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BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA

INQUIRY CONCERNING A JUDGE

CASE NUMBER: SC16-2178

PHILIP JAMES YACUCCI, NO 16-496

RESPONDENT'S PREHEARING STATEMENT

RECEIVED, 04/11/2017 03:48:26 PM, Clerk, Supreme Court

1. Respondent's witness list:

Garrison M. Dundas, Esq.
130 S. Indian River Drive
Suite 304
Ft. Pierce, FL 34950
772-461-2310

Mr. Dundas is an attorney practicing in Ft. Pierce, Florida. He represented Judge Yacucci in the civil litigation involving Judge Yacucci and Commission witness Stephen Smith. He will testify regarding the accuracy of Petitioner's statements contained in the Petition for Writ of Prohibition referred to in the complaint in this action.

Judge Michael Carr
Collier County Government Complex
3315 Tamiami Trail East
Suite 303
Naples, FL 34112
239-252-4262
Lruiz@ca.cjis20.org

Judge Carr will testify that he was the target of a contested election initiated against him by Commission witness Stephen Smith. Judge Carr will testify regarding the modus operandi of the campaign effort against him. He will testify that he recused himself for a time period when presented with legally sufficient Motions to Disqualify or Recuse, and denied the legally insufficient motions. He will testify regarding his continuing relationship

with Mr. Smith's firm, the Ticket Clinic.

Sheriff Ken Mascara
St. Lucie County Sheriff Office
4700 W. Midway Road
Ft. Pierce, FL 34981
772-462-7300

Sheriff Mascara will testify regarding Judge Yacucci's long public service to the community and his integrity and character.

Judge Steven J. Levin
327 Courthouse Addition
218 S. 2nd Street
Ft. Pierce, FL 34950
772-462-2382

Judge Levin will testify regarding efforts by Judge Yacucci to seek opinions about the ethical issues underlying this action as well as the competing interests involved here. He will testify regarding Judge Yacucci's work ethic, public service, character and integrity.

Honorable Bruce Colton
411 S. 2nd Street
Ft. Pierce, FL 34950
772-462-1300

State's Attorney Bruce Colton will testify regarding Judge Yacucci's public service as an Assistant State Attorney, Public Defender, private defense attorney, and County Judge. He will testify about Judge Yacucci's character and integrity.

2. **Respondent's Exhibit List:**

Exhibit 1 - Stephen Smith Contempt Action Documents

Exhibit 2 - Campaign Materials and Background Materials

Exhibit 3- Campaign Newspaper Endorsements

Exhibit 4- 6	Campaign ECO filings
Exhibit 7-	Photo of Voting Poll Practices
Exhibit 8-	Release in Smith v. Yacucci litigation
Exhibit 9-11	Final Orders and Stipulation Terminating Smith v. Yacucci and Yacucci v. Smith litigation.

Any exhibits listed by the Commission.

3. Respondent has no objection to the Commission's listed exhibits or witness list and is unaware of any objection the Commission has to Respondent's witness and exhibit list.

I HEREBY CERTIFY that a copy of the foregoing has been sent via e-portal filing to Lauri Waldman Ross, Michael Schneider and Alexander Williams this 11th day of April, 2017.

s/Robert J. Watson

ROBERT J. WATSON
rjwpa@yahoo.com
Florida Bar No. 290092
Attorney for the Defendant
ROBERT J. WATSON, PA
360l S.E.Ocean Blvd., Ste.004
Stuart, Florida 34996
(772) 288-l880