

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA

INQUIRY CONCERNING A JUDGE
THE HONORABLE VEGINA T. HAWKINS
JQC No. 2019-351

SC19-1193

_____ /

UNOPPOSED MOTION TO RE-OPEN DISCOVERY AND PERMIT WITNESS ADDITION

Comes Now the Respondent Judge, Veginia T. Hawkins (hereinafter “Respondent”), by and through her undersigned counsel, and respectfully moves this Honorable Court to permit Respondent to re-open discovery, in a limited fashion, only to add a fact witness and would show for cause as follows:

1. Discovery in this cause was closed on December 22, 2019; both parties listed fact witnesses, and Respondent listed six (6) character witnesses as a result of her unopposed motion to expand character witnesses from three (3) to six (6);

2. On January 3, 2020, after discovery was closed, counsel received an e-mail from an Attorney, Gregory Lauer, advising that he had just recently seen the video on Respondent Hawkins, and wished to offer fact testimony, favorable to Respondent, relating to the activities seen on that video;

3. Counsel did not interview Mr. Lauer until Wednesday, January 8, 2020, and confirmed his testimony and the favorable nature of it. He would testify that he is a former trial partner of Respondent’s while they were both Assistant State Attorneys in Broward County, Florida; he would further testify that the actions which are seen on the video were taken by Respondent with him, at least

RECEIVED, 01/14/2020 04:09:30 PM, Clerk, Supreme Court

twice, in jest and not intended to be in any fashion in anger or in an aggressive manner; quite the opposite;

4. That when he saw the video, he immediately recognized it to show the same playful actions which he knew Respondent had exhibited in their friendly banter as colleagues in the State Attorney's Office and was shocked that it was the basis for a complaint;

5. Counsel contacted opposing counsel in this matter on January 8, 2020, for his position on this motion. On this date, January 14, 2020, Mr. Coxe authorized counsel to advise the Court that he does not oppose the granting of this motion, permitting the witness to be listed and then re-closing the discovery again;

6. Other grounds to be argued ore tenus, if necessary.

WHEREFORE, Respondent respectfully moves the Court to re-open discovery, permit her to list this fact witness recently discovered, which is filed concurrently herewith, and then re-close the discovery process after that listing.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished this 14th day of January, 2020, to:

Honorable Kevin Emas, (Chair)
HEARING PANEL CHAIR
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION
Third District Court of Appeal
2001 S.W. 117th Avenue
Miami, FL 33175
emask@flcourts.org

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

Lauri Waldman Ross, Hearing Panel Counsel
FLORIDA JUDICIAL QUALIFICATION
COMMISSION
Ross & Girten
9130 S. Dadeland Blvd., Suite 1701
Miami, Florida 33156
RossGirten@Laurilaw.com

Henry M. Coxe, 111, Special Counsel
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION
Brian T. Coughlin, Esq.
Bedell, Dittmar, Devault, Pillans & Coxe,
P.A. 101 East Adams Street
Jacksonville, FL 32202
hmc@bedellfirm.com
btc@bedellfirm.com

Respectfully submitted,

J. DAVID BOGENSCHUTZ & ASSOCIATES, P.A.
Attorney for Judge Hawkins
633 SE 3rd Avenue, Ste. 202
Fort Lauderdale, Florida 33301
Phone: (954) 764-2500
E-mail: david@bogenschutzpa.com
/S/ J. David Bogenschutz

BY: _____
J. David Bogenschutz, Esq.
Florida Bar No. 131174