

**BEFORE THE HEARING SUBCOMMITTEE  
OF THE INTERIM LEGISLATIVE ETHICS COMMITTEE**

In re: Representative Carl Trujillo

**RESPONDENT'S RESPONSES TO CHARGING PARTY'S FIRST SET OF  
INTERROGATORIES AND REQUESTS FOR PRODUCTION**

Respondent, by and through his counsel, submits the following responses to Charging Party's First Set of Interrogatories and Requests for Production.

**INTERROGATORIES**

**Interrogatory No. 1:** Identify all person(s) whom you believe have information relevant to the above-captioned matter and each person's name, title, address, email address, and telephone number, as well as a summary of the relevant information held by each person.

**Answer:** All persons responsive to this request are identified in the parties' witness lists.

In addition to those witnesses identified by Charging Party, Respondent is aware of the following:

1. Jennifer Noya  
Modrall Sperling Law Firm  
PO Box 2168  
Albuquerque, NM 87013  
(505) 848-1800

Ms. Noya is a lawyer with expertise in employment and sexual harassment law. She will testify about the legal and factual standards applied by state and federal courts to determine the existence of a hostile work environment, as well as the custom and practice of employers in determining whether a hostile work environment exists, and the custom and practice of discipline.

2. Sayuri Yamada  
PNM  
syamada20@gmail.com

Ms. Yamada is a lobbyist and will testify about her dealings and experiences with Representative Trujillo.

3. Representative Carl Trujillo  
c/o Jackson Loman Stanford & Downey, PC

**Interrogatory No. 2:** List any person you anticipate calling as a witness at the hearing for this matter and provide each person's name, title, address, email address, and telephone number, as well as a summary of the anticipated testimony.

**Answer:**

As set forth in Respondent's Witness List, Respondent intends to call Sayuri Yamada and Jennifer Noya. Summaries of their testimony and their contact information were set forth in Respondent's Witness List and in response to Interrogatory No. 1. Respondent will also testify on his own behalf.

**Interrogatory No. 3:** Describe any evidence, whether direct or circumstantial, which you believe is exculpatory of the finding of probable cause that your verbal conduct directed to Ms. Bonar while waiting for HB 20 to be heard by the House Consumer and Public Affairs Committee on January 28, 2014, constituted a violation of the Anti-Harassment Policy, as set forth more fully in Charging Party's Exhibit #71, Section L(3).

**Answer:**

Respondent objects to this Interrogatory because it is an improper contention interrogatory. An interrogatory “should not require a party to provide the equivalent of a narrative account of its case, including every evidentiary fact, details of testimony or supporting witnesses and the contents of supporting documents.” Lucero v. Valdez 240 F.R.D. 591, 594 (D.N.M. 2007). A “contention interrogatory which seeks all facts supporting allegations... is overly broad and unduly burdensome on its face.” Hiskett v. Wal-Mart Stores, Inc., 180 F.R.D. 403, 404-405 (D.Kan.1998). This contention Interrogatory is overly broad and vague.

Without waiving this objection, and without limiting himself to only this evidence, Respondent directs Charging Party to Respondent’s response letter and exhibits that were served on the Investigative Subcommittee and Special Counsel, which Charging Party has identified as Exhibit 66. Further, Respondent states that virtually all of the exhibits identified in the parties’ exhibit lists are exculpatory to varying degrees. Additional exculpatory evidence may be found as discovery progresses.

**Interrogatory No. 4:** Describe any evidence, whether direct or circumstantial, which you believe is exculpatory of the finding of probable cause that your verbal and physical conduct directed to Ms. Bonar on February 5, 2014, outside the Chamber of the House of Representatives, constituted a violation of the Anti-Harassment Policy, as set forth more fully in Charging Party’s Exhibit #71, Section L(4).

**Answer:** Respondent objects to this Interrogatory because it is an improper contention interrogatory. An interrogatory “should not require a party to provide the equivalent of a narrative account of its case, including every evidentiary fact, details of testimony or supporting witnesses and the contents of supporting documents.” Lucero v. Valdez 240 F.R.D. 591, 594

(D.N.M. 2007). A “contention interrogatory which seeks all facts supporting allegations... is overly broad and unduly burdensome on its face.” Hiskett v. Wal-Mart Stores, Inc., 180 F.R.D. 403, 404-405 (D.Kan.1998). This contention Interrogatory is overly broad and vague.

Without waiving this objection, and without limiting himself to only this evidence, Respondent directs Charging Party to Respondent’s response letter and exhibits that were served on the Investigative Subcommittee and Special Counsel, which Charging Party has identified as Exhibit 66. Further, Respondent states that virtually all of the exhibits identified in the parties’ exhibit lists are exculpatory to varying degrees. Additional exculpatory evidence may be found as discovery progresses.

**Interrogatory No. 5:** If you claim that the Formal Hearing in the above-captioned matter is improvidently convened, describe any evidence, whether direct or circumstantial, law or policy which you believe demonstrates or relates to your claim in this regard.

**Answer:**

First, by publicizing an open letter to the media, Ms. Bonar (a lobbyist) knowingly and intentionally violated the rules of confidentiality intended to protect Legislators from abuse of the Anti-Harassment Policy for political purposes. Ms. Bonar also purposely ignored virtually every procedure established to properly complain of harassment to this body – procedures enacted to protect both the rights of the complainant and the rights of publicly elected officials falsely accused of sexual harassment. No one should be allowed to invoke the Anti-Harassment Policy while simultaneously ignoring the confidentiality and other procedures intended to protect the process from political abuse.

Second, the Anti-Harassment Policy was not adopted until January 15, 2018, while Ms. Bonar claims that she was harassed in 2013 and 2014. As a matter of fact, Representative Trujillo adamantly and categorically denies that he sexually harassed Ms. Bonar at all. As a matter of law, the Committee cannot fairly apply a 2018 policy to conduct alleged to have occurred four and five years before the policy even existed. Using new policies to punish alleged past behavior is unlawful and unfair.

Third, Representative Trujillo's ability to defend himself is materially impaired by Ms. Bonar's significant delay in making the complaint. Had Ms. Bonar raised these issues in 2013 and 2014 at the time she claims she was harassed, Representative Trujillo could have better sought and secured witnesses and evidence to contradict her story. The five-year passage of time has significantly prejudiced his ability defend himself from these false claims. That is why both federal and state law require a party complaining of sexual harassment to make a formal charge within a year, otherwise such claims are forever barred. See New Mexico Human Rights Act, N.M.S.A. § 28-1-10(a) ("All complaints shall be filed with the division within three hundred days after the alleged act was committed.") (emphasis added). The time limitation and same rationale should apply here, and Ms. Bonar's remaining complaints should be dismissed as untimely and/or under the doctrine of laches. *Garcia v. Garcia*, 1991-NMSC-023, ¶ 30, 111 N.M. 581, 588, 808 P.2d 31, 38 ("The doctrine of laches prevents litigation of a stale claim where the claim should have been brought at an earlier time and the delay has worked to the prejudice of the party resisting the claim.")

In this case, allegations dating back to 2013 were made in an "open letter" by lobbyist Laura Bonar, which she disseminated to various websites and media outlets. This was done just weeks prior to Representative Trujillo's primary election. Despite that most of Ms. Bonar's

allegations, including the most serious among them, have since been found not to be credible, the damage was done and Representative Trujillo lost his primary.

Effective January 15, 2018, the New Mexico Legislative Council adopted a new Anti-Harassment Policy which admirably seeks to protect those in and around the Legislature from sexual harassment. However, the potential for abuse of this policy was recognized when it was written, which is why it expressly requires that the complaint and investigation of it remain confidential prior to any finding of probable cause.<sup>1</sup>

The statute authorizing the Interim Legislative Ethics Committee (the “Committee”) to investigate Legislators mandates that the complainant (Laura Bonar) (1) follow a procedure intended to ensure that complaints are verified under oath from the outset; and (2) maintain confidentiality unless and until there is a finding of probable cause. Ms. Bonar purposefully violated both requirements.

The Anti-Harassment Policy states that “Sections 2-15-7 through 2-15-12 NMSA 1978; Senate Rules 9-13-1 through 9-13-6; House Rules 9-13-1 through 9-13-7; or Legislative Council Policy No. 16 shall apply to the process regarding complaints against legislators.” Where a complaint is received outside of the session, the Legislature delegated its power to investigate sexual harassment claims to the Interim Legislative Ethics Committee (the “Committee”) N.M.S.A. § 2-15-7(B) (“All matters arising in the interim pertaining to legislative ethics shall be referred to this special interim legislative ethics committee.”). This same statute requires that “the New Mexico legislative council shall develop procedures to carry out the provisions of this

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<sup>1</sup> The Anti-Harassment Policy contains a section on “Confidentiality” that requires, *inter alia*, that “[a] report or complaint of harassment and documents related to any investigation shall be maintained confidentially to the extent possible pursuant to applicable law, rule or policy, including the Inspection of Public Records Act.” (Emphasis added).

section, in accordance with the existing procedures in the house and senate rules.” N.M.S.A. § 2-15-9(A) (emphasis added).

Legislative Council Policy No. 16 creates procedures for filing a complaint outside of the session, and requires that:

Any charge seeking the discipline of a member of the legislature during the interim shall be in writing, under oath or affirmation, signed by a member of the legislature or a member of the public, addressed to the legislative council and filed with the legislative council service at the state capitol. The complaint shall state with reasonable particularity the relevant facts upon which the charge is based and the substantive ethics rule or law which the legislator is charged with violating.

Legislative Policy No. 16(F) (emphasis added). As explained below, Bonar ignored all of these requirements.

Despite the express requirements of the applicable rules, Bonar did not provide a signed complaint, much less one sworn under oath, which is a basic threshold requirement for sexual harassment complaints filed with state and federal enforcement authorities. Bonar did not “file” any complaint, sworn or otherwise, with the Legislative Council Service, nor did her Open Letter distributed to the media “state with particularity the relevant facts” upon which her charge was based. Instead, the Open Letter made only vague allegations against Representative Trujillo. The Special Counsel investigating Ms. Bonar’s claims did not disclose the specific allegations made by Ms. Bonar against Representative Trujillo until July 2, 2018. In other words, for two months after Ms. Bonar published her Open Letter, and during virtually the entirety of the Special Counsel’s investigation of it, Representative Trujillo was not fairly informed and had no idea what specific claims Ms. Bonar made against him.

If the Committee is going to consider complaints that ignore and purposefully violate the filing and confidentiality requirements, there are no real protections for anyone.

Ms. Bonar ignored the procedures for filing a complaint because she had no intent of honoring this system's confidentiality protections. The Policy provides that a "report or complaint of harassment and documents related to an investigation shall be maintained confidentially..." See Policy, p. 2-3. The Policy is governed and guided by other authorities, including House Rules 9-13-1 through 9-13-7, Legislative Council Policy 16 and N.M.S.A. § 2-15-9, all of which require that an ethics complaint against a member of the House be kept confidential.

By statute, "[t]he interim legislative ethics committee shall maintain rules of confidentiality, unless the legislator against whom a complaint is filed waives the rules or any part of them in writing." N.M.S.A. § 2-15-9(E). There has been no such waiver. House Rule 9-13-2 expressly provides that: "Breach of confidentiality by a complainant may result in dismissal of the complaint or the assessment of costs." Legislative Policy No 16(I)(2) provides that a properly filed complaint shall be delivered to the appropriate investigative subcommittee and "[t]he investigative subcommittee shall conduct a confidential investigation . . . ." Legislative Policy No. 16(I)(2).

This Committee's enabling statute provides that "the complainant ... shall not publicly disclose any information relating to the filing or investigation of a complaint, including the identity of the complainant or respondent, until after a finding of probable cause has been made that a violation has occurred." N.M.S.A. § 2-15-9(E)(1).

The National Conference of State Legislatures has published model elements that a legislature should include in its anti-harassment policy, and confidentiality is one of those elements. See NCSL Policy Elements, attached as Ex. 1. The legislatures of Alabama, Colorado, Hawaii, Maryland and Oregon all require confidentiality as part of their harassment policies.



Representative Trujillo is unaware of any State legislature with a harassment policy that does not require confidentiality.

In this case, the complainant initiated this process in a manner that was specifically calculated to be publicized. Because there was some question whether Ms. Bonar's "open letter" was intended to initiate the Policy's process, she instructed her counsel to send an email to Raul Burciaga, the Director of the Legislative Council Service. In that email, dated May 8, 2018, the complainant "formally request[s] that the Legislature initiate an anti-harassment investigation into the conduct of Representative Carl Trujillo", and references her May 2, 2018 open letter as her formal complaint. In direct contradiction of every relevant statute, rule, and policy, Ms. Bonar's counsel copied that email to at least twenty-six members of the print, internet, and television media. *See* Email from Monagle, dated May 8, 2018, attached as Exhibit 2.

Despite the express requirement to "conduct a confidential investigation," the Legislative Council Service immediately issued a press release the same day, May 8, publicizing that Legislature would investigate the claims made against Representative Trujillo in the Bonar's Open Letter. Despite repeated express requirements and controlling rules, Representative Trujillo has never received any confidentiality during this entire proceeding from the Ms. Bonar, her lawyer, and not even the Legislative Council Service.

On June 5, 2018, the Santa Fe New Mexican reported that Representative Trujillo lost his primary in a "race marred by scandal." *See* Exhibit 3. It was further reported that Ms. Bonar's highly publicized accusation "resulted in a slew of negative mailers, including one that compared Trujillo to disgraced media mogul Harvey Weinstein..." Two days later, the New Mexican quoted the Legislative Council Service's Director in another story, reporting that the

investigation into Ms. Bonar's allegations would continue despite the outcome of the primary election.

The behavior of Ms. Bonar and her counsel make it clear that this matter was never about any legitimate feeling of intimidation or harassment by Ms. Bonar, but was calculated to publicly embarrass Representative Trujillo just before his election. This is precisely the misuse of the policy that the requirement of confidentiality seeks to prevent. If this Committee is going to allow Ms. Bonar to completely ignore filing and confidentiality requirements, why would anyone ever follow the filing and confidentiality rules? The Committee should dismiss this matter because the proceeding has never been, nor did Ms. Bonar ever intend it to be held confidential as required by law.

The Policy was adopted in January 2018. Every allegation made by Ms. Bonar occurred in 2013 or 2014. The only allegations that remain for this Committee to consider occurred in February 2014, nearly four years before the Legislature had any policy that would have prohibited or provided for the punishment of behavior alleged by the Complainant. The Policy cannot and should not be applied retroactively.

New Mexico courts have repeatedly and consistently held that legislative enactments will not be given retroactive application unless the Legislature expressly states as much. *See, e.g., Psomas v. Psomas*, 1982-NMSC-154, ¶ 14, 99 N.M. 606, 609 (recognizing settled New Mexico law that a statute only operates prospectively absent "clear intention on the part of the legislature to give the statute retroactive effect."); *see also, Southwest Distrib. Co. v. Olympia Brewing Co.*, 1977-NMSC-050, ¶ 24, 90 N.M. 502, 508 (holding that where a new statute creates new rights and obligations and is remedial in nature, it is prospective only unless the Legislature clearly indicates in the language of the statute that it be applied retroactively.)

In this case, the Policy makes no indication whatsoever that it should be used to address conduct that occurred prior to January 15, 2018. As a basic matter of fairness, this Committee should find that the Policy was only intended to cover acts that occurred after it was enacted. This matter should be dismissed.

Every legal claim in New Mexico comes with a time period in which the claim must be made. Our courts have held that the “underlying purpose of a statute of limitation is to compel the exercise of a right of action within a reasonable time so that the party against whom the action is brought will have a fair opportunity to defend.” *Moncor Trust Co. v. Feil*, 105 N.M. 444, 446 (1987). The “important policies served by statutes of limitations [include] basic fairness to defendants... [and to] help avoid stale or fraudulent claims, avoid inconvenience, and avoid loss of evidence.” *Duncan v. Campbell*, 1997-NMCA-028, ¶ 15, 123 N.M. 181, 184.

While the Policy does not have a clear limit on the time that a complainant has to come forward with a claim of harassment, it does recognize that “early reporting and intervention have proven to be the most effective way to resolve actual or perceived incidents of harassment. *See* Policy, p.2. The Policy further notes that “delays in reporting harassment can affect the ability to take appropriate action... reports of harassment should be made as soon as possible after experiencing or observing the harassment... *See* Policy, p.2.

The law most similar to the Legislature’s Anti-Harassment Policy is the New Mexico Human Rights Act (“HRA”), which addresses sexual harassment in the workplace. The HRA requires that a complaint be filed within three hundred days of the alleged act of harassment. N.M.S.A. § 28-1-10(A). Even the general statute of limitations for civil claims requires that claims be made within four years of the alleged act. *See* N.M.S.A. § 37-1-4. Ms. Bonar’s

claims, based on things that allegedly happened in February 2014 at the latest, are untimely by any standard found in the law.

The Policy was intended to deal with allegations of harassment immediately after the behavior occurs. Allegations as old as those in this case are inherently unreliable and claims based on such allegations are inherently unfair. Because Ms. Bonar delayed making these complaints more than 4 years, evidence that might have existed to prove that Ms. Bonar's allegations are false, such as video recordings of the committee hearing, no longer exist. Had Ms. Bonar promptly raised these issues, there might be witnesses who remember who sat where in a committee meeting, but because of the passage of time, memories fade, and witnesses who could have supported Representative Trujillo's defense no longer remember exactly who sat where and when. Ms. Bonar should not benefit from her own delay.

The Complainant's failure to promptly raise these issues is an additional and alternative basis to dismiss this matter.

Discovery is ongoing, and Respondent has served discovery on Special Counsel and other parties seeking records and information about compliance with procedures. Respondent reserves the right to identify additional evidence at the Formal Hearing.

**Interrogatory No. 6:** Describe all communications between you and all journalists, opinion journalists, and any other members of the press, regarding this matter. Your answer should include the manner and method of communication, whether written (by letter, e-mail or text message) or oral (by in-person meeting or telephonic), the date of the communication and the substance of the communication.

**Answer:** Respondent objects to Interrogatory No. 6 on grounds that it seeks information that is not relevant to the sexual harassment claims made by Ms. Bonar against him. Without waiving these objections, Respondent elects to produce responsive emails in lieu of answering the interrogatory pursuant to Rule 1-033(E). Written communications responsive to this Interrogatory are being produced herewith, and are Bates Numbered as Trujillo-0001 to Trujillo-0124. In addition, Respondent spoke to Dan McKay, Dan Boyd and Milan Simonich in August of this year. Respondent cannot recall the specific substance of each communication, but he generally denied Ms. Bonar's accusations.

**Interrogatory No. 7:** Describe all communications between you and any other person regarding Laura Bonar's "open letter" submitted to you and dated May 2, 2018. Your answer should include the manner and method of communication, whether written (by letter, e-mail or text message) or oral (by in-person meeting or telephonic), the date of the communication and the substance of the communication.

**Answer:** Respondent objects to Interrogatory No. 7 on grounds that it is overly broad and unduly burdensome, and because it seeks information that is not relevant to the sexual harassment claims made by Ms. Bonar against him. Respondent further objects to the extent that this interrogatory seeks communications between Respondent and his counsel, which are protected by the attorney-client privilege. Without waiving these objections, Respondent submits that Ms. Bonar published her letter on the internet and distributed it to dozens of media outlets. The letter and ensuing news articles and social media posts were likely read by tens of thousands of people. As a result, since May 2, 2018 Respondent has been asked about Ms.

Bonar's allegations countless times, and Respondent could not possibly identify each and every individual with whom he discussed her allegations. Respondent states that he has generally denied Ms. Bonar's allegations to numerous people.

Without waiving the above objections, Respondent elects to produce responsive emails in lieu of answering the interrogatory pursuant to Rule 1-033(E). Written communications that are responsive to this Interrogatory are being produced, and are Bates Numbered as Trujillo-0125 to Trujillo-0159.

**Interrogatory No. 8:** Describe all communications between you and any other person regarding the Legislative Interim Ethics Investigative Subcommittee findings of probable cause dated July 27, 2018. Your answer should include the manner and method of communication, whether written (by letter, e-mail or text message) or oral (by in-person meeting or telephonic), the date of the communication and the substance of the communication.

**Answer:** Respondent objects to Interrogatory No. 8 on grounds that it is overly broad and unduly burdensome, and because it seeks information that is not relevant to the sexual harassment claims made by Ms. Bonar against him. Respondent further objects to the extent that this interrogatory seeks communications between Respondent and his counsel, which are protected by the attorney-client privilege. Respondent further objects on grounds that Special Counsel's report was covered by the media and highly publicized. Respondent has been asked about the report countless times, and Respondent could not possibly identify all such individuals.

Respondent states that he has generally denied the allegations discussed in the report to numerous people.

Without waiving the above objections, Respondent elects to produce responsive emails in lieu of answering the interrogatory pursuant to Rule 1-033(E). Written communications that are responsive to this Interrogatory are being produced, and are included those Bates Numbered as Trujillo-0001 to Trujillo-0159.

**Interrogatory No. 9:** Describe all communications between you and any other person not already identified in your answers regarding the policies and procedures governing an ethics matter arising during the interim. Your answer should include the manner and method of communication, whether written (by letter, e-mail or text message) or oral (by in-person meeting or telephonic), the date of the communication and the substance of the communication.

**Answer:** Respondent objects to Interrogatory No. 9 on grounds that it is overly broad and unduly burdensome, and because it seeks information that is not relevant to the sexual harassment claims made by Ms. Bonar against him. Respondent further objects to the extent that this Interrogatory seeks communications between Respondent and his counsel, which are protected by the attorney-client privilege. Respondent further objects to this Interrogatory on grounds that he has discussed the policies and procedures with numerous people and could not possibly identify them all.

Without waiving the above objections, Respondent elects to produce responsive emails in lieu of answering the interrogatory pursuant to Rule 1-033(E). Written communications that are

responsive to this Interrogatory are being produced, and are included those Bates Numbered as Trujillo-0001 to Trujillo-0159.

**Interrogatory No. 10:** Identify every person from whom you, or someone on your behalf, have obtained a written statement regarding the allegations of sexual harassment made by Laura Bonar against you.

**Answer:** Respondent does not have any written statements that relate directly to Ms. Bonar's allegations. However, several people have written letters in support of Respondent, and those were included as exhibits to the letter that has been identified as Charging Party Exhibit 66 as Exhibits 65-70.

**Interrogatory No. 11:** Describe the factual bases for your assertion that Thomas M. Hnasko and Theresa Parrish are Special Counsel for the Interim Ethics Committee, as asserted in your Interrogatories and Requests for Production served on October 11, 2018.

**Answer:** Respondent objects to Interrogatory No. 11 on grounds that it seeks information that is not relevant to the sexual harassment claims made by Ms. Bonar against him. Without waiving this objection, Respondent states that, during a meeting between counsel for the parties, Special Counsel stated that he would be advising and assisting the Interim Ethics Committee and its Subcommittees throughout this proceeding, including during the deliberative phase and sanctioning phase, should there be any. Additionally, Special Counsel has failed to produce any appointment document, and thus the scope of Special's Counsel role in this proceeding has been improperly withheld from discovery. Respondent requests that Special Counsel produce the



document(s) appointing them to act as Special Counsel so that any question about the scope of appointment can be resolved.

**Interrogatory No. 12:** Describe all communications between you and Martha Trujillo regarding the correspondence dated September 19, 2018, attached as Exhibit 1 to these discovery requests. Your answer should include the manner and method of communication, whether written (by letter, e-mail or text message) or oral (by in-person meeting or telephonic), the date of the communication and the substance of the communication.

**Answer:** Respondent objects to Interrogatory No. 12 on grounds that it seeks information that is not relevant to the sexual harassment claims made by Ms. Bonar against him.

**Interrogatory No. 13:** Identify the person or persons who participated in the decision to send the correspondence dated September 19, 2018, attached as Exhibit 1 to these discovery requests, to members of the New Mexico Legislature. For each person identified in your narrative, please provide his or her name, present or last known address, and relationship to you, and the nature and extent of his or her participation in that decision.

**Answer:** Respondent objects to Interrogatory No. 13 on grounds that it seeks information that is not relevant to the sexual harassment claims made by Ms. Bonar against him.

**Interrogatory No. 14:** Describe all communications between you and Martha Trujillo regarding the correspondence dated October 8, 2018, attached as Exhibit 2 to these discovery requests. Your answer should include the manner and method of communication, whether written (by letter, e-mail or text message) or oral (by in-person meeting or telephonic), the date of the communication and the substance of the communication.

**Answer:** Respondent objects to Interrogatory No. 14 on grounds that it seeks information that is not relevant to the sexual harassment claims made by Ms. Bonar against him.

**Interrogatory No. 15:** Identify the person or persons who participated in the decision to send the correspondence dated October 8, 2018, attached as Exhibit 2 to these discovery requests, to members of the New Mexico Legislature. For each person identified in your narrative, please provide his or her name, present or last known address, and relationship to you, and the nature and extent of his or her participation in that decision.

**Answer:** Respondent objects to Interrogatory No. 15 on grounds that it seeks information that is not relevant to the sexual harassment claims made by Ms. Bonar against him.

### **REQUESTS FOR PRODUCTION**

**Request for Production No. 1:** Produce all documents you contend support your assertion that you have never sexually harassed Loura Bonar, as asserted in your undated letter to the Interim Ethics Investigative Subcommittee which is Charging Party's Exhibit #66.

**Response:** Responsive documents in Respondent's possession have already been produced in this matter *via* the letter identified as Charging Party Exhibit 66 and its exhibits and

in the parties' exhibit disclosure. Other documents that are responsive to this Request were identified in Charging Party's exhibit disclosure. Discovery is incomplete, and Respondent reserves the right to use additional records that may be obtained in discovery at the Formal Hearing.

**Request for Production No. 2:** Produce copies of all correspondence between you and all journalists described in your Answer to Interrogatory No. 6.

**Response:** Respondent incorporates its answer and objections to Interrogatory No. 6.

**Request for Production No. 3:** Produce copies of all correspondence between you and any person identified in your Answer to Interrogatory No. 7.

**Response:** Respondent incorporates its answer and objections to Interrogatory No. 7.

**Request for Production No. 4:** Produce copies of all correspondence between you and any person identified in your Answer to Interrogatory No. 8.

**Response:** Respondent incorporates its answer and objections to Interrogatory No. 8.

**Request for Production No. 5:** Produce copies of all correspondence between you and any person identified in your Answer to Interrogatory No. 9.

**Response:** Respondent incorporates its answer and objections to Interrogatory No. 9.

**Request for Production No. 6:** Produce copies of all correspondence between you and any person identified in your Answer to Interrogatory No. 10.

**Response:** Respondent incorporates its answer and objections to Interrogatory No. 10.

**Request for Production No. 7:** Produce copies of any witness statements you, or someone on your behalf, have obtained in connection with the formal hearing in this matter.

**Response:** There are none other than what has already been produced by the parties.

**Request for Production No. 8:** Produce copies of all communications between you and Martha Trujillo regarding the investigation of Laura Bonar's allegations of sexual harassment.

**Response:** Respondent incorporates its answer and objections to Interrogatory No. 12.

**Request for Production No. 9:** Produce copies of all drafts of the correspondence dated September 19, 2018, attached as Exhibit 1 to these discovery requests.

**Response:** Respondent incorporates its answer and objections to Interrogatory No. 12.

**Request for Production No. 10:** Produce copies of all drafts of the correspondence dated October 7, 2018, attached as Exhibit 2 to these discovery requests.

**Response:** Respondent incorporates his answer and objections to Interrogatory No. 14.

Respectfully submitted,

**JACKSON LOMAN STANFORD  
& DOWNEY, P.C.**

/s/Travis G. Jackson/s/ \_\_\_\_\_

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