

**DISTRICT OF COLUMBIA COURT OF APPEALS  
BOARD ON PROFESSIONAL RESPONSIBILITY**



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In the Matter of	:	
	:	
JENNIFER KERKHOFF MUYSKENS,	:	
	:	
Respondent,	:	Disciplinary Docket Nos.
	:	2018-D218
	:	2018-D262
	:	2018-D300
A Member of the Bar of the	:	
District of Columbia Court of Appeals	:	
Bar Registration No. 475353	:	

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**ANSWER TO SPECIFICATION OF CHARGES**

The Respondent, Jennifer Kerkhoff Muyskens, Esq., hereby respectfully answers the July 9, 2024 Specification of Charges filed by Disciplinary Counsel, as follows:

The preamble paragraph<sup>1</sup> states a legal conclusion to which no response is required; to the extent a response is required, Respondent denies the legal conclusions.

1. As to Paragraph 1, Respondent admits that she is a member of the D.C. Bar, having been admitted on December 3, 2001, and assigned Bar number 475353. The remaining allegations state a legal conclusion to which no response is

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<sup>1</sup>The preamble paragraph states: "The disciplinary proceedings instituted by this petition are based on conduct that violates the standards governing the practice of law in the District of Columbia as prescribed by D.C. Bar Rule X and Rule XI, § 2(b)."

required; to the extent a response is required, Respondent denies the legal conclusions.

2. As to Paragraph 2, Respondent admits.

3. As to Paragraph 3, Respondent admits.

**I. ALLEGATIONS RELATED TO THE BACKGROUND OF THE CRIMINAL CASES.<sup>2</sup>**

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**A. ALLEGATIONS RELATED TO DIRSUPTJ20 AND PROJECT VERITAS.**

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4. As to Paragraph 4, Respondent denies.

5. As to Paragraph 5, Respondent denies knowledge or information sufficient to form a belief as to the truth of the allegations about what unspecified “online groups claimed.”

**B. ALLEGATIONS RELATED TO THE ANTI-CAPITALIST/ANTI-FASCIST BLOC MARCH AND ARRESTS.**

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6. As to Paragraph 6, Respondent denies.

7. As to Paragraph 7, Respondent denies.

**C. ALLEGATIONS RELATED TO THE GOVERNMENT’S CHARGING OF A CONSPIRACY.**

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8. As to Paragraph 8, Respondent denies.

9. As to Paragraph 9, Respondent denies.

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<sup>2</sup>Respondent denies the characterizations set forth in the Headings in the Specification of Charges. This Answer tracks the headings in the Specifications only for the reader’s convenience.

10. As to Paragraph 10, Respondent denies.

**II. ALLEGATIONS RELATED TO THE ALLEGED CREATION OF THE  
“*PLANNING MEETING VIDEO*”.**

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**A. ALLEGATIONS RELATED TO PROJECT VERITAS  
PRODUCES VIDEOS OF DISRUPTJ20 MEETINGS TO  
MPD.**

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11. As to Paragraph 11, Respondent denies.

12. As to Paragraph 12, Respondent denies knowledge or  
information sufficient to form a belief as to the truth of the allegations.

13. As to Paragraph 13, Respondent denies.

**B. ALLEGATIONS RELATED TO THE FIRST GRAND  
JURY REBUFFS EVIDENCE FROM PROJECT  
VERITAS.**

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14. As to Paragraph 14, Respondent admits.

15. As to Paragraph 15, Respondent denies.

16. As to Paragraph 16, Respondent denies.

**C. ALLEGATIONS RELATED TO RESPONDENT AND  
PEMBERTON SUPPOSEDLY EDITING PROJECT  
VERITAS’S VIDEOS OF DISRUPTJ20’S JANUARY 8  
MEETING TO CREATE THE “*PLANNING MEETING  
VIDEO*”.**

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17. As to Paragraph 17, Respondent denies.

18. As to Paragraph 18, Respondent denies.

19. As to Paragraph 19, Respondent denies.

20. As to Paragraph 20, Respondent denies.

21. As to Paragraph 21, Respondent denies knowledge or information sufficient to form a belief as to the truth of the allegations.

22. As to Paragraph 22, Respondent denies.

23. As to Paragraph 23, Respondent denies.

24. As to Paragraph 24, Respondent denies.

25. As to Paragraph 25, Respondent denies.

26. As to Paragraph 26, Respondent denies.

27. As to Paragraph 27, Respondent denies.

28. As to Paragraph 28, Respondent denies.

**D. ALLEGATIONS RELATED TO RESPONDENT  
SUPPOSEDLY WITHHOLDS INFORMATION ABOUT  
PROJECT VERITAS FROM THE SECOND GRAND  
JURY.**

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29. As to Paragraph 29, Respondent admits.

30. As to Paragraph 30, Respondent admits.

31. As to Paragraph 31, Respondent denies.

32. As to Paragraph 32, Respondent admits.

**III. ALLEGATIONS RELATED TO THE ALLEGED SIGNIFICANCE OF THE  
UNDISCLOSED VIDEOS.**

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**A. ALLEGATIONS RELATED TO PROJECT VERITAS'S  
ORIGINAL RECORDINGS.**

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33. As to Paragraph 33, Respondent denies.

34. As to Paragraph 34, Respondent denies.

35. As to Paragraph 35, Respondent denies.

**B. ALLEGATIONS RELATED TO THE GOVERNMENT'S  
USE OF THE EDITED "PLANNING MEETING  
VIDEO".**

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36. As to Paragraph 36, Respondent denies.

37. As to Paragraph 37, Respondent denies.

38. As to Paragraph 38, Respondent denies.

**C. ALLEGATIONS RELATED TO THE JANUARY 8  
MEETING VIDEOS.**

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39. As to Paragraph 39, Respondent denies.

40. As to Paragraph 40, Respondent denies.

**D. ALLEGATIONS RELATED TO THE ACTION CAMP  
AND SPOKES COUNCIL VIDEOS.**

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41. As to Paragraph 41, Respondent denies.

42. As to Paragraph 42, Respondent denies.

**IV. ALLEGATIONS RELATED TO RESPONDENT'S ALLEGED SUPPRESSION  
OF INFORMATION ABOUT PROJECT VERITAS AND THE PLANNING  
MEETING VIDEO.**

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**A. ALLEGATIONS RELATED TO RESPONDENT'S  
ALLEGED SUPPRESSION OF INFORMATION IN  
DISCOVERY.**

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43. As to Paragraph 43, Respondent denies.

44. As to Paragraph 44, Respondent denies.

45. As to Paragraph 45, Respondent denies.

46. As to Paragraph 46, Respondent denies.

47. As to Paragraph 47, Respondent denies.

48. As to Paragraph 48, Respondent denies knowledge or information sufficient to form a belief as to the truth of the allegations.

49. As to Paragraph 49, Respondent denies.

50. As to Paragraph 50, Respondent denies.

51. As to Paragraph 51, Respondent denies.

52. As to Paragraph 52, Respondent denies.

53. As to Paragraph 53, Respondent denies knowledge or information sufficient to form a belief as to the truth of the allegations.

**B. ALLEGATIONS RELATED TO RESPONDENT'S  
ALLEGED MISREPRESENTATIONS AND OMISSIONS  
AT THE FIRST TRIAL.**

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54. As to Paragraph 54, Respondent denies.

55. As to Paragraph 55, Respondent denies.

56. As to Paragraph 56, Respondent denies.

57. As to Paragraph 57, Respondent denies.

58. As to Paragraph 58, Respondent notes that the allegations are an attempt to characterize the contents of a transcript, which speaks for itself.

59. As to Paragraph 59, Respondent denies.

60. As to Paragraph 60, Respondent denies.

**C. ALLEGATIONS RELATED TO RESPONDENT'S  
ALLEGED SUPPRESSION OF INFORMATION AFTER  
THE FIRST TRIAL.**

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- 61. As to Paragraph 61, Respondent admits.
- 62. As to Paragraph 62, Respondent denies.
- 63. As to Paragraph 63, Respondent denies.
- 64. As to Paragraph 64, Respondent denies.
- 65. As to Paragraph 65, Respondent denies.

**D. ALLEGATIONS RELATED TO RESPONDENT'S  
ALLEGED MISREPRESENTATIONS AND OMISSIONS  
TO JUDGE MORIN.**

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- 66. As to Paragraph 66, Respondent denies.
- 67. As to Paragraph 67, Respondent denies.
- 68. As to Paragraph 68, Respondent denies.
- 69. As to Paragraph 69, Respondent denies.
- 70. As to Paragraph 70, Respondent denies.
- 71. As to Paragraph 71, Respondent denies.
- 72. As to Paragraph 72, Respondent denies.
- 73. As to Paragraph 73, Respondent denies.
- 74. As to Paragraph 74, Respondent admits.
- 75. As to Paragraph 75, Respondent denies.
- 76. As to Paragraph 76, Respondent denies.

**E. ALLEGATIONS RELATED TO RESPONDENT'S PRESENTATION OF THE *PLANNING MEETING VIDEO AT THE SECOND TRIAL.***

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77. As to Paragraph 77, Respondent denies.]

78. As to Paragraph 78, Respondent denies.

79. As to Paragraph 79, Respondent denies.

**F. ALLEGATIONS RELATED TO THE COURT'S FIRST *BRADY FINDINGS (JANUARY 8 VIDEOS).***

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80. As to Paragraph 80, Respondent denies knowledge or information sufficient to form a belief as to the truth of the allegations.

81. As to Paragraph 81, Respondent denies.

82. As to Paragraph 82, Respondent denies.

83. As to Paragraph 83, Respondent denies.

**V. ALLEGATIONS RELATED TO RESPONDENT'S SUPPOSED SUPPRESSION OF INFORMATION ABOUT THE ACTION CAMP AND SPOKES COUNCIL VIDEOS.**

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**A. ALLEGATIONS RELATED TO OFFICER ADELMEYER'S TESTIMONY ABOUT ACTION CAMP AND SPOKES COUNCIL MEETINGS.**

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84. As to Paragraph 84, Respondent denies.

85. As to Paragraph 85, Respondent denies.

86. As to Paragraph 86, Respondent denies.

**B. ALLEGATIONS RELATED TO RESPONDENT ALLEGEDLY WITHHOLDS ACTION CAMP AND SPOKES COUNCIL VIDEOS IN DISCOVERY.**

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87. As to Paragraph 87, Respondent denies.

88. As to Paragraph 88, Respondent denies.

89. As to Paragraph 89, Respondent denies.

90. As to Paragraph 90, Respondent denies.

91. As to Paragraph 91, Respondent denies.

92. As to Paragraph 92, Respondent denies.

**C. ALLEGATIONS RELATED TO RESPONDENT'S "SUMMARY OF UNDISCLOSED VIDEOS."**

93. As to Paragraph 93, Respondent denies knowledge or information sufficient to form a belief as to the truth of the allegations.

94. As to Paragraph 94, Respondent denies, and notes that the allegations are an attempt to characterize the contents of a written document, which speaks for itself.

95. As to Paragraph 95, Respondent denies.

96. As to Paragraph 96, Respondent denies.

97. As to Paragraph 97, Respondent denies.

98. As to Paragraph 98, Respondent denies.

99. As to Paragraph 99, Respondent admits.

**D. ALLEGATIONS RELATED TO RESPONDENT'S ALLEGED MISREPRESENTATIONS AND ALLEGED OMISSIONS AT THE SECOND TRIAL.**

100. As to Paragraph 100, Respondent denies.

101. As to Paragraph 101, Respondent denies.

102. As to Paragraph 102, Respondent admits.

**E. ALLEGATIONS RELATED TO JUDGE MORIN'S SECOND  
BRADY FINDING (ACTION CAMP VIDEOS).**

103. As to Paragraph 103, Respondent denies knowledge or information sufficient to form a belief as to the truth of the allegations.

104. As to Paragraph 104, Respondent admits.

105. As to Paragraph 105, Respondent denies knowledge or information sufficient to form a belief as to the truth of the allegations.

106. As to Paragraph 106, Respondent admits.

107. As to Paragraph 107, Respondent admits.

108. As to Paragraph 108, Respondent denies.

109. As to Paragraph 109, Respondent denies.

**VI. ALLEGATIONS RELATED TO RESPONDENT'S ALLEGED  
SUPPRESSION OF INFORMATION ABOUT HER GRAND JURY  
PRESENTATION AND CASSANDRA BEALE.**

**A. ALLEGATIONS RELATING TO PEMBERTON'S  
MISIDENTIFICATION OF CASSANDRA BEALE TO THE  
GRAND JURY.**

110. As to Paragraph 110, Respondent admits.

111. As to Paragraph 111, Respondent admits.

112. As to Paragraph 112, Respondent denies.

**B. ALLEGATIONS RELATING TO THE PRODUCTION OF THE APRIL 25, 2017 GRAND JURY TRANSCRIPT AS *JENCKS* MATERIAL.**

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113. As to Paragraph 113, Respondent admits.

114. As to Paragraph 114, Respondent denies.

**C. ALLEGATIONS RELATING TO BEALE'S MOTION FOR SANCTIONS AND TO DISMISS THE INDICTMENT.**

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115. As to Paragraph 115, Respondent denies.

116. As to Paragraph 116, Respondent denies.

117. As to Paragraph 117, Respondent denies.

118. As to Paragraph 118, Respondent admits.

119. As to Paragraph 119, Respondent admits.

**D. ALLEGATIONS RELATING TO RESPONDENT'S ALLEGED MISREPRESENTATIONS AND OMISSIONS ABOUT HER GRAND JURY PRESENTATION AND THE *PLANNING MEETING VIDEO*.**

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120. As to Paragraph 120, Respondent denies.

121. As to Paragraph 121, Respondent denies.

122. As to Paragraph 122, Respondent denies.

**E. ALLEGATIONS REGARDING RESPONDENT WITHHOLDING THE GRAND JURY TRANSCRIPTS FROM THE COURT AND NOT CORRECTING HER MISREPRESENTATIONS.**

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123. As to Paragraph 123, Respondent admits.

124. As to Paragraph 124, Respondent denies.

125. As to Paragraph 125, Respondent denies knowledge or information sufficient to form a belief as to the truth of the allegations.

126. As to Paragraph 126, Respondent denies.

127. As to Paragraph 127, Respondent denies.

128. As to Paragraph 128, Respondent denies.

129. As to Paragraph 129, Respondent admits.

130. As to Paragraph 130, Respondent denies, and notes that the allegations are an attempt to characterize the contents of written documents, which speak for themselves.

131. As to Paragraph 131, Respondent denies.

132. As to Paragraph 132, Respondent denies.

133. As to Paragraph 133, Respondent denies.

134. As to Paragraph 134, Respondent denies.

135. As to Paragraph 135, Respondent denies.

**VII. ALLEGATIONS RELATED TO RESPONDENT'S ALLEGED FALSE STATEMENTS AND OMISSIONS DURING INVESTIGATIONS INTO HER CONDUCT.**

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136. As to Paragraph 136, Respondent denies.

137. As to Paragraph 137, Respondent denies.

138. As to Paragraph 138, Respondent denies.

139. As to Paragraph 139, Respondent denies.

  
JENNIFER KERKHOFF MUYSKENS

### VERIFICATION

I, Jennifer Kerkhoff Muyskens, am the Respondent in the within disciplinary proceeding; I have read the foregoing Answer to the Specification of Charges and know the contents thereof; and the same is true to the best of my knowledge and understanding, except as to the matters therein alleged upon information and belief, and as to those matters, I believe them to be true.

  
JENNIFER KERKHOFF MUYSKENS

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Answer to the July 9, 2024 Specification of Charges was served by electronic mail on Assistant Disciplinary Counsel Sean O'Brien, Esq., OBriens@dcodc.org, 515 5<sup>th</sup> Street, N.W., Building A, Room 117, Washington, D.C. 20001; and Assistant Disciplinary Counsel Mariah Shaver, Esq., Shaverm@dcodc.org, 515 5<sup>th</sup> Street, N.W., Building A, Room 117, Washington, D.C. 20001, this 2<sup>nd</sup> day of September, 2024.

/s/Eugene Gormakh  
Eugene Gormakh