

## V. OPINIONS AND RECOMMENDATIONS OF THE INVESTIGATORS

After reviewing the substantial documentation in this case, it is the opinion of these investigators that there is not probable cause to prove that Phill Kline violated any of the rules of ethics. In arriving at this opinion, investigators give particular weight to the findings made by Judge Anderson, including his finding that Attorney General Phill Kline stands "on firm legal ground in advancing his theory that the clinics have failed to comply with K.S.A. 65-6703(b)(2)." In addition, the Court found that Phill Kline did not violate the court's nondisclosure rule and refused to hold Mr. Kline in contempt of court.

The Sedgwick County case was dismissed for jurisdictional reasons, not for lack of probable cause.

This Complaint arises from strenuous legal battles between opposing counsel and was complicated by a very hotly-contested political race. Certainly, it appears that attorneys on all sides took strong stances and used the media, at times, to explain and/or support their positions. However, investigators find no probable cause to believe that Phill Kline's actions violated any rule of ethics.

## VI. SPECIFIC QUESTIONS SUBMITTED TO RESPONDENT KLINE

Following a review of all of the various issues associated with this Complaint, the Disciplinary Administrator's Office identified five specific questions which it wanted