

RICHARD BERBERIAN
605 Hamden Lane
Modesto, California 95350-2295

June 23, 1986

Mr. Laurence E. Drivon
Drivon, Bakerink, Tabak,
Balcao & Cooper
215 N. San Joaquin
Stockton, CA 95202-2481

Dear Larry:

Today I called your office and informed Judi that I intend to contest and/or appeal the Judge's ruling this past Friday allowing you to withdraw from my case as attorney of record. In my letter of May 3, 1986, I stated that I would accept a judge's decision as the proper course to take. However, when I returned home from San Francisco on Friday, I decided to do some checking since things didn't feel right to me, and I found a horrendous conflict-of-interest. The Judge who heard your motion to withdraw used to be an assistant trust officer for Wells Fargo Bank in San Francisco during a period of time when my trust, and that of my uncle's daughter and her children, existed there. The Judge's position at Wells Fargo Bank may have been during the formative stages of my trust when American Trust Company and Wells Fargo became a single entity. In light of these facts I cannot accept the Judge's ruling, and I do not understand how a judge in that position could keep from disqualifying himself. It is not just that he didn't.

Even though you are the recipient of the Judge's favorable ruling, I do not believe you should allow such an injustice to occur on my behalf regardless of how meritorious you believe your argument is for withdrawal. I am requesting in this letter for you to help me strike this motion (and any others that a judge so inappropriately may have ruled upon) and move to have our arguments and declarations reviewed and passed upon by a qualified judge.

As you know, I have always wanted my case to be heard by a judge and jury and with that sentiment at heart, I phrased the expression: Justice = Trial by Jury. It appears to me now that this formula is unquestionably the proper one to keep in mind, at least as far as my particular case is concerned.

I have been really disturbed and frustrated by some of the obstacles I have encountered in my very trying attempt to attain justice during the past 5 3/4 years since my discovery of the criminal wrongdoings of Wells Fargo Bank, Haig Berberian and others. My recent discovery is the most disconcerting of the conflicts-of-interest I have encountered so far. To be honest and frank, I am enraged by the matter and I won't stand for it. Since it is I who uncovered this conflict, I wonder how many unsuspecting people in this country suffer the consequences of the poor judgement of various officers and officials in positions of trust. I guess I'm lucky that I have an inquisitive nature.

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I feel I'm quite capable of taking care of this matter myself and I will if I have to, but it would take less time if you were to help me, and I think it would be quite a credit to your profession if you were to take it upon yourself to resolve this matter on my behalf (as well as yours), though technically speaking, I suppose it's still your legal obligation.

Since the chances of my finding a replacement attorney are very slim at this point, and since I'll never attain justice without an attorney and a jury trial, I believe it would also be legally significant if you would move now as I request. Those who would learn the story could be greatly benefited by it and, likewise, my own faith in our legal system could be renewed.

Please help in this regard. I'll be awaiting your reply. Thank you very much.

Very truly yours,



Richard Berberian

RB/prc

WILLIAMSON, Raymond Daniel. JUDGE, SUPERIOR COURT, City & County of San Francisco. Appointed [succeeding Judge Robert W. Merrill, elevated] by Governor Deukmejian March 27, 1985 (oath April —, 1985). Judge, Municipal Court, San Francisco Judicial District, City & County of San Francisco, Jan 8, 1973 (date of oath) to April —, 1985, appointed Dec 19, 1972 by Governor Reagan, elected in 1974, and reelected in 1980. Presiding Judge, March 1979 to July 1980. Deputy City Attorney, City & County of San Francisco, Aug 8, 1966 to Jan 7, 1973. Assistant Trust Officer, Wells Fargo Bank, San Francisco, June 1964 to Aug 1966. Admitted to Calif Bar, to US Court of Appeals, Ninth Circuit, and to US Dist Court, Northern Dist of Calif, June 16, 1964, and to US Supreme Court Oct 13, 1969. J.D. (June 1963), Univ of San Francisco School of Law, San Francisco (President, Student Bar Assn). B.S. (June 1959), Univ of San Francisco, San Francisco (President's Honor Roll; and St. Ives Pre Law Award). Graduate: St. Ignatius High School (1955) and St. Brigid School (1951), both in San Francisco. Served to Captain, US Army Reserve, 1960-67. Born June 4, 1938 in San Francisco, Calif [son of San Francisco attorney, and State Assemblyman (1925-40), Raymond D., Sr., 1895-1973; and great nephew of former San Francisco Superior Court Judge Timothy I. Fitzpatrick]. Married Carol Ann Munstermann Nov 9, 1963 in San Francisco. Three children: Raymond, born Aug 14, 1964; Deborah, born March 7, 1967; and Kevin, born April 13, 1969.

Faculty member, Calif Judicial College (CJER), Berkeley, 1982. Instructor ("Sentencing" and "Criminal Law and Motion"), Mid-Career Judges College (CJER), Berkeley, 1981. Former lecturer, New Judges Orientation Program (CJER).

Member, Young Republicans of San Francisco, 1960-70 (President, 1966). Member: Calif Judges Assn, 1973—; Bar Assn of San Francisco, 1964—; Lawyers' Club of San Francisco, 1964—; Hibernian Newman Club, 1969— (President, 1973); USF Dons Club, 1963— (President, 1970-71); Civic League of Improvement Clubs, 1967— (Director, 1967—); Calif Historical Society, 1971—; Gleeson Library Associates, 1963— (Director, 1965-69); and Phi Alpha Delta law fraternity, 1960—. Catholic. Republican. Special interests include model railroading and attending his children's athletic events. Enjoys basketball (coaches teenage team) and softball (plays with team in San Francisco Lawyers League which has more than 50 participating teams).

Judicial philosophy: "To do justice tempered with mercy."

Office: City Hall, 400 Van Ness Ave., San Francisco 94102, (415) 558-3261.