

# AGENDA ITEM

NOVEMBER 115-D  
Appointment of Special  
Investigative  
Committee, Report of  
Action Taken on Behalf  
of Board

**DATE:** October 17, 2009

**TO:** Board Committee on Operations  
Board of Governors

**FROM:** Cathy Torney, Committee Coordinator

**SUBJECT:** Approval of Appointment of Special Investigative Committee, Report of Action Taken by E-Mail Poll September 23, 2009, by the Board Committee on Operations, on Behalf of the Board of Governors Between Meetings

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The President may authorize e-mail polls of the Board Committee on Operations on matters of urgency, between regularly scheduled meetings of the Committee, per Rule of State Bar, rule 6.51. On September 23, 2009, the President authorized an e-mail poll to approve his appointments to the Special Investigative Committee to conduct an investigation to determine if confidential information of an evaluation by the Judicial Nominees Evaluation Commission had been improperly disclosed.

All members responded and the Committee voted unanimously to adopt the following resolution:

**RESOLVED**, that the Board Committee on Operations, acting on behalf of the Board of Governors between meetings, hereby affirms the appointment of William Gailey as its chair, Joseph Chairez, Bonnie Dumanis, and Richard Frankel to a special investigative committee to conduct an investigation to determine if confidential information of the evaluation of Charles S. Poochigian by the Commission on Judicial Nominees Evaluation was improperly disclosed; and it is

**FURTHER RESOLVED**, that in the conduct of its investigation, the special investigative committee shall have the power under California Business and Professions Code section 6049 to take evidence, to administer oaths and affirmation, and to compel by subpoena attendance, testimony, and production of evidence.

All members responded and all members voted yes