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BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA

INQUIRY CONCERNING JUDGE

PHILIP JAMES YACUCCI, NO. 16-496 SC 16-2178
_____/

AMENDED ORDER SCHEDULING HEARING AND PREHEARING DEADLINES
(location only)

Following a status conference with counsel, the Final Evidentiary Hearing before the Florida Judicial Qualifications Commission (FJQC) Hearing Panel is scheduled to commence at 9:00 A.M., Monday, May 1, 2017 at St. Lucie County West Annex Courthouse, 250 NW Country Club Drive, Courtroom N, Port Saint Lucie, Florida 34986. The members of the Hearing Panel are: (1) Judge Robert Morris (Chair); (2) Alan Bookman, Esquire; (3) Judge James Wolf (ad hoc); (4) Eugene Pettis, Esquire; (5) Nancy Mahon (lay member and ad hoc) and (6) Harry Duncanson (lay member).

1. Prehearing conference - A telephonic prehearing conference is hereby set for Friday, April 21, 2017 at 9:00 a.m. The call in number is 1-888-670-3525, Access Conference Code: 2162779784#. A court reporter will be provided by Special Counsel.

2. Disclosure of witnesses and exhibits - The parties are encouraged to disclose witnesses and exhibits as soon as possible, but no later than March 6, 2017.

3. Prehearing statements - At least 10 days before the prehearing conference, counsel shall provide the Chair and all other counsel with a Prehearing Statement with a list of the witnesses to be called and the exhibits to be introduced. The subject matter of each witness' testimony shall be listed. If there are objections to any exhibit or witness, a list of objections shall be filed before the prehearing conference so that they may be ruled on by the Chair at the prehearing conference. The witness and exhibit lists may thereafter be supplemented only by further order.

4. Discovery - All depositions and discovery shall be completed by April 7, 2017.

5. Stipulations - The parties are encouraged to stipulate to as many facts and exhibits as possible.

6. Undisposed of motions and legal issues of importance - Any undisposed of motions shall be argued at the prehearing conference and shall be delivered to opposing counsel and the Chair at least 10 days before the prehearing conference. Counsel shall further advise of the nature of any particular legal issues which are anticipated. Case determinative or constitutional legal issues shall be argued in writing in a brief not exceeding 10 pages by the party asserting the issue.

7. Amendments to charges and defenses – If there are any proposed amendments to the charges or the defenses, they shall be filed at least 10 days prior to the prehearing conference unless leave is granted for a later filing.

8. Inspection of and objection to exhibits – Counsel shall exchange all exhibits at least 20 days before the prehearing conference for inspection by opposing counsel. Counsel shall confer concerning their objections and if there are unresolved objections to any proposed exhibits, a schedule of those objections shall be furnished 10 days before the prehearing conference. Objections shall be ruled on at the prehearing conference.

9. Exhibit books - The parties shall jointly prepare exhibit books and provide 7 copies to Counsel for the Hearing Panel on or before May 1, 2017. The exhibit books shall include an index listing each exhibit.

10. Policy on limitation of character witnesses - Pursuant to the general policy of the Hearing Panel, the respondent Judge will be limited to a total of three live character witnesses. In addition to these witnesses, affidavits and letters regarding character may be filed by the Judge no later than April 21, 2017 for consideration by the Hearing Panel.

So ordered this 6th day of April, 2017.

By: /s/ Robert Morris

Honorable Robert Morris (Chair)
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION
HEARING PANEL CHAIR
Second District Court of Appeal
1005 E. Memorial Boulevard
Lakeland, FL 33801
morrisr@flcourts.org

Copies Furnished in accordance with the attached list:

Michael Schneider, General Counsel
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION
P.O. Box 14106
Tallahassee, FL 32317
mschneider@floridajqc.com

Alexander J. Williams, Special Counsel
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION
P.O. Box 14106
Tallahassee, FL 32317
awilliams@floridajqc.com

Robert J. Watson, Esquire
Robert J. Watson, P.A.
3601 S.E. Ocean Blvd., Suite 004
Stuart, FL 34996
rjwpa@yahoo.com

Lauri Waldman Ross, Esquire
Counsel to the Hearing Panel of the
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION
ROSS & GIRTEN
9130 S. Dadeland Blvd., Suite 1612
Miami, Florida 33156
RossGirten@Laurilaw.com