

LOUISVILLE METRO COUNCIL

COMMONWEALTH OF KENTUCKY  
LOUISVILLE METRO GOVERNMENT  
JEFFERSON COUNTY

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IN THE MATTER OF CHARGES AGAINST  
DISTRICT 21 COUNCILMAN DAN JOHNSON

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RESPONSE TO RESPONDENT'S MOTION FOR DISQUALIFICATION

Comes the Charging Committee, by counsel, in response to Respondent's proposed Order:

The Charging Committee opposes the motion to recuse as simple mischief. Respondent has not offered this Court so much as a sentence explaining the necessity behind his request. The allegations that Respondent would supposedly disprove with the presiding officer's testimony are that the Council President asked Johnson to limit his movements in City Hall to avoid further complaints; that Johnson publically stated his refusal to comply; that Johnson continued to defy the President's request, and that his public defiance is willful negligence.

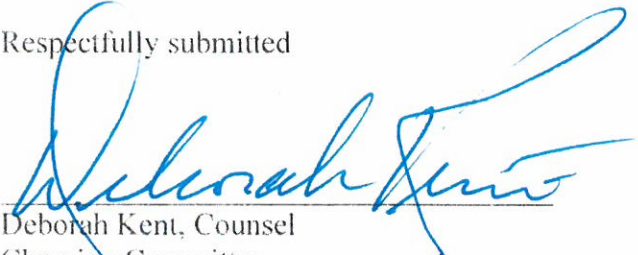
All these facts will be established by documents and testimony produced by the Charging Committee in hearing.

Further, the Charging Committee reminds the Court that the Respondent filed its Response to these very allegations on August 24, 2017. The Response does not state any facts that would require the President's testimony.

The Charging Committee is not concerned about who will preside over the coming hearing. The hearing is an administrative function without the formalities of a judicial court and the presiding need only act fairly and impartially, relying on common sense and logic, to ensure due process to the Respondent while conducting the trial efficiently.

But the Respondent asks that the Court disrupt its established institutions and proceedings without even dignifying the request with a rationale. Disqualification is a disruption of the process that offers no benefit, and without good cause for such a drastic and unnecessary action the Council Court must deny Respondent's motion.

Respectfully submitted



Deborah Kent, Counsel  
Charging Committee

#### CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing was sent via email and first class mail to the following on September 17, 2017:

Hon. Stephen Ott  
Metro Council Clerk  
601 W. Jefferson St.  
Louisville, Ky. 40202

Hon Mike O'Connell  
Jefferson County Attorney  
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Hon. Thomas McAdam  
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