



AFFIDAVIT

I, Kimberly Ellis, being first duly sworn upon her oath, depose and say as follows:

1. My name is Kimberly Ellis, and I am over the age of eighteen.
2. I am currently employed with the Supreme Court of Appeals of West Virginia as the Director of Administrative Services in the administrative offices.
3. I began working for the Supreme Court of Appeals of West Virginia as Deputy Director of Administrative Services on May 16, 2013.
4. I have held the position of Director of Administrative Services since November 1, 2015.
5. My duties include, but are not limited to, managing the fleet vehicles, overseeing two warehouses, managing security systems, overseeing facilities planning and upkeep for the lower courts in all 55 counties, and consultation/facilitation regarding selection and procurement of furniture and equipment for the Court.
6. Construction on Justice Loughry's office began in June 2013.
7. My initial meeting with Justice Loughry to discuss the renovations to his office occurred before I was an employee of the Court and while I was an employee of Silling Associates. The initial meeting occurred in Justice Loughry's current office. At that time, there was a desk in his office. The desk was an antique walnut desk, specified by Cass Gilbert.
8. During my initial meeting with Justice Loughry to discuss the renovations to his office, there was a green leather couch in his office. That couch is now at the Venable Avenue warehouse.
9. During my initial meeting with Justice Loughry to discuss the renovations to his office, Justice Loughry did not mention to me that the desk in his office was a Cass Gilbert desk.
10. I left the employment of Silling Associates and began working for the Supreme Court of Appeals of West Virginia prior to the beginning of construction on Justice Loughry's office.
11. Justice Loughry was very involved in the decisions regarding the renovations to and furnishing of his office.
12. The construction costs associated with the renovations to Justice Loughry's office were discussed with Justice Loughry and a detailed cost estimate was provided to Justice Loughry by the Contractor before construction began.

13. The pillows for Justice Loughry's couch were ordered well after the renovations were completed. Justice Loughry decided that he wanted custom pillows and he personally selected the fabrics and down inserts for the pillows.

14. Justice Loughry wanted a West Virginia map on the floor of his office. Justice Loughry hand-sketched the West Virginia map and the placement of his furniture on a shell floor plan of his office, which also included his handwritten notes about other items he wanted for his office and their locations.

15. Justice Loughry wanted Tucker County to stand out on the map. He wanted the granite that was selected for his bathroom floor to be used for Tucker County.

16. Justice Loughry was updated throughout the project. I do not recall any surprises regarding the map.

17. I was asked by Justice Davis about a written or oral policy on allowing the Justices to have a home office with furniture provided by the Court, and I drafted a memo to Justice Davis in response to her request.

18. I was first made aware that a couch was at Justice Loughry's house when I received a call from Paul Mendez, a Court employee who works for my Division, informing me that he had been instructed to go to Justice Loughry's house and remove a green leather couch. During that phone call, Mr. Mendez also informed me that Justice Loughry had a Cass Gilbert desk at his house that he also wanted to remove, but they were only getting the couch at that time.

19. At the time of the phone call from Mr. Mendez referenced above, I did not know that a Cass Gilbert desk or any other Court furniture was located at Justice Loughry's residence.

20. Other than Mr. Mendez, the only information that I had about the couch being returned to the warehouse was from information that I saw on social media.

21. It is my understanding that the couch was picked up on a Monday and the desk was supposed to be removed on the following day. However, Paul Mendez told me that Justice Loughry called off the removal of the desk for the following day and told Paul to be on standby because Justice Loughry wanted to wait until his neighbor left so that pictures wouldn't be taken and posted on social media again.

22. A few days after the couch and desk were both delivered to the warehouse, I went to the warehouse and observed and photographed the couch and the desk.

23. I received a phone call from Justice Loughry on the evening of January 4, 2017, which was the day that Steve Canterbury was fired. Justice Loughry called me at night on my personal cell

phone and asked me to keep our conversation off the record. He informed me that he had fired Steve Canterbury. He also said that it was his understanding that I was a spy or loyal to Steve Canterbury, but I had nothing to worry about because they liked me. I felt like this was a threat and feared for my employment with the Court.

24. It is my understanding that Justice Loughry also made a similar statement to my former assistant, Tamerra Gilmore. Based on information and belief, while I was out of the office on Court business, Justice Loughry instructed Tamerra to come into his office and shut the door, and then told Tamerra that he believed that she and I were spies for Steve Canterbury. Tamerra found another job and resigned from her position with the Court shortly thereafter.

25. On October 18, 2017, Sue Troy came to my office and requested my files on the renovations to Justice Loughry's office and Justice Davis' office. I provided her with my files on that date.

26. On the following day, October 19, 2017, I was contacted by Joan Mullins in the Administrative Office, and I was told that Judge Johnson wanted to see me in his office immediately. When I arrived at Judge Johnson's office, Justice Loughry was sitting at a table with administrative counsel sitting on both sides of him. Judge Johnson and Sue Troy were also present. Justice Loughry began questioning me about the costs associated with his office. Justice Loughry asked me if I recalled a meeting with him where I had written down on a piece of paper the cost for Justice Ketchum and Justice Workman's offices, and I said that I did not. During this same meeting, Justice Loughry said that he had specifically told me over and over again that regardless of what is spent on his office, it was not to cost more than Justice Ketchum or Justice Workman's office, and he asked me if I recalled that conversation, and I said no. I felt like he was trying to intimidate me and coerce me to lie.

27. Not long after the October 19, 2017, meeting in Judge Johnson's office, my personal office was relocated from an office suite located down the hall from the Court's main Administrative Office to a smaller office located within the Court's main Administrative Office between the offices of the Court's two Administrative Counsel who were present at the October 19, 2017, meeting.

Kimberly Ellis  
Kimberly Ellis

STATE OF Florida :

COUNTY OF Volusia, to-wit:

Kimberly Ellis, being personally known to me, appeared before me in my said County and State on the 19th day of July, 2018, and after being duly sworn, says that the information in the foregoing Affidavit is true to the best of her information and belief; and wherein stated to be upon information, she believes said statements to be true.

Caroline B Michie  
NOTARY PUBLIC



CAROLINE B MICHIE  
Commission # GG 111726  
Expires June 5, 2021  
Bonded Thru Budget Notary Services

My commission Expires: 5-5-21