

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

IN RE JOSEPH NEAL, JR.

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No. MC-112-008

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DECLARATION

I, Timothy J. Santelli, do here by 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.
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. In particular, Mr. Neal is factually innocent of the charge of rape against him as that charge has 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.

7. I understand that the trial judge in Superior Court, Judge Blanchard, stated in open court that no rape occurred. I understand that the prosecutor admitted in open court that the alleged victim's testimony would be damaged on cross examination as a rationale for dismissing certain charges..

8. 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

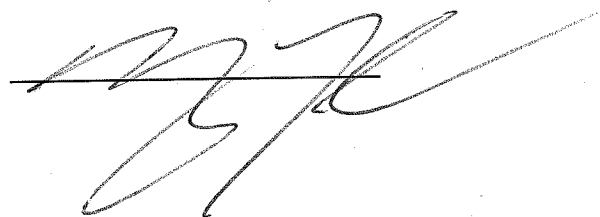
where criminality is not involved. In other words, I don't believe it appropriate that this Court, or any Court for that matter should regulate the private, consensual conduct of attorneys appearing before them.

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

10. I declare under penalty of perjury that the foregoing 9 paragraphs are true and correct, and that this declaration was executed

on September 18, 2012,

in Fulton Court, Georgia.



SIGNED AND SWORN BEFORE ME
THIS 18th DAY OF SEPTEMBER, 2012
MY COMMISSION EXPIRES 29 OCT., 2013

Robert Lang