

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

DERRICK JACKSON,)	
)	
Petitioner,)	CASE NO.
)	
v.)	2023CV377914
)	
HONORABLE MELYNNE LEFTRIDGE,)	
HONORABLE EMILY RICHARDSON,)	
HONORABLE SHUKURA INGRAM,)	
HONORABLE RACHEL KRAUSE, and)	
FULTON COUNTY SUPERIOR COURT BENCH)	
ATLANTA CIRCUIT,)	
)	
Respondents.)	

RULE 25.2 ATTORNEY’S AFFIDAVIT

Personally appeared before me, the undersigned officer duly authorized to administer oaths, Matthew D. McMaster, Esq., Attorney for Petitioner in the above-styled action, who after having been sworn deposes and states as follows:

1.

My name is Matthew D. McMaster and I am a citizen of the United States and a resident of Georgia. I am over the age of eighteen (18) years of age and I am competent to testify to the facts in this affidavit. I am doing so freely and voluntarily and in the absence of any duress or legal impediment.

2.

I am filing this affidavit pursuant to Rule 25.2 in support of the *Motion for Recusal* filed on Petitioner’s behalf in the above-styled action. I believe the facts set out herein show bias and prejudice exist and further support additional grounds for recusal of the Honorable Adele Grubbs.

3.

In 2021, I advised Troy and Tatyana Ellis in matters related to their petition for mandamus against Judge Adele Grubbs in Cobb County Superior Court, Case No. 21-1-06837. Troy Ellis has informed me that Judge Grubbs was made aware of this by and through discovery documents.

4.

On March 29, 2023, I emailed the Fulton County court staff asking whether Judge Richardson intended to recuse herself from this action. Later that evening, Denise A. Melville-Blackman, Esq. emailed me back stating that “Judge Grubbs will be hearing some of the Motions.” The case number referenced in the subject line of Ms. Melville-Blackman’s email was Case No. 2023CV377914, which was confusing to me as there were no motions pending in this action at that time. Believing that she was referring to this action, I asked Ms. Melville-Blackman whether the Attorney General would be representing the judges in this matter. Ms. Melville-Blackman did not respond. A true and correct copy of that email is attached hereto as **Exhibit A**. On April 4, 2023, I was served a notice of the April 12, 2023 hearing in Case No. 2023CV375542 stating that Senior Judge, Adele Grubbs would be presiding. A true and correct copy of that notice is attached hereto as **Exhibit B**. On April 10, 2023, I received an Order from the Odyssey E-File system signed by the Honorable Ural Glanville dismissing two counts of the mandamus petition and transferring the other counts to the Honorable D. Scott Smith. That Order is available on the record and does not say anything about Judge Grubbs presiding in this action.

5.

On April 12, 2023, the Court held a hearing in Case No. 2023CV375542, denied the opposing party’s motion and subsequently ruled that a special master would be appointed. On April 18, 2023, Judge Grubbs emailed me at 9:52 AM stating that she had filed an order appointing a special master in Case No. 2023CV375542, but she did not attach the order in her email. I was informed by a friend that Judge Grubbs was seen later that day meeting with Judge Robert E. Flournoy III at Thaicoon & Sushi Bar by Marietta Square around lunchtime. I have been publicly critical of Judge Flournoy for many reasons, one being the potential procedural flaw in his appointment as a Senior Judge. Judge Grubbs also appears to have the same procedural flaw in her Senior Judge application process. At 4:32 PM, I was E-served Judge Grubbs’ appointment of a special master, naming Barry L. Zimmerman as special master. A true and correct copy of that order is attached hereto as **Exhibit C**.

6.

According to Mr. Zimmerman’s website

(located at <https://zimmermanatlantalaw.com/our-team/barry/>), Mr. Zimmerman “has

established close and personal relationships with other Judges and Prosecutors, as well as, other Attorneys that appeared before him in court.” According to an article on the internet (located at <https://www.ajc.com/neighborhoods/north-fulton/former-alpharetta-judge-was-personal-attorney-for-city-prosecutor/QIU2EWWPXNFELMVGU6ICOX4KKE/>), the Judicial Qualifications Commission found “reasonable cause” that Zimmerman “violated the code of judicial conduct.” The article further states that while Zimmerman was acting as the Alpharetta Municipal Court Judge, he “presided over thousands of cases argued by a solicitor who had hired him to be her private attorney” and “[t]he JQC resolved its investigation against Zimmerman in June when he decided to step down from the bench. He agreed not to accept any elected or appointed judicial office in the future ‘in lieu of formal charges,’ the JQC report states. The report said the agreement is ‘a fair disposition of the matter and is in the interests of justice.’” A true and correct copy of that article is attached hereto as **Exhibit D**.

7.

I was informed on April 19, 2023 by a friend, Rebecca McLaws, that sometime between 3:30 PM and 4:00 PM on April 18, 2023, the Honorable J. Stephen Schuster in Cobb County stated at a hearing in a different case in Cobb County Superior Court that Judge Grubbs had “tangled it up” with me in Fulton County. Judge Schuster’s comments were made before I was ever served the order appointing Barry L. Zimmerman as special master. A true and correct copy of Ms. McLaws’ affidavit regarding Judge Schuster’s comments in that case is attached hereto as **Exhibit E**.

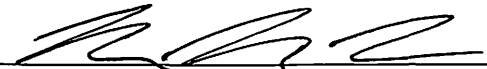
8.

On April 21, 2023, I filed a request for a Certificate for Immediate Review of Judge Grubbs’ order appointing a special master. Judge Grubbs denied that request on April 24, 2023 in an order through email. I have not been served a copy of the file-stamped order denying that request. A true and correct copy of the emailed order is attached hereto as **Exhibit F**.


Personally appeared before me the undersigned Affiant who on oath states that the facts set forth in the forgoing affidavit are true and correct based on his personal knowledge.

Sworn to and subscribed before

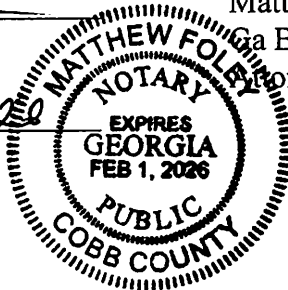
me this 26th day of April, 2023

/s/ 

Signature of Affiant
Matthew D. McMaster
Ga Bar No. 218044
Attorney For Petitioner


NOTARY

My Commission Expires Feb 1, 2026



MATTHEW D. MCMASTER, LLC
12 Powder Springs St.
Suite 250
Marietta, GA 30064
Phone: (800) 890-3981
Fax: (800) 890-3981
mdmcmaster@mcmasterlegal.com

Exhibit A



Matthew McMaster <mdmcmaster@mcmasterlegal.com>

Re: Mandamus Recusal - Case No. 2023CV377914

1 message

mdmcmaster@mcmasterlegal.com <mdmcmaster@mcmasterlegal.com>
To: "Melville-Blackman, Denise" <Denise.Melville-Blackman@fultoncountyga.gov>

Wed, Mar 29, 2023 at 8:38 PM

Thank you. Please let me know who I can contact that will be representing the judges in this matter. Based on my research, I believe it will be the Attorney General, but I know there are exceptions sometimes.

Just let me know and thanks again.

Matthew D. McMaster, Esq.

On Mar 29, 2023, at 7:10 PM, Melville-Blackman, Denise <Denise.Melville-Blackman@fultoncountyga.gov> wrote:

Mr. McMaster,

I am the senior staff attorney currently assigned to the motions filed in this matter. I have been advised that Judge Grubbs will be hearing some of the Motions. I am in the process of reviewing the particulars of the Motions assigned to our division. Upon completion, hearing notices will be sent to all parties along with any other relevant information. Thank you.



Denise A. Melville-Blackman, Esq.

Staff Attorney

Superior Court of Fulton County

136 Pryor Street | Atlanta, GA | 30303

denise.melville@fultoncountyga.gov

www.fultoncourt.org

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From: Kelley, Jasmine <Jasmine.Kelley@fultoncountyga.gov>
Sent: Wednesday, March 29, 2023 4:50 PM
To: Melville-Blackman, Denise <Denise.Melville-Blackman@fultoncountyga.gov>
Subject: FW: Mandamus Recusal - Case No. 2023CV377914

From: Matthew McMaster <mdmcmaster@mcmasterlegal.com>
Sent: Wednesday, March 29, 2023 4:49 PM
To: Strong, Laura <Laura.Strong@fultoncountyga.gov>; Clark, Lisha <lisha.clark@fultoncountyga.gov>; Kelley, Jasmine <Jasmine.Kelley@fultoncountyga.gov>; Eustice, Meaghan <Meaghan.Eustice@fultoncountyga.gov>
Subject: Mandamus Recusal - Case No. 2023CV377914

Hello Judicial Staff,

I see that Derrick Jackson's Mandamus petition in Case No. 2023CV377914 has been assigned to Judge Richardson. However, Judge Richardson is a Defendant in that action and, of course, I presume she will not be presiding over the matter. I have to expect that she will be recusing herself from this case but, at the same time, I will have to move forward with the appropriate procedure to ensure that Judge Richardson does not preside over the matter.

Please let me know before 12:00 PM tomorrow whether Judge Richardson intends to recuse herself from this case.

Sincerely,

—

Matthew D. McMaster

Attorney at Law

Matthew D. McMaster, LLC
12 Powder Springs St.
Suite 250
Marietta, GA 30064
Cell: 770.362.6490
Office: 800.890.3981
Fax: 800.890.3981
mdmcmaster@mcmasterlegal.com

—

This message is intended solely for the use of the individual or entity to which it is addressed and may contain confidential and/or privileged material. If you are not the intended recipient(s) of this message, you are hereby notified that reading, disclosing, copying, distributing or taking action in relation to the contents of and attachments to this message is strictly prohibited and may be unlawful. If you receive this message in error, or are not the named recipient(s), please notify the sender, delete this e-mail from your computer, and destroy any copies in any form immediately.

Exhibit B

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

DERRICK JACKSON,

Plaintiff(s)/Petitioner(s),

v.

INTERNAL REVENUE SERVICE, BANK OF
AMERICA, N.A., ARTHUR M. McCRACKEN,
JULIE McCRACKEN, ALL THE WORLD

Defendant(s)/Respondent(s).

CIVIL ACTION FILE
NO. 2023CV375542

NOTICE OF HEARING

Parties and/or their counsel in the above-referenced case are ordered to appear before Senior Judge, Adele Grubbs on the **12th day of April, 2023 at 9:30 AM in Courtroom TBD, Justice Center Tower, 185 Central Avenue, S.W., Atlanta, Georgia 30303**

At the hearing the Court will hear arguments on Defendants' Verified Emergency Motion for Temporary Restraining Order and Preliminary Injunction Preventing the Appointment of a Special Master and Permanent Injunction; and Plaintiff's Anti-SLAPP Motion to Strike Defendants' Counterclaim.

Should the parties require the services of a court reporter during the hearing, they are directed to provide their own.

This 4th day of April, 2023.

/S/ Denise Melville-Blackman

Denise Melville-Blackman
Staff Attorney
Superior Court of Fulton County
denise.melville@fultoncountyga.gov

Filed and served via e-FileGA.

Exhibit C

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

DERRICK JACKSON,)	
)	
Plaintiff,)	
)	CIVIL ACTION FILE
v.)	NO. 2023CV375542
)	
INTERNAL REVENUE SERVICE,)	
BANK OF AMERICA, N.A.,)	
ARTHUR M. MCCRACKEN,)	
JULIE L. MCCRACKEN,)	
ALL THE WORLD,)	
)	
Defendants.)	

ORDER OF APPOINTMENT OF SPECIAL MASTER

The above-captioned case is presently before the Court on the Petitioner's motion to appoint special master. Having considered the instant request and record, the Court finds that the interests of the Parties and the orderly management of the Court's business would be served by appointing a Special Master in the above-captioned case. Accordingly, the Court HEREBY APPOINTS, subject to the terms and conditions set forth, Mr. Barry L. Zimmerman as the Special Master in the above-captioned case. The contact information for the Special Master is as follows: Mr. Barry L. Zimmerman, email: blz@zimmermanattys.com, 6376 Spalding Drive, Norcross, Georgia, 30092, phone: (770) 350-0100.

I. SCOPE

Said appointment is made pursuant to O.C.G.A. § 23-3-63 and Georgia Uniform Superior Court Rule 46(A)(1)(e) for the purpose of an investigation and report to the Court as to whether the Petitioner has any interest whatsoever in the property located at 955 Tiverton Lane, Alpharetta, GA 30022.

II. DUTIES

The Special Master is hereby directed to proceed, with all reasonable diligence, to address the issue directed in paragraph I. Said report shall be furnished to the Court within 120 days.

B. Conflict Resolution

The Special Master shall have the authority to receive testimony under oath before a court reporter and to preside over the reception of evidence into the record.

C. Settlement

If requested, the Special Master may serve as a mediator to facilitate settlement of the above-captioned case.

D. Sanctions

The Special Master may impose sanctions upon any party for failure to comply with this order.

E. Report and Recommendation

Pursuant to Uniform Superior Court Rule 46, the Special Master shall consider the pleadings, review the evidence, and if appropriate, take evidence and hear oral argument regarding the issue directed. Upon completing such review and consideration, the Special Master shall report the findings to the Court. Contemporaneously, the Special Master shall serve a copy of the Report upon the Parties.

III. CONDUCT OF THE PARTIES

The Parties are instructed to cooperate with the Special Master in all respects, including, but not limited to, making available to the Special Master any facilities, files, documents, or other materials the Special Master may request to fulfill the Special Master's duties. The Parties are not permitted to engage in *ex parte* communication with the Special Master or the Special Master's

staff, except as would be permitted with the Court. The Special Master may have *ex parte* communications with the Court to the extent the Court deems appropriate.

IV. COMPENSATION OF THE SPECIAL MASTER

The Parties shall bear the cost of the Special Master on the following terms and conditions: The Special Master would charge an hourly rate of \$419.00 and would keep an account of all hours by tenths of an hour, and any expenses incurred by the Special Master in the performance of the Special Master's duties. Provided that such attorneys/individuals do not bill at more than their standard hourly rate and that their rate is lower than the Special Master's rate, the Special Master may obtain assistance from other attorneys/individuals. In this regard, the Special Master will issue an invoice describing the work performed and the hours attributable to the work performed, plus the expenses incurred by item, to the Petitioner monthly. Petitioner has agreed to pay the Special Master.

V. MISCELLANEOUS

The Special Master is instructed to maintain all pleadings and correspondence submitted by the Parties and to forward the entirety of such documents and records to the Court with his Final Report. Finally, by accepting this appointment, the Special Master represents to the Court that there are no matters within the scope of the appointment for which the Special Master could or should be disqualified, and that the Special Master accepts the terms and conditions of the appointment. This Order shall be effective upon the submission by the Special Master of the affidavit required under Uniform Superior Court Rule 46.

(Signature follows on next page)

IT SO ORDERED.

This the 17th day of April, 2023.

DocuSigned by:
Adele Grubbs

BDA40CF8A56940C...

HONORABLE ADELE GRUBBS
SENIOR JUDGE
FULTON COUNTY SUPERIOR COURT

Exhibit D

Former Alpharetta judge was personal attorney for city prosecutor



Credit: Le

NORTH FULTON COUNTY

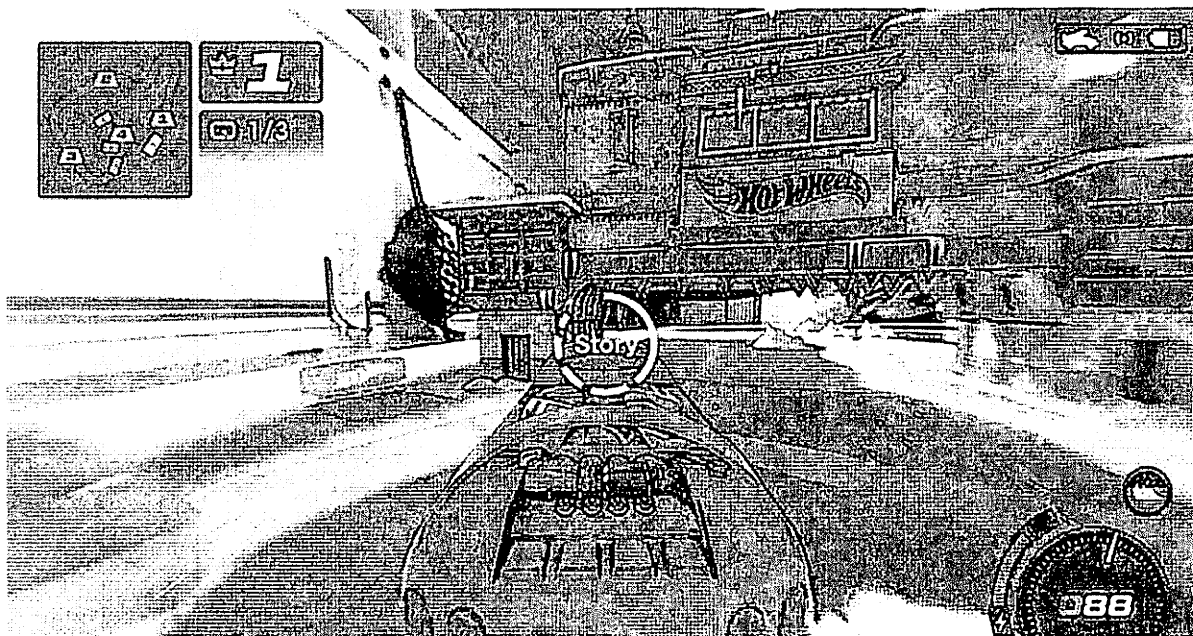
By Adrienne Murchison, *The Atlanta Journal-Constitution*

July 25, 2022

Former Alpharetta Municipal Court Judge Barry Zimmerman presided over thousands of cases argued by a solicitor who had hired him to be her private attorney — a conflict of interest that may have led to a Georgia Judicial Qualifications Commission (JQC) investigation and the judge's sudden retirement.

Zimmerman was a part-time judge and separately has a law practice in Norcross.

He resigned after a June JQC report found “reasonable cause” that he “violated the code of judicial conduct” without citing a specific case or cases. The report said he may have violated judicial rules by holding dual roles in some Alpharetta Municipal Court cases.



ADVERTISER CONTENT

An RC Car That Is Also a Video Game? Watch This

A separate finding indicates Zimmerman may have acted improperly by presiding over cases that were regularly presented by someone he represented as a lawyer in another jurisdiction.

In 2014, months after the start of his first term as Alpharetta's chief municipal judge, Zimmerman represented Alpharetta Solicitor Fran Shoenthal in a civil matter, according to court documents.

ADVERTISING

Zimmerman did not return multiple phone calls or an email requesting comment. Shoenthal did not return messages relayed through her attorney.

Zimmerman and Shoenthal worked together in the municipal courtroom for eight years. As city solicitor, Shoenthal prosecuted cases in Zimmerman's court including traffic tickets, DUI, minor drug offenses and disorderly conduct.

Alpharetta Municipal Court handled 9,376 cases in fiscal year 2022 or about 800 cases per month, Assistant City Administrator James Drinkard said.

Drinkard said unless Zimmerman and Shoenthal were out sick or on vacation, they were the judge and prosecutor for all cases in Alpharetta Municipal Court.

Zimmerman retired in July, after the JQC reported its findings. Shoenthal was replaced in April.

The JQC resolved its investigation against Zimmerman in June when he decided to step down from the bench. He agreed not to accept any elected or appointed judicial office in the future "in lieu of formal charges," the JQC report states. The report said the agreement is "a fair disposition of the matter and is in the interests of justice."

The investigation by the watchdog agency found reasonable cause that Zimmerman violated the code of judicial conduct by improperly representing "a party in a personal matter in another jurisdiction while the party regularly appeared before him ... in Alpharetta Municipal Court," the report said.

In addition to this reference, the report says that Zimmerman took "judicial action" in cases where he should have recused himself.

Without directly saying that Zimmerman was in some way involved as an attorney in cases that were presented in Municipal Court, the report cited a section of the Georgia Code of Judicial Conduct on part-time judges that says judges "shall not practice law in the court on which they serve, or act as lawyers in proceedings for which they have served as judges."

The JQC rules state that details uncovered by an investigative panel can be kept confidential.

Clark Cunningham, a Georgia State University professor of law and judicial ethics, said the JQC let Zimmerman off the hook and its investigative panel should have used its right to waive the confidentiality of information. According to JQC rules, this can be done if it's "in the interest of justice and to protect the public."

"I think it showed very poor judgment for the investigative panel and the JQC to allow him to resign with (an agreement) that sealed the record," Cunningham said.

In 2014 and 2015, Zimmerman represented Shoenthal in court against her daughters over her late husband's pension.

Elliott Shoenthal was a judge in DeKalb Juvenile Court who died in 2013. Before his death, he completed a form changing the beneficiaries of his pension to his two daughters instead of his wife but never filed the paperwork, said attorney Christopher Anulewicz, who represented the daughters.

Anulewicz said he was concerned at the time about Zimmerman's conflict of interest.

"Representing a lawyer that appears in front of you (in court) is completely improper and clearly not permitted by the canons that govern judicial ethics," Anulewicz said of Zimmerman.

Zimmerman was an attorney for Shoenthal in the trial court and appellate court, Anulewicz said.

The appellate case was decided in Shoenthal's favor in the Court of Appeals of Georgia in 2015, documents show.

Shoenthal worked as a contractor for the city of Alpharetta since the early 2000s, Drinkard said.

Zimmerman was first appointed Alpharetta Municipal Court judge in 2014. The Charlotte native was reappointed in January to serve another four-year term. He was also a part-time judge in the Fulton County Magistrate Court for 42 years.

Due to the lack of details in the JQC report, Alpharetta has launched an independent investigation into Zimmerman's conduct. City Administrator Robert Regus announced hiring Randy Rich of the Taylor English law firm to lead the investigation on July 11.

Alpharetta officials declined to comment on what the former judge's actions might mean for cases he ruled on. And the JQC declined to comment beyond its published report.

Exhibit E



Connie Taylor, Clerk of Superior Court
Cobb County, Georgia

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

Michael SPENCER

Plaintiff,

Tameka BROWN,
Defendant.

)
)
) CIVIL ACTION FILE NO.
) 18-1-04259-53
)
)
)
)

AFFIDAVIT OF REBECCA W. MCLAWS

COMES NOW, Rebecca W. McLaws, after having been duly sworn, does declare, as follows:

1.

My name is Rebecca W. McLaws. I am an attorney in good standing with the State Bar of Georgia. I represent the Defendants in the above-styled matter.

2.

I have personal knowledge of the facts and circumstances contained in this Affidavit. I am also familiar with the record in this matter. I am filing this Affidavit in Support of the Motion to Recuse pursuant to Uniform Superior Court Rule 25.2.

3.

I am the Custodian of Records for McLaws Law Group, LLC. The email correspondence attached to this Affidavit is true and correct, maintained in the ordinary course of business, and has not been altered in any way.

4.

Mr. Spencer caused a Notice to Produce to be served on Ms. Brown requiring her to produce an audio recording she made of an altercation between Ms. Brown, Mrs. Wendy Spencer, and Mr. Spencer's Mother. Ms. Brown objected to turning over the audio recording. It is unclear for what purpose Senior Judge J. Stephen Schuster required Ms. Brown to turn over the audio recording. The modification litigation was finalized through the Final Order and on appeal.

5.

I questioned Judge Schuster about the purpose of requiring the audio recording to be turned over on the record. Judge Schuster responded and indicated that “evidence has gone missing” in the case. I reviewed the transcripts and record after Judge Schuster’s comment. I could find no allegations that evidence had “gone missing” or any kind of spoliation accusations.

6.

Judge Schuster entered an Order in which Judge Robert Leonard will “hold” the audio recording until further hearing.

7.

On September 23, 2022, the parties appeared before Senior Judge Stephen Schuster (“Senior Judge Schuster”) for a hearing on outstanding Motions. The transcript reflects that Plaintiff did not testify about his income. The record and transcript reflect that Plaintiff did not file or serve his Domestic Relations Financial Affidavit, as required by Uni. Sup. Ct. R. 24.2. Plaintiff did not file or serve his Child Support Worksheets, as required by Uni. Sup. Ct. R. 24.2. Plaintiff did not present any evidence at hearing on August 24, 2022 relating to his income.

8.

Despite not having any evidence about Plaintiff’s income or notice to Defendant that child support would be an issue, Senior Judge Schuster issued the Temporary Order on September 29, 2022. Senior Judge Schuster imputed income to Plaintiff without any testimony or evidence relating to his income.

9.

Plaintiff filed his Motion for Citation for Contempt with this Court on October 19, 2022. One Senior Judge Schuster conducted a hearing on Plaintiff’s Motion for Contempt on December 19, 2022. I raised the issue again that the Court entered an Order without notice to Ms. Brown, without any evidence whatsoever, and based on nothing more than speculation.

10.

Following the hearing, Senior Judge Schuster entered the Order adjudging Ms. Brown in willful contempt for failing to pay child support on December 21, 2022. This Order compels Ms. Brown to turn over an audio recording to Judge Robert Leonard’s office. This Order also provides for Ms. Brown’s incarceration if she failed to pay the outstanding arrearage amount of approximately \$3,100.00.

11.

Mr. Spencer filed his Motion for Supersedes Bond on February 7, 2023. Senior Judge Schuster granted the Motion and set supersedes in the amount of \$35,000.00.

12.

Mr. Spencer's attorneys contacted Judge Leonard's office and requested a hearing. I was copied on the electronic mail communication. The Court issued a "Show Cause and Rule Nisi" setting "Plaintiff's Motion for Contempt" for a hearing to be held on April 18, 2023. (Order, April 4, 2023).

13.

The Show Cause and Rule Nisi made no sense to me because the court had already conducted a hearing on Plaintiff's Motion for Contempt. Mr. Spencer has not filed any other Motions for contempt since October, 2022.

14.

On April 18, 2023, I appeared for hearing on "Plaintiff's Motion for Contempt." Mr. Spencer's attorney, Brad MacDonald, informed the Court that the matter was set for a "compliance hearing" and that Ms. Brown has not paid any child support. Mr. MacDonald advised the Court that Mr. Spencer was seeking a total arrearage amount of \$7,364.00. Mr. MacDonald requested that the court enter judgment in the amount of \$7,364.00 against Ms. Brown.

15.

The Court did not receive evidence and no one testified. Judge Schuster then asked me about my client's position. I pointed out to the Court that the Show Cause and Rule Nisi did not set the matter for a "compliance hearing," but, rather, it was set for a hearing on Plaintiff's Motion for Contempt. I pointed out to the Court that Plaintiff's Motion for Contempt was ruled on already and no other Motions had been filed relating to child support arrearage. I advised the Court that my client had no notice of any additional arrearage, no notice that Mr. Spencer was seeking a judgment, and no notice of any issues beyond what was set in the Show Cause and Rule Nisi.

16.

During the hearing, Senior Judge Schuster inquired into where is the Defendant's "entourage." I understood Senior Judge Schuster to be referring to Matthew McMaster, a friend

of Ms. Brown who ran in opposition to Judge Robert Leonard, II, during the election of 2022. I responded to the question with “I don’t know.” I was momentarily confused by the question because I did not understand what Mr. McMaster’s presence, or lack thereof, had anything to do with the reason the hearing was set. Senior Judge Schuster went on to state that Senior Judge Adele Grubbs had “tangled it up with Mr. McMaster” in Fulton County. Based on the words Judge Schuster used and his tone, I got the impression that Judge Schuster intended the comment to be a negative reflection of Mr. McMaster.

17.


On April 19, 2023, Mr. McDonald submitted proposed Orders to Judge Robert Leonard’s staff attorney, Mimi Scaljon at 1:43 p.m. (Exh. A). One minute later, Ms. Scaljon responded, “Thank you! I will make sure that they get entered.” The Court entered the proposed Orders less than three (3) hours later without allowing my client or me the opportunity to respond or object.

18.

Person appeared before me the undersigned Affiant who on oath states that the facts set forth in the foregoing affidavit are true and correct based on her personal knowledge.

Further, Affiant sayth naught.

This the 25th day of April, 2023.


Rebecca W. McLaws

Sworn and subscribed before me
This 25 day of April, 2023.


Notary Public

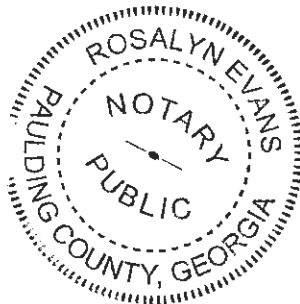


EXHIBIT "A"

From: "Scaljon, Mimi" <Mimi.Scaljon@cobbcounty.org>
Subject: RE: Spencer v. Brown, CAFN 18-1-04259-53
Date: Wed, April 19, 2023 1:44 pm
To: "Brad Macdonald" <brad@hillmac.com>
Cc: "rebecca@mclawslawgroup.com" <rebecca@mclawslawgroup.com>,"Justin Wyatt" <justin@wyattlawgroup.net>,"nancy@syropinglelaw.com" <nancy@syropinglelaw.com>

Thank you! I will make sure that they get entered.

Mimi Anna Scaljon
Staff Attorney to Judge Robert D. Leonard II
Superior Court of Cobb County
70 Haynes Street
Marietta, Georgia 30090
Telephone: (770) 528-1839 (Direct)
Fax: (770) 528-1842

mimi.scaljon@cobbcounty.org

To Schedule a Civil Hearing, Please reach out to our Judicial Case Manager, Camille Grout at Camille.grout@cobbcounty.org / (770) 528-1453.

***Please Copy Opposing Counsel/Parties on All Correspondence

*** Please Attach Courtesy Copies of Any Motions Filed with the Court

*** Please Submit Proposed Order in Word Format

.....

From: Brad Macdonald <brad@hillmac.com>
Sent: Wednesday, April 19, 2023 1:43 PM
To: Scaljon, Mimi <Mimi.Scaljon@cobbcounty.org>
Cc: rebecca@mclawslawgroup.com; Justin Wyatt <justin@wyattlawgroup.net>; nancy@syropinglelaw.com
Subject: Spencer v. Brown, CAFN 18-1-04259-53

Mimi,

Attached, please find proposed Orders in the above-referenced action for Judge Schuster's consideration. I have included MS Word versions in the event that he desires to make any edits. Please note that I have copied all counsel with this correspondence and thank you for your assistance!

Sincerely,

Brad E. Macdonald
Attorney at Law

Hill/Macdonald, LLC
329 Lawrence Street
Marietta, Georgia 30060
770.293.0940 (Office)
770.293.0947 (Facsimile)
www.hillmac.com

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Exhibit F

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

DERRICK JACKSON

Plaintiff

CASE NO. 2023CV375542

V

INTERNAL REVENUE SERVICE.

BANK OF AMERICA. N.A.

ARTHUR MCCRACKEN,

JULIE MCCRACKEN,

ALL THE WORLD,

Defendants

ORDER DENYING REQUEST FOR CERTIFICATE OF IMMEDIATE REVIEW

The Plaintiff having filed a request for a Certificate of Immediate Review from the Court's Order of April 18, 2023 which granted the Plaintiff's Motion for the appointment of a Special Master, and the Court having reviewed the same, the Request for a Certificate of Immediate Review is denied.

This 24 day of April, 2023



Adele Grubbs, Senior Judge

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the Order dated 24 April 2023 was served this day as follows:

mdmcmaster@mcmasterlegal.com

rkaufman@chalmersadams.com

jpatino@chalmersadams.com

This 24 April 2023

A handwritten signature in black ink, appearing to read 'Adele Grubbs', written in a cursive style.

Adele Grubbs

Senior Judge