BEFORE THE FLORIDA JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA

FILED
THOMAS D. HALL
OCT 30 2000
CLERK, SUPREME COURT
BY_____

INQUIRY CONCERNING A JUDGE, MATTHEW E. MCMILLAN, CASE NOS. 99-10 & 00-17	:	SC CASE NOS.: 95,886 00-703

JUDICIAL QUALIFICATIONS COMMISSION'S RESPONSE TO JUDGE MCMILLAN'S THIRD DEMAND PURSUANT TO RULE 12 OF JUDICIAL QUALIFICATIONS COMMISSION RULES

The Judicial Qualifications Commission ("JQC"), by and through its undersigned Special Counsel and pursuant to Rule 12 of the Florida Judicial Qualifications Commission Rules, hereby responds to the Honorable Matthew E. McMillan's Third Demand Pursuant to Rule 12 of the Judicial Qualifications Commission Rules served on October 24, 2000.

As grounds therefor, the JQC states as follows:

1. The JQC expects to offer the testimony of the following witnesses at the final hearing in this matter:

A. **Honorable Durand J. Adams**, Manatee County Courthouse, 1115 Manatee Avenue West, Room 4149, Bradenton, FL 34205.

B. **Rob Bendus**, Manatee County Courthouse, Court Administration, Room 4203, 1115 Manatee Avenue West, Bradenton, FL 34205.

C. **George Brown**, Office of the Public Defender, 920 Manatee Avenue West, Suite 50, Bradenton, FL 34205.

D. **Honorable Scott Brownell**, Manatee County Courthouse, 1115 Manatee Avenue West, Room 4151, Bradenton, FL 34205.

E. **Renee Cobb**, Manatee County Courthouse, 1115 Manatee Avenue West, Room 152, Bradenton, FL 34205.

F. **Shirley Crawford**, Manatee County Administration Building, Manatee County Probation Office, 1112 Manatee Avenue West, Bradenton, FL 34205.

G. **Jessie Eastman**, 3405 20th St. W., Lot 74, Bradenton, Florida, 34205.

H. **Linda Eastman**, 3405 20th St. W., Lot 74, Bradenton, Florida, 34205.

I. **Shirley Ennis**, Manatee County Sheriff's Office, 14470 Harlee Road, Palmetto, FL 34221.

J. **The Honorable Robert A. Farrance**, Manatee County Courthouse, 1115 Manatee Avenue West, Room 4203, Bradenton, Florida 34206.

K. **Patricia Fradley,** State Attorney's Office, 1112 Manatee Avenue West, Bradenton, FL 34205-7804.

L. **Ronald Gale,** State Attorney's Office, Edgecomb Building, 800 E. Twiggs St., Tampa, FL 33602.

M. **The Honorable Thomas M. Gallen**, Manatee County Courthouse, 1115 Manatee Avenue West, Room, 4132, Bradenton, Florida 34206.

N. **Carol Guianen,** Manatee County Courthouse, 1115 Manatee Avenue West, Bradenton, FL 34205.

O. **Donald Hartery,** State Attorney 12 Circuit, P.O. Box 1000, Bradenton, FL 34206-1000.

P. **D. Robert Hoyle**, 3633 26th St. W., Bradenton, Florida 34205.

Q. **David Klement**, c/o Bradenton Herald.

R. **Mark Lapinski**, Address Unknown.

S. **Carl Lohrey,** Lot 2, Lissie Lane, Okeechobee, Florida 34974.

T. **Donna McCammond**, Manatee County Courthouse, 1115 Manatee Avenue West, Room 4149, Bradenton, FL 34205.

U. **The Honorable Matthew E. McMillan**, 3311 46th Plaza East, Bradenton, FL 34203.

V. **Susan McMillan**, 3311 46th Plaza East, Bradenton, FL 34203.

W. **George McQuisten,** Manatee County Administration Building, Manatee County Probation Office, 1112 Manatee Avenue West, Bradenton, FL 34205.

X. **George Moran,** Manatee County Administration Building, Manatee County Probation Office, 1112 Manatee Avenue West, Bradenton, FL 34205.

Y. **Honorable Earl Moreland**, State Attorney's Office, 2071 Ringling Boulevard, Sarasota, FL 34237-7040.

Z. **Thomas Nolan**, Address Unknown.

AA. **Chris Pratt**, Address Unknown.

BB. **Valerie Rosas**, Manatee County Courthouse, 1115 Manatee Avenue West, Bradenton, Florida 34206.

CC. **Jane Sprague**, Manatee County Courthouse, 1115 Manatee Avenue West, Bradenton, FL 34206.

DD. **Deborah Stamps**, Manatee County Courthouse, 1115 Manatee Avenue West, Bradenton, Florida 34206

EE. **Terry Turner**, Manatee County Courthouse, 1115 Manatee Avenue West, Bradenton, FL 34206.

FF. **Charles Wells,** 515 11th Street West, 5th Floor, Bradenton, FL 34205.

GG. **Kirk Zeller**, Address Unknown.

HH. All witnesses listed on Judge McMillan's Witness Lists.

2. The JQC is attaching as Exhibits A and B hereto copies of all written statements of witnesses in its possession, which are relevant to the subject matter of the final hearing in this matter. The statements were previously produced in response to Judge McMillan's Second Rule 12 Demand.

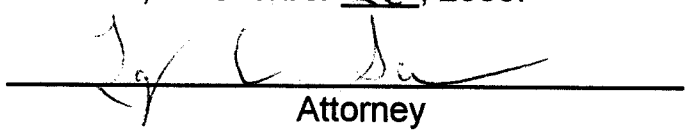
By: Marvin E. Barkin, Esq.
Florida Bar No. 003564
Lansing C. Scriven, Esq.
Florida Bar No. 729353
Special Counsel
Post Office Box 1102
Tampa, FL 33601-1102
813/223-7474

-- and --

Thomas C. MacDonald, Jr., Esq.
General Counsel
Florida Bar No. 049318
Florida Judicial Qualifications Commission
100 N. Tampa St., Suite 2100
Tampa, FL 33602
813/221-2500

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **JUDICIAL QUALIFICATIONS COMMISSION'S RESPONSE TO JUDGE McMILLAN'S THIRD DEMAND PURSUANT TO RULE 12 OF JUDICIAL QUALIFICATIONS COMMISSION RULES** has been furnished by U.S. Mail to **BROOKE S. KENNERLY,** Executive Director, Judicial Qualifications Commission, 400 S. Monroe, The Historic Capitol, Room 102, Tallahassee, FL 32399-6000; and by Telecopier and U.S. Mail to **THOMAS C. MacDONALD, JR., ESQ.**, General Counsel, 100 N. Tampa Street, Suite 2100, Tampa, FL 33602; **THE HONORABLE JAMES R. JORGENSON**, Third District Court of Appeal, 2001 SW 117th Avenue, Miami, FL 33175-1716; **JOHN R. BERANEK, ESQ.,** Counsel, Hearing Panel, Ausley & McMullen, 227 South Calhoun St., P.O. Box 391, Tallahassee, FL 32301; **MATTHEW E. MCMILLAN**, 3311 46th Plaza East, Bradenton, FL 34203; **ARNOLD D. LEVINE, ESQ.**, Levine, Hirsch, Segall & Brennan, P.A., 100 S. Ashley Dr., Suite 1600, Tampa, FL 33602; and **SCOTT K. TOZIAN, ESQ.**, Smith and Tozian, P.A., 109 N. Brush St., Suite 150, Tampa, FL 33602, on October 26, 2000.



Attorney