

STATE OF LOUISIANA **** PARISH OF OUACHITA **** FOURTH DISTRICT COURT

STANLEY R. PALOWSKY III, INDIVIDUALLY,
AND ON BEHALF OF ALTERNATIVE
ENVIRONMENTAL SOLUTIONS, INC

FILED: JUL 10 2020

VERSUS NO. 15-2179

ALLYSON CAMPBELL ET AL


DEPUTY CLERK OF COURT

**PLAINTIFF'S MOTION TO FIX AND NOTICE
DEPOSITIONS OF DEFENDANT JUDGES**

NOW COMES, Plaintiff, STANLEY R. PALOWSKY III, who respectfully moves the Court as follows, to-wit:

1.

As shown in Plaintiffs' ancillary memorandum, the parties are at an impasse and require court intervention in order to move this case to trial in an orderly fashion.

2.

More particularly, defendants decline to be deposed (a) without a protective order, a copy of which is attached as Exhibit A; and (b) without a hearing required under La. Code of Evidence article 519 in order to subpoena defendants to appear at their respective depositions.

3.

Plaintiffs do not agree to the terms of the protective order proposed by defendants, but will agree to a protective order which protects personal financial information to the extent not reasonably calculated to lead to admissible evidence of graft and corruption. Additionally, Plaintiffs contend that a protective order is not required, where higher courts have clearly ruled allegations in this case do not pertain to the judicial deliberation process in any manner, and declined immunity. Indeed, the U.S. Supreme Court has declined relief from such ruling. Plaintiffs seek and are rightfully entitled to discover information reasonably calculated to lead to admissible evidence of wrongdoing which is particularly pled. Lastly, Plaintiffs contend that hearing required under CE article 519 does not apply in this case, where (a) judges subpoenaed to testify are named defendants; and (b) during oral arguments, the higher courts considering plaintiffs' allegations of misconduct have indeed, made specific inquiries into particular facts and circumstances surrounding same, which plaintiffs, now seek to discover.

4.

Thus, no legal grounds exist for a protective order which either denies, restricts or limits in any way plaintiffs' right to discover facts and circumstances reasonably calculated to lead to discovery of admissible evidence of wrongdoing on the part of defendant judges, as particularly pled by plaintiffs and reviewed by higher courts. Likewise, given the rulings of higher courts upholding and preserving plaintiffs' particular allegations of wrongdoing on the part of defendant judges, including without limitation, misprision, malfeasance and cover up, CE article 519 cannot and does not operate to require a contradictory hearing in order to subpoena named defendant judges to testify as to facts and circumstances probative of same.

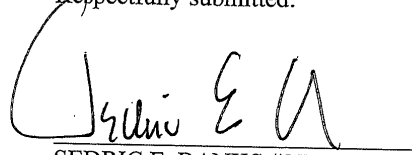
5.

Therefore, Plaintiffs move for an order commanding defendant judges to appear in this Honorable Court on a day, date and time certain and show cause, if any, either, any or all can, as to why each should not be deposed in the order noticed by plaintiff concerning each defendant judge's personal knowledge of facts and circumstances probative of alleged wrongdoing, (including without limitation, misprision, malfeasance, case fixing and cover up) free of the protective order proposed by defendant judges, and without a contradictory hearing subject of CE article 519.

WHEREFORE, PLAINTIFFS PRAY that after due proceedings had, there be judgment of this court ordering each defendant and herein named judge to appear for his/her reasonably noticed deposition and testify under oath as to any and all matters reasonably calculated to lead to the discovery of admissible evidence of alleged misconduct, free of the protective order proposed by defendant judges, and without a contradictory hearing subject of CE article 519.

PLAINTIFFS FURTHER PRAY for all orders and decrees necessary and proper in the premise and for full, general and equitable relief.

Respectfully submitted:



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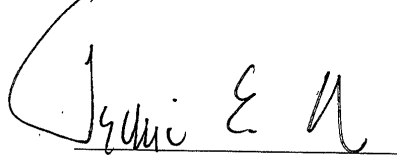
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AESI

CERTIFICATE

I hereby certify that the above and foregoing memorandum was duly served on all
counsel of record this 10th day of July, 2020 via email.



Sedric E. Banks