

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 SECOND
INTERROGATORIES TO JUDGE N. JAMES TURNER**

The Florida Judicial Qualifications Commission (the "JQC"), pursuant to and in accordance with Commission Rule 12(a) and Fla. R. Civ. P. 1.340, hereby propounds the following interrogatories to Judge N. James Turner ("Judge Turner"), to be answered under oath within thirty (30) days of service hereof.

I. 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, "document" means, without limitation, the original and all non-identical copies of any written electronic or graphic matter or other means of preserving information, thought or expression and all tangible things in which information can be processed or transcribed, whether typed, handwritten, printed, photocopied, recorded on audio tape or video tape, filmed, photographed, microfilmed, saved by computer or computer disk or otherwise produced, reproduced or stored, including, without limitation, notes, e-mails, memoranda, transcripts, minutes, correspondence, telexes, telefaxes, circulars, releases, publications, articles, books, reports, prospectuses, records, financial statements, computer disks, computer tapes,

computer runs, microfilms, microfiche, videotapes, ticker tapes, audio tapes, indexes, lists, summaries, compilations, matrixes, files, charts, graphs, posters, analyses, money orders, checks, drafts, financial documents, commercial paper, securities, account-books, diaries, calendars, journals, agreements, contracts, orders, insurance policies, charts, business records and any other tangible things.

A. To “identify a document” shall mean to state with respect thereto:

1. The identity of the person who prepared it;
2. The identity of the person who signed it or in whose name it was issued;
3. The identity of each person to whom it was addressed or distributed;
4. The nature or substance of the document with sufficient particularity to enable it to be identified;
5. Its date, and if it bears no date, the date when it was prepared; and
6. The physical location of the document and the custodian or custodians thereof.

B. The term “person” means any individual, corporation, partnership, joint venture, group, association, body politic, government agency, unit or other organization.

C. To “identify a person” with reference to a natural person, means to give his name, his last known address, and if employed, the name and address of his employer and his job title or position. To identify a person who is not a natural person, means to state the name and principal office of such person.

D. The term “communication” means any conversation, discussion, meeting,

conference, negotiation, exchange of information, or other form of communication, regardless of whether the communication occurs through a personal conversation, telephone call, letter, fax, or any other method of communication.

E. To “identify an oral communication” or the use of equivalent language shall mean to state with respect thereto:

1. The identification of each person or entity who participated in the oral communication and each person who was present at the time it was made;
2. The date and place where such oral communication was made or took place;
3. Whether the communication was made by face-to-face contact between the persons, by telephone or other means;
4. The content and substance of what each such persons said; and
5. The identification of each document pertaining to each such oral communication.

I. To “identify a transaction” shall mean:

1. To state the terms of the transaction;
2. To identify each person or entity to the transaction;
3. To state the date or dates upon which the transaction or transactions took place;
4. To identify each and every document relating to the transaction; and
5. To identify each and every person who has knowledge of the terms of the transaction, or who has personal knowledge of any facts related to

any parties' or entities' performance under the terms of the transactions.

J. To "identify a payment" shall mean to:

1. State the date the payment was issued.
2. State the date the payment was honored.
3. State the amount of such payment.
4. State what such payment was intended for.
5. State from which bank account such payment was issued from.
6. State any formal or informal agreements or understandings reached between the parties as to such payment.
7. State the terms of such payment.
8. Identify each person or entity to the payment.
9. Identify each and every person who has knowledge of the terms of the payment.
10. Identify any communications regarding such payment.

K. As used herein, "state" means:

1. To describe specifically all circumstances, events and conversations related to the subject matter of inquiry, including the date, place and names and addresses of those persons present;
2. To list all witnesses having knowledge of the subject matter of inquiry, including the name, present address, position and relation to plaintiff or defendants, for each witnesses; and
3. To list all documents relating to the subject matter of inquiry or in lieu thereof to attach copies of all such documents.

L. As used herein, relating or referring means “bearing upon, concerning, addressing, respecting, discussing, mentioning, describing, reflecting, responding to, identifying, pertaining to, having to do with, criticizing, contradicting, evaluating, analyzing, setting forth, underlying, commenting on, forming the basis for, or otherwise being in any way relevant to the given subject.”

M. 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, purchasing, assigning, borrowing, negotiating, guaranteeing, mortgaging, lending or forming legal entities or joint ventures.

N. Number: The use of the singular form of any word includes the plural and vice-versa.

O. “Payment” shall mean the performance of a duty, promise or obligation, or discharge of a debt or liability, by the delivery of money or other value by one party from one party from which it is due to another party to which it is due.

P. “Detail” means to describe and/or recount in detail and in all the particulars, with specific references to relevant dates, identifying persons involved, and actions taken, as applicable.

II. CLAIM OF PRIVILEGE

If you object to any Interrogatory or part thereof on the basis of a claim of

attorney client or work product privilege, identify the privilege claimed as well as each document for which such privilege is claimed, and provide the following with respect to each such document: (1) the date of the document; (2) the name of its author, authors, or preparers identified by title and employment; (3) the name of each person who was sent or furnished with the document, or in any way received or viewed the document, or had custody of the document, together with an identification of each such person by title and employment; (4) a brief description of the document; (5) subject matter of the documents; (6) the number of pages of the documents; (7) the number of attachments or appendixes and a description of each; (8) identification of all persons to whom the documents was shown or explained; (9) the present custodial and the factual and legal grounds upon which the documents has been withheld; (10) a statement of the basis for the claim of privilege or assertion that it is otherwise immune or protected from discovery in sufficient detail so as to permit the Court to adjudicate the validity of the claim or assertion; and (11) the paragraph of this request to which the document relates. In the case of any document relating in any way to a meeting or any other conversation, all those present (whether or not they were participants) in the meeting or conversation are to be identified.

INTERROGATORIES

INTERROGATORY NO. 1: Please specifically itemize and describe the source of funds (in excess of \$42,000) that you reported as loans from you to your campaign.

ANSWER:

INTERROGATORY NO. 2: Please specifically itemize and describe all funds, however characterized, you received from your mother (Mignon Gordon) which were used for the campaign for the office you now hold, including, the date(s) any such funds were received, the specific amounts of such funds, and the total of such funds.

ANSWER:

INTERROGATORY NO. 3: Please specifically describe the agreement, arrangement or understanding you had with your mother regarding the funds you received from her which were used in the campaign for the office you now hold.

ANSWER:

INTERROGATORY NO. 4: Please describe all communications (written or parole) you had with David J. Stern, Esquire regarding your mother or the foreclosure litigation brought against her by Citimortgage, Inc. in Dade County, Florida, including the nature, substance and approximate dates of all such communications.

ANSWER:

INTERROGATORY NO. 5: Please describe all communications (written or parole) you had with any person other than David J. Stern, Esquire regarding your mother or the foreclosure litigation brought against her by Citimortgage, Inc. in Dade County, Florida, including the nature, substance and approximate dates of all such communications.

ANSWER:

INTERROGATORY NO. 6: Please specifically describe in detail the nature and substantive mistakes you made as a circuit court judge in the handling of first appearances, capias and bond matters that came before you.

ANSWER:

INTERROGATORY NO. 7: Please specifically describe in detail the nature and

substantive mistakes you have made in the handling of domestic violence and juvenile matters that came before you.

ANSWER:

JUDGE N. JAMES TURNER

STATE OF _____

COUNTY OF _____

BEFORE ME, the undersigned authority, personally appeared _____ who, after being duly sworn, deposes on oath and states that he has read the above and foregoing Answers to Interrogatories and the same are true and correct to the best of his knowledge and belief.

SWORN TO AND SUBSCRIBED in my presence this _____ day of _____, 2010, by _____, who is personally known to me or who has provided _____ as identification.

[signature]

[print or type name]

Notary Public

My Commission Expires: