

IN THE ALABAMA COURT OF THE JUDICIARY

IN THE MATTER OF:)
) CASE NO.60
NAKITA BLOCTON)
CIRCUIT JUDGE,)
BIRMINGHAM DIVISION)
DOMESTIC RELATIONS DIVISION)
JEFFERSON COUNTY, AL)

FILED
SEP 10 2021
COURT OF THE JUDICIARY
Rebecca C. Oates
Secretary

NOTICE OF TAKING DEPOSITION

TO:

R. Ashby Pate
Lightfoot, Franklin & White
The Clark Building
400 20th Street North
Birmingham, Alabama 35203
Email: apate@lightfootlaw.com

Elizabeth Bern, Legal Counsel
Alabama Judicial Inquiry Commission
401 Adams Avenue, Suite 720
P. O. Box 303400
Montgomery, AL 36130
Email: Elizabeth.bern@jic.alabama.gov

Please take notice that on the date and time and at the place listed below, Judge Nakita Blocton will take the deposition testimony upon oral examination of those witnesses described in Paragraph 52 of the Judicial Inquiry Commission’s draft proposed Witness List pursuant to Rule 30 of the Alabama Rules of Civil Procedure before a notary public, or before some other officer authorized to administer oaths, for the purpose of discovery and/or for use as evidence in this action.

DATE: September 28, 2021

TIME: 9:00 a.m.
PLACE: STARNES DAVIS FLORIE LLP
100 Brookwood Place, 7th Floor
Birmingham, AL 35209

Pursuant to Alabama Rules of Civil Procedure 30(b)(5), notice is being given that the deponent is requested to produce at the time of the deposition, for inspection and copying, any and all writings of any kind or nature whatsoever pertaining to contact at any time with Judge Nakita Blocton in this case or pertaining to the claims made by the Judicial Inquiry Commission against the Judge Nakita Blocton in this case. These requested items include, but are not limited to, correspondence, notes, memos, diaries, journal entries, calendars, e-mails, text messages, documents, and other things.

DUCES TECUM

The deponent shall produce at the time and place of the taking of the oral deposition for use in conjunction therewith and copying the following:

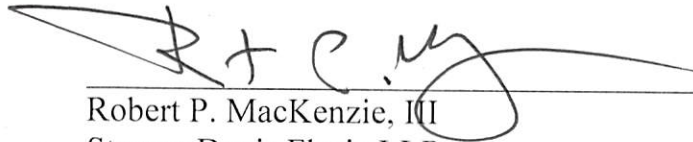
1. All documents and materials the deponent has studied or reviewed relating to his opinions in this case.
2. All correspondence between (1) the deponent and (2) the Judicial Inquiry Commission and its counsel.
3. The deponent's current curriculum vitae.
4. A list of all cases in which the deponent has testified as an expert witness, whether by deposition, by affidavit, at trial, and/or in an arbitration hearing.
5. All depositions in which the deponent has expressed a scientific or mechanical opinion.
6. A list of every case in which the deponent has been retained as an expert (regardless whether the case actually came to court and regardless whether the deponent actually testified in said case) which includes the full case name, court

designation, client's name, client's attorney's name and address, and type of case.

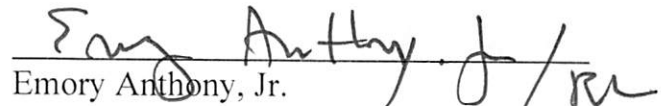
7. Time sheets, bills, invoices, correspondence, receipts, charges, and expenses for services or opinions rendered in this case, including an itemization for said services performed by any persons employed by the deponent (or the deponent's business entity) in this case.
8. A copy of all Internal Revenue 1099 Forms for each of the past five (5) years reflecting compensation paid to the deponent for work as an expert or consultant in medical/legal matters wherein negligence has been alleged.
9. All documents that would indicate or give evidence of the amount of gross earnings/income earned by deponent in each of the past five (5) years for any medical-legal review work or testimony at the request of attorneys.
10. All reports, notes, correspondence, or memoranda – whether preliminary or final – created or authored by the deponent (or the deponent's business entity or anyone acting under the deponent's direction in this case), whether delivered to plaintiff's counsel or not.
11. All items which may be used by the deponent as a demonstration, exhibit, or aid in the course of the deponent's testimony at the trial of this matter.
12. All books, treatises, articles, publications, or materials which the deponent:
 - (a) Considers authoritative with regard to his support of this case;
 - (b) Relies upon for his opinions in this case; and/or
 - (c) Intends to use as support for, or to bolster, his opinions in this case.
13. The deponent's entire file in this case.

NOTE: If any of the information above is maintained or saved on a computer, a disk, a CD, or in a digital format, please produce a printed, paper copy at the time of the deposition.

Done this the 10 day of September, 2021.



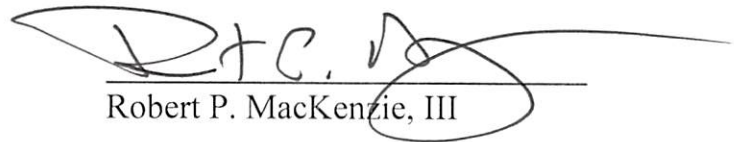
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CERTIFICATE OF SERVICE

I do hereby certify that on Sept 10, 2021, I electronically served the foregoing Notice of Evidentiary Submission Filed Under Seal with the Clerk of the Judiciary Court: coj@alappeals.gov.



Robert P. MacKenzie, III

cc:

Billy C. Bedsole
Chairman