did not want to compete with Jay Cutler for public adulation. By ridding the team of one of the NFL's best young QB's, McChild bought 2-3 years of futility before Bowlen will admit his mistake. Broncos: 6-10 in '09.

The disciplinary action against local attorney Sue Davidson

The Board of Professional Responsibility (BPR), Wyoming State Bar, filed a Report and Recommendation for Discipline and the Wyoming Supreme Court reviewed the charges against Sue Davidson (Respondent). Because the dispute involved District Court Judge Peter Arnold, I knew it deserved to be reviewed.

According to **2009 WY 48**, three formal charges were brought against Ms. Davidson. The decision begins:

"In its first charge, Petitioner alleged that Respondent had violated Rule 4.2 of the Wyoming Rules of Professional Conduct for Attorneys at Law by communicating directly with a person she knew to be represented by counsel. Because of disputed facts, the Board found that Petitioner had failed to prove this charge by clear and convincing evidence. This charge, therefore, is not now before the Court."

Then, "In its second charge, Petitioner alleged that Respondent had violated Rule 1.3 of the Wyoming Rules of Professional Conduct for Attorneys at Law by failing timely to file a client's pleading in a domestic relations case. During her testimony before the Board, Respondent admitted this rule violation. Consequently, this violation contributed to the Board's sanction recommendation, which is now before the Court."

The third "formal charge" is where it got interesting.

Again, according to the Opinion written by Chief Justice Barton Voigt, Ms. Davidson represented a client "in regard to a confidential domestic proceeding." The case was filed in District Court and assigned to Peter Arnold. It was then transferred to Circuit Court Judge Tom Campbell.

A protective order was sought and Davidson's "opposing counsel filed a Motion for Reassignment of Judge, asking that the domestic matter be sent back to Judge Arnold."

Anyone who has kept up with the repeated reversals of Peter Arnold regarding divorce and child custody issues - "domestic matters" - would understand why some attorneys would not want him to preside on their client's case.

Ms. Davidson may be one of those attorneys. She filed an "Resistance and Objection to Motion for Reassignment of Judge." Still, Judge Campbell signed the Order, transferring the case back to District Court and Judge Peter Arnold.

The Supreme Court ruling read: "After learning that the case had been reassigned to Judge Arnold, Respondent's petitioner client told Respondent to 'do what you have to do' because she did not want Judge Arnold as her judge."

While the Supreme Court will correct the mistakes made by Arnold at the District Court level, legal fees incurred by clients who face Arnold escalate and time is lost while that correction is sought. Also, not

everyone who is damaged by Arnold can, or does, appeal his rulings so it would be best to keep him from hearing cases involving "domestic matters." Always.

Then, "Thereafter, Respondent prepared Petitioner's Motion for Reassignment of Judge and [Motion to] Vacate Trial Date. --- In the Motion, Respondent alleged that opposing counsel and Judge Arnold had engaged in an improper *ex parte* communication in order to set the trial in the matter. Respondent further alleged that Judge Arnold was rumored to afford favoritism to members of opposing counsel's firm, and that such favoritism was at play in connection with Judge Arnold's reassignment and trial setting."

What seemed to upset the BPR and the Supreme Court was: "During the [status] hearing, Judge Arnold asked [R]espondent what investigation she did, pursuant to Rule 11 of the Wyoming Rules of Civil Procedure, prior to filing the Motion which accused Judge Arnold [him] and opposing counsel of ethical misconduct. Respondent refused to answer the question."

Perhaps Ms. Davidson risked disclosing privileged information if she responded.

Cheyenne is a small town - judges refer to former law partners by their first name in court and tell opposing counsel to shut up. Is there a favoritism between judges and some attorneys? Obviously.

Peter Arnold did recuse himself from this case and then filed a complaint with the Wyoming State Bar against Ms. Davidson. Well, I wish I could file a complaint, no, make that *several* complaints, for the times Arnold has botched his decisions, especially involving the delicate matter of child custody.

Attorney lie to, or at least, deliberately deceive, judges all the time. They misstate the statutes or provide false citations in their briefs which, when accepted *carte blanche* by a judge, favors their client, to the potential harm of the public.

Wyoming rules provide: "Peremptory Disqualification. - A district judge may be peremptorily disqualified from acting in a case by the filing of a motion requesting that the judge be so disqualified."

Note from the Herald: Cheyenne attorneys, you must use your peremptory disqualification every time Judge Peter Arnold is assigned a case in which your client has a child custody matter in front his Court. You must. For the benefit of children, you cannot allow this man to preside over any more such cases.

The punishment: "*Sue Davidson be suspended from the practice of law for a period of two months, commencing April 21, 2009; and, Sue Davidson pay to the Board of Professional Responsibility the sum of \$6,676.67 for the cost of these proceedings, plus the sum of \$1,000.00 as an administrative fee, no later than July 1, 2009.*" Note: Justice Burke was recused and Justice Golden would have reduced the suspension to one month.

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