

1 APPEARANCES

2

3 TANYA C. BERNSTEIN, ESQUIRE

4 DEREK A. BAYNE, ESQUIRE

5 Commission on Judicial Disabilities

6 P.O. Box 340

7 Linthicum Heights, Maryland 21090

8 (410) 694-9380

9

10 ALSO PRESENT

11

12 Kendra R. Jolivet

13 Diamond Garnett

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1 COMMISSION MEMBERS PRESENT:

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4 Sally Ridgely

5 Andrea M. Rhodes

6 Sophia D. Jones

7 Marisa Trasatti, Esquire

8 The Honorable Lisa Hall Johnson

9 Chaz R. Ball, Esquire

10 Tara A. Barnes, Esquire

11 Kimberly A. Howell

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1 P-R-O-C-E-E-D-I-N-G-S

2 JUDGE REED: Welcome everyone. Good
3 evening. I am Judge Michael Reed. I'm the Chair
4 of the Commission on Judicial Disabilities. I'm
5 going to ask to start the case by having
6 Investigative Counsel please call the matter.
7 Madam Clerk, are we ready?

8 THE REPORTER: Yes, I am. We are on the
9 record.

10 JUDGE REED: All right. Very good. You
11 may call the case.

12 MS. BERNSTEIN: Thank you, Your Honor.
13 Calling the matter of Judge Michael White, CJD
14 Number 2022-023.

15 JUDGE REED: You can go ahead and
16 identify yourself.

17 MS. BERNSTEIN: Sure. Tanya Bernstein,
18 Investigative Counsel.

19 MR. BAYNE: Derek Bayne, Assistant --
20 Deputy Assistant Investigative Counsel.

21 JUDGE REED: Thank you, Mr. Bayne.

1 Yes. And you, Judge. Please identify
2 yourself for the record.

3 JUDGE WHITE: Michael R. White.

4 JUDGE REED: Thank you. All right. Very
5 good.

6 Thank you for identifying yourselves for
7 the record. The reason for today's hearing, Judge
8 Michael R. White, who is present in this room
9 today, is contesting the facts of a proposed
10 reprimand disposition.

11 Pursuant to Maryland Rule 18-427(b)(5), a
12 public hearing is now required to address this
13 matter.

14 I'll be talking further about the
15 underlying facts in a moment and, Judge, I ask you
16 to listen one more time carefully as I go through
17 them because I'm going to ask you a question at
18 the end of the statement of those facts.

19 The underlying facts that will be
20 considered by the Commission members today are as
21 follows.

1 Number one, that Judge White, lacked
2 candor and credibility by not answering truthfully
3 and honestly under oath during a deposition,
4 particularly when it came to recognizing his
5 signature. Throughout Judge White's deposition,
6 he was asked on numerous occasions to verify his
7 signature made on various documents, to which the
8 Judge responded, "I don't know."

9 Number two, Judge White was reticent and
10 lacked cooperation with disciplinary authorities,
11 which unnecessarily prolonged and extended the
12 investigation conducted by Investigative Counsel.

13 And three, that the financial disclosure
14 statements filed by Judge White contained
15 inaccuracies.

16 The Commission members will also consider
17 whether Judge White's conduct violated the Code of
18 Judicial Conduct, specifically Maryland Rules 18-
19 101.1, which is captioned as Compliance With the
20 Law; 18-101.2(a), which is captioned Promoting
21 Confidence in the Judiciary; 18-102.16, which is

1 captioned as Cooperation With Disciplinary
2 Authorities; and 18-103.15, which is captioned as
3 Reporting Requirements.

4 Now, Judge, you and I have talked
5 previously. I know you've been advised of your
6 right to counsel. Are you, in fact, proceeding
7 today without counsel?

8 JUDGE WHITE: I am, Your Honor.

9 JUDGE REED: All right. Thank you,
10 Judge.

11 And, Judge, I have to ask you at this
12 time; I just want to make sure; are you still
13 contesting the underlying facts that I have just
14 read to you?

15 JUDGE WHITE: Yes, Your Honor. I am.

16 JUDGE REED: All right. Thank you. You
17 had already made a proffer earlier. I just wanted
18 to check and make sure.

19 Okay. So, Investigative Counsel and
20 Judge White are aware that only the evidence and
21 proffers regarding the above facts will be

1 considered by the Commission and you all are to
2 proceed accordingly.

3 I'm going to also at this time ask the
4 members of the Commission to introduce themselves.

5 I will begin with myself. As I said, I am Judge
6 Michael Reed. I am the Chair of the Commission.

7 We can start on the far left.

8 MS. HOWELL: Good afternoon. Kimberly
9 Howell. I'm a public member of the Commission.

10 MS. BARNES: Good afternoon. My name is
11 Tara Barnes. I'm an attorney member of the
12 Commission.

13 MR. BALL: Good afternoon. My name is
14 Chaz Ball, an attorney member of the Commission.

15 JUDGE JOHNSON: Good afternoon. My name
16 is Lisa Hall Johnson. I am a Commission member.

17 MS. TRASATTI: My name is Marisa
18 Trasatti, and I am an attorney member of the
19 Commission.

20 MS. JONES: Sophia Jones, public member
21 of the Commission.

1 MS. RHODES: Andrea Rhodes, public member
2 of the Commission.

3 MS. RIDGELY: Sally Ridgely. I am a
4 public member.

5 JUDGE REED: Thank you, very much,
6 Commissioners. And I am a judicial member as
7 well.

8 Today's procedure will be as follows. I
9 don't know why it is doing that, but it wouldn't
10 be technology if it didn't mess up a little bit;
11 right?

12 Both sides can submit evidence and make
13 proffers. There will be no witness testimony
14 today. The evidence and proffers should be
15 relevant to the facts to be considered by the
16 Commission.

17 The Commission will make a written
18 decision in this matter that will be posted on the
19 Commission website.

20 For today's arguments, we are allowing
21 each side 45 minutes. We would tell the

1 Investigative Counsel that you can reserve time
2 for rebuttal if you wish to out of that 45
3 minutes. You don't have to tell me now, but --
4 but you might want to just keep track of your
5 time.

6 In addition, I know that Ms. Garnett and
7 Ms. Jolivet will also be assisting with time
8 management and I'm going to be keeping the time as
9 well.

10 In addition, you must know that at the
11 end of your time an alarm will go off. You know,
12 we're not going to be strict -- strict about that,
13 but just wanted to make sure you're aware of it
14 and we would try to stay within the time limits so
15 that we can move this matter along.

16 I think as I said earlier, and it bears
17 repeating, there will be no photographs, video, or
18 audio recordings of this proceeding. We request
19 courtesy by everyone today present so this hearing
20 can be conducted in an orderly and lawful fashion.
21 So thank you, very much, for being here and thank

1 you, Judge, for your time.

2 The first presentation will be made by
3 Investigative Counsel or Deputy Assistant
4 Investigative Counsel when you are ready.

5 MR. BAYNE: Thank you, Your Honor. I
6 would start by asking if I may remain seated
7 during the presentation?

8 JUDGE REED: You may be seated. You may
9 stand. You may even walk, within a limited area.

10 MR. BAYNE: Okay. Thank you, Judge. And
11 good evening, members of the Commission.

12 As Judge Reed just stated, we are here
13 today for a public hearing on the Commission's
14 decision that a reprimand would be the appropriate
15 disposition in this case.

16 In accordance with the Commission's
17 directive, both Judge White and myself have
18 provided you with proffered exhibits that we are
19 going to discuss today. And the proffered
20 exhibits I think we both would agree would be what
21 we would attempt to introduce into evidence as a

1 matter contained in the charges for a full
2 evidentiary hearing.

3 My office has proffered eight exhibits
4 which I will discuss one by one as we move
5 forward.

6 JUDGE REED: Mr. Bayne, I don't mean to
7 interrupt you, but I just wanted to say that,
8 Judge, just so you will know as well, you -- if
9 you wish to object, you may. I will take that
10 under advisement. Okay. Thank you. To any
11 exhibits or proffers.

12 MR. BAYNE: In addition to the exhibits
13 and the evidence, I will also argue that,
14 collectively, the actions and inactions of Judge
15 White and ask you to sanction the conduct for
16 reasons I will discuss more fully later, but all
17 have a common theme. Failing to be open,
18 forthcoming, and candid in his personal and public
19 (Inaudible).

20 I'm going to go in a slightly different
21 order than that read by Judge Reed, however, I am

1 still going to begin with the deposition.

2 Judge White sat for a deposition on
3 December 1st, 2021 in Federal Civil Matter captured
4 -- captioned David Boshea versus Compass Marketing
5 in Federal District Court for the District of
6 Maryland.

7 It is important to note Compass Marketing
8 is a closely held Virginia corporation where Judge
9 White had an ownership interest, had worked for
10 the majority of his judgeship as an executive or
11 officer of the company, as vice president.

12 This deposition has been provided to you
13 in proffered Exhibit Three. This deposition,
14 which I received pursuant to subpoena, was
15 provided without any of the exhibits that were
16 used that day.

17 Reading through the deposition, I count
18 eight separate occasions on which Judge White was
19 asked to identify his signature. On six of those
20 occasions, which I will give to you now by page
21 and line reference -- I apologize for repeating,

1 but it is important it is on the record. Judge
2 White was shown documents that I have not seen, so
3 I cannot attest to what his signature looked like,
4 but I still believe that his answers were
5 unbecoming of a judicial officer, which we will
6 discuss later.

7 The first time he was asked to identify
8 his signature was page 106, lines four through 19,
9 asked to identify his signature, he stated, "It
10 appears to be but I don't know."

11 The second time, page 140, lines 12
12 through 19, he gave the same answer.

13 The third time, page 178, lines 20
14 through 22, over to 179, lines one through eight,
15 he simply stated, "I don't know."

16 The next page, 190 through 191, lines one
17 through four and 17 through 22, he stated, "I
18 don't know. I have no reason to believe it is
19 not, but I don't know." And actually, that is on
20 page 190 and 191.

21 The next, page 213, lines 14 through 20,

1 he stated simply, "I don't know."

2 Number six, page 218, lines five through
3 22, wrapping into page 219, lines one through 20,
4 where he stated, "I don't know."

5 There are two documents, however, that I
6 have seen. Judge White was asked to identify his
7 signature on two checks. The checks are
8 identified in the deposition by bank and check
9 number, amount, the date they were written and --
10 two checks dated (Inaudible).

11 Those checks, with those identifying
12 information, were found in records I received from
13 M&T Bank pursuant to subpoena. Those records were
14 Judge White's personal banking account. They were
15 deposited checks, specifically checks 1160 and
16 1180. Those were provided as proffered Exhibit
17 Two, which I previously provided.

18 Also, provided, as proffered Exhibit One,
19 the M&T Bank customer account opening request
20 contains Judge White's signature. It was again
21 provided by M&T Bank. I'll leave it to the men

1 and women of the Commission to compare those
2 signatures. But I would also note that those same
3 two checks were identified by Judge White in a
4 shareholder loan ledger that he provided to us as
5 part of the investigation, that I will discuss
6 later because it becomes important. And also were
7 deposited into his bank account.

8 Ultimately, however, what I think is at
9 issue here isn't whether or not Judge White was
10 truthful when he was shown those two checks --
11 and, by the way, I'm sorry. I just want to go
12 back. The discussion in the deposition of the
13 checks occurs across several pages because there's
14 numerous objections in -- while it was occurring.
15 It begins on page 197 and concludes on page 201.
16 Again, there's a lot of objections in that --
17 there, but page 197, line ten, concluding on page
18 201, line nine.

19 Repeatedly throughout there, Judge White
20 is asked to identify his signature and he states
21 variously, "I don't know. I don't know. I don't

1 know. I don't know." And finally, "I don't know
2 if that's a check that I wrote or not."

3 I think what's ultimately the issue is
4 not whether or not Judge White was truthful when
5 he stated "I don't know" in those various answers
6 when asked to identify his signature on the checks
7 or any other documents, but whether or not Judge
8 White was being honest or if he was being evasive.

9 If Judge White had concerns as to how his
10 signature on any of those documents, he could have
11 said something. He could have shared the basis
12 for those concerns, articulate them during the
13 deposition. If he didn't know because he didn't
14 remember having signed the documents, he can say,
15 "Well, that looks like my signature, but I don't
16 remember signing this." It's something that
17 happens all the time.

18 But instead Judge White's conduct during
19 this cited deposition -- regardless of what the
20 signature looked like or what the document looked
21 like, appeared to be more of a half baked

1 litigation tactic that was designed to volunteer
2 as little information as possible.

3 While I understand, as the performance of
4 a defense attorney, that that type of conduct can
5 be necessary in a deposition, and I sympathize
6 with the position Judge White was in, I still
7 think that there's concerns with that behavior and
8 those answers are unbecoming of a judge.

9 The Judge, when engaged in litigation,
10 should place his faith in the legal process above
11 litigation tactics.

12 What Judge White did or didn't believe
13 regarding the various documents he's shown isn't
14 as important as the appearance that was given by
15 his various refusals to admit or deny.

16 Again, the answer that, "It looks like my
17 signature but I don't remember signing it," might
18 not be any less evasive than "I don't know," but
19 it is more honest. And it's not more honest in a
20 truth versus lie way, but it's more honest in that
21 it is more forthcoming and it shows a belief in

1 the process, in a belief that true litigation, the
2 truth will be found.

3 Also I just want to note very briefly, to
4 the extent that Judge White could possibly allege
5 he did not know his deposition was part of the
6 investigation, the deposition was obtained
7 pursuant to a subpoena that had been provided to
8 Judge White pursuant to the rule that was
9 required. It was also quoted extensively in my
10 report and recommendation, which we agree has been
11 provided.

12 The Commission's other area of concern,
13 and this is where I'm going to get slightly out of
14 order, if that's all right --

15 JUDGE REED: I hate to interrupt you.

16 MR. BAYNE: Yes.

17 JUDGE REED: It's just that -- to remind
18 the Commissioners that there will be a time at the
19 end of Investigative Counsel's -- Deputy
20 Investigative Counsel's presentation to ask
21 questions, just so you know. You may proceed.

1 MR. BAYNE: Thank you, Your Honor. The
2 other area of concern were possible inaccuracies
3 in Judge White's financial disclosure statements.
4 Specifically, the main areas of concern were
5 involving the statements for 2015, 16, 17, 18,
6 and 19. There is also some concern that there
7 might be an inaccuracy on all the statements it
8 contained, which began in 2015 and go through
9 2021. While His Honor was appointed to the bench
10 in 2014, financial disclosure statements are only
11 retained for seven years.

12 Every judge is required to file an annual
13 financial disclosure statement to the State Board
14 administrator. The State Board administrator
15 forwards those to the State Ethics Commission for
16 any citizen that's interested in doing a review.

17 Specifically on Judge White's financial
18 disclosure statements from the Years 2015 through
19 2018, there seems to be a variance between his
20 reported compensation from Compass Marketing,
21 where again he worked as the vice president, and

1 the compensation indicated on the W-2 issued to
2 him by Compass.

3 While every year on the financial
4 disclosure forms during those four years, Judge
5 White notes that he made an income of \$200,000
6 flat every single year, his W-2's for each of
7 those years vary greatly, showing that he made
8 between \$436,049.27 and \$702,842.24, which is
9 significantly more for each of those four years.

10 During the investigation, I happened to
11 review correspondence to the Chair of the
12 Commission from Clarke Ahlers. Mr. Ahlers is an
13 attorney who represented Judge White for a large
14 part of the investigation. He is no longer
15 representing, as you can see today. And this
16 correspondence, which was provided to the Chair of
17 the Commission, or at least addressed to him on
18 November 11th, 2020, appears to try and get out in
19 front of this issue to try and explain any
20 possible variance between his W-2 and the \$200,000
21 statement in his financial disclosures.

1 This letter has been previously provided
2 as proffered Exhibit Eight, Attachment P. In this
3 letter Mr. Ahlers argues, basically, that Judge
4 White, yes, he received a salary from Compass of
5 \$200,000. He is also a shareholder of Compass.
6 And under the rules of the financial disclosure
7 statements, income made from a shareholder in a
8 corporation is a discretionary disclosure.
9 Therefore, any amount that he made above \$200,000,
10 which is profit from his share of Compass
11 Marketing does not need to be reported.

12 Now, setting aside that in the interest
13 of full disclosure was just that the Judge was
14 going to report any income such as that, the
15 spirit of the financial disclosure clause, it also
16 seems to cause potentially -- a circuit court or
17 district court judge who owns a few shares in
18 General Mills or some other corporation that
19 receives dividends, doesn't necessarily have to
20 report it. An Orphan's Court judge, who unlike a
21 district or circuit, or appellate judge is allowed

1 to have outside employment. Here we're not
2 talking about shares that he received at the --
3 the company and as part of his investment
4 strategy, but instead his share in a business that
5 he held -- a closely held private corporation,
6 owned between him and his other family member,
7 where he worked as the vice president. It's a
8 little bit different, I would argue, than just
9 passive income from shares.

10 But, regardless of the merits of -- this
11 argument, I took it on its face and figured, what
12 we'll just have to do then is check and see what
13 share of the profits Judge White obtained each of
14 those years. So I subpoenaed Compass and received
15 Schedule K-1 forms that were issued to Judge White
16 for those tax years, all of the tax years, but
17 those four specifically. Those have been provided
18 to you as proffered Exhibit Four. Also proffered
19 Exhibit Five contains the W-2 -- I apologize for
20 that.

21 Here we have to do a little bit of math

1 and I haven't taught math in many, many years, so
2 forgive me. But basically the difference between
3 the compensation reported on the W-2 and the
4 compensation on the statement should be made up
5 for in those K-1 forms.

6 So, for example, in 2015, Judge White
7 reported that he made \$200,000. The W-2 reported
8 \$702,000 and some dollars. The K-1 showed
9 \$502,000 plus change difference. It said his
10 share of income -- income from -- Compass that
11 year was \$52,032, leaving a difference of
12 \$450,810.24.

13 We have similar things for every single
14 year. 2016 again \$200,000 reported compensation.
15 The share of the interest income that year was
16 negative \$40,121, and the W-2 compensation was
17 \$532,300.35, a difference of \$372,424.35. That
18 appears to be under reported income.

19 2017, \$200,000 disclosure. \$191,296 as
20 the share of profits. \$632,279.92 W-2
21 compensation. A difference of \$240,983.92.

1 Finally, in 2018, \$200,000 reported
2 disclosure. Negative \$239,110 shared income. And
3 W-2 compensation of \$436,049.27, a difference of
4 \$457,159.27.

5 Again, it appears that for those four
6 years, His Honor under reported income.

7 Another concern on the disclosure
8 statements is the 2019 disclosure, where Judge
9 White appears to have failed to report his
10 ownership interest in Woodville Pines, LLC, a
11 Maryland LLC of which he is a member. I have also
12 provided proffered Exhibit Six, the articles of
13 organization for Woodville Pines, which was
14 organized in July of 2019. Judge White's 2019
15 disclosure does not reference the firm. His 2020
16 disclosure does. It should have been reported in
17 2019.

18 And finally, there may be an inaccuracy
19 regarding moneys owed to Judge White from Compass
20 that were reported in his associate forms.

21 As I said earlier, at some point during

1 the investigation, Judge White provided us with a
2 shareholder loan ledger memorializing the loans he
3 had given to Compass and the moneys he was paid as
4 reimbursement. The shareholder loan ledger
5 appears to suggest that Judge White is still owed
6 from Compass or it was as of the date indicated to
7 me in November of 2022, \$1,490,771 --
8 \$1,490,771.71.

9 Judge White does list notes owed to him
10 by Compass on the disclosure form, specifically a
11 \$430,000 note is on his disclosures from 2015
12 through 2021; \$62,000 note is listed in 2018.
13 However, these amounts are far less than the
14 \$1,490,771.71 the shareholder loan ledger
15 indicates he is owed. So that amount can and
16 should also (Inaudible).

17 Finally, the Commission was concerned
18 about Judge White's level of cooperation with
19 disciplinary authorities. This is important
20 because as Justice Wood (sp. ph.) noted in her
21 2021 opinion in the matter of Nickerson, which is

1 a judicial disciplinary proceeding against an
2 Orphan's judge from Kent County, a failure of a
3 judge to cooperate in an investigation by
4 Investigative Counsel "evidences a disregard for
5 the Commission, the judiciary, and the public.
6 The judicial disciplinary system established by
7 the Maryland Constitution and the Maryland Rules
8 does not work if judges fail to cooperate in
9 disciplinary investigations." She concluded, "And
10 doing such failures would undoubtedly cause
11 erosion of the public confidence in the judiciary
12 as a whole."

13 And while Judge Nickerson was accused of
14 much more serious transgressions than Judge White,
15 I think that language still is appropriate,
16 specifically our investigations do not work and,
17 in fact, predispose and requires, under the Code
18 of Judicial Conduct a judge's full, candid
19 cooperation with our investigation.

20 To support the Commission's concerns
21 regarding Judge White's involvement in the

1 investigation, I have drafted and provided as
2 proffered Exhibit Eight, an affidavit with my
3 testimony as this matter proceeded to a hearing on
4 charges. I -- provided, as well as various
5 documents that Investigative Counsel, Ms.
6 Bernstein and the staff of my office did have on
7 examination (Inaudible). I think the affidavit
8 speaks for itself, but I want to highlight several
9 concerns that we have with Judge White's
10 cooperation or lack thereof in the investigation.

11 A brief timeline -- also, while I'm
12 thinking of it for the record, I want to note
13 Judge White's financial disclosure forms for the
14 Years 2015 through 2021 were previously provided
15 as proffered Exhibit Seven. I forgot to mention
16 that.

17 Judge White was notified of this
18 investigation April 27th, 2022, asked to provide a
19 response -- allegations on or before June 6th of
20 that year. We sent this letter to Judge White and
21 his then counsel, Mr. Ahlers. A copy of this

1 letter is provided as Attachment A to Exhibit
2 Eight.

3 I also asked in this letter Judge White
4 to provide authorization to allow us to obtain
5 federal and state tax returns. These
6 authorizations are especially necessary in federal
7 returns which, as a state agency, we have
8 (Inaudible).

9 On May 9th, 2022, I sent a second letter
10 asking that Judge White execute an authorization
11 to the Small Business Administration to allow me
12 to obtain a particular application. That
13 application was submitted by Woodville Pines,
14 again and that (Inaudible) as you can see.

15 I received no response to either of these
16 requests. And on June 6th, 2022 (Inaudible) I
17 wrote to Judge White's counsel to ask him for the
18 status. That letter is attached as Attachment B.
19 All of these attachments are included (Inaudible).

20 Mr. Ahlers wrote me back the next day.
21 That's Attachment E. And it was actually not Mr.

1 Ahlers, but his assistant, saying that he had been
2 out, saying that Mr. Ahlers would contact me
3 shortly.

4 Mr. Ahlers didn't. I received no
5 response. And I wrote again on June 14th. This is
6 eight days after the -- again, asking for the
7 status. That's Attachment F.

8 Attachment G. Mr. Ahlers wrote back on
9 June 15th, 2022, stating his client declined to
10 execute any of the authorizations. He wrote --
11 I'm sorry. He wrote that Judge White,
12 "Respectfully declined to take any actions which
13 are discretionary on his part, and has any legal
14 significance with regard to his spouse."

15 Receiving that email, I called Mr. Ahlers
16 and spoke with him. He indicated during that
17 conversation that Judge White filed taxes jointly
18 with his spouse and that he wasn't the only member
19 of the LLC. He also requested an extension until
20 July 30th, 2022 to file substantive responses asked
21 for on or before June 6th.

1 I told Mr. Ahlers that that request for
2 that significant amount of time had to be in
3 writing, because as you know, the Judicial Inquiry
4 Board oversees our investigation and we would have
5 to ask for extensions from them. Mr. Ahlers
6 agreed.

7 After that phone call, I wrote Mr. Ahlers
8 that same day, June 15th. This is Attachment H.
9 Asking if his client had concerns about
10 authorizations, he could simply forward the
11 underlying records to (Inaudible) the application,
12 and hopefully that would alleviate his client's
13 concerns.

14 After that date, I never received a
15 written extension request. I never received
16 authorizations. I never received the full
17 underlying documents. And I never received a
18 substantive response to the initial notice of
19 investigation.

20 Judge White, in a subsequent conversation
21 in early August, indicated that Mr. Ahlers no

1 longer represented him. Mr. Ahlers confirmed to
2 me in writing on August 10th. That is Attachment
3 I.

4 And I just want to note here that case
5 law in Maryland, going back -- going back to, and
6 the lawyers will understand this -- before the
7 invention of the paragraph, back in the 19th
8 Century when --just long -- pages and pages, that
9 a client is bound by the representations of his
10 attorney.

11 A more recent case, Thomas v. Hopkins,
12 209 Maryland 321, holds that a client is bound by
13 the knowledge that an attorney has (Inaudible)
14 this would include Mr. Ahlers' knowledge of my
15 requests and also his failure to proceed.

16 In the interim, due to the stated refusal
17 to sign the authorizations, I issued a subpoena to
18 Woodville Pines requesting, among other things,
19 the application that I was looking for.

20 Woodville Pines responded; this is
21 Attachment J; on August 10th, 2022 with various

1 documents. The application I was seeking was not
2 among those documents. So I didn't (Inaudible)
3 request.

4 The response came in an envelope with
5 Judge White's name and address in the return
6 address box. Not from Woodville Pines, but from
7 Judge White.

8 Later in August, Judge White emailed me
9 two emails, August 22nd, 2022. These are
10 Attachments K and L. And these contained various
11 materials relevant to what we were looking for.

12 Judge White also declined to
13 substantively address the allegations in the
14 notice of the investigation and implied and
15 invoked his Fifth Amendment right by citing what
16 he believed to be an open criminal investigation.
17 In light of that, he didn't think it was prudent
18 to discuss it.

19 Approximately a week later, Attachment N
20 to Exhibit Eight, we sent a second notice of
21 investigation to Judge White on September 1st, 22

1 -- 2022. This second notice expanded the scope of
2 the investigation and asked Judge White to respond
3 to several specific allegations contained in
4 various paragraphs, and attached numerous
5 documents for him to look at.

6 Judge White called the next day and asked
7 to meet with me personally. I declined and asked
8 him to respond in writing. I felt that that would
9 be best for the investigation at that stage.

10 He agreed and Attachment O was provided
11 on September 25th, 2022. Judge White did respond
12 in writing to the second notice of investigation
13 and addressed each of the paragraphs.

14 In that response he also stated that
15 regarding the tax returns, that the Commission was
16 already in possession of the materials used to
17 create those returns and, therefore, the returns
18 wouldn't have to be provided.

19 We also cited to and included Mr. Ahlers'
20 letter to Chairman Reed on November 11th, 2020,
21 which again is Attachment P to Exhibit Eight.

1 However, that letter didn't contain the underlying
2 tax documents, only Judge White's W-2's for the
3 years at issue.

4 November 21st, 2022, Judge White met with
5 Investigative Counsel and myself. During that
6 discussion, he agreed to provide the shareholder
7 loan ledger that we had been discussing. He also
8 agreed to provide (Inaudible) and various
9 attachments that he had provided to the United
10 States Department of Labor.

11 Just over a week later, on November 29th,
12 2022, Judge White wrote to us and did provide the
13 shareholder loan ledger. It covered November 29th,
14 2017 through November 29th, 2022. All that is is
15 five years of time and is less than the time that
16 we are -- less than the time that Judge White was
17 working at Compass and as a judge, which
18 (Inaudible).

19 Judge White also provided a redacted
20 report for the Department of Labor, but not the
21 documents that he appeared to have said he would

1 provide to us. His response is Attachment
2 (Inaudible).

3 After reviewing these documents, in
4 particular the loan ledger, I wrote to Judge White
5 a final time, December 8th, 2022. This is
6 Attachment R to Exhibit Eight, asking that he
7 provide a complete shareholder loan ledger for any
8 prior shareholder loan ledger he had covered under
9 the periods of time, and never received a response
10 to that.

11 Judge White's refusal to provide his tax
12 returns necessitated issuing subpoenas to various
13 entities to try and collect the information in
14 other ways. Specifically, Judge White's W-2's and
15 Schedule K-1 forms just delayed the investigation.
16 It also prohibited me from certifying various
17 assertions that had been made by others during the
18 investigation and seeing whether or not the
19 allegations were actually true.

20 Further, his statement that counsel had
21 already provided the underlying records for his

1 tax returns was incorrect. His counsel had only
2 provided partial information.

3 And his failure to provide the original
4 application that I received through the --
5 authorization and also the subpoena led me to have
6 to rely upon a recorded photograph of the
7 application published in an online (Inaudible)
8 blog -- the investigation.

9 When asked to certify whether or not the
10 photograph of the blog was genuine, Judge White
11 responded that he had no reason to believe that it
12 wasn't accurate, which is (Inaudible).

13 Finally, Mr. Ahlers' delays and Judge
14 White's refusal to respond to our initial notice
15 of investigation until five months later and after
16 a second notice of investigation had been issued,
17 delayed and I believe to narrow the scope of this
18 investigation which would have been narrow to
19 begin with. Certainly credibility of the various
20 information (Inaudible).

21 I also wanted to note that during the

1 investigation, Judge White repeatedly heard and
2 accused Investigative Counsel and myself and the
3 Commission of providing confidential information
4 going on (Inaudible). His allegations continued,
5 even after I conducted a thorough search of my
6 files, that such a disclosure did not occur even
7 inadvertently. Because even, also, after Judge
8 White was unable to produce the alleged blog post
9 containing the leak of confidential -- allegedly
10 leak of confidential information, made this seem
11 like either a calculated distraction or a setup
12 for a future accusation of wrongdoing. And in
13 either event, it's a time delay for my
14 investigation of the substantive allegations in
15 this case, having to conduct an internal
16 investigation of our entire file, email accounts
17 of -- the office of Investigative Counsel.

18 This is just a brief overview. There are
19 more details in my proffered testimony and
20 affidavit and I would ask that you take a look at
21 that and (Inaudible).

1 I briefly wanted to address the rules
2 Judge White is accused of violating.

3 First, 18-111.1, Compliance With the Law.
4 Judges must obey the law, including the Code of
5 Judicial Conduct. Unfortunately, there was
6 evidence, which I have just discussed and
7 proffered here today, showing Judge White has
8 failed to fulfil his obligations under the Code.
9 Accordingly, he has violated 18-111.1.

10 I'll briefly address the other rules.
11 18-101.2(a), Promoting Confidence in the
12 Judiciary. The comments in this rule I think are
13 instructive. They state that the public
14 confidence in the judiciary is eroded. Improper
15 conduct creates an appearance -- principles, laws,
16 and personal conduct of a judge. A judge should -
17 - a judge should expect to be the subject of
18 public scrutiny, scrutiny that might be viewed as
19 burdensome if it was applied to another
20 individual. A judge has to accept the
21 restrictions of those (Inaudible).

1 Judges should participate in activities
2 that promote ethical conduct among judges and
3 attorneys, support professionalism within the
4 judiciary and the legal profession, promote access
5 to justice for all.

6 Actual improprieties will include
7 violations of law, court rules and the Code of
8 Judicial Conduct.

9 The test for appearance of impropriety is
10 whether the conduct would create -- the perception
11 the judge's ability to carry out judicial
12 responsibilities with confidence, impartiality,
13 integrity.

14 Here the Commission has limited their
15 concerns only to Subsection A of this rule, which
16 addresses promotion of the confidence and
17 independence, and integrity, and impartiality of
18 the judiciary.

19 At issue especially in this matter, I
20 would argue, is the perception of Judge White's
21 integrity. As I discussed earlier, his answers

1 during the deposition were evasive and not candid,
2 in the sense that they were not straightforward or
3 honest.

4 Again, not honest and truthful -- telling
5 the whole truth that's being evasive and
6 forthcoming -- seeing a judge give evasive answers
7 during a deposition would certainly undermine the
8 public's confidence in the integrity of the
9 judiciary -- as the comments to this will be
10 clear, is to support and promote professionalism
11 and also belief in the legal system and the
12 process as a whole, instead of expressing
13 disbelief in the process.

14 Judge White's conduct during his December
15 1st, 2021 deposition instead elevated litigation
16 tactics above faith in the system. I think the
17 public would be right viewing that deposition to
18 wonder how he or she in a similar situation could
19 possibly get a fair shake, if even a judge has to
20 act in such a seemingly cagey and evasive
21 regarding matters (Inaudible).

1 Likewise, Judge White's lack of
2 cooperation with Investigative Counsel and the
3 inaccuracies of the possible -- actions we
4 discussed on the financial disclosure statements
5 raise similar concerns. We expect our judges to
6 be open books when it comes to their ethical
7 obligations and their public responsibilities.
8 Our current national discussion of the financial
9 disclosure statements (Inaudible) Supreme Court
10 justice shows just how high our expectations of
11 the judiciary are. They are understandably high.

12 Especially I would note on the court on
13 which Judge White sits, the Orphans' Court, which
14 alongside the District Court is likely the main or
15 only contact most citizens are going to have with
16 the court system. Almost all of us are going to
17 lose a loved one. Maybe their estate is going to
18 become contentious. All of us -- happen at some
19 point consider our affairs (Inaudible) need to
20 have the utmost confidence in the judges of the
21 Orphans' Court to make sure that our families are

1 treated fairly and judiciously by people of the
2 highest integrity and professionalism.

3 Judge White's behavior, as we discussed,
4 brought that into doubt.

5 Next 18.102.16, Cooperation With
6 Disciplinary Authorities. This rule simply
7 requires that a judge be candid and honest and
8 open with the judicial disciplinary agencies, the
9 Commission, Investigative Counsel, et cetera.

10 As I detailed earlier, I believe Judge
11 White failed to live up to the standard. He
12 withheld signatures of documents, failed for many
13 months to respond in writing, concerns -- the
14 investigation, and repeated unfounded accusations
15 around the confidentiality of the investigation.

16 Especially puzzling was Judge White's
17 refusal to tell his side of the story behind --
18 but beyond his counsel's preemptive November 11th,
19 2020 letter. While he alluded to his concerns of
20 a possible Fifth Amendment issues, citing an
21 allegedly open investigation by law enforcement,

1 he was very quickly willing to address all of our
2 concerns in writing and also in person. We had a
3 discussion. He tried to sit down, as I said, with
4 Investigative Counsel and I and talk about the
5 case at length.

6 There is no indication that anything
7 changed regarding that possible investigation
8 (Inaudible) and that I would just raise a concern
9 that initially Judge White was just relying on the
10 investigation as a convenient -- to not volunteer
11 information necessarily.

12 Again, I think -- in fact, for much of
13 our investigation, Judge White, who is a former
14 law enforcement officer, treated myself and
15 Investigative Counsel the way one smartly advised
16 by counsel to treat the police. Tried to collect
17 denials, he incriminated others, and he said
18 (Inaudible).

19 While at times it was confrontational, I
20 do think that face to face meeting we had with
21 Judge White was productive. And at the end of it,

1 he finally understood his obligations under 18-
2 102.16.

3 And that he had an affirmative obligation
4 to be forthcoming and cooperative with us. He did
5 provide information after that. He did open up
6 during that meeting.

7 With that said, our final communication
8 was the initial documentation after that meeting,
9 didn't receive a response.

10 Finally, 18-103.15, Reporting
11 Requirements. Very straightforward. It requires
12 the financial disclosure statements are clear and
13 unambiguous. And Judge White clearly failed to
14 meet it.

15 Litigants have a right to know the
16 financial interests of the judges that they appear
17 in front of, both to know whether to ask for a
18 recusal, but moreover just to confirm that they
19 have a neutral arbitrator overseeing their case.

20 When a judge fails to take disclosure
21 seriously, it impacts the integrity of the entire

1 system. Again, the current national conversation
2 over Supreme Court disclosures indicates people
3 take these things seriously. As such, even the
4 smallest error, under reporting a statement,
5 improper carryover, needs to be treated with the
6 utmost seriousness.

7 Judge White failed to do so apparently.
8 And in addition to violating 18-103.15, failed to
9 promote confidence in the judiciary.

10 In closing, I would ask that you issue
11 the contemplated reprimand in this case. And I
12 would also ask to reserve the remainder of my
13 time, which appears to be about nine -- eight and
14 a half minutes, for rebuttal. Ms. Jolivet --

15 MS. JOLIVET: Eight and a half.

16 MR. BAYNE: Eight and a half.

17 JUDGE REED: Any questions from the
18 members of the Commission?

19 It appears there are none at this time.

20 All right. Judge, you may --

21 JUDGE WHITE: Your Honor, may I ask if

1 does the Commission have my exhibits?

2 JUDGE REED: You mean -- they do not have
3 them.

4 MS. JOLIVET: I have them, but they have
5 not seen them yet.

6 JUDGE REED: Okay.

7 JUDGE WHITE: Mr. Chairman and members of
8 the Commission, I thank you for the opportunity to
9 be here and speak to you and address all the
10 terrible lies that have been told about me and my
11 family throughout this investigation. I know that
12 the Commission Chair believes this is only a
13 reprimand hearing, but to me it is much more than
14 that. It is an attack on my dignity.

15 My name is Michael White. I have been
16 elected three times and serve as the Chief Judge
17 of the Orphan's Court for St. Mary's County, which
18 has been my home for more than 40 years.

19 Last year my compensation for being an
20 Orphan's Court judge was \$9,000. I'm not a
21 lawyer. And as you will see, I am not a public

1 speaker. It would have been a lot easier to
2 simply accept this reprimand or maybe even to have
3 resigned. It certainly would have been less
4 stressful and less costly. But it would not have
5 been the right thing.

6 Because I am not a public speaker, I
7 prepared my written proffer and will be reading it
8 to the Commission. I have copies if the
9 Commission would like to read along.

10 JUDGE REED: We will request a copy,
11 Judge. Thank you. That's okay.

12 JUDGE WHITE: For anybody who needs it.
13 Thank you, Your Honor.

14 I am hoping that some of you are
15 wondering why you are looking at a singular
16 deposition for a civil case in which I am not a
17 party. How did this come to the Commission's
18 attention and why are we having a public hearing
19 about it? What was the case about and why is it
20 important?

21 The answer is quite simple. In 2018 I

1 reported a group of thieves who were running a
2 Ponzi scheme to the Securities and Exchange
3 Commission. They were using an Ohio business
4 named Tagnetics, and a Wyoming business named
5 Smart Retail, but they were also using a little
6 business that I was part of to steal millions of
7 dollars from unsuspecting investors. Compass
8 Marketing. The thieves, John White and Stephan
9 Stern, also included some people that had a lot of
10 money themselves, and also a few other attorneys.

11 They wanted -- they warned me that if I
12 exposed them, they would make my life miserable,
13 and they have tried as hard as they could to do
14 so, to punish me for exposing their thievery and
15 to discredit me. And they have told terrible lies
16 about me and even my family.

17 They've spread those lies as many times
18 and as many places as their millions of dollars in
19 stolen money could let them -- would let them.

20 And then they added millions of dollars
21 of fraudulent COVID loans to the war chest and

1 used that in their efforts. They have filed
2 multiple fake lawsuits. And they have involved
3 friends with online newspaper tabloids.

4 In October of 2020, I learned that the
5 thieves had requested my judicial disclosure
6 forms, and I knew that I -- they would involve the
7 Commission in their war against me. So I
8 immediately hired an attorney to proactively
9 search out to the Commission and explain an
10 extortion attempt that was going on, and to offer
11 to sit down with the Commission. That letter is -
12 - I believe it's Investigative Counsel's Exhibit 0
13 or 0.

14 In 2022, the thieves filed a new bogus
15 lawsuit against me and my family. And with the
16 help of a political opponent, who was an employee
17 of a newspaper called Compass -- or Chesapeake
18 Today, they got the local online tabloid in my
19 hometown to print it. They delivered to the
20 tabloid a copy of the lawsuit before it was even
21 filed and worked with the tabloid to print the

1 story in the most terrible light.

2 The investigation counsel won't tell you
3 who brought that terrible story to their
4 attention, but I will. The tabloid story was
5 published on the day the lawsuit was filed and
6 then someone called the Investigative Counsel and
7 pretended like they were concerned citizens and
8 thought the Commission needed to know.

9 Investigative Counsel now knows that that
10 was a lie and that's why they don't report who
11 presented the complaint to them, even though Rule
12 18-421 says they must. Sadly, they have also
13 tricked your Investigative Counsel who,
14 thankfully, after a long wild goose chase,
15 determined them to be not credible.

16 Investigative Counsel did not report to
17 you that they spent a year investigating
18 embezzlement, theft, trade secrets and employee
19 ledgers. They found all of those claims to be not
20 credible. And the reporters of those claims, John
21 White, Ron Bateman, Stephan Stern, not to be

1 credible.

2 So at the last minute, after
3 investigation was complete, and after the
4 Judiciary Inquiry Board found their initial
5 allegations to all be lies and only recommended a
6 letter of caution, they mounted -- they moved the
7 goal post and added this deposition issue from
8 thin air. The Judicial Inquiry Board did not
9 mention the deposition in their report to you.
10 Investigative Counsel did not report to you where
11 this came from either, but I will. It came from
12 the same thieves who were running the Ponzi scheme
13 and who stole millions of dollars from people.

14 The deposition is from a lawsuit called
15 Boshea v. Compass Marketing. I'm the owner of
16 Compass Marketing, although I've been locked out
17 by the thieves since 2019.

18 A year after I was locked out, Compass
19 Marketing fired David Boshea because he would not
20 continue to participate in their Ponzi scheme.
21 David Boshea had a severance agreement and they

1 did not pay it, so Mr. Boshea sued them, as well
2 he should. Stephan Stern, without authority,
3 jumped in to represent Compass Marketing.

4 The thieves used that lawsuit as a
5 further opportunity to try to hurt me and try to
6 come up with something they could use either in a
7 new false report to the law enforcement agency, or
8 a new fake lawsuit, or new lie in their tabloid.

9 As you will see from a simple search of
10 the docket, the only people deposed in the case
11 were myself and my brother, Daniel. The
12 Complainant Boshea was not even deposed.

13 The thieves tried to depose my son until
14 finally a judicial magistrate judge stepped in and
15 told Mr. Stern they were using the deposition as a
16 fishing trip and they were violating his
17 protective order. And he put a stop to them using
18 this process any further. That's my Exhibit One
19 and Two are the judge's orders.

20 You will see in a written opinion of
21 Judge Coppertithe that he also found that they

1 were misusing the discovery process. His word was
2 "manipulation." That is the exact word that fits
3 what those thieves did to the Investigative
4 Counsel.

5 The Investigative Counsel did not report
6 that before the deposition in question, the
7 crooked lawyer on the other side of it, Stephan
8 Stern, asked the court to throw me in jail for a
9 delay of 30 days while I hired an attorney.

10 Investigative Counsel investigators did
11 not report to you that the same crooked lawyer
12 told the Anne Arundel County Court that he needed
13 to use the Anne Arundel County Courthouse for the
14 federal deposition because I was such a dangerous
15 threat.

16 They didn't tell you that he told the
17 same lies about my brother, Daniel, who is a
18 prosecutor, or my son, who is a Maryland State
19 trooper. We were so dangerous that this
20 deposition that you see in front of you needed to
21 be conducted in a courthouse.

1 When their email lies were exposed to the
2 court, all of a sudden Stephan Stern and Ron
3 Bateman wanted to do the deposition by Zoom.

4 When you read this deposition, you will
5 see that there are almost no questions about the
6 case that was supposedly about Boshea. Instead,
7 it is seven hours of trying to trick people and
8 come up with something they could spin into lies
9 that they could tell.

10 I did not know at the beginning of this
11 deposition exactly how they were going to use --
12 use it to manipulate people, but I knew it was a
13 devious purpose that had nothing to do with the
14 lawsuit purported to be -- it's purported to be
15 connected with.

16 My Exhibit 15 is my motion to quash the
17 protective order -- quash the subpoena and obtain
18 a protective order. I believe that there is quite
19 an amount of information in there that will
20 interest the Commission.

21 I also knew that the people on the other

1 end of this Zoom deposition camera, Stephan Stern
2 and Ronald Bateman, were liars and that they had
3 spent two years telling everyone they could find
4 things that were not true. And showing them
5 documents that were falsified.

6 Ron Bateman supposedly is a bodyguard for
7 the main thief, John White. The identification of
8 him being a bodyguard is found in my Exhibit
9 Seven, a 911 call of a false kidnapping, which we
10 will get to a little bit later.

11 I know that Stephan Stern and Ron Bateman
12 had been waving around documents that had my
13 signature forged on them. I knew that their lies
14 to various authorities they had used other
15 fabricated documents. My Exhibit Number Five is
16 the fabricated document from -- from a Compass
17 employee named Lou Fernandez that was submitted to
18 the Virginia court by Mr. -- Mr. Stern and it is a
19 forgery.

20 Besides being an alleged wife beater,
21 even Investigative Counsel found all of his

1 reports and all of his allegations not to be
2 credible. In fact, for two years the
3 investigators tried to hide Mr. Bateman's reports
4 and only turned them over to me a couple of days
5 ago.

6 So when Stephan Stern and Ronald Bateman
7 ask you questions about anything or show you a
8 document with a signature on it, I caution
9 everyone here to be extremely careful. I don't
10 know what they will do with the answers, but they
11 will spin them and use them to hurt you if they
12 can. I don't know if they're trying to get you to
13 acknowledge something that is slightly incorrect
14 or they are trying to get you to affirm a document
15 that they have forged. But I know that they are
16 up to no good.

17 For example, just last Friday, Mr. Stern
18 filed another false statement of facts in a phony
19 lawsuit in the Fourth Circuit Court of Appeals.
20 He repeatedly says that his business partner that
21 he pretends to be his client had no knowledge of a

1 particular material critical fact until January
2 2020. He says it over and over again.

3 He says the same thing in a fake lawsuit
4 that he filed in Anne Arundel County a month ago.
5 That is my Exhibit 23, the Maryland court filing.

6 January 2020, over and over again. And
7 yet I will give you -- or I have given you a legal
8 bill that he sent to my company for investigating
9 the very same thing he says he had no knowledge of
10 until 2020, yet he billed for in 2019. And that
11 is my -- my Exhibit Number 22, is Stephan Stern's
12 bill.

13 My point is, just as the investigators
14 will tell you if you ask them, all the things that
15 Ronald Bateman gave them were not credible. He is
16 a liar and so is Mr. Stern. So when they go from
17 insisting that my deposition be in a courthouse
18 because I am a security risk, and then they go to
19 insisting that my deposition be by Zoom, my Spidey
20 sense is heightened to say the least.

21 When they flash a document on the screen

1 that I have never seen before and ask me if it's
2 mine and if it's my signature, and when I know
3 they have used false documents and forged
4 documents for years, "I don't know" is not a
5 clever response. It is the only true response.
6 And it is certainly not a lie.

7 Investigative Counsel showed you some
8 documents that they say are the ones that Stephan
9 Stern and Bateman showed me by Zoom, but they
10 don't know that. Those documents are not attached
11 in part of the deposition. They are documents
12 that they have gotten from people that they called
13 not credible at a different time and place.

14 Investigative Counsel will tell you that
15 the people who showed me that document had not
16 told them the truth about embezzling, and IRS
17 scams, and false employees, and all the things
18 they worked on for a year. All lies.

19 But at the very last second, the goal
20 post moved to include this deposition that had
21 been turned over to them by the same thieves and

1 liars. And in spite of their long personal
2 history of knowing these people to be liars,
3 Investigative Counsel nevertheless expected me to
4 look at a document flashed on the screen for two
5 seconds by the same liars and acknowledge that it
6 was true documents.

7 Investigative Counsel did not report to
8 you, but I will, when I found out they were
9 investigating more lies from Stern and Bateman, I
10 asked them if I could come in and see them. They
11 declined and said that they did not need to talk
12 to me because they had so much evidence already.
13 But when they figured out their witnesses were not
14 credible, they agreed to sit down with me,
15 reluctantly.

16 You have or you will have before you
17 notes from that interview. There is not one word
18 in that -- those notes about a deposition. Not
19 one. Because if there was, I would have explained
20 to them what I'm explaining to you now. When
21 Stephan Stern and Ronald Bateman ask you a

1 question, no matter how simple it seems, be very
2 cautious.

3 I would like to take a minute and refer
4 you to the docketed Attorney Grievance Commission
5 investigation letter. That is my Exhibit Number
6 Four. The investigation involved Stephan Stern
7 and theft charges from my company run through his
8 escrow account, extortion of a sitting judge,
9 spreading of lies, and false accusations of the
10 Chief Judge of Maryland, and other judges of
11 Maryland, failing to be candid, and giving false
12 information to the Anne Arundel County Circuit
13 Court in regard to a vendetta deposition.

14 I was a Maryland State Police detective
15 for over 20 years. I know where Investigative
16 Counsel was at mentally. They have been fooled
17 for over a year.

18 After I told them in the beginning that
19 that they were going to be fooled, they went to
20 Judge Chandlee and got subpoenas, and they went to
21 banks and got records, and they interviewed

1 people, and they put hundreds of hours into the
2 case. And they told the tabloid in St. Mary's
3 County that they were working on it.

4 And they learned that they had been lied
5 to for a year. And it's really hard to say I have
6 nothing when you have put so much investment into
7 a case. So it is normal to keep moving the goal
8 post and to keep trying to find something else if
9 all of those things that you were looking at
10 collapse. That's normal. But it's not fair.

11 That's why I'm glad that you're giving me
12 a chance to be here tonight. In a vacuum, "I
13 don't know" does seem like a strange answer to a
14 straightforward question. But in the reality that
15 your Investigative Counsel acknowledges where a
16 group of thieves have been trying to hurt you at
17 every turn, it is only a correct answer. And,
18 again, it is certainly not a lie.

19 I want to play for you a 911 call. It's
20 my Exhibit Seven. It's an Anne Arundel County 911
21 recording. Normally that might not seem relevant,

1 but in this case it is the same liar who is on the
2 other side of the deposition with the Zoom
3 deposition, actually calling the police to report
4 that I tried to kidnap in broad daylight in the
5 middle of Annapolis in a van I stole from
6 McCormick Paint. I will understand if you laugh
7 because it is a little funny. But it is also an
8 indication of just how far these liars will go to
9 hurt me to cover up their criminal conduct, to
10 call the police and report that I tried to kidnap
11 them.

12 They were also using the situation to
13 come up with an excuse to go into a secret secure
14 location to hide all of the investors -- hide from
15 all the investors that they stole money from and
16 the people that they owed millions of dollars to
17 and were looking for them in multiple lawsuits.

18 They even had their tabloid friends print
19 a story about the fake kidnapping attempt. That
20 is my Exhibit 24. Listen to how they want to
21 catch the kidnapers -- they don't want to catch

1 the kidnapers. They just want the document so
2 that they can add it to their list of lies.

3 After the fake 911 call, the liars
4 doubled down and again reported the fake
5 kidnapping to a uniformed police officer. I also
6 have body worn camera video that I received from
7 the police. That is my Exhibit Number Nine.

8 Please take notice that the business card
9 that the uniformed police officer hands to John
10 White and Ronald Bateman ends up printed in the
11 Chesapeake Today news article 45 minutes later.

12 (Whereupon, the recording was played.)

13 "911. Where is your emergency?

14 "-- at 1031 Bay Ridge Avenue.

15 "Okay.

16 "The caller's phone number I have is 571-
17 587-0043. He is stating that he avoided a hit at
18 that location.

19 "Avoided a hit?

20 "Yes. Avoided a hit out -- yeah.

21 "Are you still on the phone?

1 "Yes, I am. And my name is John White.

2 "John White. And when you say you
3 avoided a hit, what do you mean by that?

4 "A van approached. I dodged behind it.
5 It was just that -- the police officer --

6 "I'm sorry. You said a van approached
7 and what did they do?

8 "They stopped the car. A gentleman came
9 up behind me. I ran. Can you send a police
10 officer, please, that I can get this documented?

11 "What did they do when they stepped up
12 behind you? What did they say? Did they have a
13 weapon?

14 "I'm sorry, ma'am. Can you tell me your
15 name, please?

16 " PCF Simmons. Can you tell me how long
17 ago this happened?

18 "30 minutes.

19 "Okay. What color -- you said it's a
20 white van? Is that right?

21 "White van. Yes, ma'am. With McCormick

1 Paint sign on the side of the van.

2 "Okay. So you said a man got out of the
3 van. What --

4 "Excuse me, ma'am. Excuse me, ma'am.

5 "I'm sorry. Your phone is breaking up.

6 "Can you hear me?

7 "Yes. Is this still John?

8 "I'm sorry. My name is Ron Bateman. I'm
9 a former sheriff of the County. I'm in charge of
10 John's security. He is a little upset right now.
11 So --

12 "Who is John? Is he -- is he an owner of
13 the athletic club? Who is he?

14 "No. No. John White is the owner of
15 Compass Marketing. And I just got to him and his
16 life was threatened on the way -- he was walking
17 to the gym this morning. So he's like -- I have
18 encouraged him to call the police and report the
19 incident.

20 "Okay. You said his wife was threatened?

21 "No. His life.

1 "His life. Okay. I'm trying to work it
2 out. When they got out of the van, how did they
3 threaten him? And did they have any weapons?

4 "I do not know that -- I only just got
5 here.

6 "I know. That's why I was asking John,
7 but John gave up on answering the questions, which
8 is -- it's a pretty important question. So --

9 "I understand that.

10 "Can you ask John if they had any
11 weapons, if they took anything from him?

12 "I will do that.

13 "And how did they threaten him?

14 "They did not take anything from him. I
15 know that.

16 "Okay. Well, I'll just stand by on the
17 phone. Can you ask him the questions for me,
18 please?

19 "I will.

20 "Thank you.

21 "A couple of questions she needs to ask

1 about. Did they have any weapons? Did you see
2 any weapons?

3 "No.

4 "He did not see any weapons.

5 "Okay. And what did they do to threaten
6 his life?

7 "What did they do to threaten your life?

8 "They stopped, blocked my path, and the
9 guy came up behind me and I literally just ran.

10 (Inaudible).

11 "So the van he told you about, usually --
12 he takes the same path every day to the gym. He
13 walks from his house. So what he said is that
14 totally out of character, this van pulled up to
15 block his path that he's walking. And then
16 someone from the rear approached him quickly and --
17 -- and then the van moved again as John moved, and
18 they were -- they were -- literally the van and
19 the person behind him were communicating with each
20 other somehow and then John ended up taking off
21 running. What is significant is that John has a

1 federal lawsuit pending against a large group of
2 people in federal court -- in Baltimore. So it's
3 a pretty dangerous crowd that he is involved in.

4 "What road was he walking on when this
5 took place?

6 "What road was that on, John?

7 "The parking lot -- the parking lots at
8 the Annapolis Athletic Club.

9 "Okay. So he is approached on the
10 parking lot.

11 "Yeah."

12 "And, again, about how long? You said
13 about 30 minutes ago this happened? Is that
14 right?

15 "Yes, ma'am.

16 "Okay. And he's inside the athletic club
17 now; right?

18 "No. I'm outside and -- there.

19 "Okay. That's fine. We'll send someone
20 over to the athletic club to speak to him. Okay?

21 "Thank you, very much.

1 "You're welcome. Bye bye.

2 "Bye bye."

3 (End of recording of 911 call.)

4 (Whereupon, police officer body cam
5 recording was played.)

6 "(Inaudible.) Good morning.

7 "Good morning.

8 "Hello, sir. Let's go stand over there
9 so we're not in the way. Then we will go from
10 there. All right. So what seems to be going on
11 today?

12 "When I was at the door, I was
13 approached.

14 "Okay.

15 "I walked to the gym this morning. A
16 white van stopped and blocked my path. It didn't
17 pull all the way into a parking spot right in
18 front of the (Inaudible).

19 "Okay.

20 "(Inaudible) He stopped. A white male
21 with a beard (Inaudible) he stopped about halfway

1 into -- pretend like he was pulling into a spot,
2 but he didn't. The window was down. He put it in
3 park, put the window up, and as he was getting out
4 of the car, I stopped. I made eye contact with
5 him and I backed up. Then he put the van in
6 reverse came in reverse, backed up, and started
7 driving towards me, so I backed up and I pretended
8 like I was going right around the corner of the
9 building. As I did that, I noticed there was a
10 man behind me -- behind them. They were in
11 communication with each other. They were looking
12 at each other. And I just hid behind the pole
13 (Inaudible) I just stayed behind the pole --
14 (Inaudible). I took off running this way here.
15 And he slowly drove the van behind me, sped up his
16 pace, followed me. I sprinted all the way into
17 here. (Inaudible.) That's it.

18 "Okay. Where did the guy go that was
19 walking?

20 "I don't know. He followed me about to
21 the Walgreen's.

1 "Okay.

2 "And then I don't know where he went.

3 "Okay. And when did this happen?

4 "About 45 minutes ago.

5 "Okay. So, you were walking from --
6 which direction? You were coming -- like had you
7 passed the post office?

8 "No. I'm back in the --

9 "Okay.

10 "I take the same route every day, about
11 the same time.

12 "Okay.

13 "I know (Inaudible) a trap.

14 "And when I told the 911 -- what's
15 significant is his company has a federal lawsuit
16 pending against (Inaudible)

17 "Okay.

18 "Some pretty bad actors. So that's been
19 pending awhile now. (Inaudible)

20 "Okay.

21 "So, you know, when you talk about

1 motive, there's a reason for John not to be
2 around. My name is Ron Bateman. I'm the former
3 sheriff of the county and I've been a copy for 38
4 years. I told him to immediately call.

5 "Okay.

6 "It's totally out of character --

7 "Okay.

8 "Do you want to see where it happened?
9 Do you want to walk down there right now?

10 "No. I'm very familiar with this area.
11 Okay. Was there anything on the van that looked
12 distinctive?

13 "Yes. There was a McCormick Paint sign
14 on the driver's side.

15 "Okay.

16 "A McCormick Paint sign, a worker's van.

17 "Okay.

18 "McCormick Paint sign was color -- reds
19 in there and yellow and green.

20 "Okay.

21 "It said McCormick Paint on the driver's

1 side door.

2 "Okay. So what we will do from here is I
3 will take an incident report just -- just to
4 notate it. I don't know how far it is going to go
5 in that aspect. More than likely -- it is going
6 to be a suspicious act for me. I'll see if I can
7 get access to any cameras over there. But, again,
8 it all depends because each individual business
9 own the cameras. And then we'll go from there.
10 What I would suggest is taking a different way,
11 walking and/or driving. Just kind of change up
12 your behaviors. I know human behavior is very
13 consistent, but you've got to change it up if you
14 feel like you are being followed or watched in any
15 way, shape, or form. Okay. Do you have an ID on
16 you?

17 "(Inaudible.)

18 "And then, excuse me. What is a good
19 phone number for you?

20 "(Inaudible) normally have security --
21 today I don't have any.

1 "Uh-huh.

2 "Walk to the gym. (Inaudible.)

3 "Do you have your ID?

4 "(Inaudible.)

5 "Okay. So, essentially, where this is
6 going to go, so everyone is on the same page. If
7 I can pull cameras (Inaudible) can even get a
8 license plate from it and go from there. See if
9 we can get any kind of (Inaudible). If it's a
10 company vehicle, I'll see what I can do from
11 there. And -- sorry. This is my first day back.
12 I --

13 "Welcome back.

14 "We'll just keep frequent checks. Again,
15 change your behaviors, schedule and everything,
16 but maybe go to the gym at different times, take a
17 different way, all that good stuff, just to
18 eliminate those things kind of happening in the
19 future. Okay.

20 "(Inaudible.)

21 "All right. So that is going to be your

1 incident number. On the back is all of my
2 information. The best way to get in contact with
3 me (Inaudible) if I'm not here, I would answer
4 that, nine times out of ten. I'm here" --

5 (End of recording.)

6 JUDGE WHITE: Thank you for watching
7 that. I just want to repeat that card that was
8 handed to him by the uniformed police officer
9 ended up in a newspaper article, which is one of
10 my exhibits; I think it's Number Six; 45 minutes
11 later, with a terrible story about how Mike White,
12 and his brother, and his son had abducted or tried
13 to abduct John White. That's what was on the
14 other side of that June deposition.

15 But the call is also relevant with the
16 police reports and emails that I have attached in
17 Exhibit Six, which explains how the Annapolis
18 Police Department ran down all the videos in that
19 shopping center and that they found nothing. They
20 didn't find John White. They didn't find a
21 McCormick van. They didn't find anything.

1 Nevertheless, Ronald Bateman, the liar on
2 the other end of this deposition, in charge of
3 continuing the investigation and finding the real
4 kidnappers, according to his email to the police.

5 I hope you will keep the significance of
6 this -- significance of this in mind when you
7 decide how you would answer a question from these
8 liars in a deposition.

9 The other liar and bodyguard for John
10 White that you will see in the email to the
11 police, his name is Chuck Rubac. You'll also see
12 his name on Mr. Stern's legal bill to my company
13 as his investigator. Again, that's Exhibit 22.

14 I would like to skip for a minute to the
15 allegation that I wasted Investigative Counsel's
16 time. That might be the most ironic thing I have
17 read. Investigative Counsel acknowledges that
18 they spent a year and subpoenaed bank and business
19 records and interviewed witnesses, all to chase
20 down lies of John White, and Ronald Bateman, and
21 Stephan Stern. They found them not to be

1 credible.

2 They did not advance any allegations
3 about any of those things that they worked on for
4 a year. They acknowledge that I offered to
5 interview with them and that they declined and
6 later accepted.

7 They acknowledged that the first person
8 who brought anything to their attention was me.
9 That I hired an attorney before they ever heard of
10 any of this nonsense to tell them that it was
11 coming.

12 The investigator's exhibits include a
13 letter from Mr. Ahlers, warning them of the
14 incoming scam and offering to sit down with the
15 investigators and provide them with whatever
16 assistance we could.

17 I spent five years of my judicial salary
18 trying to help them avoid all the rabbit holes
19 that they went down. But because one time they
20 wanted me to give them total access to my wife's
21 tax returns, and I was unable to do that, that

1 means that I am the one causing them to waste
2 their time and to waste yours.

3 I give them -- I gave them everything
4 that they asked for. I interviewed with them. I
5 tried to guess what lies they were -- were being
6 told because they refused to tell me who was
7 making the reports or what they were reporting
8 until four days ago. But somehow, I'm the one who
9 caused the delay. This is simply not credible.

10 To understand any financial disclosure
11 statement inaccuracies, you have to go back to
12 October of 2020 when Stephan Stern approached my
13 attorney and tried to extort me into settling a
14 Virginia civil case. Exhibit Number Eight.

15 Stephan Stern threatened to take my
16 judicial financial statements to the Commission if
17 I did not settle.

18 I immediately obtained the help of an
19 attorney, Clarke Ahlers, and notified the Chair of
20 the Judicial Disabilities Commission.

21 Stephan Stern and then Ronald Bateman

1 came up with some circular story and reasoning why
2 my financial disclosure statements total
3 compensation was stated incorrectly. They gave
4 this information to Investigative Counsel, which
5 caused many hours of investigative work.

6 For some reason, the Investigative
7 Counsel believes that compensation in this case --
8 in this case, compensation from my company,
9 Compass Marketing, should be the same numbers as
10 one of the numbers on my W-2 form.

11 The Investigative Counsel has supplied to
12 this Commission federal and state tax liens
13 belonging to John White, over \$2 million worth of
14 unpaid taxes. I think they have it as Attachment
15 O.

16 Those large tax bills were the result of
17 paper profits, not paid, just paper profits
18 recorded on the company K-1. Because my brother,
19 Daniel, and I own 50 percent of Compass Marketing,
20 the same tax burdens were laid on us. To make
21 sure that John White, Daniel White, and I were not

1 placed in tax jeopardy, every Compass Marketing
2 payday a completely separate from compensation,
3 100 percent tax payment was made directly to the
4 IRS for each owner of Compass.

5 These separate payments kept Daniel and I
6 out of tax jeopardy. Unfortunately, John White
7 stopped filing his taxes in 2015 and today remains
8 in serious tax jeopardy, \$2 million.

9 The amount placed in the compensation
10 section of my judicial financial reports is the
11 exact amount of compensation that I received.

12 Lastly, I would just like to say that
13 because this hearing has been designated as a
14 simple reprimand hearing, it was determined that I
15 am not eligible to see the investigative files in
16 the matter or disclosures that would be available
17 in a full hearing. I did not have the opportunity
18 to address or challenge my accusers and the
19 identities of the complainants have not been given
20 to me. I was not given particular and clear
21 statement of the facts alleged by the

1 Investigative Counsel. I was not allowed to call
2 witnesses or subpoena records for myself. And I
3 was not allowed to have an attorney present unless
4 the attorney entered their appearance. None of
5 that seems fair to me, but I have proceeded as
6 best I can.

7 Thank you for your time. And I -- I'm
8 happy to answer any questions.

9 JUDGE REED: Commissioners, any
10 questions? It appears there are none that I saw.

11 All right. Let's see. I know. All
12 right. Mr. Bayne, you may -- rebuttal.

13 MR. BAYNE: Thank you, Judge Reed.

14 That was a lot. That was -- that was a
15 lot and I'm going to rely on -- the case here for
16 a lot of it, specifically, Judge Reed, your order
17 arising out of our June 15th hearing, in which you
18 indicate what His Honor did and did not receive --
19 today's hearing, specifically -- reports that
20 these things were turned over only a couple days
21 ago (Inaudible) before the investigation, but --

1 before the court.

2 I will say Judge White is correct that
3 there was a lot of things I did not bring up and
4 discuss with you today because none of those
5 things are relevant.

6 We're not here for a hearing to reprimand
7 of John White, or Ron Bateman, who we didn't meet
8 -- the way I conducted this investigation. We are
9 here to see whether or not a reprimand should be
10 issued to His Honor, Judge Michael White.

11 And I'm not going to get into a comment
12 on Judge White's various statements about what I
13 did and didn't believe, and what I did and didn't
14 condone, and who did and didn't trick me. I think
15 that what I have given you in my eight proffered
16 exhibits is a clear, concise, easy to follow
17 pathway that involves no one's credibility
18 determination, no one's forging of any documents.
19 It is just straight simple. It is what it is.
20 All of it from an independent source, with the
21 exception of the tax return documents, which again

1 I'll highlight. If Judge White wanted me to see
2 separate tax return documents that he alleges --
3 which he didn't today, by the way -- that the W-
4 2's and K-1's that I have, that I received from
5 Compass, the employer -- to get those documents,
6 which he won't sign authorization, are somehow
7 incorrect or doctored, he had an opportunity to do
8 that. I see no alternative document provided by
9 him.

10 Most importantly, again, he and Mr.
11 Ahlers could have helped me out from the beginning
12 by signing those authorizations and they did not.

13 Regarding the deposition, ordinarily I
14 wouldn't address this because it's arguably
15 confidential under 18-407, but again my report and
16 recommendation in this matter, which Judge White
17 received, he had an opportunity to object to in
18 his response, in the initial -- report. I quote
19 from that deposition at length. So, in addition
20 to being provided those cited in the initial
21 subpoena, he had it there. He had the very quotes

1 about the checks that I referenced to you today.
2 In fact, when I gave you the numbers for the
3 section about the checks, I was reading from my
4 report. All right. So he was aware of that. He
5 would have had the opportunity to object to it at
6 that point.

7 Again, the arguments regarding the
8 genuineness of the various documents that he says he
9 was shown, and that's exactly what I was talking
10 about. Sitting here today, Judge White was able
11 to coherently share why he was hesitant in
12 identifying those documents. "I don't know
13 because I believe that Ron Bateman and John White
14 forged my signature on important documents in the
15 past and might have done so again. Sorry,
16 counsel. That looks like my signature, but your
17 client has forged my signature in the past and I
18 believe he might have done so again." That is a
19 truthful, forthcoming answer beyond just "I don't
20 know."

21 And I would also, regarding his statement

1 that he was shown the document for two seconds and
2 asked to sign it, again, you have that deposition.
3 It is proffered Exhibit Three. I ask you to take
4 a look at it, especially around those documents.
5 Again, we don't have them. But just take a look
6 at the length of the conversation between counsel
7 as to how long the document is up and what they
8 can see and can't see. And see if it was just a
9 two second thing or if Judge White during what he
10 said was a seven hour, I think, deposition, was
11 not competently represented by counsel to make
12 sure that everything that he was shown was, in
13 fact, there for long enough for him to digest what
14 it is -- if necessary.

15 I -- address a bunch of random things. I
16 apologize for going so quickly, but again Rule 18-
17 421 only requires a complainant be identified --
18 complainant. In this case, if you take a look at
19 the initial caption for the investigatory phase
20 was CJD 2022-023, White/Investigative Counsel.
21 That indicates that Investigative Counsel,

1 pursuant to her ability under 18-421, opened this
2 on her own initiative upon information received.

3 I won't comment on what that information
4 is, but I will state that Mr. Ahlers referred it.
5 There is a federal lawsuit that comes to trial
6 against His Honor that was widely reported in the
7 press, beyond just the Chesapeake -- and there is
8 various different ways that those allegations
9 would have come before us and I don't think I need
10 to explain that.

11 And, again, unfortunately, while that
12 deposition might have been provided out of some
13 context -- the context was relevant, too. I
14 thought that context possibly could have been
15 prejudicial to His Honor, but also none of that
16 changed or created an allegation that the
17 deposition itself was altered in any way.

18 Also, we have the theory as to how his W-
19 2's and K-1's did or didn't represent his income.
20 It did not come to me from John White. It did not
21 come to me from Mr. Bateman. It came from Clarke

1 Ahlers, Judge White's counsel, in that very letter
2 which, again, is -- I believe it is also included
3 in Attachment O, but it is certainly there as an
4 attachment as P.

5 And you can see there, I believe he said
6 something like "Anyone even remotely familiar with
7 business would understand that one's compensation
8 is far beyond your salary when they are the owner
9 of a business. They also share in the profits and
10 losses. And that's not -- reflected on a W-2, but
11 not necessarily on our disclosure form."

12 So I took his theory and I ran with it.
13 Again, there was no attempt to hide Mr. David's
14 reports. Again, there are indeed here documents
15 that I got from people who may or may not be
16 credible, but those again are only the documents
17 that I could not get from any other source. M&T
18 Bank, the only question there, credibility, SDAT,
19 the State Ethics Commission, these are the places
20 where these records came from.

21 And any materials I received from

1 Compass, I received pursuant to a subpoena and it
2 came with a records authentication form, a
3 certification for some of these records that I
4 provided. So all of those records were certified
5 to by someone. If I'm not allowed to rely on
6 someone's certification under oath, this document
7 isn't genuine, I don't know how (Inaudible).

8 The refusal to say who was making the
9 reports, but they were reporting some four days
10 ago, I'm not sure what that means. I was looking
11 here and it seems that Judge White elected to
12 contest the reprimand two months ago. Here we go.
13 April 26th, 2023 he indicated his intention to
14 contest the reprimand.

15 In those two months, he was able to
16 prepare these written remarks that were provided
17 to you today addressing various concerns, not
18 necessarily what is before you today, but various
19 concerns. Had him or his counsel done this on or
20 before, or even abruptly around June 6th, or even
21 by July 30th, the initial requested extension date,

1 it would have gone a long way. But such
2 information never came.

3 And, again, the allegation he was not
4 getting a particular clear statement of the facts
5 alleged by Investigative Counsel, Judge White
6 received a 40 some page report and recommendation,
7 with hundreds of pages of attachments, the same
8 one that you received, and the Judicial Inquiry
9 Board. If that's not sufficient notice, I'm at a
10 loss to say what else there is he could have.

11 So, other than that, unless in the two
12 seconds I have left, if anyone has any questions,
13 I will conclude my remarks.

14 JUDGE REED: Any questions,
15 Commissioners?

16 Hearing there are none, thank you, very
17 much. Thank you, very much, Judge. Anything
18 else?

19 JUDGE WHITE: Your Honor, am I allowed to
20 reserve my time?

21 JUDGE REED: I think you used all your

1 time, Judge, I assume. Did the Judge use all his
2 time?

3 MS. JOLIVET: He has four minutes and ten
4 seconds left.

5 JUDGE REED: Well, I will let you use
6 more time, but I know you're not a lawyer.

7 JUDGE WHITE: I --

8 JUDGE REED: I know you're not a lawyer,
9 so --

10 JUDGE WHITE: I'm not, Your Honor.

11 JUDGE REED: So you're not a lawyer.

12 JUDGE WHITE: I understand that this --

13 JUDGE REED: And -- I'm going to finish
14 my sentence, if you don't mind.

15 JUDGE WHITE: I apologize, Your Honor.

16 JUDGE REED: Because what lawyers do in
17 this -- in almost every court, at least the one
18 I'm in, what happens is, one party states, the
19 other party can reserve their time. You did not
20 ask to reserve any time. You had your time. You
21 used a great portion of it. And so, usually I

1 don't allow surrebuttal, but I will allow you to
2 respond. Okay. But I don't want you to make any
3 accusations -- so, thank you. You may make your
4 statement now.

5 JUDGE WHITE: I would just like the
6 Commission to take a look at a couple of things.
7 One, the authorization form, the true test copy
8 forms that Investigative Counsel just referred to.
9 Signed by Ron Bateman. I just want the Commission
10 to realize that.

11 JUDGE REED: Judge, what exhibit are you
12 talking about?

13 JUDGE WHITE: I was talking about -- I
14 don't think it's a specific exhibit. I think it's
15 a specific statement made by Investigative Counsel
16 that he obtained authorizations or true test copy
17 status from the things he obtained from Compass
18 Marketing.

19 I just want to bring it to the
20 Commission's attention that that true test copy
21 and the authorization form is signed by Ron

1 Bateman, the same gentleman you -- I just want to
2 make sure that the Commission understands that
3 that came from the same person.

4 I would like the Commission to consider
5 the fact that a lot of quotes that Mr. Ahlers used
6 to state the idea of what I should have done.

7 I would like to bring to the Commission's
8 attention that the civil case that Investigative
9 Counsel stated was in all kind of newspapers, he
10 is correct. It was. And dismissed. Dismissed
11 before it was answered.

12 I just -- the last thing that I just
13 would like the Commission to please understand,
14 the Investigative Counsel said he walked a path --
15 a pathway to show improper things that I did. The
16 -- it doesn't tell you about all the reasons that
17 I might have done what I did. It doesn't tell you
18 why "I don't know" is a good answer. I should
19 have written a paragraph. That's not what
20 depositions do. Depositions are to answer
21 questions to the best of your knowledge and I did.

1 Thank you for your time and -- I
2 appreciate it.

3 JUDGE REED: Thank you, Judge. I do have
4 one question.

5 Did you, at the deposition, you had
6 counsel?

7 JUDGE WHITE: I did.

8 JUDGE REED: That's -- okay.

9 JUDGE WHITE: I -- my answers were
10 recommended by my counsel.

11 JUDGE REED: All right. Thank you.

12 I don't think there is anything else, so
13 thank you. I thank all the parties. Thank you,
14 very much, for your time and attention. Thank
15 you, Judge.

16 JUDGE WHITE: Thank you.

17 JUDGE REED: We'll be in touch after our
18 deliberations.

19 The hearing is concluded for -- conduct
20 other Commission business in here, so I hope you
21 have a nice evening.

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THE REPORTER: Going off the record.
(Whereupon, at 7:29 p.m., the hearing was
concluded.)

CERTIFICATE OF NOTARY REPORTER

I, Kathleen S. Wilson, a Notary Reporter, in and for the State of Maryland, County of Anne Arundel, do hereby certify that the testimony was taken by me and thereafter transcribed by me or under my direction; that said transcript is a true and accurate record of the testimony given to the best of my ability; that I am neither counsel for, related to nor employed by any of the parties to the action in which this testimony was taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Kathleen S. Wilson

Notary Reporter

My Commission Expires March 14, 2026