

JUDICIAL CONDUCT BOARD

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Steven A. Adler, Esq.
Chair

STATE OF VERMONT BEFORE THE JUDICIAL CONDUCT BOARD

IN RE:

Judge Paul Kane

Docket No. 16.004

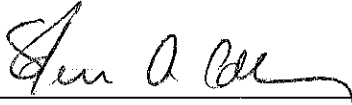
ORDER - March 15, 2017

1. On March 14, 2017, Special Carleton Ian Carleton filed a Motion in Limine seeking to exclude Respondent from calling witnesses or introducing exhibits in his case in chief for a claimed failure to provide comprehensive discovery responses and for Respondent's failure to comply with Pretrial Scheduling Orders from this Board.
2. On March 15, 2017, Respondent filed multiple proposed exhibits. Thereafter, on March 15, 2017, Special Counsel responded with a Supplemental Motion to Exclude certain of Respondent's proposed exhibits for failure to produce them in discovery, thereby preventing Special Counsel from deposing Respondent on those documents. Specifically, Special Counsel seeks to exclude Respondent's exhibits A, C, F, M and Q.
3. Finally, Special Counsel offers, as an alternative to a wholesale exclusion of these documents, to reconvene the deposition of Respondent on Sunday March 19th at 2:00 p.m. at his offices in Burlington, Vermont. Trial in this matter commences on March 20, 2017.
4. As of 11:00 a.m. on March 15, 2017, Respondent has not yet filed a list of witnesses or responded to the pending Motion in Limine or Supplemental Motion to Exclude.
5. Accordingly, Respondent, if he be so advised, is ordered to reply to the pending Motion in Limine and Supplementation thereof by 5:00 p.m. on March 15. The response shall be filed electronically. If no response is filed, the Board will issue a Ruling based upon the pleadings filed to date without the benefit of Respondent's reply.

IT IS SO ORDERED.

Dated at St. Johnsbury, Vermont this 15th day of March, 2017 @ 11:10 a.m.

VERMONT JUDICIAL CONDUCT BOARD

By: 
Steven A. Adler, Chair

c: Ian P. Carleton, Esq.
Melvin D. Fink, Esq.
Judicial Conduct Board
Judicial Conduct Board website