Civility on Trial: What the Cyberlux Case Reveals About Legal Ethics

Description

Over the past two years, I have spent more hours than I ever intended reading legal filings tied to Cyberlux Corporation. What started as a narrow curiosityâ??a single receivership in Texasâ??quickly unraveled into something else entirely: a sprawling, cross-jurisdictional drama spanning multiple courts, appeals, emergency motions, and no shortage of procedural chaos.

Iâ??ve read the filings, the declarations, the sanction orders. Iâ??ve watched attorneys argue over tens of millions of dollars, unpaid creditors, contract disputes, manufacturing shutdowns, and failed stock conversions. Iâ??ve followed the removal attempts, the remands, the interpleader actions, and the repeated judicial reminders that no, this is not how one behaves in a courtroom.

And through all of that, one thing has become increasingly hard to ignore: the tone.

Not the facts themselves, though those matter. Not even the outcomes, which often read like a slow unraveling of a company that cannot seem to do right by its creditors. What stands out is how people are talking to one another inside this legal ecosystem. The tone of the lawyers. The posture of the filings. The way frustration has started to leach into the footnotes, the emails, and the motions.

In particular, Iâ??ve found myself paying closer attention to one figure: Alexander J. Pennetti, counsel for Cyberlux Corporation, representing the firm Thompson Coburn LLP. Mr. Pennetti is no slouch. Heâ??s intelligent, strategically savvy, and clearly capable of going the distance for his client. But the manner in which he engagesâ??with the court, with opposing counsel, with the receiverâ??raises questions. Not of legality. Of tone.

There is a clipped sharpness to many of his filings, a persistent insinuation that everyone else involved is either overstepping, incompetent, or both. When judges disagree with his procedural tactics, the rebuttals are swift and often dismissive. When opposing parties raise concerns about Cyberluxâ??s debts or past behavior, they are waved off as misguided or malicious. The language is rarely inflammatoryâ??but it carries an unmistakable chill.

And perhaps most telling, when sanctions do come downâ??as they have, repeatedly, in courts from Texas to Virginiaâ??the response is never reflective. It is deflective.

To be clear, this is not about personal attack. It is about professional tone. It is about the way an attorney represents not only their client, but the profession as a whole. And it is impossible to ignore that in nearly every venue where Cyberlux has appeared, it is Cyberluxâ??and only Cyberluxâ??that has been sanctioned, fined, or reprimanded by the bench.

The repeated pattern is hard to miss. Cyberlux removes cases to federal court without basis. Judges call the removals objectively unreasonable. Motions to stay are filed again and again, often under the banner of an imminent payment that never seems to materialize. Claims of judgment satisfaction are made, even as creditors remain unpaid. And all the while, filings continue to portray the company as a beleaguered target of systemic injustice.

That framing might be compelling, were it not accompanied by such a long and well-documented trail of unpaid debts, defaulted obligations, and frustrated courts.

At the heart of the current dispute is a court-appointed receiver, Robert Berleth, who has by all accounts taken a steady and methodical approach to sorting through the chaos left in Cyberluxâ??s wake. Mr. Berleth is not without his criticsâ??receivers rarely areâ??but he has maintained, throughout hundreds of pages of filings, a tone that is sober, documented, and grounded in precedent. His recent filings reflect frustration, yesâ??but not flair. He is trying to do his job.

In return, he has been accused, insinuated against, and painted as overreaching and self-interested. And while itâ??s reasonable to scrutinize the power of a receiver, the tone of the attack begins to feel like something else: a campaign not of legal objection, but of personal erosion.

That brings us to something even more important than tone: the role of a lawyer.

To be a lawyer is not to become an extension of your clientâ??s worst instincts. It is not to mirror their outrage, their vindictiveness, or their tactics of distraction. It is notâ??or at least, it should not beâ??a vehicle for character assassination. A lawyerâ??s duty is to argue the merits of a clientâ??s position and trust the process to weigh it fairly. That duty should never include launching personal attacks on opposing counsel or casting aspersions on the ethics of the court. It requires clarity, not contempt.

And this is why one particular argument advanced by Mr. Pennetti stands out. In multiple filings, he has claimed that the Receiver, Mr. Berleth, is acting in violation of a court-ordered stay. But the stay order in question, issued by the First Court of Appeals on June 30, 2025, could not be clearer: while it stays the enforcement of the May 22, 2025 receivership order, it explicitly states that â??the Receiver and parties may continue to participate in, and the trial court conduct, proceedings in the trial court, including proceedings to determine whether the subject judgment has been satisfied, how monies should be disbursed, and whether the receivership should be terminated.â?•

In other words, Mr. Berleth is doing exactly what the court has permitted him to do. To argue otherwise is not just legally unpersuasiveâ??it is factually indefensible. And to use that claim as the basis for impugning the Receiverâ??s motives or professionalism seems, to many observers, profoundly unfair.

Because when litigation becomes theatreâ??when it becomes a vehicle for undermining character rather than clarifying claimsâ??something is lost. It isnâ??t just civility. Itâ??s trust in the process.

The public doesnâ??t read these filings the way lawyers do. But for those of us who do read them, the cumulative weight of tone matters. If you believe your client is in the right, you do not need to sneer at the opposition. You do not need to accuse every adverse ruling of bias or betrayal. You do not need to treat the receiver like a personal antagonist.

If your argument is strong, your posture can be calm.

This is not a call for lawyers to be meek. Litigation is adversarial by nature. But professionalismâ??even in the heat of conflictâ??matters. Itâ??s not just a matter of etiquette. Itâ??s a form of respect: for the court, for the parties, and for the truth.

There is, too, a larger ethical question. When a firm appears to benefit from prolonged litigationâ??when stock-based compensation is rumored, and volatility becomes more valuable than resolutionâ??we have to wonder whether the process itself is being leveraged as a business strategy. Thatâ??s not an accusation. Itâ??s an observation. And itâ??s worth looking at closely.

Ultimately, the fight over Cyberluxâ??s assets will play out in court. Judgments will be entered. Creditors will, one hopes, be paid. But what will linger is the record. The tone. The way this all felt to those who read it as it happened.

Because litigation isnâ??t just a legal act. Itâ??s a human one. And when the dust settles, people remember not only who won, but how they behaved.

So if you believe your client is in the right, act like it. Be fierce, but be fair. Be strategic, but be professional.

Because in the end, we remember tone as much as truth. And sometimes more.

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Category

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