

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

IN RE: :
: :
David W. Tidd :
Former Magisterial District: 3 JD 2016 :
Judge :
Third Judicial District :
Northampton County :

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SUPPLEMENTAL PRETRIAL STATEMENT OF THE RESPONDENT, DAVID W. TIDD

The Respondent, David W. Tidd, by his counsel, Samuel Stretton, Esquire, hereby files the following Supplemental Pretrial Statement. Mr. Tidd would incorporate by reference his original Pretrial Statement.

A.) Supplemental Exhibit List

The Respondent, David W. Tidd, submits the following supplemental exhibits.

- R-1 Letters requesting ethical advice
- R-2 Letter to Sam Stretton from George Heitzzman
- R-3 Law office calendar and bankruptcies
- R-4(a) Bankruptcy recusals
- (b) Requests for recusals
- R-5(a) Check Number 1511 (to Brenda Anthony)
- (b) Check Number 273 (to David Tidd)
- R-6 Requests for office equipment
- R-7(a) Case Statuses
- (b) Case Statuses

- (c) Case Statuses
- R-8(a) Photos - signs
- (b) Photos - robe
- R-9 Letter from Christopher Spadoni, Esquire
- R-10 Tidd - French (Complaint against Brenda Anthony)
- R-11(a) Letter from Dr. Stetzer
- (b) Letter from Dr. Becker
- (c) Letter from Lawyers Concerned for Lawyers
- (d) Letter from Pamela Olivieri, MA
- R-12 Staff meeting notes (9/30/14)
- R-13 Letter to Debra French from David Tidd (re: hearing)
- R-14 Security request
- R-15(a) Brenda Anthony Annual Employee Evaluation
- (b) Staff evaluations
- R-16(a) Independent Audit Reports
- (b) Examination Report
- R-17 Court calendar of David Tidd for 2014
- R-18 Court calendar of David Tidd for 2015
- R-19 Law office calendars of David Tidd for 2011 through 2015. These are voluminous documents, so present counsel will not make copies, but will reference various pages during David Tidd's testimony.

B.) Supplemental Witness List

In the original Pretrial Statement, a list of witnesses were provided with summaries of what they would testify to, and that is incorporated by reference.

The following are witnesses who are going to be called by the Respondent. The Respondent reserves the right to call the other witnesses if, for some reason, after hearing additional testimony, the Respondent believes it is necessary. The following witnesses currently are persons that the Respondent, David Tidd, intends to call sometime during the May hearing, assuming the Court gets to Mr. Tidd's case.

1. The Respondent, David Tidd, will testify as to every issue presented in the Complaint for Judicial Discipline. He also will testify to his background, training and what he is doing now, etc.

2. Retired Police Officer David Roxberry, Lower Saucon Police Department - Phone Number: _____ Address: _____

_____ . He will testify to use of Courtroom for hearings and demeanor of David Tidd.

3. Police Officer Matthew Andree of Hellertown Police Department - Address: _____

He will testify to use of Courtroom for hearings, demeanor of

David Tidd, and the questioning by the Board investigator Sean Brennan.

4. Police Officer Dominic Fragano of Hellertown Police Department - Phone Number _____ Address: _____

_____ He will testify to use of Courtroom for hearings, demeanor of David Tidd, and practice of officers calling court when unavailable for hearings and offering negotiated pleas via the Respondent.

5. Police Office Tom Louder of Lower Saucon Police Department - Address: _____

_____ He will testify to use of Courtroom for hearings and demeanor of David Tidd.

6. Phil Lauer, Esquire - Phone Number: _____
Law Office Address: _____

Mr. Lauer will testify as to character of David Tidd, and also will testify to his observations of David Tidd when he appeared before him on numerous occasions, use of Courtroom for hearings and David Tidd's demeanor. He will also testify as to David Tidd's good character.

7. George Heitzzman, Esquire - Phone Number: _____
Law Office address: _____

_____ Mr. Heitzzman's testimony will be similar to Mr. Lauer's. He will also testify as to David Tidd's good character.

8. Ery McClain, Esquire - Phone Number _____

Address: _____

Mr. McClain's testimony will be similar to Mr. Lauer and Mr. Heitzzman. He will also testify as to David Tidd's good character.

9. John Waldron, Esquire - Phone Number _____

Address: _____

Mr. Waldron's testimony will be similar to Mr. Lauer, Mr. Heitzzman and Mr. McClain. He will also testify as to David Tidd's good character.

10. Christopher Spadoni, Esquire - Phone Number _____

Law Office address: _____

Mr. Spadoni's testimony will be similar to Mr. Lauer, Mr. Heitzzman, Mr. McClain and Mr. Waldron. He will also testify as to David Tidd's good character.

11. Mike Moyer, Esquire - Phone Number: _____

Law Office address: _____

Mr. Moyer's testimony will be similar to Mr. Lauer, Mr. Heitzzman, Mr. McClain, Mr. Waldron and Mr. Spadoni. He will also testify as to David Tidd's good character.

12. Tim Prendergast, Esquire - Phone Number: _____

Law Office address: _____

Mr. Prendergast's testimony will be similar to Mr. Lauer, Mr. Heitzzman, Mr. McClain, Mr. Waldron, Mr.

Spadoni and Mr. Moyer. He will also testify as to David Tidd's good character.

13. Joseph Yannuzzi, Esquire - Phone Number _____

Law Office address: _____

Mr. Yannuzzi's testimony will be similar to Mr. Lauer, Mr. Heitzman, Mr. McClain, Mr. Waldron, Mr. Spadoni, Mr. Moyer and Mr. Prendergast. He will also testify as to David Tidd's good character.

14. Richard Pepper, Esquire - Phone Number: _____

; Address: _____

Mr. Pepper will testify to Courtroom demeanor of David Tidd and good character.

15. District Judge Joseph Barner, a District Judge in Northampton County. Address: c/o Northampton County Court Administration, 669 Washington Street, Easton, PA 18042. His testimony would be primarily that David Tidd asked Judge Barner to cover for him on election day. This would confirm David Tidd had not planned to sit election day, and had asked Judge Barner to be there for emergency purposes. It is hoped that Judge Barner could testify by telephone on that limited point.

16. Constable Richard Seeds - Phone Number _____

Address: _____

Constable

Seeds would testify as to how David Tidd conducted his Courtroom and his office, how he treated his secretaries and how they

treated him, and will also testify as to character. He will also testify that the secretaries also disregarded David Tidd's orders to use Constable Seeds when David Tidd discovered the other constables the secretaries were using were not doing the fee arrangements correctly. He will testify to refusal of David Tidd's staff to follow orders regarding warrants and constables, use of Courtroom for hearings and demeanor.

17. Vera Tidd, the wife of David Tidd and the mother of his two children. She works for a corporation doing collection work. Mrs. Tidd will testify to David Tidd's good character and his devotion to his job as District Judge.

18. Erich Huggler - Phone Number: _____ : Address:

Mr. Huggler has been a
_____ friend of David Tidd for approximately 35 years. He will testify as to the excellent character and reputation and demeanor of David Tidd.

19. Kim Desjadon - Phone Number: _____ : Address:

Unknown. Ms. Desjadon was the personal legal secretary of David Tidd during the times he was the District Judge. She will discuss how he ran his private office and conflict checks he always made. She will also discuss how David Tidd never would come to his law office until the mid or late afternoon since he was doing his judicial duties. He always kept the mornings and early afternoons open for his court cases. She will also

testify when he was in the office, if there was a reason or need for him to come back, he would immediately return to his judicial office.

20. Carol Bubori - Phone Number: _____ : Address: _____

Ms. Bubori was David Tidd's judicial secretary for the years 2010 through 2012. She would testify how David Tidd conducted his judicial office and would indicate that he did not use foul language or obscenities, and David Tidd treated her appropriately and properly. She would also testify as to his good demeanor in the Courtroom and the Courtroom setting. She will testify consistent with the statement given Board investigator regarding demeanor.

21. Karen Palazzo-Gruber, Esquire - Address: _____

Ms. Palazzo worked as an associate for David Tidd in his law practice during the years 2008 through 2015. She can confirm that David Tidd made the District Court his priority and would usually only come to the office in the mid or late afternoon, and was always available for calls or emergencies. She can also confirm that she usually did the conflict checks for David Tidd. She will also testify to the statement given to the Board investigator.

(For Ms. Bubori and Ms. Palazzo, it is hoped there could be a stipulation as to their testimony, particularly since the

Respondent, David Tidd, has stipulated to major portions of the testimony of most of the Judicial Conduct Board's witnesses, and also on the bankruptcy issues. Perhaps there could also be a stipulation as to Judge Barner about his testimony that David Tidd arranged with him to be the judge covering David Tidd's Courtroom on election day).

22. Chris Snyder - Phone Number: _____ Address:

_____ Mr. Snyder was a litigant and appeared before then-Judge Tidd at least two times. He will testify as to Judge Tidd's good reputation and character. He will testify as to hearings conducted in the Courtroom and how appropriate and proper they were and how impressed he was. In fact, he was so impressed, Mr. Snyder worked on David Tidd's election campaign.

23. Custodian of Records for the Clerk of Court of Northampton County, Criminal Division. That witness will be asked to produce one or two files to impeach the testimony of Brenda Anthony and Diane Kail.

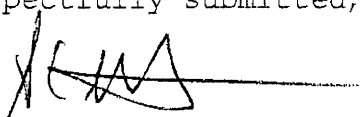
24. County Controller of Northampton County, Steve Barron. Address: Northampton County Government Center, 699 Washington Street, Easton, PA 18042. Mr. Barron would impeach Brenda Anthony and Diane Kale that David Tidd shifted the constable cost in the Jim Burke, Esquire parking ticket cases. It was discovered recently since, during the trial, he heard about it

and made a public statement that what was said by those witnesses was incorrect.

David Tidd, through his counsel, Samuel C. Stretton, Esquire, reserves the right to supplement both the exhibit and witness list depending on what is said or done during the trial by the Petitioner, and/or if something new is discovered that would be relevant.

Also, since many of the witnesses will essentially be saying the same thing, Mr. Stretton might ask the Court's permission to just introduce some of the character witnesses and then have the rest line up in the Courtroom and then Mr. Stretton would put a stipulation on for their testimony. But that is up to the Court. Everyone will be there and willing to testify.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify I am this date serving a copy of the foregoing Supplemental Pre-Trial Statement in the captioned matter upon the following persons in the manner indicated below.

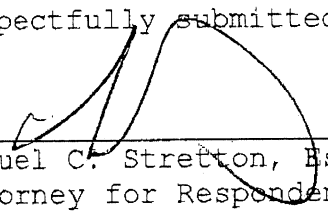
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Respectfully submitted,

4/12/17
Date



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