

## Curriculum Vitae

Wolfgang Helmut Grossman, III  
Private Practice  
Penthouse  
Harbour Court Hotel  
Baltimore, Maryland 21202  
(ask for Ziggy)

### **Education:**

- 1972            Queens College, Cambridge, United Kingdom, AB, D.Phil, HiPhil.
- 1973            Queens, College, Queens, NY, PhD
- 1976            Lasalle Matchbook Institute of Higher Learning, Road Town,  
Tortola, BVI, PhD
- 1982            Brinks School of Medicine, Storm Door Installation and Culinary  
Arts  
Bavaria, Germany, MD

**Honors:**        Too numerous to list, suffice it to say, I am the leading authority  
on Schmartypants Syndrome (SPS)

**Website:**     [www.schmartypantsyouoldt.com](http://www.schmartypantsyouoldt.com)

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April 24, 2006

Alvin I. Frederick, Esquire  
Eccleston and Wolf, P.C.  
Scarlett Place  
729 East Pratt Street 7<sup>th</sup> Floor  
Baltimore, Maryland 21202

Re: Your client, **Andrew B. Nonimus**

Dear Mr. Frederick:

At your request I have evaluated Mr. Nonimus. My understanding of the purpose of this evaluation was to determine if he has any mental disorder and if so, was it related to his failure to disclose his conviction for armed robbery (for which he received Probation Before Judgment) in 1990 (attempt to rob a Wells Fargo Armed Vehicle with a .50 cal. mounted machine pistol), on his application to law school and to the bar, in order to determine whether he is fit to be a member of the Bar of the Court of Appeals of Maryland.

I interviewed Mr. Nonimus, in my well appointed, near palatial, office for two hours on April 1, 2006, and again on April 9, for 90 minutes. In addition, I spoke to his treating psychologist, Lolly Pop, PhD.

**Qualifications of Examiner:**

You have a copy of my *Curriculum Vitae* that states my qualifications to perform this examination. My training and experience as an almost board certificated forensic psychiatrist (I've done everything except pass the exam) has included extensive experience in the relationship between illness, disability and my pioneering efforts with SPS (Schmartyants Syndrome).

**EXHIBIT 2**

### **Statement of Non-Confidentiality**

I told Mr. Nonimus (he prefers to be called Andj) of the purpose of the evaluation and that what he told me was not confidential and that the results of the evaluation would be reported to you. He understood the warning and agreed to proceed.

### **Educational History**

He attended Mount St. Mary's University. He went to Law School at the Mount Vernon School of Law and said he did well with no academic or conduct problems.

### **Personal and Family History**

Mr. Nonimus was born and raised in Rockville. His father died in 1989 from gunshots received while in the process of attempting to rob a Seven Eleven Store. His mother is incarcerated as a result of a counterfeiting scheme (she was counterfeiting discount coupons for Pay Per View movies and selling them on the open market).

He has had an extraordinary amount of stress in his life. When his father was shot and killed, literally within days, his mother was indicted. He was nearly destitute, paying for lawyers and other fees. He also spent enormous sums on alcohol (see below). He was so desperate he bought a .50 caliber machine pistol and plotted a bank robbery. As the machine pistol could not be utilized in a bank robbery attempt, he ambushed an armored vehicle. He was arrested before ever firing a shot and happily no one was harmed. He received probation before judgment, as a first offender, but did spend 52 days in jail because he could not afford bail. It was in that time span and shortly thereafter that he became extremely religious and gave up all alcoholic beverages.

Since 1991 he has lived an exemplary life. He is a boy scout volunteer, an alderman at his church, a red cross volunteer and he coaches little league and volunteers at a soup kitchen. He donates 20% of his income to charity.

### **Substance Abuse History**

The subject indicated that shortly after his mother was indicted, he began consuming huge amounts of alcohol. He related that he had not been a

heavy drinker to that point, but he began consuming (according to Dr. Pop, who counseled him) two (2) quarts of vodka a day and additional amounts of beer (six to twelve twelve-ounce cans) and wine (one to two bottles) on a daily basis. Given his weight of 120 to 130 pounds during this period, such consumption was at a virtually toxic level. He tried to cut down or stop his drinking, but was 'out of control' from 1989-1991. After he got out of jail, he started attending AA meetings. He has not consumed any alcohol since 1991. The possibility that the subject suffered from Korsakoff's syndrome, i.e., Alcohol-Induced Persisting Amnesic Disorder (294.0) cannot be discounted although the subject was unable to recall his thiamine intake during the pertinent period of time; i.e., at the time of the criminal conduct.

### **Psychiatric History; Dr. Pop**

He began seeing Dr. Pop while in jail. Through her assistance and therapy he was able to work through the trauma that led to his arrest and conviction. The subject could barely remember any detail of his life when Dr. Pop first met him. Dr. Pop has not seen or heard from the subject in over four years. She noted that he had been depressed during his incarceration and thereafter. She recalled that the subject had been prescribed mild anti-depressants but when he reported uncomfortable side-effects, he was taken off the medication. This was confirmed by Nonimus but he could neither recall the medication nor the name of the prescribing physician. He showed sufficient progress to release him from treatment.

### **Mental Status Exam**

In both interviews, he was pleasant, cooperative and talkative. He was dressed neatly and appropriately in business clothes. He has dark hair and does not wear glasses. He is about average weight and height. He was calm and completely oriented to time and place.

### **Summary and Diagnosis**

Nonimus' activities since 1991 are in sharp contrast to his criminal behavior at about that time. It is psychologically intolerable for him to view himself as the person who committed the criminal acts set forth above. To a great extent he repressed the memory of that period of time in order to "get on with his life."

It is extremely important to note Nonimus' extraordinary consumption of alcohol during the pertinent period of time. From not being a particularly heavy

drinker, he became a dangerously abusing individual. Unquestionably he was alcohol dependent (303.90) (now in remission) but the subject's heavy alcohol consumption was probably too short-lived to account for his memory loss alone and he does not fit all the criteria necessary for a diagnosis of alcohol-induced persisting amnesic disorder. Nevertheless, his memory loss manifested on the law school and bar applications is consistent with several of the criteria associated with prolonged alcohol abuse and, of course, is positively associated with SPS, which is the appropriate diagnosis herein.

With respect to the criminal conduct, it is abundantly clear that the conduct was an abreaction to the subject's traumatic realization of his father's criminality and death and his mother's concurrent indictment and incarceration. Nonimus had no history of anti-social behavior before the 1990 incident and it is my opinion that it was "dissociative" conduct, i.e., the kind of bizarre conduct one sees in response to a tremendous psychological stressor. Although he does not meet the criteria in sufficient number for a diagnosis of post traumatic stress disorder, the circumstances of the incidents involving his parents in such close temporal proximity, are undoubtedly psychologically significant and certainly meet the criteria for the "traumatic event" set forth in the diagnostic criteria for PSD (309.81) His response to the trauma (horror, or the like) is also consistent with PSD. Nonimus' behavior is consistent with that of children reacting to a traumatic event and, when one considers the amount of alcohol he was consuming at the time, his criminal behavior is not inconsistent with a determination that he was more than a little psychologically impaired.

The subject failed to report his criminal misconduct on his law school and bar applications. These omissions were not purposeful on his part. While he does not meet the diagnostic criteria, in all respects, for dissociative amnesia (300.12), it is clear that he meets enough of them so that when one adds all of the symptoms he experienced at the time of the criminal misconduct and thereafter, one must conclude that he suffered from Schmartypants Syndrome. He had depression (by history) but not enough to warrant a diagnosis. He also has some indicia of maladaptive personality traits of dependency, avoidance and passivity, but again, not enough to warrant a diagnosis. As he did not meet the criteria for any of the other disorders noted above (except alcohol dependence) I am constrained to diagnosis SPS as the cause of both his attempted robbery of the armored vehicle and his repression of the memory of the event (and incarceration). When one acts bizarrely in response to a serious psychological stressor, while in an alcoholic dependent state, and then represses the memory of it because of shame (as the conduct is so out of character) or because the pain of the memory is too psychologically stressful, and no other diagnosis is appropriate, SPS is indicated. Indeed, this is a "classic case." Making the diagnosis even stronger, is Nonimus' antipathy towards his parents, whom he "wants" to forget and the

desire, both conscious and unconscious to "get on with" his life. It is clear to me, due to his suffering with SPS, that at the time he attempted to rob the armored car, Nonimus was not mentally capable of determining that his conduct was improper, and that Nonimus honestly did not remember the robbery and therefore did not intentionally lie on his application for admission to the bar. In all modesty, I am probably the world's leading authority and exponent of SPS, and am currently teaching a correspondence course on the subject through LMI.

Nonimus' recent conduct leads me to conclude that he suffers from no mental or psychological disorder at this time and can be a credit to the bar if admitted.

Very truly yours,

Wolfgang Helmut Grossman, III

### FACUTAL SUMMARY

- Public charges filed against Andrew B. Nominus, an attorney practicing for 5 years, alleging that he failed to disclose on his application to law school and his application to the Maryland Bar that he had been convicted of armed robbery.
- The Court of Appeals designated the Honorable Diane Leasure to hear the action.
- To aid in his defense, Mr. Nonimus is examined by Doctor Grossman, who issues a report in which he opines: (1) at the time the attorney committed the crime, he was so mentally disturbed that his commission of the crime does adversely reflect upon his moral character; (2) that his failure to disclose the event at the time he completed his law school and bar applications was explained by the fact the attorney had repressed the event; and (3) that the attorney was now cured and was now mentally fit to practice law.
- Doctor Grossman bases his opinions in part on his diagnoses that Mr. Nonimus suffers from a syndrome discovered by Dr, Grossman called the "Smarty Pants Syndrome.
- Al Frederick, Mr. Nonimus' attorney calls Dr. Grossman to testify at the hearing before Judge Leasure. The specially deputized Bruce Marcus, represents bar counsel at the hearing.