

BEFORE THE HEARING SUBCOMMITTEE
OF THE INTERIM LEGISLATIVE ETHICS COMMITTEE

In re: Representative Carl Trujillo,

Respondent.

ORDER

The Hearing Subcommittee in the above-captioned matter has met and renders the following pre-hearing decisions:

1. The Hearing Subcommittee directs the Co-Chairs to appoint an attorney as a Special Master with authority to resolve all evidentiary and discovery matters and to do so expeditiously. In that regard, the Special Master shall also have authority to alter the Hearing Subcommittee's preexisting Scheduling Order of September 26, 2018 in any manner deemed necessary to the final resolution of all evidentiary and discovery matters well in advance of the previously scheduled final hearing on the merits that will remain scheduled for December 3-4, 2018.

2. With respect to the following pending motions:

Respondent's Motion to Allow Respondent to Issue Subpoenas and Request for Expedited Consideration;

Respondent's Motion to Appoint an Independent Hearing Officer and Request for Expedited Consideration;

Respondent's Motion to Dismiss; and

The Charging Party's responses to each.

The Hearing Subcommittee has considered the written submissions of the parties, finds a formal hearing is unnecessary and oral arguments are not required and hereby DENIES Respondent's motions.

3. The Hearing Subcommittee reiterates that its duty is to determine whether or not, based upon the testimony given and evidence proffered, the legislator being charged has committed an offense that justifies the imposition of sanctions. To that end, it has authorized the appointment of a Special Master to ensure that the process of discovery and submission of evidence are carried out in a manner that will allow the Hearing Subcommittee to meet its obligations while preserving the due process protections afforded to the parties by Subsections K and L of Legislative Council Policy No. 16.

ORDER OF OCTOBER 25, 2018



D. WONDA JOHNSON

Co-Chair, Hearing Subcommittee of the Interim Legislative Ethics Committee



GAIL ARMSTRONG

Co-Chair, Hearing Subcommittee of the Interim Legislative Ethics Committee