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April 30, 2008

Via fax (609) 292-6848 and regular mail

John A. Tonelli, Executive Director
Advisory Committee on Judicial Conduct
Richard J. Hughes Justice Complex
3rd Floor, North Wing
PO Box 037
Trenton, New Jersey 08625-0037

Re: Honorable Joseph P. Donohue, J.S.C.

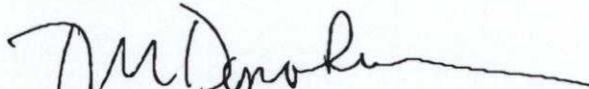
Dear Mr. Tonelli:

As you know, I represent the Honorable Joseph P. Donohue, J.S.C. in connection with the complaint filed by Karen Golding against Judge Donohue. I recently received copies of correspondence from Ms. Golding to various members of the Senate Judiciary Committee wherein Ms. Golding states that she had only "one scheduled meeting" with the ACJC. Ms. Golding's letter attempts to create the impression that the ACJC did not conduct a fair and impartial review of her complaint.

Since we believe that Ms. Golding has falsely impugned the integrity of both Judge Donohue and the Advisory Committee on Judicial Conduct, we respectfully ask pursuant to N.J. Court Rule 2:15-20 (c) that the charge, the proceedings of the Committee and the actions of the Committee be made public. Since Ms. Golding has made these allegations on the eve of Judge Donohue's tenure hearing in what we believe is an attempt to obstruct the lawful operations of the Judiciary Committee, we respectfully request that the above matters be made public immediately.

I thank you in advance for your prompt attention to this matter.

Respectfully,


Timothy M. Donohue

SUPREME COURT OF NEW JERSEY
ADVISORY COMMITTEE ON JUDICIAL CONDUCT

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HONORABLE DANIEL J. O'HERN, VICE CHAIR
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M. KAREN THOMPSON, ESQUIRE



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PRINCIPAL OFFICE:
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JOHN A. TONELLI, EXECUTIVE DIRECTOR
DEIRDRE M. NAUGHTON, COUNSEL
JENNIFER M. ENDRZEJEWSKI, ESQ., INVESTIGATOR

May 2, 2008

Honorable Joseph P. Donohue, J.S.C.
Superior Court of New Jersey
Union County Courthouse Annex, 2nd Floor
2 Broad Street
Elizabeth, New Jersey 07207

Re: In re Donohue, ACJC 2008-152

Dear Judge Donohue:

This letter is written in response to your request, made pursuant to Rule 2:15-20(c) of the New Jersey Court Rules, that the Advisory Committee on Judicial Conduct ("ACJC" or "Committee") make public the charge, proceeding and action of the Committee in In re Donohue, ACJC 2008-152. The matter in question was initiated by a grievance filed against you by Karen Golding. Below please find a summary of the information you requested.

On January 29, 2008, the ACJC opened its file in this matter in response to several letters received by the Committee from Ms. Golding, copies of which the Committee already provided to you. In those letters, Ms. Golding accused you and members of your family of accepting gifts of costly tickets to various political and related events and of attending those events in potential violation of the New Jersey *Code of Judicial Conduct*. The grievant also accused you of passing certain of these tickets onto friends or acquaintances. These events included the following:

- (1) "Vote For Change" concert held at the Wachovia Center in Philadelphia, Pennsylvania in October 2004 and limousine transportation to and from the event;

- (2) PGA Golf Tournament, and additionally, admission to the Prudential Financial corporate chalet, held at the Baltusrol Golf Club in Springfield, New Jersey in August 2005;
- (3) Drumthwacket Foundation Gala held at the Governor's residence in Princeton, New Jersey in December 2005 (grievant's accusation in this regard was limited to your wife);
- (4) Dinner and Broadway Show in January 2006 (grievant's accusation in this regard was limited to your wife).

In addition, the grievant accused you of inappropriately interjecting yourself into a criminal case involving the grievant, venued in the Vicinage in which you sit, in an attempt to influence the case and Ms. Golding's decisions in that matter. In support of her allegations, the grievant submitted documentary evidence, including thank you notes, ticket stubs and pictures.

As part of its investigation, staff to the Committee conducted interviews of you and others implicated by Ms. Golding's claims. Documentary evidence was submitted to and received by the Committee from both you and Ms. Golding. Staff to the ACJC also attempted, on numerous occasions, to interview Ms. Golding regarding her allegations, but we were unsuccessful in our attempts. Our attempts, which included a *Subpoena Ad Testificandum*, often went unanswered by Ms. Golding. The specific efforts made by our office are as follows:

- (1) Telephone message left for Ms. Golding by Deirdre M. Naughton, Esq., Counsel to the Committee, on Friday, March 7, 2008 requesting Ms. Golding's availability for an interview;
- (2) Telephone message left for Ms. Golding by Ms. Naughton on Tuesday, March 11, 2008 requesting Ms. Golding's availability for an interview;
- (3) Correspondence dated March 12, 2008 sent from Ms. Naughton to Ms. Golding requesting interview during the week of March 17, 2008;
- (4) Return telephone message from Ms. Golding to Ms. Naughton on March 13, 2008;
- (5) Telephone conversation between Ms. Naughton and Ms. Golding on Friday, March 14, 2008 wherein Ms. Golding advised of her potential inability to meet during the week of March 17, 2008 and represented that she sent the ACJC all relevant evidence already;
- (6) Telephone message left for Ms. Golding by Ms. Naughton on Monday, March 17, 2008 to attempt to schedule interview. Offer was made to

conduct interview over telephone or for ACJC staff to travel to a location convenient for Ms. Golding;

- (7) Correspondence dated Monday, March 17, 2008 from Ms. Golding to Ms. Naughton, received via facsimile by ACJC on Tuesday, March 18, 2008, in which Ms. Golding indicated she was unable to meet with ACJC staff during the week of March 17, 2008 but would be available beginning April 3, 2008;
- (8) Attempted telephone call to Ms. Golding by Ms. Naughton on Wednesday, March 19, 2008, but Ms. Golding's voicemail indicated mailbox was full;
- (9) Correspondence dated March 19, 2008, sent via overnight mail, from Ms. Naughton to Ms. Golding enclosing *Subpoena Ad Testificandum* for Ms. Golding's appearance at an interview with ACJC staff in Trenton, New Jersey on Friday, April 4, 2008;
- (10) Telephone message left for Ms. Naughton by Ms. Golding at 9:15 p.m. on March 19, 2008 in which Ms. Golding relayed her cell phone was broken, and that she would return from her trip on March 31, 2008;
- (11) Telephone message left for Ms. Golding by Ms. Naughton on Tuesday, April 1, 2008 requesting Ms. Golding confirm her attendance at the April 4, 2008 interview required by *Subpoena Ad Testificandum*;
- (12) Correspondence dated April 1, 2008 sent from Ms. Golding to Ms. Naughton in which Ms. Golding indicated she had not heard from ACJC staff in response to her March 17, 2008 letter and March 19, 2008 telephone message;
- (13) Correspondence dated April 3, 2008 sent from Ms. Golding to Candace Moody, Esq., ACJC Disciplinary Counsel, enclosing documents;
- (14) Telephone conversation between Ms. Moody and Ms. Golding on April 3, 2008 in which Ms. Golding advised she would not comply with the *Subpoena* but would participate in an interview on Friday, April 11, 2008;
- (15) Correspondence dated April 7, 2008 sent from Ms. Moody to Ms. Golding confirming Ms. Golding's verbal representation that she would make herself available to be interviewed by ACJC staff on April 11, 2008;
- (16) Correspondence dated April 7, 2008 sent from Ms. Naughton to Ms. Golding discussing ACJC staff's repeated attempts to contact and meet with Ms. Golding;

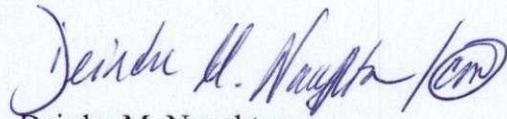
- (17) Correspondence dated April 9, 2008 sent from Ms. Golding to Ms. Naughton in which Ms. Golding indicated she would be unavailable to travel to Trenton to meet with ACJC staff on April 11, 2008 and requested that a "convenient location" be arranged for a meeting on "any future date;"
- (18) Attempted call to Ms. Golding's cell phone by Ms. Naughton on April 10, 2008, but Ms. Golding's voicemail indicated mailbox was full;
- (19) Telephone message left for Ms. Golding by Ms. Naughton on Ms. Golding's home telephone on April 10, 2008 advising her that location in Woodbridge, New Jersey had been arranged for the April 11, 2008 meeting, that another copy of the *Subpoena* would be provided to her, and that she was free to bring counsel to the meeting.

Despite the above attempts, Ms. Golding did not meet with Committee staff.

Notwithstanding Ms. Golding's unwillingness to cooperate, the Committee concluded that it had conducted a thorough and complete investigation in the matter, and that it had fairly and independently gathered all material evidence, including Ms. Golding's numerous written submissions. After a thorough review and analysis, the Committee unanimously agreed on April 17, 2008 to dismiss the grievance filed against you by Ms. Golding as it determined that it found no basis for a charge of improper judicial conduct under the provisions of the New Jersey *Code of Judicial Conduct*.

Should you have any questions, please feel free to contact me.

Very truly yours,



Deirdre M. Naughton

cc: Timothy M. Donohue, Esq.