

STATE OF NORTH CAROLINA

WAKE COUNTY

BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
08 DHC 21

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

RACHEL LEA HUNTER, Attorney,

Defendant

PLAINTIFF'S ANSWER TO
DEFENDANT'S FIRST REQUEST
FOR PRODUCTION OF
DOCUMENTS

GENERAL OBJECTIONS AND RESPONSES

A. The State Bar's responses to the Defendant's Request for Production of Documents shall be without prejudice to its right to present supplemental and amended information at a later date.

B. The State Bar objects to these document production requests to the extent, if any, that they request information protected by the attorney/client privilege, work product doctrine or any other applicable privilege. The State Bar will not provide information or produce documents covered by this objection.

C. The production of documents by State Bar in response to the Request for Production will be at a reasonable time and place to be agreed on by counsel. To the extent, if any, that the request for production requires production at any other time or place, the State Bar objects to the request for production of documents on the grounds that it is unduly burdensome and harassing.

D. The production of documents by the State Bar in response to Defendant's requests is (1) solely for the purpose of this action and (2) subject to and with reservation of all objections to the admissibility of such documents at trial or for any other purpose.

E. Each of the following specific responses and objections are subject to and modified by these General Objections and Responses as if the General Objections and Responses were fully set forth therein, notwithstanding the absence of express reference to the General Objections and Responses in each such specific objection and response.

NOW COMES Plaintiff and responds to Defendant's first request for production of documents:

1. Produce all communication (either in writing, email, notes of telephone conversations, telephone slips or other media referencing such communication) from 2005 to the present between the North Carolina State Bar and the North Carolina State Board of Elections.

RESPONSE: In addition to the General Objections and Responses, the State Bar objects to this request as it is overbroad and seeks documents protected by the attorney work product doctrine. Notwithstanding the foregoing objections and without waiving the same, there are no non-privileged documents that are responsive to this request.

2. Provide copies of any websites utilized since 2000 identifying any aliases or personas on any websites by employees of the North Carolina State Bar.

RESPONSE: In addition to the General Objections and Responses, Plaintiff objects to this request as it is vague, overbroad, unduly burdensome and is not reasonably calculated to lead to the discovery of admissible evidence.

3. Produce the authority relied upon by the North Carolina State Bar to support its reference to the term "Madame Justice" as an exclusive reference to members of the judiciary.

RESPONSE: In addition to the General Objections and Responses Plaintiff hereby responds to production request no. 3 as follows: Plaintiff will produce all non-privileged documents in its possession or control that can be located with reasonable effort. See copy of North Carolina State Constitution enclosed herewith marked as Exhibit A.

4. Produce the authority relied upon by the North Carolina State Bar to support its prohibition of use of the term "Madame Justice" in judicial campaigns.

RESPONSE: Plaintiff's response to production request no. 3 is incorporated herein by reference in response to production request no. 4.

5. Produce all studies, data or reports compiled by the North Carolina State Bar regarding the conduct of other judicial campaigns.

RESPONSE: In addition to the General Objections and Responses, Plaintiff objects to this request as it is overbroad and not reasonably calculated to lead to the discovery of admissible evidence.

6. Produce all studies, data or reports compiled by the North Carolina State Bar regarding deception of the voters by Defendant's website, www.rachelforjustice.com.

RESPONSE: Subject to the General Objections and Responses, there are no non-privileged documents that are responsive to this request.

7. Produce or identify the tracking service utilized by members of the North Carolina State Bar to visit the website www.rachelforjustice.com and provide name of employee, date of visit and copies of visits established by tracking service.

RESPONSE: In addition to the General Objections and Responses, Plaintiff objects to this request as vague. Subject to the foregoing objections and without waiving the same Plaintiff responds to production request no. 7 as follows: there are no non-privileged documents that are responsive to this request.

8. Produce all communication (either in writing, email, notes of telephone conversations, telephone slips or other media referencing such communication), held by the North Carolina State Bar regarding the website, www.rachelforjustice.com.

RESPONSE: In addition to the General Objections and Responses, the State Bar objects to this request as it seeks documents protected by the attorney-client privilege and attorney work product doctrine.

9. Produce all current or archived copies of the webpages from Defendant's website, www.rachelforjustice.com, that Plaintiff has in its possession.

RESPONSE: In addition to the General Objections and Responses Plaintiff hereby responds to production request no. 9 as follows: Plaintiff will produce all non-privileged documents in its possession or control that can be located with reasonable effort. See documents enclosed herewith marked as Exhibit B.

This the 14th day of January, 2009.



Brian P. D. Oten
State Bar No. 34140

Leonor Bailey Hodge
State Bar No. 27253

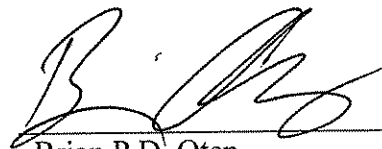
The North Carolina State Bar
P.O. Box 25908
Raleigh, N.C. 27611
919-828-4620
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Plaintiff's Answer to Defendant's First Request for Production of Documents was served upon the Defendant by sending it first class mail to the address below:

Rachel Lea Hunter
901 Madison Avenue
Cary, NC 27513

This the 14 day of January, 2009.



Brian P.D. Oten
Attorney for Plaintiff
The North Carolina State Bar