

MEMO OF INSULTS BY JASKOWIAK 4/2 24

Another example of jaskowiak refusing to act and reply, as a lawyer, to one of my many petitions. Instead, he wastes time in his filings using insulting words and lies only to insult me. Jaskowiak did this during the entire time while Mother was alive. While Mother was alive and even after Mother was killed/died, jaskowiak used the court as a weapon (lawfare) and put me into prison 5 different times for exposing the truth about the guardian scam on Mother by him, judges, lawyers, psychologist, care manager and sister. Jaskowiak always REFUSED to prove my facts and documents were wrong, in any way, in my petitions. But, he used only insults as his answers to my petitions and that I was not following the legal guide lines as how to file and write my petitions.

So what? I was pro se and I had the right to represent myself in court, write and file petitions. It is the CONTENT that is important in a case, not whether it was written as was taught in law school. WTF?

4/2/24

**IN THE COURT OF COMMON PLEAS
OF MONTGOMERY COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION**

NO. 2021-X2110

**IN RE: JANE T. HERRING
AN INCAPACITATED PERSON**

**MEMORANDUM OF LAW IN SUPPORT OF
PRELIMINARY OBJECTIONS TO PETITION
FILED BY ARTHUR HERRING, III, ON FEBRUARY 26, 2024
TO REMOVE DAVID A. JASKOWIAK AS COUNSEL FOR JANE HERRING**

David A. Jaskowiak, Esquire, court-appointed counsel for Jane T. Herring, an incapacitated person, respectfully requests that the Preliminary Objections to Arthur Herring's Petition to Remove David A. Jaskowiak as Counsel for Jane Herring (which Arthur Herring filed on February 26, 2024) be sustained.

As stated in Respondent's Preliminary Objections, which are incorporated herein by reference, the statements made by Arthur Herring throughout the petition should be stricken because they are scandalous, impertinent, and improperly cast a derogatory light on the involved parties. *Common Cause/Pennsylvania v. Commonwealth*, 710 A.2d 108 (Pa. Cmwlth, 1998). His petition is also is replete with vicious, inflammatory, derogatory, irrelevant and incorrect statements that blatantly violate the standard of Pa. O. C. Rule 3.9 (b) (2). As a whole, Arthur

Herring's pleading is largely incoherent, rambling, disjointed, and/or unintelligible and contains many references to irrelevant matters and/or matters already decided (in direct violation of this Court's multiple admonitions). As such, it is impossible to provide a concise, legally appropriate response to his pleading.

Arthur Herring's statements violate the stern admonition of this Court at the time of the two hearings on October 3, 2023, February 16, 2024, and again most recently on March 20, 2024 that it would *not* allow him to re-litigate issues which had already been heard and ruled upon in prior proceedings. To the extent that there is any doubt whether Arthur Herring "got the message" at the last hearing when the Court admonished him about the need for civility, Respondent has attached the two most recent emails written by following the recent Easter holiday. Those emails unequivocally demonstrate that not only will Arthur Herring never abide by the Court's rules (in this case, attempted telephone contact with his mother), he will continue to harass those associated with the case, even at the risk of additional violations of this Court's multiple orders, unless he gets what he wants. *See Exhibit A, attached hereto, which are two emails sent by Arthur Herring only yesterday confirming that he does not intend to change his modus operandi of employing vile invectives targeted at those who are involved in this guardianship.* It is abundantly clear that Arthur Herring is intent on conducting himself in total defiance of normal social convention, propriety, or the rules of this Court. Respondent respectfully submits that Arthur Herring's behavior is totally unacceptable, a danger to all involved, are ultimately harmful to his own mother, Jane T. Herring.

For all of the reasons stated in the Preliminary Objections to Arthur Herring's Petition to Remove David A. Jaskowiak, Esquire as Jane T. Herring's Court-Appointed Counsel,

Respondent David A. Jaskowiak, Esquire, respectfully requests that the Court sustain Respondent's Preliminary Objections and that Arthur Herring's Petition be stricken in its entirety and dismissed.

Respectfully submitted,

/s/ David A. Jaskowiak

DAVID A. JASKOWIAK, ESQUIRE

Identification No.: 49753

Suite 14

815 Greenwood Avenue

Jenkintown, PA 19046

(215) 886-7720

FAX: (215) 886-7728

davidjas@davidjaslaw.com

*Court-Appointed Counsel for Jane T. Herring, an
Incapacitated Person*

DATED: April 2, 2024