

**Exhibit
A
Pages 88-89**

1 A. I was elected in 2009. I took the bench in
2 2010.

3 Q. And who did you run against?

4 A. It was an open seat and there were three
5 other people and -- in the race.

6 Q. Do you remember who those individuals are?

7 A. Lloyd Pomador (ph), Jane Sullivan,
8 Laurie Cohen.

9 Q. Okay. And you were reelected after your
10 first term?

11 A. Yes.

12 Q. When was that election year?

13 A. 2016.

14 Q. Okay. Did you have an opponent?

15 A. Yes, Lisa Grossman.

16 Q. Okay. And did you have a campaign manager?

17 A. No, not really. I mean, I had a consultant
18 named Rick Asnani.

19 Q. Rick Asnani?

20 A. Yes, it's Cornerstone Solutions.

21 Q. Cornerstone Solutions. Okay. All right.
22 Now, recently the chief judge has filed a judicial
23 qualifications complaint against you, right?

24 A. I don't know.

25 Q. You haven't been advised of a notice of

1 investigation?

2 A. You said that the chief judge has filed an
3 investigation -- a complaint against me?

4 Q. There has been a JQC complaint against you.

5 A. I can't talk about anything related to the
6 JQC. I'm not permitted to, sir.

7 Q. Are you aware that there has been a recent
8 filing of a complaint against you?

9 MR. TURNER: Objection to form.

10 THE WITNESS: I'm not -- I can't answer
11 anything related to the JQC. I'm not permitted to,
12 sir.

13 BY MR. LOPEZ:

14 Q. I'm asking you if you're aware that there's
15 an investigation?

16 A. Again, I cannot answer anything related to
17 the JQC. If it's not public, then I cannot talk to you
18 about it and I don't -- I'm not going to.

19 Q. Well, you need to answer the question,
20 unless, A, you're instructed by your counsel not to or
21 also we can mark this as -- this part of the transcript
22 as confidential.

23 A. No, I can't, because as a judge I'm not
24 permitted to.

25 Q. Ms. Bryson, if your lawyer wants to instruct

Exhibit

B

Pages 130-132

130

1 Friday's deposition of Miss Bryson, correct?
 2 A I did.
 3 Q Okay. And in that deposition, Mr. Lopez
 4 brought up the potential existence of a JQC complaint
 5 that was filed allegedly against Miss Bryson. Is that
 6 right?
 7 A I heard him ask that question, yes.
 8 Q Okay. What are you aware of, if anything,
 9 regarding that particular complaint?
 10 A I don't know what complaint he was referring
 11 to. Which one?
 12 Q Are you saying there are multiple complaints?
 13 A I don't know the answers to that. There was
 14 some reference to some Supreme Court issue within the
 15 last six months or something. I don't know whether that
 16 was a JQC. I don't know the details of it. And whether
 17 there have been any others, I don't know.
 18 Q Are you aware of any pending complaint against
 19 -- JQC complaint against Marni Bryson?
 20 A No, I'm not aware of any. Those are all
 21 confidential as far as I can --
 22 Q So you agree with me it would be improper for
 23 anybody from the JQC to divulge the potential existence
 24 of such a complaint until the JQC decides to make it
 25 public, right?

131

1 A Yes.
 2 Q Of course. That would be very improper,
 3 right?
 4 A Well, it's improper.
 5 Q Subject to potential contempt proceedings if
 6 someone were to divulge such information --
 7 A Are you asking me to speculate?
 8 Q I'm --
 9 A I mean, you know, I don't know what -- I don't
 10 know, you know, what would happen if somebody from the
 11 JQC would divulge a complaint. I just know there was
 12 newspaper articles about some difficulty she had. I
 13 didn't paid much attention to it.
 14 Q Are you saying that newspaper article that you
 15 referred to yourself talked about a pending JQC
 16 complaint against Marni Bryson?
 17 A I can't recall.
 18 Q Okay. Where did you see this? Is it a local
 19 newspaper?
 20 A A Palm Beach paper.
 21 Q Okay. You haven't been in contact with any
 22 member of a JQC regarding Marni Bryson. Is that fair to
 23 say?
 24 THE COURT REPORTER: I'm sorry. I didn't
 25 catch that answer. Can you repeat it?

132

1 THE WITNESS: I think I said, yes, that's
 2 right. I have not.
 3 THE COURT REPORTER: Thank you.
 4 BY MR. FELDMAN:
 5 Q So Mr. Scherer, I just -- I want to sum this
 6 all up and I think we'll wrap it up for the day. I
 7 appreciate your patience and doing it through the Zoom
 8 format. I know it's not easy, especially sometimes I
 9 cut you off. It's not my intent to be rude. It's just
 10 sometimes difficult to start a question when you're
 11 answering and vice versa.
 12 But I just want to understand just to sum it
 13 up. You agree with me that Miss Toothaker was not a
 14 party to the Bryson/MacDiarmid divorce case. Is that
 15 correct?
 16 A Yes.
 17 Q Okay. You also agree with me you represented
 18 Miss Toothaker with respect to a subpoena or a potential
 19 subpoena that would be coming in that case. Is that
 20 correct?
 21 A I was representing her on the greater dispute.
 22 Whether I would have gotten involved with in the -- if
 23 there had been a subpoena in a deposition in a divorce
 24 case or not, we didn't have to deal with that, so that
 25 would be speculation.

133

1 Q Okay. And then as part of your representation
 2 of Miss Toothaker, you received documents from Peter
 3 Kemp and Blake MacDiarmid. Is that correct?
 4 A Indirectly, yes, as I've said before.
 5 Q Okay. And those documents were all provided
 6 to you in non-native format. Is that correct?
 7 A Yes. I don't think there is any that are
 8 native.
 9 Q Okay. Now, after this particular -- you were
 10 retained by Ms. Toothaker. You then called Mr. Scarola
 11 and set up a meeting. Is that correct?
 12 A Yes.
 13 Q The subject of that meeting was too important
 14 to have a discussion over the telephone and instead
 15 required you to travel up to his office. Is that
 16 correct?
 17 A Yes.
 18 Q Okay. And this is the only meeting that you
 19 had in person with Mr. Scarola about this matter?
 20 A Yes.
 21 Q And at that meeting you did, in fact, bring
 22 your evidence file or some portion of your evidence
 23 file. Is that correct?
 24 A Yes.
 25 Q And in that evidence file contained the nude