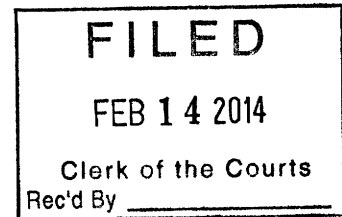


IN THE TENNESSEE BOARD OF JUDICIAL CONDUCT

IN RE: THE HONORABLE JOHN A. DONALD
GENERAL SESSIONS JUDGE
SHELBY COUNTY, TENNESSEE

DOCKET NO. M2013-02204-BJC-DIS-PC
File No. 11-4762



REQUEST FOR DISCOVERY

To the Disciplinary Counsel, notice is hereby given, pursuant to T.R.C.P. 26, that Judge John A. Donald is requesting disclosure and production of the following materials and/or information:

1. The names, current addresses, and telephone numbers of all witnesses to be called to testify against the respondent, Judge Donald, at trial;
2. Any information relevant to impeachment of any witness that the Disciplinary Counsel intends to call at the trial, including any past suspension, the basis therefor by the Tennessee Board of Professional Responsibility, past convictions for crimes of moral turpitude, and any threats, promises, inducements, offers of reward or immunity, affirmative representations made or implied, of any witness to be called to testify against the respondent, including any statements, written or orally, given to the Disciplinary Counsel by each witness relevant to each witness impeachment;
3. All written statements from all sources which the Counsel intends to seek introduction at the trial, including the names and addresses, telephone numbers of the witnesses through whom each statement is proposed to be introduced by the Disciplinary Counsel;
4. Copies of all statements received by the Disciplinary Counsel from the witnesses submitted by Judge Donald in his response to Mr. Gold's complaint; said statements received as a result of the Counsel's interviewing the witnesses presented by Judge Donald in his response to Mr. Gold's complaint;
5. The names and current addresses of the members of the investigative panel who authorized you to affix their signatures to the formal charges and any and all written correspondences between the Counsel and each of these members of the panel; in particular, the respondent requests a copy of all written statements to the panel members with regards to the Counsel's investigation of the formal complaint of Mr. David Gold;
6. A copy of Mr. Gold's complaint to the Board or Disciplinary Counsel accusing Judge Donald of retaliation.

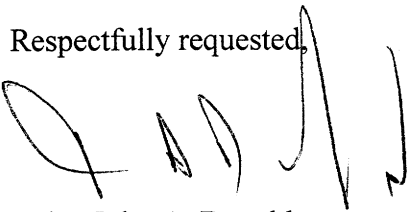
Now, pursuant to T.C.R.P. 26.01, the respondent requests admission of the Disciplinary Counsel of the following:

1. That at the time he filed/published Mr. David Gold's complaint that he had not investigated the verity of Mr. Gold's charges and/or rendered an opinion of same or interviewed the witnesses submitted by the respondent in his response to Mr. Gold's charges.

2. That Counsel had found no proof as to the veracity of Mr. Gold's complaint, respondent referencing specifically the only complaint of Mr. Gold submitted to Judge Donald.
3. That Judge Donald was the person who noticed the Counsel of his complaint of Mr. Gold to the Tennessee Board of Professional Responsibility, copying to Counsel all correspondences of his to the Board, and not Mr. Gold.
4. That the Counsel had no competent proof that will sustain a "hearsay" objection of how the TBPR had adjudicated Judge Donald's complaint against Mr. Gold at the time he would publish Mr. Gold's charges.
5. That even as of date of this request, Counsel has no such competent proof of the TBPR's disposition and his indicated to Judge Donald that he does not intend to seek such information from the TBPR.
6. That as of the date of these requests, the Disciplinary Counsel has yet to receive a copy of the disposition of Judge Donald's complaint from the TBPR.

Respondent asks that these requests be treated as a continuing request through the completion of the trial of the charges against him.

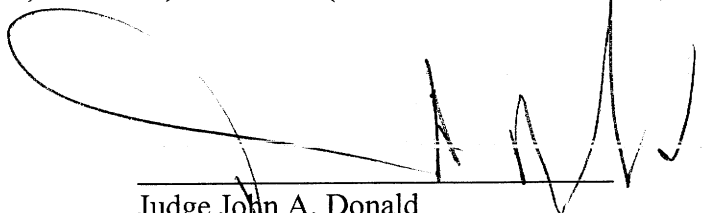
Respectfully requested,



Judge John A. Donald
140 Adams, Suite 110
Memphis, TN 38103
901-222-3571

CERTIFICATE OF MAILING

Judge John A. Donald, acting as his attorney, *pro se*, certifies that the foregoing requests, pursuant to T.R.C.P. Rule 26, were mailed this 30th day of January, 2014, via U.S. Mail, postage prepaid, to Mr. Timothy R. Discenza, Disciplinary Counsel, Tennessee Board of Judicial Conduct, P.O. Box 50356, Nashville, TN 37205, this 30th day of January, 2014, with notice and copy this same day being mailed via U.S. Mail to the Tennessee Board of Judicial Conduct, Appellate Court Clerk's Office-Nashville, 100 Supreme Court Building, 401 7th Avenue North, Nashville, TN 37219 (Attn: Mr. Mike Catalano.)



Judge John A. Donald
140 Adams Avenue, Ste. 110
Memphis, TN 38103
901-222-3571