

IN THE TENNESSEE COURT OF THE JUDICIARY

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**IN RE: THE HONORABLE JOHN A. BELL
JUDGE, GENERAL SESSIONS COURT
COCKE COUNTY, TENNESSEE**

Docket No. M2009-02115-CJ-CJ-CJ

**COMPLAINT OF DAVID PLEAU
FILE NO. 08-3508**

MOTION TO DISQUALIFY TEMPORARY PANEL MEMBERS

NOW INTO COURT comes Defendant Judge John A. Bell (“Judge Bell”), by and through undersigned counsel, and hereby moves this Court for an order disqualifying Judge David Loughry and attorney John Rogers from acting as temporary panel members in this matters.

As grounds for this motion, Judge Bell avers as follows:

1. Upon receipt of this Court’s Order entered May 4, 2010, Disciplinary Counsel Patrick J. McHale advised the Court’s Judicial Assistant and counsel for Judge Bell that both he and Disciplinary Counsel J.S. Daniel had prior business dealings with Judge Loughry and Mr. Rogers.

2. In particular, Mr. McHale previously shared a law office and expenses with Judge Loughry.

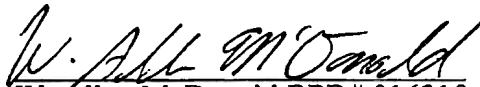
3. Also, Mr. Rogers is an owner of the building where Disciplinary Counsel Daniel maintains an office that includes his Court of the Judiciary Office.

4. In addition, the motions pending before the Panel will involve issues beyond Judge Bell and his alleged conduct. Rather, the issues touch upon the tactics

employed by Disciplinary Counsel in this case, including whether Disciplinary Counsel's office improperly obtained evidence against Judge Bell and whether Judge Bell should be able to depose Mr. Daniel. Accordingly, any person who has a prior professional or business relationship with Disciplinary Counsel and/or or who might have formed a favorable opinion of Disciplinary Counsel would be potentially biased in ruling on the motions before the Court.

WHEREFORE, Judge Bell respectfully requests that this Court disqualify Judge David Loughry and attorney John Rogers from serving on the Panel in this matter, and in particular the motions currently set to be heard on May 11, 2010. Judge Bell would consent to a continuance of the hearing currently set for May 11, 2010, if needed in order to obtain the relief requested herein.

Respectfully submitted this 6th day of May, 2010.


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CERTIFICATE OF SERVICE

A copy of the foregoing was served upon the following via electronic mail.

Patrick J. McHale
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Joseph S. Daniel
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This 6th day of May, 2010.



W. Allen McDonald