

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF FLORIDA  
CASE NO. 09-01

INQUIRY CONCERNING A JUDGE NO. 09-01  
RE: JUDGE N. JAMES TURNER

S. Ct. Case No. 09-1182

**THE FLORIDA JUDICIAL QUALIFICATIONS COMMISSION'S THIRD REQUEST FOR  
PRODUCTION OF DOCUMENTS TO JUDGE N. JAMES TURNER**

The Florida Judicial Qualifications Commission (the "JQC"), pursuant and accordance with Commission Rule 12(a) and Fla. R. Civ. P. 1.350, hereby requests that Judge N. James Turner ("Judge Turner") produce documents responsive to the following requests within thirty (30) days of service hereof.

**DEFINITIONS**

A. As used herein, "you" or "your" or "Judge Turner" means Circuit Court Judge N. James Turner.

B. As used herein, "JQC" means The Florida Judicial Qualifications Commission.

C. As used herein, the term "document" or "documents" means any and all information in tangible form and shall include, without limiting the generality of the foregoing, all letters, emails, telegrams, telexes, teletypes, correspondence, contracts, drafts, agreements, notes to file, reports, memoranda, mechanical or electronic recordings or transcripts of such recordings, blueprints, flow sheets, calendar or diary entries, memoranda of telephone or personal conversations, memoranda of meetings or conferences, studies, reports, interoffice and intraoffice communications, quotations, offers, inquiries, bulletins, circulars, statements, manuals, summaries, newsletters, compilations, maps, charts, graphs, propositions, articles, announcements, newspaper

clippings, books, public filings, records, tables, books of account, ledgers, vouchers, cancelled checks, invoices, bills, opinions, certificates, promissory notes and other evidence of indebtedness and all drafts and copies of documents as hereinabove defined by whatever means made, including any computer data (any information or programs stored in a computer or on computer disk, whether or not ever printed out or displayed), as well as any other tangible thing on which information is recorded in writing, sound laser, electronic or magnetic impulse. If multiple copies of a document exist, each copy that is, in any way, not completely identical to a copy that is being produced should also be produced.

D. As used herein, "communication" means the transmission, sharing or exchange of information or knowledge in any form, by one with another.

E. As used herein, the terms "all" and "each" shall be construed as "and," "each," and "and/or."

F. As used herein, the term "any" should be understood in either its most or least inclusive sense as will bring within scope of the discovery request all responses that might otherwise be construed to be out of its scope.

G. As used herein, the connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed outside of its scope.

H. As used herein, the term "relating" or "relate" or "referring" means concerning, regarding, with reference to, utilizing, describing, evidencing, or constituting, directly or indirectly in any way whatsoever.

I. As used herein, “transaction” shall mean the act of transacting, dealing or conducting any business or commercial activity, negotiation, acts, agreements or a series of acts and agreements whereby an alteration of rights occurs. A “transaction” may involve the following activities including, but not limited to, selling, leasing, guaranteeing, borrowing, negotiating, mortgaging or lending.

### **CLAIM OF PRIVILEGE**

To the extent that Judge Turner objects to any document request or part thereof on the basis of a claim of attorney client or work product privilege, identify the privilege claimed as well as each item or document for which such privilege is claimed, and provide the following with respect to each such document: (a) the date thereof; (b) identify all persons present, if an oral communication; and (c) the basis on which the privilege is claimed.

### **DOCUMENTS TO BE PRODUCED**

1. All documents reflecting, referring or relating to all polling or voter surveys conducted for or related to your 2008 campaign for judge or any polling data with respect to your judicial candidacy, including the results of all such polling or voter surveys.

2. All documents received by you when you registered to run for Circuit Court Judge in the 2008 campaign.

3. All documents reflecting, referring or relating to the restrictions on judicial candidates under Florida law which you received from the JQC or any other source prior to the 2008 primary election in which you ran as a candidate for circuit court judge.

4. The text or tapes of all automated phone calls or robocalls made to voters or members of the public on your behalf by Reverend Jermaine T. Bracy or any other person, during your campaign for the judgeship you now hold.

5. All documents reflecting, referring or relating to the source of the funds (in excess of \$42,000) which you loaned to your 2008 campaign.

6. All documents reflecting, referring or relating to any loans or other monies you personally provided out of your own funds to or for your campaign for the judgeship you now hold.

7. All documents reflecting, referring or relating to any loans, gifts or other funds received by you, directly or indirectly, from Gertrude Turner and or any member of your family or any other person, that were used, in whole or in part, to fund your 2008 campaign.

8. All documents reflecting, referring or relating to the source, origins or derivation of all or any part of the \$10,000 you loaned your campaign between October 1, 2007 and December 31, 2007.

9. All documents reflecting, referring or relating to the source, origins or derivation of the \$19,493 you loaned your campaign between April 1, 2008 and July 17, 2008.

10. All documents reflecting, referring or relating to the source, origin or derivation of the sums you loaned to your campaign between August 2, 2008 and September 26, 2008.

11. All financial reports filed with the State of Florida, Division of Elections, reflecting all funds raised or borrowed by your 2008 campaign and all expenditures for

your 2008 campaign.

12. All documents reflecting, referring or relating to any transactions, dealings or communications between your or your campaign or anyone acting on your or your campaign's behalf and Tim Shea or any other person acting for or on behalf of Tim Shea in any way related to the 2008 election campaign.

13. All contracts and agreements between you or your campaign and any or all of your paid campaign workers related to your 2008 campaign.

14. All documents reflecting the paid campaign volunteers who were present or were paid to work at the polls during early voting at the Fila Mitchell Library in Orlando on or about October 20, 2008 or any other early voting day at the aforementioned location.

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and

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Judicial Qualifications Commission  
1110 Thomasville Road  
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Tel: (850) 488-1581

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via E-Mail and U.S. Mail to Barry Rigby, Esquire, Law Offices of Barry Rigby, P.A., 934 North Magnolia Avenue, Suite 319, Orlando, Florida 32803 on this \_\_\_\_ day of \_\_\_\_\_, 2010.

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Attorney