

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

IN RE: JUDGE MARISSA J. BRUMBACH :
MUNICIPAL COURT JUDGE :
1ST JUDICIAL DISTRICT : 2 JD 2022
PHILADELPHIA COUNTY :
:

**RESPONDENT JUDGE MARISSA J. BRUMBACH’S MOTION TO ISSUE
SUBPOENAS DUCES TECUM**

Respondent Judge Marissa J. Brumbach, by and through the undersigned counsel, requests, this Court allow her to issue subpoena duces tecum, and avers as follows:

1. On December 14, 2022, the Judicial Conduct Board filed a Complaint against Judge Brumbach alleging nine counts of judicial misconduct.
2. On January 6, 2023, this Court held a hearing on the Board’s Petition For Relief For Interim Suspension Without Pay.
3. On January 12, 2023, this Court denied the Board’s Petition For Relief For Interim Suspension Without Pay.
4. On January 30, 2023—although it was not docketed until the next day—Judge Brumbach filed her Omnibus Motion consistent with this Court’s January 11 Order extending the deadline to file an Omnibus Motion.
5. On February 9, 2023, the Board filed its Reply to Judge Brumbach’s Omnibus Motion.
6. On February 22, 2023, Judge Brumbach filed a Motion to File a Reply Brief to Board’s Reply, with the proposed Reply Brief attached.

7. On February 23, 2023, this Court granted the Motion and allowed the Board ten days to file its own Reply; the Board did not do so.

8. On March 24, 2023, Judge Brumbach filed a Motion to extend the Discovery deadline by 45 days.

9. On March 31, 2023, this Court granted Judge Brumbach's Motion and extended the discovery deadline to May 17, 2023.

10. On April 3, 2023, this Court denied Judge Brumbach's Omnibus Motion.

11. Throughout this time, Judge Brumbach sent the Board two discovery requests: one on December 20, 2022 and a supplemental request on January 24, 2023.

12. The Board has made two discovery productions in response: one on December 31, 2022 and another on February 9, 2023.

13. Initially, Board did not respond individually to each discovery request—as is customary—and instead simply stated that it complied with Court of Judicial Discipline Rule of Procedure 401's requirements.

14. In an April 10 letter, the Board provided Judge Brumbach with individual responses to her discovery requests.

15. Because the Board apparently does not have the information that Judge Brumbach sought—information that is critical to her defense—she seeks this Court's permission to issue subpoenas duces tecum to Judge Dugan, Judge Pittman, and the First Judicial District. *See Exhibit A.*

16. Judge Brumbach sought and was issued subpoenas pursuant to Rule 124.

17. Rule 124 and the subpoenas reference that the subpoena is issued, in part, to obtain testimony in some form.

18. In this case, Judge Brumbach does not intend to obtain deposition testimony from any witness, and therefore does not need to seek leave for deposition pursuant to Rule 402.

19. Instead, Judge Brumbach intends to use these subpoenas as subpoenas duces tecum.

20. Given that the rules of civil procedure do not “govern” in these proceedings, Judge Brumbach seeks this Court’s permission to issue the attached subpoena duces tecum without complying with the Pennsylvania Rules of Civil Procedure regarding subpoenas. *See In re Lokuta*, 964 A.2d 988, 1113 n.44 (Pa. C.J.D. 2008) (“We are careful to note that while the Rules of Civil Procedure do not *govern* procedure in this Court, they are often promulgated to deal with questions we face. In such cases we do not hesitate to refer to them for guidance”) (emphasis in original).

21. Judge Brumbach proposes that she cross-out portions of the first section of the subpoena relating to testimony and fill-in only the section relating to the production of documents. *See Ex. A.*

22. Given the Board's failure to produce all records responsive to Judge Brumbach's discovery requests, Judge Brumbach will be severely prejudiced if she is not able to obtain this discovery from these third parties.

23. As an example, relating to Judges Dugan and Pittman, the Board has produced text messages between the two on January 6 and from January 9-12, 2022.

24. Curiously omitted, however, were the text messages exchanged between the two from January 6 through January 9.

25. Thus, the subpoena seeks those missing texts, as well as any other texts that the two sent regarding this matter.

26. Moreover, given their supervisory roles in Traffic Court, the subpoena seeks other court-related materials that are fundamental—and potentially exculpatory—to Judge Brumbach's defense.

27. As it relates to the First Judicial District, Judge Brumbach seeks various court related materials that are likewise fundamental—and potentially exculpatory—to Judge Brumbach's Defense.

28. Judge Brumbach therefore asks this Court to permit her to issue three subpoena duces tecum, identical to those attached herein, to Judge Dugan, Judge Pittman, and the First Judicial District.

WHEREFORE, it is respectfully requested that this Honorable Court grant Judge Brumbach's Motion to issue the attached subpoenas duces tecum.

Dated: April 18, 2023

/s/ Matthew H. Haverstick
Matthew H. Haverstick (No. 85072)
Shohin H. Vance (No. 323551)
Francis G. Notarianni (No. 327461)
KLEINBARD LLC
Three Logan Square
1717 Arch Street, 5th Floor
Philadelphia, PA 19103
Ph: (215) 568-2000
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Eml: mhaverstick@kleinbard.com
svance@kleinbard.com
fnotarianni@kleinbard.com

CERTIFICATE OF SERVICE

I, Matthew H. Haverstick, hereby certify that on April 18, 2023, I caused a true and correct copy of the attached Motion to Issue Subpoenas Duces Tecum to be served on the following via email:

Melissa L. Norton
Interim Chief Counsel
Commonwealth of Pennsylvania Judicial Conduct Board
601 Commonwealth Ave., Suite 3500
Harrisburg, PA 17106
Eml: Melissa.Norton@jcbpa.org

/s/ Matthew H. Haverstick
Matthew H. Haverstick (No. 85072)
KLEINBARD LLC
Three Logan Square
1717 Arch Street, 5th Floor
Philadelphia, PA 19103
Ph: (215) 568-2000
Fax: (215) 568-0140
Eml: mhaverstick@kleinbard.com

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Kleinbard LLC

Signature: /s/ Matthew H. Haverstick

Name: Matthew H. Haverstick

Attorney No.: 85072

EXHIBIT A

**COURT OF JUDICIAL DISCIPLINE
COMMONWEALTH OF PENNSYLVANIA**

IN RE: Judge Marissa J. Brumbach :
Municipal Court Judge :
1st Judicial District :
Philadelphia County :

Court of Judicial Discipline
Docket No. 2 JO 2022

SUBPOENA

TO: Judge Patrick Dugan

1. You are hereby ordered to ^{produce} ~~come to~~
at _____, Pennsylvania, on May _____, 2023, at _____ to
~~testify on behalf of~~ in the
~~above case, and to remain until excused.~~

2. And, you are hereby ordered to bring with you the following:

See "Exhibit A" attached hereto.

If you fail to ~~attend or to~~ produce the documents or things required by this subpoena, you may be subject to the sanctions authorized by Rule 124(D) of the Pennsylvania Court of Judicial Discipline Rules of Procedure.

Issued by: Matthew H. Haverstick (No. 85072)
1717 Arch St., 5th Floor
Philadelphia, PA 19103
Ph: (215) 568-2000
Eml: mhaverstick@kleinkard.com

BY THE COURT:

Date:

By: Stephanie L. Gony
Clerk of Court

Seal of the Court

EXHIBIT A

DEFINITIONS

1. “Action” shall refer to the above-mentioned case, Docket No. 2 JD 2022, filed in the Court of Judicial Discipline of Pennsylvania.

2. “Communication” shall refer to the transmittal of information (in the form of facts, ideas, inquiries, or otherwise), and shall include any form of communication from one person to another including, without limitation, any written or oral communication, whether in person; by telephone; by letter or other hard copy correspondence; or by e-mail, text message, facsimile, or other electronic means.

3. “Document” shall mean all written or graphic matter of any kind, however produced or reproduced, whether in draft or final form, original or reproduction, signed or unsigned, and regardless of whether approved, signed, sent, received, redrafted, or executed, including written communications, letters, correspondence, facsimiles, e-mail, memoranda, minutes, notes, films, recordings, transcripts, contracts, agreements, purchase or sales orders, memoranda of telephone conversations, diaries, desk calendars, interoffice communications, reports, studies, bills, receipts, checks, checkbooks, invoices, and requisitions.

4. “Relating to” means consisting of, reflecting, referring to, mentioning, discussing, describing, explaining, regarding, concerning, involving, evidencing, constituting, dealing with, or in any way concerning or pertaining to, in whole or in part.

RULES OF CONSTRUCTION

1. The use of the singular form of any word includes the plural and vice

versa.

2. The use of the verb in any tense includes the use of that verb in all other tenses.

3. The masculine includes the feminine and the neutral genders, and vice versa.

4. The connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of discovery requests all responses that might otherwise be construed to be outside of their scope.

5. The terms “any” and “all” shall be construed to mean “each and every” as necessary to bring within the scope of discovery requests all responses that might otherwise be construed outside of their scope.

6. The term “including” shall not be construed as a limiting phrase but, rather, shall be read to mean, “including, but not limited to.”

INSTRUCTIONS

7. These discovery requests are continuing in nature, and responses must be supplemented if you obtain further or different information. Judge Brumbach specifically reserves its right to seek supplementary responses to these discovery requests before trial.

8. Each paragraph herein should be construed independently and not with reference to any other paragraph for purpose of limitation.

9. In responding to these requests, produce the original and all non-identical copies of any responsive documents in your possession, custody, or control, regardless of a document’s location, form, or manner of storage.

10. Documents requested herein shall be produced as they are kept in the usual course of business.

11. Documents or data maintained electronically shall also be produced in both TIFF and native format with a load file that includes extracted metadata and relative file paths to native documents. Metadata for e-mail files shall include: to (recipient); from (author); cc; bcc; subject; text (e-mail body); sent date; received date; sent time; received time; file format (application or type); information associating the e-mail with its corresponding attachment(s); folder name; custodian. Metadata associated with native documents shall include, to the extent applicable, the custodian, author, file name, file size, file type (application), folder name (including available path information), date created, date last modified and date last accessed. Images (such as TIFF or PDF documents) shall be produced with OCR data to enable full-text searching. Files created with PowerPoint, Excel, Numbers, or other such spreadsheet or presentation software shall be produced in native format.

12. Documents maintained in hardcopy shall be produced in TIFF format with corresponding OCR text, associated data identifying the beginning and ending bates numbers and, to the extent applicable, information associating document families or attachment ranges.

13. The file or other container in which a document is kept is deemed to be an integral part of the document and shall be produced with the document. If, for any reason, the container cannot be produced, copies of all labels or other

identifying marks shall be produced with the document.

14. Documents attached to each other shall not be separated.

15. Each document requested herein shall be produced in its entirety and without deletion or excisions, regardless of whether you consider the entire document to be relevant or responsive to this request. If you have redacted any portion of the document, stamp the word "redacted" on each page of the document that you have redacted. If any document covered by these requests contains a redaction, please furnish a list identifying each such document, and provide the following information with respect to each such document:

- a. the reason(s) for the redaction;
- b. the date of the document;
- c. identification by name, job title, and the last known business and home addresses of each person who wrote, drafted, or assisted in the preparation of the document;
- d. identification by name, job title, and the last known business and home addresses of each person who received or has custody of the document or copies thereof;
- e. identification by name, job title, and the last known business and home addresses of each person who has viewed or had access to the document or copies thereof or to whom any portion of the contents has been communicated;
- f. a brief description of the nature, subject matter, and contents of the redaction;
- g. a statement of the facts that constitute the basis for any claim of privilege, work product or other grounds of non-disclosure; and
- h. the paragraph(s) of these requests to which the document is responsive.

16. If any document requested herein is withheld from production, please furnish a list identifying each such document and providing the following

information with respect to each such document:

- a. the reason(s) for withholding the document;
- b. the date of the document;
- c. identification by name, job title, and the last known business and home addresses of each person who wrote, drafted, or assisted in the preparation of the document;
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- g. a statement of the facts that constitute the basis for any claim of privilege, work product, or other grounds of non-disclosure; and
- h. the paragraph(s) of these requests to which the document is responsive.

17. Documents not otherwise responsive to this discovery request shall be produced if such documents mention, discuss, refer to, or explain the documents which are called for by this discovery request or constitute routing slips, transmittal memoranda, or letters, comments, evaluations, or similar materials.

18. If there are no documents responsive to a particular request, state so in writing.

19. Documents requested herein shall be produced as they are kept in the ordinary course of business or shall be organized and labeled to correspond with the request to which they are responsive and with information indicating their

source, i.e., the person(s) from whom the documents were obtained.

20. If you perceive any ambiguities when construing a request, explain the ambiguity and the construction used in responding.

21. Unless otherwise specified, the relevant time period for each request is November 10, 2021 through the present date.

DOCUMENT REQUESTS

1. Any communications between President Judge Dugan and any individual, including, but not limited to, Judge Pittman, Judge Brumbach, and Richard Long, relating to Judge Brumbach.
2. Any communications between President Judge Dugan and any individual, including, but not limited to, Judge Pittman, Judge Brumbach, and Richard Long, relating to the action docketed in the Court of Judicial Discipline at 2 JD 2022.
3. Any communications or documents relating to the number of times, when and for whom, President Judge Dugan failed to provide courtroom coverage or administratively continue all matters for a judge taking judicial leave from their assignment.
4. Any documents, legal analysis, or authorities, considered, or used in any way, to support President Judge Dugan's conclusion that the cases listed for January 7, 2022 were "adjudicated" as a matter of law.
5. All presentations, course materials, outlines, documents, bench-books or other information made available or provided to Judges or Personnel of the FJC by the Municipal Court, the Minor Judiciary Education Board or other body of the Pennsylvania Supreme Court or the Unified Judicial System regarding Traffic Court, it's processes, procedure and rules of court.
6. Copies of the certified record of conviction/adjudication and corresponding certified dockets for each citation subject to the Board's Complaint.
7. Certified copies of the disposition report under Pa. R. Crim. P. 471, from the case management system sent to the Pennsylvania Department of Transportation upon adjudication for each citation subject to the Board's Complaint.
8. All electronic records, official certified record or electronic Dockets as it relates to the citations listed on January 7, 2022, in B Court from inception to final judgment recorded, docketed and entered into the electronic court record management system used in the Philadelphia Municipal Court, Traffic Division by the Court Clerk.
9. All documents relating to Municipal Court judicial assignments, changes in assignments, and when and for whom courtroom coverage was provided for any other judge over the last four years.
10. All documents relating to the number of times if any, when and for whom, President Judge Dugan failed to provided courtroom coverage or

administrative closure by continuing all matters for a judge taking judicial leave from their assignment.

11. All documents relating to any requests by any Municipal Court judges for time-off and/or leave within the past three years as well as all records relating to the disposition of those requests.

12. All instructional guides, handbooks on operations and duties and procedure for Traffic Court's Court Cryers, Traffic Court's Appeals Unit personnel, Traffic Court's Files Room personnel and data entry clerk's into the court dockets, the Office of Judicial Records Criminal Division Court Clerks of Traffic Court.

13. All instructional guides, user manual, handbooks, etc on operations and procedure for Traffic Court's comprehensive electronic filing system.

14. All instructional guides, user manual, handbooks, etc on operations and procedure for Traffic Court's comprehensive Public Access Docketing system.

15. List of all matters appealed to Common Pleas Court and/or Superior Court from cases originating from B Court over the last 4 years.

16. List of required contents of the Traffic Court paper files for B Court.

**COURT OF JUDICIAL DISCIPLINE
COMMONWEALTH OF PENNSYLVANIA**

IN RE: Judge Marissa J. Brumbach :
Municipal Court Judge :
1st Judicial District :
Philadelphia County :

Court of Judicial Discipline
Docket No. 2 JD 2022

SUBPOENA

TO: Judge Joffie Pittman

1. You are hereby ordered to ^{produce} ~~come to~~
at _____, Pennsylvania, on May _____, 2023, at _____ to
~~testify on behalf of~~ in the
~~above case, and to remain until excused.~~

2. And, you are hereby ordered to bring with you the following:

See "Exhibit A" attached hereto.

If you fail to ~~attend or to~~ produce the documents or things required by this subpoena, you may be subject to the sanctions authorized by Rule 124(D) of the Pennsylvania Court of Judicial Discipline Rules of Procedure.

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1717 Arch St., 5th Floor
Philadelphia, PA 19103
Ph: (215) 568-2000
Eml: mhaverstick@kleinbard.com

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By: Stephanie L. Gray
Clerk of Court

Date:

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- e. identification by name, job title, and the last known business and home addresses of each person who has viewed or had access to the document or copies thereof or to whom any portion of the contents has been communicated;
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20. If you perceive any ambiguities when construing a request, explain the ambiguity and the construction used in responding.

21. Unless otherwise specified, the relevant time period for each request is November 10, 2021 through the present date.

DOCUMENT REQUESTS

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2. Any communications between President Judge Dugan and any individual, including, but not limited to, Judge Pittman and Judge Brumbach, relating to the action docketed in the Court of Judicial Discipline at 2 JD 2022.
3. Any documents, legal analysis, or authorities, considered, or used in any way, to support Judge Pittman's conclusion that the cases listed for January 7, 2022 were "adjudicated" as a matter of law.
4. All presentations, course materials, outlines, documents, bench-books or other information made available or provided to Judges or Personnel of the FJC by the Municipal Court, the Minor Judiciary Education Board or other body of the Pennsylvania Supreme Court or the Unified Judicial System regarding Traffic Court, its processes, procedure and rules of court.
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6. Certified copies of the disposition report under Pa. R. Crim. P. 471, from the case management system sent to the Pennsylvania Department of Transportation upon adjudication for each citation subject to the Board's Complaint.
7. All electronic records, official certified record or electronic Dockets as it relates to the citations listed on January 7, 2022, in B Court from inception to final judgment recorded, docketed and entered into the electronic court record management system used in the Philadelphia Municipal Court, Traffic Division by the Court Clerk.
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9. All instructional guides, user manual, handbooks, etc on operations and procedure for Traffic Court's comprehensive electronic filing system.
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11. List of all matters appealed to Common Pleas Court and/or Superior Court from cases originating from B Court over the last 4 years.

12. List of required contents of the Traffic Court paper files for B Court.

**COURT OF JUDICIAL DISCIPLINE
COMMONWEALTH OF PENNSYLVANIA**

IN RE: Judge Marissa J. Brumbach;
Municipal Court Judge
1st Judicial District
Philadelphia County

Court of Judicial Discipline
Docket No. 2 JD 2022

SUBPOENA

TO: Custodian of Records, First Judicial District

1. You are hereby ordered to ^{produce} ~~come to~~
at _____, Pennsylvania; on May _____, 2023, at _____ to
testify on behalf of _____ in the
above case, and to remain until excused.

2. And, you are hereby ordered to bring with you the following:

See "Exhibit A" attached hereto.

If you fail to ~~attend or~~ produce the documents or things required by this subpoena, you may be subject to the sanctions authorized by Rule 124(D) of the Pennsylvania Court of Judicial Discipline Rules of Procedure.

Issued by: Matthew H. Haverstick (No. 85072)
1717 Arch St., 5th Floor
Philadelphia, PA 19103
Ph: (215) 568-2000
Eml: mhaverstick@kleinbard.com

BY THE COURT:

By: Stephanie L. Spang
Clerk of Court

Date:

Seal of the Court

EXHIBIT A

DEFINITIONS

1. “Action” shall refer to the above-mentioned case, Docket No. 2 JD 2022, filed in the Court of Judicial Discipline of Pennsylvania.

2. “Communication” shall refer to the transmittal of information (in the form of facts, ideas, inquiries, or otherwise), and shall include any form of communication from one person to another including, without limitation, any written or oral communication, whether in person; by telephone; by letter or other hard copy correspondence; or by e-mail, text message, facsimile, or other electronic means.

3. “Document” shall mean all written or graphic matter of any kind, however produced or reproduced, whether in draft or final form, original or reproduction, signed or unsigned, and regardless of whether approved, signed, sent, received, redrafted, or executed, including written communications, letters, correspondence, facsimiles, e-mail, memoranda, minutes, notes, films, recordings, transcripts, contracts, agreements, purchase or sales orders, memoranda of telephone conversations, diaries, desk calendars, interoffice communications, reports, studies, bills, receipts, checks, checkbooks, invoices, and requisitions.

4. “Relating to” means consisting of, reflecting, referring to, mentioning, discussing, describing, explaining, regarding, concerning, involving, evidencing, constituting, dealing with, or in any way concerning or pertaining to, in whole or in part.

5. “Municipal Court judges” means any judge elected to the Philadelphia Municipal Court during the relevant time period.

6. “employee” means any employee of the Philadelphia Municipal Court and/or First Judicial District.

7. “judicial assignment” means the assignment of judges to courtrooms by the President Judge including those assignments made to provide coverage for a judge who is not able to preside.

8. “coverage” means any assignment to a courtroom to replace a previously assigned jurist who is unable to sit in that courtroom.

9. “judicial leave” means any circumstance where a judge is unable to preside in their assignment courtroom on a given day and is consistent with definition in Pennsylvania Rule of Judicial Administration 704.

RULES OF CONSTRUCTION

1. The use of the singular form of any word includes the plural and vice versa.

2. The use of the verb in any tense includes the use of that verb in all other tenses.

3. The masculine includes the feminine and the neutral genders, and vice versa.

4. The connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of discovery requests all responses that might otherwise be construed to be outside of their scope.

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6. The term “including” shall not be construed as a limiting phrase but, rather, shall be read to mean, “including, but not limited to.”

INSTRUCTIONS

7. These discovery requests are continuing in nature, and responses must be supplemented if you obtain further or different information. Judge Brumbach specifically reserves its right to seek supplementary responses to these discovery requests before trial.

8. Each paragraph herein should be construed independently and not with reference to any other paragraph for purpose of limitation.

9. In responding to these requests, produce the original and all non-identical copies of any responsive documents in your possession, custody, or control, regardless of a document’s location, form, or manner of storage.

10. Documents requested herein shall be produced as they are kept in the usual course of business.

11. Documents or data maintained electronically shall also be produced in both TIFF and native format with a load file that includes extracted metadata and relative file paths to native documents. Metadata for e-mail files shall include: to (recipient); from (author); cc; bcc; subject; text (e-mail body); sent date; received date; sent time; received time; file format (application or type); information associating the e-mail with its corresponding attachment(s); folder name; custodian. Metadata associated with native documents shall include, to the extent applicable, the custodian, author, file name, file size, file type (application), folder name (including available path information), date created, date last modified and

date last accessed. Images (such as TIFF or PDF documents) shall be produced with OCR data to enable full-text searching. Files created with PowerPoint, Excel, Numbers, or other such spreadsheet or presentation software shall be produced in native format.

12. Documents maintained in hardcopy shall be produced in TIFF format with corresponding OCR text, associated data identifying the beginning and ending bates numbers and, to the extent applicable, information associating document families or attachment ranges.

13. The file or other container in which a document is kept is deemed to be an integral part of the document and shall be produced with the document. If, for any reason, the container cannot be produced, copies of all labels or other identifying marks shall be produced with the document.

14. Documents attached to each other shall not be separated.

15. Each document requested herein shall be produced in its entirety and without deletion or excisions, regardless of whether you consider the entire document to be relevant or responsive to this request. If you have redacted any portion of the document, stamp the word "redacted" on each page of the document that you have redacted. If any document covered by these requests contains a redaction, please furnish a list identifying each such document, and provide the following information with respect to each such document:

- a. the reason(s) for the redaction;
- b. the date of the document;
- c. identification by name, job title, and the last known business and home addresses of each person who wrote, drafted, or

- assisted in the preparation of the document;
- d. identification by name, job title, and the last known business and home addresses of each person who received or has custody of the document or copies thereof;
- e. identification by name, job title, and the last known business and home addresses of each person who has viewed or had access to the document or copies thereof or to whom any portion of the contents has been communicated;
- f. a brief description of the nature, subject matter, and contents of the redaction;
- g. a statement of the facts that constitute the basis for any claim of privilege, work product or other grounds of non-disclosure; and
- h. the paragraph(s) of these requests to which the document is responsive.

16. If any document requested herein is withheld from production, please furnish a list identifying each such document and providing the following information with respect to each such document:

- a. the reason(s) for withholding the document;
- b. the date of the document;
- c. identification by name, job title, and the last known business and home addresses of each person who wrote, drafted, or assisted in the preparation of the document;
- d. identification by name, job title, and the last known business and home addresses of each person who received or has custody of the document or copies thereof;
- e. identification by name, job title, and the last known business and home addresses of each person who has viewed or had access to the document or copies thereof or to whom any portion of the contents has been communicated;
- f. a brief description of the nature, subject matter, and contents of the document;
- g. a statement of the facts that constitute the basis for any claim of privilege, work product, or other grounds of non-disclosure; and

- h. the paragraph(s) of these requests to which the document is responsive.

17. Documents not otherwise responsive to this discovery request shall be produced if such documents mention, discuss, refer to, or explain the documents which are called for by this discovery request or constitute routing slips, transmittal memoranda, or letters, comments, evaluations, or similar materials.

18. If there are no documents responsive to a particular request, state so in writing.

19. Documents requested herein shall be produced as they are kept in the ordinary course of business or shall be organized and labeled to correspond with the request to which they are responsive and with information indicating their source, i.e., the person(s) from whom the documents were obtained.

20. If you perceive any ambiguities when construing a request, explain the ambiguity and the construction used in responding.

21. Unless otherwise specified, the relevant time period for each request is November 10, 2021 through the present date.

DOCUMENT REQUESTS

1. From January 1, 2022 to present, any communications and/or documents of any Municipal Court judges and/or employees regarding Judge Brumbach and the action docketed in the Court of Judicial Discipline at 2 JD 2022 .
2. From January 1, 2022 to present, any communications and/or documents of any Municipal Court judges and/or employees regarding the plan outlined in Judge Brumbach's January 6, 2022 email to President Judge Dugan.
3. Daily, monthly, and yearly itemized disposition reports for Traffic Court B Court for last three years.
4. Any paper citations in Traffic Court from B Court for open matters awaiting adjudication, in any posture, which contain any markings on the back of the citations, scribble or notations appearing like a judge's signature.
5. Copies of all paper citations from B Court and the electronic docket entries for each citation listed on January 10, 2022.
6. Any instructional guides, handbooks on operations and duties and procedure for Traffic Court's Court Cryers and the Office of Judicial Records Criminal Division Court Clerks of Traffic Court.
7. Any instructional guides, user manual, handbooks on operations and procedure for Traffic Court's comprehensive electronic filing system.
8. All presentations, course materials, outlines, documents, bench-books or other information made available or provided to Judges or Personnel of the FJC by the Municipal Court, the Minor Judiciary Education Board or other body of the Pennsylvania Supreme Court or the Unified Judicial System regarding Traffic Court, it's processes, procedure and rules of court.
9. Copies of the certified record of conviction/adjudication and corresponding certified dockets for each citation subject to the Board's Complaint.
10. Certified copies of the disposition report under Pa. R. Crim. P. 471, from the case management system sent to the Pennsylvania Department of Transportation upon adjudication for each citation subject to the Board's Complaint.
11. All electronic records, official certified record or electronic Dockets as it relates to the citations listed on January 7, 2022, in B Court from inception to final judgment recorded, docketed and entered into the electronic court record management system used in the Philadelphia Municipal Court, Traffic Division by the Court Clerk.

12. All instructional guides, handbooks on operations and duties and procedure for Traffic Court's Court Cryers, Traffic Court's Appeals Unit personnel, Traffic Court's Files Room personnel and data entry clerk's into the court dockets, the Office of Judicial Records Criminal Division Court Clerks of Traffic Court.

13. All instructional guides, user manual, handbooks, etc. relating to Common Pleas Court Appeal's Unit relating to docketing, operations and processing Summary Appeals from Traffic Court as well as appeals from traffic citation *de novo* trials to the Superior Court.

14. All instructional guides, user manual, handbooks, etc relating to operations and procedure for Traffic Court's comprehensive electronic filing system.

15. All instructional guides, user manual, handbooks, etc relating to operations and procedure for Traffic Court's comprehensive Public Access Docketing system.

16. List all matters appealed to Common Pleas Court and/or Superior Court from cases originating from B Court over the last 4 years.

17. List of required contents of the Traffic Court paper files for B Court.