

LOUISVILLE METRO COUNCIL

COMMONWEALTH OF KENTUCKY  
LOUISVILLE METRO GOVERNMENT  
JEFFERSON COUNTY

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**IN THE MATTER OF REMOVAL PROCEEDINGS AGAINST  
DISTRICT 21 COUNCILMAN DAN JOHNSON**

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**RESPONDENT'S MOTION****FOR DISCLOSURE OF DOCUMENTS****(RESPONDENT'S MOTION NO. 7)**

Comes now the Respondent herein, Hon. Daniel Johnson, District 21 Louisville Metro Councilman, by counsel, and respectfully moves the Louisville Metro Council Court to enter the following Order. The undersigned hereby certifies that copies hereof were mailed and emailed to the following individuals on October 24, 2017:

Hon. H. Stephen Ott  
Clerk, Louisville Metro Council  
City Hall, 601 West Jefferson Street  
Louisville, Kentucky 40202  
[Stephen.Ott@louisvilleky.gov](mailto:Stephen.Ott@louisvilleky.gov)

Hon. Mike O'Connell  
Jefferson County Attorney  
Jefferson Hall of Justice  
600 West Jefferson Street  
Louisville, Kentucky 40202  
[Mike.O'Connell@louisvilleky.gov](mailto:Mike.O'Connell@louisvilleky.gov)

Hon. Deborah K. Kent  
Deborah Kent Law Office  
Suite 211  
120 Sears Avenue  
Louisville, Kentucky 40207-5072  
[dkent@twc.com](mailto:dkent@twc.com)

Respectfully submitted,



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Thomas A. McAdam, III,  
Attorney for Respondent  
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Louisville, Kentucky 40220  
(502) 584-7255 FAX: 585-2025  
[thomas@mcadam.com](mailto:thomas@mcadam.com) KBA: 45200

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4 IN THE MATTER OF REMOVAL PROCEEDINGS AGAINST  
5 DISTRICT 21 COUNCILMAN DAN JOHNSON

6 MEMORANDUM IN SUPPORT OF  
7 RESPONDENT'S MOTION  
8 FOR DISCLOSURE OF DOCUMENTS  
9 (RESPONDENT'S MOTION NO. 7)  
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12 Comes now the Respondent herein, Hon. Daniel Johnson, District 21 Louisville  
13 Metro Councilman, by counsel, and respectfully moves the Louisville Metro Council  
14 Court to enter the following Order, compelling the Charging Committee to disclose all  
15 documentary evidence in its possession, including exculpatory information, to  
16 Respondent.  
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18 (1) In the early evening of the 23<sup>rd</sup> instant, counsel for the Charging Committee  
19 dropped off a package of 35 proffered exhibits at the undersigned counsel's office.  
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21 (2) Upon information, Respondent believes the Charging Committee and its  
22 counsel is in possession of a large quantity of documents and information, obtained by  
23 open records requests and otherwise, pertaining to the subject matter of this action.

24 (3) Upon information, Respondent believes the said documents and information  
25 in the possession of the Charging Committee and its counsel contain exculpatory and  
26 other pertinent information not included in the 35 proffered exhibits at the undersigned  
27 counsel's office.  
28

1 (4) Council for Respondent has reason to believe that the council for the Charging  
2 Committee has accumulated a great quantity of documentary evidence relating to the  
3 matter pending before the Council Court, and that she selectively omitted most of it  
4 from introduction for reasons that may be improper.  
5

6 (5) Respondent deserves a fair and impartial hearing; one that demonstrates due  
7 process and the integrity of the Louisville Metro Council. The Charging Committee  
8 should not be allowed to withhold pertinent and material evidence—and, particularly,  
9 exculpatory evidence—from the Respondent and the Louisville Metro Council Court.  
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13 Respectfully submitted,

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15 Thomas A. McAdam, III,  
16 Attorney for Respondent  
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1 LOUISVILLE METRO COUNCIL

COMMONWEALTH OF KENTUCKY  
LOUISVILLE METRO GOVERNMENT  
JEFFERSON COUNTY

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4 IN THE MATTER OF REMOVAL PROCEEDINGS AGAINST  
5 DISTRICT 21 COUNCILMAN DAN JOHNSON  
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7 ORDER FOR DISCLOSURE OF  
8 DOCUMENTS AND MATERIALS  
9 (RESPONDENT'S MOTION NO. 7)  
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11 Motion having been made, and the Louisville Metro Council Court being  
12 otherwise sufficiently advised, it is hereby Ordered:  
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14 1. The Charging Committee, within five (5) days from the entry hereon, shall  
15 deliver to Respondent's counsel all documentary evidence and other materials in its  
16 possession, including exculpatory information.  
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21 Louisville Metro Council Court  
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24 By: \_\_\_\_\_  
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