

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: JOSEPH NEAL, JR.

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Case No. MC-112-008

DECLARATION

I, Jane Lamberti Sams, do hereby declare, pursuant to 28 U.S.C. § 1746, that the following is true and correct to the best of my knowledge and belief:

1.

I am licensed to practice law in the State of Georgia and am a member of the Bar of the Northern District of Georgia.

2.

I am familiar with the character and reputation of Joe Neal, Jr., and make this Declaration in Support of Joe Neal Jr.'s Motion to Vacate his suspension from practice in this federal district.

3.

I am generally familiar with the allegations against Joe Neal, Jr., arising out of his indictment on Rape in the Superior Court of Richmond County and am familiar with the resolution of that case.

4.

This matter was tried before the Superior Court of Richmond County and resulted in a dismissal of the rape charge and a plea agreement to three non-violent, non-sexual misdemeanors

on a separate accusation, acts which were totally unrelated to Mr. Neal's law practice or his representation of clients, or his candor or honesty towards a Court or tribunal.

5.

I am troubled that the judicial process against Mr. Neal could have played out in Court that resulted in the dismissal of the rape charge against him, but that he could now have to be subject to what amounts to a retrial of these charges against him in a Bar proceeding in Federal Court.

6.

Specifically, I understand that Mr. Fred Kramer has been appointed to represent the members of the Bar of the Southern District of Georgia. However, his actions do not represent my views of this matter.

7.

In particular, Mr. Neal is factually innocent of the charge of rape against him as that charge has now been dismissed. Mr. Neal's innocence of the charge of rape should be vindicated in this Court and his private, personal, consensual sexual conduct should not be again paraded before the public. The misdemeanors dispositions are first offenses for Mr. Neal which rarely, if ever, have been justification for suspension or disbarment.

8.

I understand that the trial judge in Superior Court, Judge Blanchard, stated in open court that no rape occurred, and I understand that the prosecutor admitted in open court that the alleged victim would be demolished on cross examination.

9.

It is my view that it is inappropriate to comment upon the private, consensual sexual


conduct of a member of this Bar, because such conduct is private and protected by the U.S. and Georgia Constitution. In any event, any such conduct should not become an issue for resolution for the U. S. District Court or any Court where criminality is not involved. In other words, I do not believe it appropriate that this Court, or any Court for that matter should regulate the private, consensual conduct of attorneys appearing before them.

10.

I endorse Mr. Neal for reinstatement as a member of the Bar of the Southern District of Georgia.

11.

I declare under penalty of perjury that the foregoing 9 paragraphs are true and correct, and that this declaration was executed on September 25, 2012, in the State of Georgia.


JANE LAMBERTI SAMS, ESQ.
Georgia State Bar No. 432025