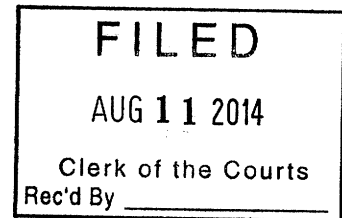


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**IN THE TENNESSEE BOARD OF JUDICIAL CONDUCT**

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



**Docket No. M2013-02204-BJC-DIS-FC**

**File No. 11-4762**

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**REQUEST FOR ADMISSIONS**

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COMES NOW Timothy Discenza, Disciplinary Counsel for the Tennessee Court of the Judiciary, pursuant to Tennessee Rule of Civil Procedure 36, and propounds the following request for admissions to Honorable John A. Donald:

1. That you were at all times relevant herein (as described in the original Complaint in this action), a full time judge of the General Sessions Court of Shelby County, Tennessee, as described in TCA Section 16-15-502.

RESPONSE:

2. That at all times relevant to the Complaint filed in this action, the Judicial Canons of Ethics or Code of Judicial Conduct applied to you.

RESPONSE:

3. That at all times relevant to the Complaint filed in this action, you were subject to judicial discipline by the Board of Judicial Conduct pursuant to Tennessee Code Annotated § 17-5-102.

RESPONSE:

4. That on or about October 17, 2011, David Gold, an attorney practicing in Shelby County, Tennessee filed a complaint with the Tennessee Court of the Judiciary, the predecessor agency of the Tennessee Board of Judicial Conduct, against you, alleging

violations by you of the Tennessee Code of Judicial Conduct that was then in effect. This complaint was attached as exhibit A to the formal charge or complaint filed in this action.

RESPONSE:

5. That on or about October 23, 2011, Judge Donald was sent a copy of the complaint of David Gold referenced in the previous Request No. 4 and asked to respond to the complaint, and that you received the complaint and letter of Disciplinary Counsel seeking your response prior to November 15, 2011.

RESPONSE:

6. That on or about December 2<sup>nd</sup>, 2011, you responded to Mr. Gold's complaint by letter to the Disciplinary Counsel to the Tennessee Court of the Judiciary.

RESPONSE:

7. That on or about December 7, 2011, you wrote a letter of complaint to the Tennessee Board of Professional Responsibility, making a complaint against David Gold, and asking the Board to investigate another attorney who had been associated with David Gold and who was listed by David Gold as a witness to Mr. Gold's complaint against you.

RESPONSE:

8. That the complaint of David Gold in the Tennessee Court of the Judiciary, designated as Exhibit 1 to your deposition of November 26, 2013, is a true and exact copy of the complaint against you received prior to December 7, 2011 following the hearing on September 18, 2007 of the case described in previous Request No. 3, on June 27, 2008, you ruled in the case.

RESPONSE:

9. That on December 7, 2011, the letter that you wrote to the Board of Professional Responsibility referenced in previous Request No. 7, designated as Exhibit No. 2 to your deposition November 26, 2013 is a true and exact copy of the letter that you wrote to the Board of Professional Responsibility concerning David Gold.

RESPONSE:

10. That on January 26, 2012, you wrote another letter to the Board of Professional Responsibility suggesting to that Board another area of investigation against Mr. Gold by that Board, and that such letter, designated as Exhibit No. 4 to your deposition November 26, 2013 is a true and exact copy of the letter that you wrote to the Board of Professional Responsibility concerning David Gold

RESPONSE:

11. That the Board of Professional Responsibility dismissed your complaint against David Gold and that you received written communication from the Board of Professional Responsibility stating that your complaint has been dismissed.

RESPONSE:

Dated: August 11, 2014

Respectfully submitted,



**TIMOTHY R. DISCENZA #008716**

**Disciplinary Counsel**

**PATRICK J. McHALE, #004643**

**Assistant Disciplinary Counsel**

Tennessee Board of Judicial Conduct

P.O. Box 50356

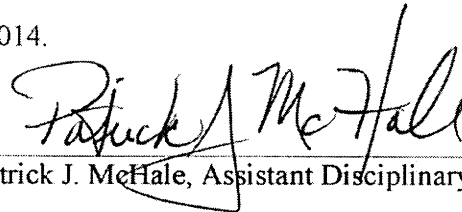
Nashville, TN 37205

#### Certificate of Service

I hereby certify that a true and exact copy of the foregoing Request for Admissions was mailed or delivered to the following:

Hon. John A. Donald  
General Sessions Judge  
140 Adams Avenue, Suite 110  
Memphis, Tennessee 38103

This the 11 day of August, 2014.



Patrick J. McHale, Assistant Disciplinary Counsel