APPENDIX-2

The following are violations of rules of the Tennessee Code of Judicial Conduct committed by Judge Michael Weimar Binkley:

- 1.1 Compliance with the Law (when he asserted jurisdiction over the estate despite the bankruptcy court have original and exclusive jurisdiction; when he violated the ADA;)
- 1.2 Promoting Confidence in the Judiciary ("The test for appearance of impropriety is whether the conduct would create in reasonable minds a perception that the judge violated this Code or engaged in other conduct that reflects adversely on the judge's honesty, impartiality, temperament, or fitness to serve as a judge")
- 2.2 Impartiality and Fairness (when he violated law; when he prevented Mr. Fenton from explaining his disability; when he declined to act on Mr. Fenton's answer/counterclaim)
- 2.3 Bias, Prejudice, and Harassment (when commented during the August 1 and 29, 2019, hearings: "Fair is something you do in the fall;" and said Mr. Fenton's disability "bothers" him and said "But we all have burdens," making light of Mr. Fenton's disability.)
- 2.5 Competence, Diligence, and Cooperation (clearly lacking competence when he said during the August 1, 2019, hearing, "are we Chancery or Circuit?" and "Any possibility she could be an innocent spouse? I don't know how that works anymore.")
- 2.6 Ensuring the Right to be Heard (when he blocked Mr. Fenton from explaining his disability and declined to rule on his answer/counterclaim)
- 2.9 *Ex Parte* Communications (when he had conversations with Story regarding Mr. Fenton's handwritten note he left at the residence for Ms. Fenton)
- 2.15 Responding to Judicial and Lawyer Misconduct
- 3.10 which states "A judge shall not practice law." After saying earlier in the August 29, 2019, hearing, "We can't sit here and be your lawyer for you," judge said to Mr. Fenton, "You're going to sign this contract now." In a best-case scenario: the contract should be void/voidable because Mr. Fenton was forced to sign; worst-case: Judge Binkley was acting as Mr. Fenton's attorney as he just stated he was not going to do by giving him "advice" to sign, which is a violation of ethics/judicial canon.