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5 Special Counsel for the Nevada
6 Commission on Judicial Discipline

7
8 **BEFORE THE NEVADA COMMISSION ON JUDICIAL DISCIPLINE**

9 IN THE MATTER OF THE HONORABLE,
MICHELE FIORE, Justice of the Peace,
10 Pahrump Township Justice Court, Nye
County, State of Nevada,

Case No.: 2025-108-P

11 Respondent.
12

13 **REPLY TO RESPONDENT'S LIMITED OPPOSITION TO MOTION FOR LEAVE**
14 **TO SERVE REQUEST FOR PRODUCTION OF DOCUMENTS ON RESPONDENT**

15 COMES NOW Thomas J. Donaldson, Special Counsel for the Nevada Commission on
16 Judicial Discipline ("Commission" or "NCJD"), and hereby replies to Respondent's Limited
17 Opposition to Motion for Leave to Serve Request for Production of Documents on Respondent
18 ("Opposition"). The instant reply is made pursuant to PRJDC 19.1(B) and 38.2(A) and based upon
19 the following memorandum of points and authorities and the pleadings and papers on file herein.

20 **Memorandum of Points and Authorities**

21 PRJDC 19.1(A) provides in pertinent part:

22 Within ten days after service of the Commission's prehearing order, the
special counsel and the judge *shall exchange* the following materials and information
23 within their possession or control to the extent not previously provided:

* * *

24 (iv) *Any books, papers, documents, photographs or tangible objects pertaining to the*
25 *case.*

26 (Emphasis supplied.)

27 Initially, Respondent claims in her Opposition, "the trial exhibits are not relevant to the
28 proceedings, thus *Judge Fiore did not produce the exhibits in her disclosure.*" Opposition, p. 3 at

1 lines 1-2 (emphasis added). Clearly, Respondent admits that she possesses the trial exhibits sought
2 by Special Counsel, but refused to comply with PRJDC 19. Indeed, in Respondent's Initial
3 Disclosure, she included "Reimbursement Check payable to Jay Brown, Check No. 1037
4 (Fiore0008). Exhibit 1 hereto. Below the check images on this document is the partial designation
5 "DOJ-00000," which appears to be cut-off when the copy was made. Obviously, this was an exhibit
6 used by the United States Department of Justice ("DOJ") in the criminal trial against Respondent.
7 Thus, the trial exhibits are readily available to Respondent and should have been produced to Special
8 Counsel without the need for a formal Request for Production of Documents.

9 Further, after filing the instant Motion for Leave to Serve Request for Production of
10 Documents on Respondent ("Motion"), on September 14, 2026, Special Counsel submitted to the
11 DOJ a formal Freedom of Information Act ("FOIA"), 5 U.S.C. 552, request for the particular trial
12 exhibits in accordance with 28 C.F.R. § 16.1 *et seq.* Exhibit 2 hereto. In fact, prior to filing the
13 instant reply, Special Counsel forwarded the FOIA request to the email address identified in
14 28 C.F.R. § 16.3(a)(2). *Id.* However, Special Counsel has not yet received a reply or any of the
15 requested documents from the DOJ. Contrary to Respondent's contention, Special Counsel has
16 invoked the *Touhy* request process, but it has not been fruitful.

17 Additionally, seeking the particular trial exhibits from Respondent, who has them readily
18 available, does *not* "invert[] the statutory allocation of the burden" of proof as alleged in the
19 Opposition. Certainly, Respondent was obligated to produce the trial exhibits in accordance with
20 PRJDC 19.1(A).

21 Finally, Respondent resorts to attempting to rely upon the factors in NRCP 26(b)(1) in her
22 opposition. Opposition, pp. 4-5. However, the very language cited by Respondent, "the parties'
23 relative access to relevant information" and *Venetian Casino Resort, LLC* weigh *in favor* of Special
24 Counsel and *against* Respondent since she has admitted to possessing the trial exhibits at issue.

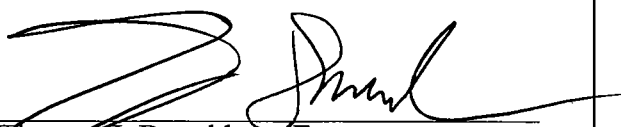
25 Conclusion

26 Respondent's Opposition does not provide the Commission with any legal basis to deny
27 Special Counsel's Motion. To the contrary, Respondent admits that she has the trail exhibits, but
28 has consciously refused to provide the documents to Special Counsel in violation of PRJDC 19.1.

1 Therefore, Special Counsel respectfully request an Order from the Commission granting the Motion
2 or *sua sponte* compelling Respondent to produce the requested trial exhibits within five (5) days.

3 DATED this 25th day of September, 2026.

4 MESSING ADAM JASMINE & SHORE, LLP

5
6 By: 

7 Thomas J. Donaldson, Esq.
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14 Special Counsel for the Nevada
15 Commission on Judicial Discipline
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Paola M. Armeni, Esq.
Clark Hill, PLLC
1700 S. Pavillion Center Dr., Ste. 500
Las Vegas, NV 89135
parmeni@clarkhill.com

By: Kelly Gilbert
Kelly Gilbert

EXHIBIT 1

EXHIBIT 1

1037

A BRIGHT PRESENT FOUNDATION INC

2/11/20

PAY TO THE ORDER OF by Brown \$ 8,350.00

eight thousand three hundred fifty Dollars

BANK OF INDIANA

For _____

⑆1224021778⑆ 8628012051⑆ 1037

02/13/2020 1037 \$8,350.00
5250087493895

⑆09⑆ 1224 02 17 ⑆ 000⑆

⑆122402243⑆
Valley Bank Nevada #301
0023-32-12
0001940000
Batch 214123384

DEPOSIT TO THE ORDER OF
VALLEY BANK OF NEVADA
122402
ON 02/13/2020
JPMorgan Chase Bank, N.A.
ATM DEPOSIT
ATM DEPOSIT

01

DOJ-000001

Fiore00008

EXHIBIT 2

EXHIBIT 2

Thomas J. Donaldson

From: Thomas J. Donaldson
Sent: Friday, September 25, 2026 6:59 AM
To: MRUFOIA.Requests@usdoj.gov
Cc: Kelly Gilbert
Subject: FW: FOIA request--U.S. v. Michele Fiore; trial exhibits (USDC Case #2:24-cr-00155)

Categories: Smokeball

I have not yet received a response to my FOIA request dated 9/14/2026. See below. Please update the status of my request. Thank you.



Thomas J. Donaldson, Esq. | Partner

Office 775.885.1896 **Facsimile** 775.885.8728

Email tom@majlabor.com **Web** www.majlabor.com

1817 N Stewart Street, Ste 35 | Carson City, NV 89706

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From: Thomas J. Donaldson
Sent: Monday, September 14, 2026 2:31 PM
To: 'crm.foia@usdoj.gov' <crm.foia@usdoj.gov>
Subject: FOIA request--U.S. v. Michele Fiore; trial exhibits (USDC Case #2:24-cr-00155)

U.S. Dept. of Justice,

As indicated below, I have been appointed by the Nevada Commission on Judicial Discipline (NCJD) as Special Counsel to file formal charges against Pahrump Township Justice of the Peace Michele Fiore. I have attached a copy of the Formal Statement of Charges dated 4/24/2026, in Case No. 2025-108-P for your reference. As you can see, the charges are based upon some of the same conduct of Judge Fiore for which the U.S. Attorney's Office prosecuted her in U.S.D.C. Case #2:24-cr-00155. I have learned that federal prosecutors Alex Gottfried passed away and Corey Amundson and Dahoud Askar have left the office. The NCJD disciplinary hearing has been set for 10/19-22/2026, in Las Vegas, NV.

I am looking for copies of exhibits from the criminal trial, which should be public records. NCJD Executive Director Paul Deyhle requested copies of the trial exhibits from

the Court last year, but the Court Clerk denied his request. See attached letter. I am aware that Judge Dorsey issued a Minute Order notifying the parties that the exhibits were going to be destroyed on 8/11/2025. Thus, if you still have copies, can you reply with copies of the following exhibits:

- 45A solicitation letter/flier
- 46 Jay Brown check
- 56 Community Ambulance check
- 57 Robert Richardson check
- 62 Joseph Lombardo check
- 63 LECET check
- 64 Fiore solicitation email
- 68 Laborers Local check

Please let me know if you can provide these documents. Thank you for your attention to this matter.

**Messing Adam
Jasmine & Shore**

Thomas J. Donaldson, Esq. | Partner

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From: Askar, Dahoud (CRM) Dahoud.Askar@usdoj.gov

Sent: Thursday, August 6, 2026 10:10 AM

To: Thomas J. Donaldson tom@majlabor.com

Subject: Automatic reply: Michele Fiore--request for trial exhibits (USDC Case #2:24-cr-00155)

Good Morning/Afternoon/Evening,

I have departed federal service and will no longer have access to this email. If you need to reach me personally, please feel free to email me at askar.dahoud@gmail.com. Thank you for your time and consideration.

Very Respectfully,

Dahoud Askar

From: Thomas J. Donaldson

Sent: Thursday, August 6, 2026 10:10 AM

To: Askar, Dahoud (CRM) Dahoud.Askar@usdoj.gov

Cc: Kelly Gilbert Kelly@majlabor.com

Subject: RE: Michele Fiore--request for trial exhibits (USDC Case #2:24-cr-00155)

Still trying to contact you. Please reply. Thanks.

Thomas J. Donaldson, Esq. | Partner

Office 775.885.1896 **Facsimile** 775.885.8728

Email tom@majlabor.com **Web** www.majlabor.com

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From: Thomas J. Donaldson

Sent: Thursday, June 11, 2026 12:31 PM

To: Askar, Dahoud (CRM) <Dahoud.Askar@usdoj.gov>

Cc: Kelly Gilbert <Kelly@majlabor.com>

Subject: RE: Michele Fiore--request for trial exhibits (USDC Case #2:24-cr-00155)

Are you still with the U.S. Attorney's Office?

Thomas J. Donaldson, Esq. | Partner

Office 775.885.1896 **Facsimile** 775.885.8728

Email tom@majlabor.com **Web** www.majlabor.com

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From: Thomas J. Donaldson

Sent: Friday, May 22, 2026 11:50 AM

To: Askar, Dahoud (CRM) <Dahoud.Askar@usdoj.gov>

Cc: Kelly Gilbert <Kelly@majlabor.com>

Subject: RE: Michele Fiore--request for trial exhibits (USDC Case #2:24-cr-00155)

Dahoud,

Just checking in with you. Since we spoke, I have learned that Paola Armeni, Esq., claims that she does not have copies of the criminal trial exhibits. I have also identified potential witnesses for the discipline hearing (possibly in August, 2026). Thus, I would really like to have copies of the following exhibits:

- 45A solicitation letter/flier
- 46 Jay Brown check
- 56 Community Ambulance check
- 57 Robert Richardson check
- 62 Joseph Lombardo check
- 63 LECET check
- 64 Fiore solicitation email

Please let me know if you can provide them. Our initial discovery disclosure deadline has been extended to 5/29/2026, but I can always supplement my discovery if I don't have the exhibits by then. Thanks.

Thomas J. Donaldson, Esq. | Partner

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Email tom@majlabor.com **Web** www.majlabor.com

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From: Askar, Dahoud (CRM) <Dahoud.Askar@usdoj.gov>

Sent: Thursday, May 14, 2026 11:25 AM

To: Thomas J. Donaldson <tom@majlabor.com>; Gottfried, Alexander (CRM) <Alexander.Gottfried@usdoj.gov>

Cc: Kelly Gilbert <Kelly@majlabor.com>

Subject: Re: Michele Fiore--request for trial exhibits (USDC Case #2:24-cr-00155)

Mr. Donaldson,

Alex passed away recently. We really appreciate h the work you're doing and I'll inquire as to what documents I can provide. That said, give me a call to discuss at your convenience.

Vr,

Dahoud Askar

202-368-1667

Very Respectfully,

Dahoud Askar

From: Thomas J. Donaldson <tom@majlabor.com>

Sent: Thursday, May 14, 2026 2:20:50 PM

To: alexander.gottfried@usdoj.gov <alexander.gottfried@usdoj.gov>

Cc: Askar, Dahoud (CRM) <Dahoud.Askar@usdoj.gov>; Kelly Gilbert <Kelly@majlabor.com>

Subject: [EXTERNAL] Michele Fiore--request for trial exhibits (USDC Case #2:24-cr-00155)

Mr. Gottfried,

I have been appointed by the Nevada Commission on Judicial Discipline (NCJD) as Special Counsel to file formal charges against Pahrump Township Justice of the Peace Michele Fiore. I have attached a copy of the Formal Statement of Charges dated 4/24/2026, in Case No. 2025-108-P for your reference. As you can see, the charges are based upon some of the same conduct of Judge Fiore for which you prosecuted her in U.S.D.C. Case #2:24-cr-00155. I am looking for copies Judge Fiore's solicitation letter and email and the donors' checks that were exhibits in the criminal trial, specifically, Exhibits 42, 45A, 46, 47, 63 and 64. NCJD Executive Director Paul

Deyhle requested copies of the trial exhibits from the Court last year, but the Court Clerk denied his request. See attached letter. I am aware that Judge Dorsey issued a Minute Order notifying the parties that the exhibits were going to be destroyed on 8/11/2025. Thus, if you still have copies, can you reply with copies of Exhibits 42, 45A, 46, 47, 63 and 64? Please let me know. Thank you for your attention to this matter.

Thomas J. Donaldson, Esq. | Partner

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