UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

   John Edward Dowdell

2. **Position**: State the position for which you have been nominated.

   United States District Judge for the Northern District of Oklahoma

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

   Norman Wohlgemuth Chandler & Dowdell, P.C.
   2900 Mid-Continent Tower
   401 South Boston Avenue
   Tulsa, Oklahoma 74103

4. **Birthplace**: State year and place of birth.

   1955; Tulsa, Oklahoma

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

   1978 – 1981, University of Tulsa School of Law; J.D., 1981
   1973 – 1978, Wake Forest University; B.A., 1978

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

   1983 – present
   Norman Wohlgemuth Chandler & Dowdell, P.C.
   (f/k/a Norman & Wohlgemuth; Norman Wohlgemuth & Thompson)
   2900 Mid-Continent Tower
   401 South Boston Avenue

Tulsa, Oklahoma 74103
Shareholder and Director (1987 – present)
Associate (1983 – 1987)

1981 – 1983
The Honorable William J. Holloway, Jr.
United States Court of Appeals for the Tenth Circuit
2301 U.S. Courthouse
200 Northwest Fourth Street
Oklahoma City, Oklahoma 73102
Law Clerk

1979 – 1981
Eagleton, Eagleton & Owens
1606 First National Bank Building
Tulsa, Oklahoma 74103
Law Clerk

1978 – 1979
Ashland Warren, Inc.
675 Massachusetts Avenue
Cambridge, Massachusetts 02139
Truck Driver

1978
Crutcher Resource Corporation
10700 East Independence
Tulsa, Oklahoma 74116
Assistant to Draftsman

1978
Office Overload 1970, Inc.
3435 Wilshire Boulevard
Los Angeles, California 90010
Construction Helper

<u>Other Affiliations (uncompensated):</u>

2001 – 2007
Bishop Kelley High School
3905 South Hudson Avenue
Tulsa, Oklahoma 74135
Board of Directors (2001 – 2007)
President (2004 – 2007)

2005 – 2006
Junior Comet Football Association
6737 East 65th Street
Tulsa, Oklahoma 74133
President

1999 – 2001
Council Oak Chapter of the American Inns of Court
1229 King Street, Second Floor
Alexandria, Virginia 22314
(no set local address)
President (2000 – 2001)
President-Elect (1999 – 2000)

1994
Just Cause, Inc.
2900 Mid-Continent Tower
401 South Boston Avenue
Tulsa, Oklahoma 74103
Incorporator/Director

7. **Military Service and Draft Status**: Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

   I have not served in the military. I registered for the selective service.

8. **Honors and Awards**: List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

   Oklahoma Super Lawyers (2006 – 2011)

   Top Commercial Litigation Lawyers (American Litigation Magazine)

   Jack R. Givens Award for Professionalism and Service (1998)

   Distinguished Service Award of the American Inns of Court (1993)

   Master, Council Oak Chapter of the American Inns of Court

   Bishop Kelley High School Hall of Fame (2007)

   Bishop Kelley High School Athletic Hall of Fame (2011)

9. **Bar Associations**: List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

American Bar Association

Council Oak Chapter of the American Inns of Court (1990 – present)
  President (2000 – 2001)
  President-Elect (1999 – 2000)

Criminal Justice Act Panel in the Northern District of Oklahoma

Criminal Justice Act Panel in the Tenth Circuit Court of Appeals

Federal Bar Association

Magistrate Judge Selection Committee for the Northern District of Oklahoma
  Member (2002)
  Chair (1998)

Oklahoma Bar Association
  Editorial Board (2003)

Tulsa County Bar Association
  Court Operations Committee
    President (1998 – 1999)
    Vice-Chair (1997 – 1998)
  Named by the President of Tulsa County Bar Association to serve as a non-voting member of the Tulsa County District Judges' committee for selection of two Special District Judges (1998 and 1999)

10. **Bar and Court Admission**:

a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

   Oklahoma, 1983

   There has been no lapse in membership.

b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

   Supreme Court of the United States, 1986

United States Court of Appeals for the Tenth Circuit, 1983
United States District Court for the Northern District of Oklahoma, 1983
United States District Court for the Western District of Oklahoma, 2002
Oklahoma Supreme Court, 1983

There have been no lapses in membership.

11. **Memberships**:

a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Amnesty International (1983 – 1993)

Bishop Kelley High School
    Board of Directors (2001 – 2007)
    President (2004 – 2007)

Junior Comet Football Association
    President (2005 – 2006)

Just Cause, Inc.
    Incorporator/Director (1994)

The Summit Club (1992 – present)

The Tulsa Club (1983 – 1991)

Tulsa Country Club (1990 – 2007)

Tulsa Public Facilities Authority (2003 – 2006)

b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To the best of my knowledge, none of the above organizations discriminates, or has ever discriminated, on the basis of race, sex, religion or national origin.

12. **Published Writings and Public Statements**:

a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

I have not authored any books, articles, reports, editorial pieces, or other published material. I have a vague recollection of authoring approximately one to three letters to the editor during college and shortly thereafter. I was unable to locate these publications and do not recall their substance.

b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I have not prepared or contributed in the preparation of any such reports, memoranda or policy statements.

c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

From 2003 to 2006, I served on the Tulsa Public Facilities Authority and occasionally made comments during board meetings. I have been unable to obtain copies of meeting minutes.

d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

October 14, 2011: I gave remarks upon being inducted to the Bishop Kelley Athletic Hall of Fame, Tulsa, Oklahoma. Outline supplied.

May 14, 2010: I spoke at a Tenth Circuit habeas corpus seminar in Tulsa, Oklahoma. Outline supplied.

January 28, 2007: I gave remarks upon being inducted to the Bishop Kelley Hall of Fame, Tulsa, Oklahoma. Outline supplied.

May 2001: I moderated an American Inns of Court banquet, during which I gave a brief introduction speech for the Honorable Claire V. Eagan, the recipient of the Jack R. Givens Award for "Furtherance of Excellence in the Practice of Law." Tulsa, Oklahoma. Remarks supplied.

1997: I gave brief remarks during an event at Bishop Kelley High School's gymnasium celebrating the completion of the Home Field Advantage fundraising campaign, and introduced the President of the school, Brother David Poos. I have no notes, transcript or recording. The address of Bishop Kelley High School is 3905 South Hudson Avenue, Tulsa, Oklahoma 74135.

November 17, 1995: I gave a presentation at a program entitled "Practitioners Guide to the Supreme Court's 1994-95 Term." The program was sponsored by the University of Tulsa College of Law. I recall that my presentation included discussion of *Liteky v. United States*, 510 U.S. 540 (1994), which examined the question of whether recusal under 28 U.S.C. § 455(a) is subject to the limitation of the extra-judicial source doctrine. I have no notes, transcript, or recording, but press coverage is supplied. The address of the College of Law is 3120 East Fourth Place, Tulsa, Oklahoma 74104.

November 1995: I gave a brief introduction speech for the Honorable James O. Ellison, at the 1995 President's Prayer Breakfast at the Oklahoma Bar Association's Annual Convention, Tulsa, Oklahoma. Outline supplied.

December 14, 1994: I participated in the presentation of a Continuing Legal Education program entitled "Business Torts." I have no notes, transcript or recording. The presentation was sponsored by the Tulsa County Bar Association, 1446 South Boston Avenue, Tulsa, Oklahoma 74119.

August 27, 1993: I gave an introductory speech for the Honorable William J. Holloway, Jr., United States Circuit Judge, at the Philbrook Museum of Art, Tulsa, Oklahoma. The speech was addressed to the Tulsa chapters of the American Inns of Court. Outline supplied.

September 24, 1990: I gave a presentation at the Council Oak American Inn of Court meeting held at the federal courthouse in Tulsa, Oklahoma. The presentation related to opening statements, but I have been unable to recall more specific details. I have no notes, transcript or recording. The Inn of Court does not have a physical address.

October 13 and 20, 1989: I spoke at an Oklahoma Bar Association seminar titled "The Rights of Borrowers with the FDIC and FSLIC." The topic I co-presented was "Procedural Tricks of the FDIC and FSLIC." The lecture discussed jurisdictional problems and other procedural matters. I have no notes, transcript or recording. The address of the Oklahoma Bar Association is 1901 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105.

I gave brief remarks during an American Inns of Court program devoted to the topic of whether the Inn's name ("Robert D. Hudson") should be changed following the discovery of evidence suggesting that Mr. Hudson had been associated with the Ku Klux Klan. Those remarks were delivered at the federal courthouse in Tulsa, Oklahoma, but I have been unable to recall the date of my remarks. I have no notes, transcript or recording. I do recall that I was responsible for coordinating the group of speakers who supported changing the Inn's name due to Mr. Hudson's association with the Ku Klux Klan, and that my own remarks supported changing the name of the Inn.

I vaguely recall speaking on the topics of (i) the Sherman Act and claims under it and (ii) representing clients in grand jury proceedings and the differences between federal and state grand juries. I do not recall where or when these presentations were given and I have no notes, transcripts or recordings from them.

e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Russell Ray, *Williams Settles Suit on 401(k)*, Tulsa World, Sept. 20, 2005. Copy supplied.

April 27, 2005: Interview with Teresa Chen for the article, *The Youngblood Success Stories: Overcoming the "Bad Faith" Destruction of Evidence Standard*, 109 W. Va. L. Rev. 421 (2007). Copy supplied.

Kelly Patricia O'Meara, *Medical Abuse of Children?*, Insight on the News, Sept. 11, 2000. Copy supplied.

Danny M. Boyd, *Rulings Narrow Scope of Federal Lawsuits against Head Start, Others*, Associated Press, July 26, 2000. Copy supplied.

Don Diehl, *Case Involving Physical Examinations to Proceed*, Daily Oklahoman, July 26, 2000. Copy supplied.

Bill Braun, *Judge Refuses to Bar Retrial of Bell in Slaying of Spouse*, Tulsa World, July 13, 1996. Copy supplied.

Bill Braun, *Mrs. Bell's Reversal Stands*, Tulsa World, Feb. 22, 1996. Copy supplied.

Bill Braun, *Appeal Puts Off Bell's Arraignment*, Tulsa World, Jan. 16, 1996. Copy supplied.

Julie DelCour, *Bell Posts Bond of $30,000*, Tulsa World, Sept. 20, 1995. Copy supplied.

Bill Braun, *Bell Verdict Voided*, Tulsa World, Aug. 18, 1995. Copy supplied.

Bill Braun, *Retrials to Top Docket*, Tulsa World, July 30, 1995. Copy supplied.

Bill Braun, *3 More Inmates to Receive New Trials*, Tulsa World, July 4, 1995. Copy supplied.

Bill Braun, *Phrase Voids Fifth Conviction*, Tulsa World, Apr. 27, 1995. Copy supplied.

Julie DelCour, *Appeals Court Finds FAA Tossed Key Trial Evidence*, Tulsa World, May 24, 1994. Copy supplied.

Robert E. Boczkiewicz, *2 Vinita Executives Win Appeal in Fraud Case*, Daily Oklahoman, May 21, 1994. Copy supplied.

Julie DelCour, *Former Attorney General Headlines Legal Gathering*, Tulsa World, Aug. 22, 1993. Copy supplied.

Julie DelCour, *Criticized Tulsa Firm Keeps Hissom Work*, Tulsa World, Sept. 26, 1992 (quotes reprinted in multiple outlets). Copy supplied.

Brian Ford, *Hissom Vendor Fires Back at State Auditor, Senate Foe*, Tulsa World, July 8, 1992. Copy supplied.

Donnelle Eller, *Billing Claims 'Baseless'*, Tulsa World, July 8, 1992. Copy supplied.

Kim Archer, *Truce Sought, but Bills Still Debated*, Tulsa World, July 1, 1992. Copy supplied.

Donnelle Eller, *Haggling over Hissom*, Tulsa World, July 1, 1992. Copy supplied.

Brian Ford, *Attorney Maintains Bill to State Justified*, Tulsa World, May 2, 1992. Copy supplied.

Mick Hinton, *Hissom Contractor's Bill Questioned*, Daily Oklahoman, Apr. 28, 1992. Copy supplied.

Brian Ford, *Tulsa Firm Retaliates for Audit by Billing State*, Tulsa World, Apr. 28, 1992. Copy supplied.

Donnelle Eller, *Audit Report Delayed*, Tulsa World, Apr. 27, 1992. Copy supplied.

Staff, *Audit Lawsuit at Issue*, Tulsa World, Apr. 27, 1992. Copy supplied.

John M. Wylie II, *Aunt Lucy's Stay in Talala Assured*, Oologah Lake Leader, June 14, 1990. Copy supplied.

Linda Martin, *Lucy Walker Staying in Oklahoma for Good*, Tulsa World, June 12, 1990. Copy supplied.

Landon Jones, *Settlement Elates Family*, Tulsa Tribune, June 12, 1990. Copy supplied.

John M. Wylie II, *Aunt Lucy Case Goes to OSBI*, Oologah Lake Leader, May 24, 1990. Copy supplied.

John M. Wylie II, *Guardianship Papers Altered, Attorney Admits*, Tulsa World, May 19, 1990. Copy supplied.

Linda Martin, *Fraud Claimed in Effort to Move Lucy Walker*, Tulsa World, May 12, 1990. Copy supplied.

Staff, *Custody Decision is Delayed*, Tulsa World, May 10, 1990. Copy supplied.

Linda Martin, *No Settlement Reached in Custody Case*, Tulsa World, May 10, 1990. Copy supplied.

13. **Judicial Office**: State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

I have not held any judicial offices.

a. Approximately how many cases have you presided over that have gone to verdict or judgment? ______

i. Of these, approximately what percent were:

jury trials:	___%
bench trials:	___% [total 100%]
civil proceedings:	___%
criminal proceedings:	___% [total 100%]

b. Provide citations for all opinions you have written, including concurrences and dissents.

c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

e. Provide a list of all cases in which certiorari was requested or granted.

f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.

g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

14. **<u>Recusal:</u>** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to

an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not served as a judge.

a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;

b. a brief description of the asserted conflict of interest or other ground for recusal;

c. the procedure you followed in determining whether or not to recuse yourself;

d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

15. **Public Office, Political Activities and Affiliations**:

a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

   I have not held public office. I have not had any unsuccessful candidacies for elective office or unsuccessful nominations for appointed office.

b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

   I have not held an office in or rendered services to any political party or election committee. I have never held a position or played a role in a political campaign.

16. **Legal Career:** Answer each part separately.

a. Describe chronologically your law practice and legal experience after graduation from law school including:

   i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I served as a law clerk for the Honorable William J. Holloway, Jr. of the United States Court of Appeals for the Tenth Circuit from 1981 to 1983.

ii. whether you practiced alone, and if so, the addresses and dates;

I have not practiced alone.

iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

1983 – present
Norman Wohlgemuth Chandler & Dowdell, P.C.
(f/k/a Norman & Wohlgemuth, Norman Wohlgemuth & Thompson)
2900 Mid-Continent Tower
401 South Boston Avenue
Tulsa, Oklahoma 74103
Shareholder and Director (1987 – present)
Associate (1983 – 1987)

iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

Starting in 1999, I began to serve as an Adjunct Settlement Judge in the U.S. District Court for the Northern District of Oklahoma on a pro bono basis. Since that time, my mediation practice has expanded to include private engagements in a wide range of disputes.

Mediations in private practice

1. *Williams Welding v. Enogex, LLC.*
   This case centered on Williams Welding's construction of a forty-two mile gas pipeline for Enogex. At great expense, the pipeline was constructed, but claims and counterclaims were asserted as to lost opportunities, contract breaches, timeliness, billings, and estoppel. The case was resolved.

2. *Confidential v. Confidential.*
   A financial advisor employed by a prominent brokerage firm was also the chairman of the board for a client of the brokerage firm. The client made a significant investment in a single stock at a time that intersected with the turbulent market of 2000 to 2002, which raised fiduciary issues between the firm and the financial advisor. The case was resolved.

3. *Confidential v. Confidential.*
This intellectual property case involved a new technology for vaporless fuel cells with potential military, automotive, and aerospace applications. A licensing agreement was entered, by which the inventor received a sizeable initial payment from investors. Disputes arose as to the best means of developing and marketing the product, and promising marketing opportunities were lost. The case was resolved.

4. *In re Trinity Precision Flow Control, LLC.*
Trinity was an exclusive distributor, in North America and Mexico, of valves and related pipeline products provided by Valbart, an Italian valve manufacturer. The bulk of Trinity's inventory was manufactured by Valbart. Three individuals loaned money to Trinity shortly before Trinity sought Chapter 11 bankruptcy protection. Claims were filed in several forums. After a two-day mediation and continued discussions over the following months, the case was resolved.

5. *ESCO Financial v. Dent-A-Med Inc.*
Dent-A-Med Inc. ("DAMI") facilitated financing for the purchase of certain dental, hearing, and other medical products. DAMI and ESCO entered into a marketing agreement, which provided ESCO a fee for its marketing services. Disputes arose as to the parties' respective performance under the agreement. The case resolved two weeks after the mediation session by way of continued discussions.

6. *TransLink, Inc. v. Vogle, et al.*
TransLink was a remotely owned freight logistics business. Its local employees ultimately sought to acquire TransLink. Failing in that endeavor, several employees established a new company which prompted charges of misappropriation of trade secrets, breach of fiduciary duty, and conversion. The case was resolved.

7. *Ragland v. Benjamin, et al.*
Ragland, the principal of a construction company, brought claims against the Benjamins for non-payment. The Benjamins brought counterclaims for negligent work and fraud, and sought punitive damages for the work performed at their home. The parties relied upon a number of oral agreements and several versions of a written agreement. The case was resolved.

8. *Gordon, et al. v. Tate, et al.*
Claimants brought claims for fraud, breach of fiduciary duty, and suitability under the Oklahoma Securities Act, as to the respondent financial advisors and their employer. Claimants, one of whom was a

high level executive of a publicly traded company, were experienced in financial and investment matters. The case was resolved.

Mediations as an Adjunct Settlement Judge

9. *Fenix v. Sheltering Palms, et al.*
Fenix was a constructor of housing projects for lower income, elderly, and handicapped families. GMAC, the lender, entered into a building loan agreement with Sheltering Palms, the borrower. Pursuant to the National Housing Act, HUD insured the lender in case of default by the owner. Near completion of the project, Fenix was notified that Sheltering Palms' payments on the loan were not current and that a default notice had been filed. Payments to Fenix stopped, impacting its working capital and ability to obtain other public works projects. Fenix asserted that HUD was unjustly enriched. The case was resolved.

10. *Confidential v. Confidential.*
Age and race claims were asserted against an international airline. The case was resolved.

b. Describe:

i. the general character of your law practice and indicate by date when its character has changed over the years.

The general character of my law practice has always consisted of both civil and criminal litigation, including appeals, in a wide array of substantive matters.

From 1983 to 1987, my practice largely consisted of banking and savings and loan litigation, business litigation, and federal criminal defense. During this timeframe, I devoted a great deal of my time to three lengthy criminal trials and extensive pro bono work on appellate proceedings in a capital case.

I became a shareholder in the firm in 1987, which coincided with an increased level of complex commercial litigation in my practice. During this period, I was involved in a series of antitrust cases involving private jet aircraft engine overhaul and maintenance facilities. I also devoted significant time to litigation in the cable television industry. My criminal defense practice continued to grow. My practice also included a number of U.S. Securities and Exchange Commission investigations.

In the 1990s, my practice included significant work in the oil and gas industry, take-or-pay litigation, and defense of class actions within the energy sector. My practice in the criminal defense area continued, but much of the work during this time was related to securities disputes, including penny-stock investigations and enforcement proceedings.

From the late 1990s to the present, my practice has consisted of class action matters in a variety of industries, including energy, ERISA, products liability, and various consumer issues. I continue to represent individuals and business entities in complex federal litigation, and to devote significant time, as lead counsel, to two capital habeas matters, with the assistance of other attorneys in my firm.

ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

When I joined my firm in 1983, my practice consisted of banking-related cases, litigation for small to medium size companies in civil matters, and criminal defense of individuals.

After I became a shareholder in the firm in 1987, the complexity of the cases expanded. During this period, the majority of the firm's litigation practice was in federal court or before federal agencies, such as the SEC. Representative clients included oil and gas, telecommunications, and insurance companies in complex litigation.

In the late 1990s to the present, my practice has experienced a growth of clients in the oil and gas industry, as well as state and federal securities-related transactions and disputes. This is also a period during which more complex matters have been litigated by my firm, including class litigation.

c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

The entirety of my practice has always been in litigation. I have appeared frequently in court throughout my practice.

i. Indicate the percentage of your practice in:
   1. federal courts: 55%
   2. state courts of record: 40%
   3. other courts: 0%
   4. administrative agencies: 5%

ii. Indicate the percentage of your practice in:
   1. civil proceedings: 70%
   2. criminal proceedings: 30%

d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

Fifteen. I was sole counsel in two trials, chief counsel in five, and associate counsel in eight.

i. What percentage of these trials were:

1. jury:	47%
2. non-jury:	53%

e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have been involved in two cases where certiorari was granted by the Supreme Court of the United States:

Stout v. Oklahoma, 486 U.S. 1050, 108 S. Ct. 2814 (1988) (lead counsel and authored petition for writ of certiorari; petition was granted and case remanded without further briefing or oral argument). Copy supplied.

United States v. Williams, 504 U.S. 39, 112 S. Ct. 1735 (1992) (response to petition for writ of certiorari and brief for respondent) (co-counsel and lead on Supreme Court briefing, oral argument by lead counsel, James C. Lang). Copy supplied.

I have been involved in four other cases in which certiorari was sought but denied:

Williams Controls, Inc. v. Cuesta, No. 09-81, *cert. denied* (brief in opposition) (minimal role in Supreme Court briefing). Copy supplied.

Community Action Project of Tulsa County v. Dubbs, No. 03-795, *cert. denied* (petition for writ of certiorari) (minimal role in Supreme Court briefing). Copy supplied.

Mignot v. Massie, No. 03-767, *cert. denied* (petition for writ of certiorari) (lead counsel, supervisory role in Supreme Court briefing). Copy supplied.

Oklahoma v. Bell, No. 95-783, *cert. denied* (brief in opposition) (lead counsel and authored all Supreme Court briefing). Copy supplied.

17. **Litigation**: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

   a. the date of representation;

   b. the name of the court and the name of the judge or judges before whom the case was litigated; and

   c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

      1. *United States v. Bohl, et al.*, 90-CR-105-B, U.S. District Court for the Northern District of Oklahoma, Honorable Thomas R. Brett, 1990 – 1994.
      Appeal: 25 F.3d 904 (10th Cir. 1994).

      Mr. Bohl and his co-defendant were the Vice President and President, respectively, of a company which entered into a contract with the Federal Aviation Administration ("FAA") to design and construct over 70 radar and radio transmission towers throughout the country. The defendants were charged with conspiracy, submission of false claims, aiding and abetting, and mail fraud in connection with the FAA contract. I represented Mr. Bohl in all phases of the litigation. The defendants asserted that the towers were constructed with steel in conformance with the FAA contract, and thus sought preservation of the steel which the government contended was defective. Aside from a small amount of shavings and a fragment of a tower leg, all other steel had been sold, lost or destroyed, leaving the defendants without a meaningful opportunity to test the government's evidence. The defendants were convicted of all charges except conspiracy. The Tenth Circuit reversed and remanded with instructions to dismiss the indictment. This case is one of the very few reported cases where the *Youngblood* standard for dismissal has been met.

Co-defendant's counsel:	Allen M. Smallwood, Esq. 1310 South Denver Avenue Tulsa, Oklahoma 74119 (918) 582-1993
Opposing counsel:	Neal B. Kirkpatrick, Esq. 3223 East 31st, Suite 107 Tulsa, Oklahoma 74105 (918) 949-4060

2. *United States v. Cook*, U.S. District Court for the Northern District of Oklahoma, CR-89-107-JOE, Honorable James O. Ellison, 1993 – 1996. Appeal: 45 F.3d 388 (10th Cir. 1995).

   Mr. Cook was convicted of possessing cocaine with intent to distribute. His trial counsel had been retained to represent Mr. Cook and his two co-defendants, Ms. Cross and Ms. Burdine. Before trial, Ms. Cross pleaded guilty and agreed to testify against Mr. Cook. At trial, however, Ms. Cross refused to testify. The district court instructed Mr. Cook's counsel to have a private consultation with Ms. Cross, her counsel, and the prosecutor regarding her refusal to testify. After that meeting, Ms. Cross returned to the stand and gave damaging testimony against Mr. Cook, who was convicted. On appeal, Mr. Cook's counsel did not raise any issue as to his conflict of interest during the Cross meeting. I represented Mr. Cook on his ineffective assistance of counsel claim. The Tenth Circuit concluded that Mr. Cook received ineffective assistance of trial and appellate counsel due to the conflict of interest.

   Opposing counsel:

   James L. Swartz, Esq.
   Assistant United States Attorney
   110 West Seventh Street, Suite 300
   Tulsa, Oklahoma 74119
   (918) 382-2700

3. *Stout v. Oklahoma*, 486 U.S. 1050, 108 S. Ct. 2814 (1988) (memorandum *per curiam* decision), 1984 – 1992.

   On November 4, 1979, Mr. Stout was found guilty of two counts of murder in the first degree and sentenced to death. The jury determined that two aggravating circumstances existed, one of which was Oklahoma's "especially heinous, atrocious, or cruel" aggravating circumstance. In 1984, I was contacted by Mr. Stout's counsel and asked to assume the lead counsel role in further appellate proceedings. Over the next four years, I filed three applications for post conviction relief in Oklahoma's Court of Criminal Appeals, and obtained three stays of execution, one of which was issued by the United States Supreme Court. On June 13, 1988, the Supreme Court granted Mr. Stout's Petition for a Writ of Certiorari, vacated the Oklahoma Court of Criminal Appeals' decision, and remanded for further consideration in accordance with *Maynard v. Cartwright*, 486 U.S. 356, 108 S. Ct. 1853 (1988), which was decided the same day. Upon re-sentencing, Mr. Stout was sentenced to life without parole. My representation of Mr. Stout was pro bono.

   Co-counsel:

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   Hugo, Oklahoma 74743
   (405) 326-6453

Opposing counsel:

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(918) 587-3161

Robert Henry, Esq.
President of Oklahoma City University
2501 North Blackwelder
Oklahoma City, Oklahoma 73106
(405) 208-5000

4. *Cannon v. Mullin*, 99-CV-297, U.S. District Court for the Northern District of Oklahoma, Honorable Terence C. Kern, 2005 – present.
Appeal: 385 F.3d 1152 (10th Cir. 2004).

Mr. Cannon was convicted in Oklahoma state court of First Degree Murder and sentenced to death. After exhausting available avenues of appeal in the state system, Mr. Cannon sought federal habeas relief. Mr. Cannon was denied relief in the district court, but the Tenth Circuit remanded three ineffective assistance of counsel ("IAC") claims on appeal. I represented Mr. Cannon in the remanded proceedings. To overcome any procedural bar of the IAC claims, it was necessary to establish that Mr. Cannon was not afforded direct appeal counsel who was constitutionally "separate" and independent from his trial counsel. In a bench trial, it was established that appellate and trial counsel were not separate, thus precluding appellate counsel from functioning in accordance with constitutionally mandated standards. Procedural bars imposed under Oklahoma law were thus lifted, and Mr. Cannon's IAC claims are ongoing in the district court at this time.

Co-counsel:

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(918) 582-3044

Opposing counsel:

Jennifer J. Dickson, Esq.
State of Oklahoma, Attorney
112 State Capitol Building
Oklahoma City, Oklahoma 73105
(405) 521-3921

5. *McKissick v. Yuen, et al.*, CV-04-262-JHP-TLW, U.S. District Court for the Northern District of Oklahoma, Honorable James H. Payne, 2004 – present.
Appeal: 618 F.3d 1177 (10th Cir. 2010).

Ms. McKissick, a former Gemstar-TV Guide executive, sued Gemstar and two of its former officers, alleging fraud, negligent misrepresentation, and a violation of the Securities Exchange Act. Ms. McKissick claimed that the defendants had artificially inflated the value of Gemstar's stock, while at the same time inducing her to delay the sale of her stock options until the bottom fell out. Ms. McKissick sought damages of $7 to $10 million. I served as lead counsel for Gemstar, and successfully obtained summary judgment on McKissick's claims, and on Gemstar's counterclaim against Ms. McKissick, which sought attorney fees incurred in defending against her claims. Ms. McKissick appealed. The Tenth Circuit ruled that Ms. McKissick's claims were indeed barred by a separation and release agreement she had executed at the time of her termination from Gemstar. Gemstar's entitlement to attorney fees was affirmed, and the appellate court awarded Gemstar attorney fees incurred during the appeal. The amount of Gemstar's fee award is currently being litigated on remand in the Northern District.

Co-counsel:	Jo Lynn Jeter, Esq. Norman Wohlgemuth Chandler & Dowdell, P.C. 401 South Boston Avenue, Suite 2900 Tulsa, Oklahoma 74103 (918) 583-7571
	Christine D. Little, Esq. Ladner & Little, PLLC 320 South Boston Avenue, Suite 1026 Tulsa, Oklahoma 74103 (918) 582-3044
	Lawrence C. Barth, Esq. Munger Tolles & Olson LLP 355 South Grand Avenue, 35th Floor Los Angeles, California 90071 (213) 683-9274
Opposing Counsel:	Donald R. Bradford, Esq. 320 South Boston Avenue, Suite 1130 Tulsa, Oklahoma 74103 (918) 382-0047
Counsel for Co-Defendants Yuen and Leung:	Brian Edward Maas, Esq. Frankfurt Kurnit Klein & Selz PC 488 Madison Avenue

New York, New York 10022
(212) 980-0120

6. *U.S. v. Williams*, 88-CR-52-E, U.S. District Court for the Northern District of Oklahoma, Honorable James O. Ellison, 1988 – 1992.

I served as co-counsel in the representation of Mr. Williams, who was indicted on seven counts of bank fraud. On the day trial was to commence, we sought the district court's further consideration of a dismissal motion based on the government's withholding of substantial exculpatory evidence from the grand jury. Such conduct, we contended, was contrary to decisions of the Tenth Circuit and the Supreme Court. Upon reconsideration, the district court dismissed the indictment, and the Tenth Circuit affirmed that ruling. 899 F.2d 898 (10th Cir. 1990). The Supreme Court granted certiorari and reversed in a five-to-four decision. 504 U.S. 39, 112 S. Ct. 1735 (1992). I was one of four attorneys defending Mr. Williams, but was lead counsel for the motions and briefing associated with the exculpatory evidence arguments throughout the litigation. Despite the Supreme Court's reversal of the lower courts' rulings, the government subsequently dropped its case against Mr. Williams.

Co-counsel:

James C. Lang, Esq. (deceased)
G. Steven Stidham
Sneed, Lang, Herrold
2300 Williams Center Tower II
2 West Second Street
Tulsa, Oklahoma 74103

Joel L. Wohlgemuth, Esq.
Norman Wohlgemuth
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(918) 583-7571

Opposing Counsel:

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Northern District of Oklahoma
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(918) 382-2700

Kenneth Starr, Esq.
Former Solicitor General
Now with Baylor University
Office of the President
One Bear Place #97096

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(254) 710-3555

7. *Krug et al. v. Helmerich & Payne, Inc.*, Tulsa County District Court, CJ-98-06012, Honorable Jefferson D. Sellers, 2007 – present.

   A class consisting of all royalty owners under oil and gas leases in two 640-acre sections in Beckham County, Oklahoma brought suit against my client, Helmerich & Payne, Inc. ("H&P"), in 1998. The plaintiffs alleged that H&P breached contractual and fiduciary duties by allowing uncompensated drainage of natural gas to occur. Plaintiffs also claimed that H&P engaged in constructive fraud and was unjustly enriched by failing to pay royalty amounts allegedly included in H&P's 1989 take-or-pay settlement with ANR Pipeline. I became involved as co-lead counsel in mid-2007, after the litigation had been proceeding for nearly a decade.

   After my involvement commenced, there were numerous hearings and two writ proceedings before the Oklahoma Supreme Court (Case Nos. PR-106332 & MA-106412). The case was tried to a jury on November 3-26, 2008, and the jury returned verdicts in favor of plaintiffs on several theories. The district court found the verdict for constructive fraud in the ANR Settlement ($6.8 million) to be controlling and adopted it. Thereafter, the district court, sitting in equity, imposed an additional award of $112 million as disgorgement of profits.

   I continue to represent H&P on appeal. On August 18, 2011, the Oklahoma Court of Civil Appeals entered an Opinion in Appeal No. DF-106845. The Court affirmed the jury verdicts, but reversed the $112 million disgorgement award. On February 13, 2012, the Oklahoma Supreme Court granted H&P's petition for certiorari related to the jury's verdict, including the $6.8 million award.

   Co-counsel:

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   Norman Wohlgemuth Chandler
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Gable & Gotwals
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Opposing counsel:

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Pezold Barker & Woltz
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(918) 584-0720

8. *State of Oklahoma v. Bell*, CF-93-0479, Tulsa County District Court, Honorable Clifford Hopper, 1993 – 1996.

Ms. Bell was convicted of Second Degree Murder after a lengthy trial in the Tulsa County District Court on September 30, 1993. Ms. Bell was sentenced to twenty years in prison for the murder of her husband. I was hired as co-lead counsel on Ms. Bell's appeal. The review of the record demonstrated that the trial transcripts were grossly defective, including extensive discrepancies and omissions which impacted the fairness of her trial or any potential retrial. The Oklahoma Court of Criminal Appeals remanded the matter to the district court for the purpose of correcting the transcript. In the course of those proceedings, it became clear that the trial judge had routinely deprived defendants of the presumption of innocence. Ms. Bell had been denied that presumption, as the trial court had instructed the jury that she was to be "presumed not guilty" rather than "presumed innocent." The notoriety of Ms. Bell's case hastened the appellate court's review and reversal of 42 convictions which had been tainted by the trial judge's faulty instruction. Ultimately, Ms. Bell was granted a new trial and, after further proceedings in the district court, she entered a plea which permitted her release for time served.

Co-counsel:

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Norman Wohlgemuth
Chandler & Dowdell, P.C.
401 South Boston Avenue, Suite 2900

Tulsa, Oklahoma 74103
(918) 583-7571

Opposing counsel: S.M. "Buddy" Fallis, Esq. (deceased)
Tulsa County District Attorney

9. *In re Williams Companies ERISA Litigation*, 02-CV-153, U.S. District Court for the Northern District of Oklahoma, Honorable Sven E. Holmes; 2002 – 2005.

I was lead Oklahoma counsel in a nationwide class action on behalf of thousands of retirement plan participants, including current and former employees of Tulsa-based Williams Companies. The claims were based on breaches of fiduciary duties by company officials in failing to disclose the true financial condition of Williams and its former telecommunications unit, Williams Communications Group, Inc. As a result, participants were exposed to unreasonable risk which was not disclosed. Instead, the companies encouraged employees to invest their retirement funds in the company's common stock. We obtained a $55 million settlement on behalf of the class in 2005.

Co-counsel: Gary Grotto, Esq.
Laurie Ashton, Esq.
Keller Rohrback, PLC
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Phoenix, Arizona 85102
(602) 248-0088

Lynn L. Sarko, Esq.
Keller Rohrback, LLP
1201 Third Avenue, Suite 3200
Seattle, Washington 98101
(206) 623-1900

Opposing counsel: Graydon Dean Luthey, Jr., Esq.
Hall, Estill, Hardwick,
Gable, Golden & Nelson, P.C.
320 South Boston Avenue, Suite 400
Tulsa, Oklahoma 74103
(918) 594-0400

10. *Walker v. Robbins*, 90-C-377-E, U.S. District Court for the Northern District of Oklahoma, Honorable James O. Ellison, 1990 – 1994.

In 1990, I assumed the representation of Ms. Walker, a legally blind, 92 year old woman. Ms. Walker, referred to by family, friends, and the press as "Aunt Lucy," resided in Talala, Oklahoma, with family members. News accounts reported that a guardian ad litem, armed with a Kansas state court order and a related Oklahoma court order, planned to seize Ms. Walker by body attachment and physically relocate her to Kansas. I was engaged on the afternoon prior to the planned seizure, and prepared a lawsuit which sought preliminary injunctive relief against the guardian. The injunction was granted the next morning. In discovery leading up to the trial, it was discovered that forgeries had been committed in the Kansas court records which were the predicate for the Oklahoma state court order authorizing Ms. Walker's seizure. This discovery led to a prompt resolution of the case on terms that allowed Ms. Walker to stay in Oklahoma.

Co-counsel:

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Norman Wohlgemuth
Chandler & Dowdell, P.C.
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(918) 583-7571

Opposing Counsel:

Marlin R. Davis, Esq.
Marlin R. Davis, P.C.
8908 South Yale Avenue, Suite 245
Tulsa, Oklahoma 74137
(918) 742-0900

18. **<u>Legal Activities</u>**: Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

I have had extensive involvement in grand jury investigations. These engagements have generally involved white collar investigations, many of which have been concluded without prosecution. It has been especially rewarding when close work with prosecutors and government agencies led to a just resolution, without the consequences of indictment or trial. In addition, by appointment of the Chief Judge of the Northern District of Oklahoma, I have presided over more than 50 mediations as an Adjunct Settlement Judge. My work as an Adjunct has spawned my engagement as a private mediator in diverse legal areas over the last several years. The majority of these matters have been successfully resolved during my involvement, and consequentially have had a positive impact on court dockets in Oklahoma.

I have served on judicial selection committees for the appointment of four judges, two United States Magistrate Judges and two Tulsa County Special District Judges. I chaired one of the committees that selected the Magistrate Judges.

I have not performed any lobbying activities.

19. **Teaching**: What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

    I have not taught any courses.

20. **Deferred Income/ Future Benefits**: List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

    None.

21. **Outside Commitments During Court Service**: Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

    No.

22. **Sources of Income**: List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding $500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

    See attached Financial Disclosure Report.

23. **Statement of Net Worth**: Please complete the attached financial net worth statement in detail (add schedules as called for).

    See attached Net Worth Statement.

24. **Potential Conflicts of Interest**:

    a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

I do not anticipate that any family members would present a conflict of interest. My law partners, Joel L. Wohlgemuth, R. Jay Chandler, and Jo Lynn Jeter, as well as the associates in my firm and a few local attorneys who are close personal friends could present conflicts. If confirmed, I would review cases carefully for any actual or potential conflicts of interest. I would, at all times, adhere to the Code of Conduct for United States Judges, and other applicable laws and regulations in handling potential conflicts of interest.

b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

In the event a potential conflict arises, I would rely upon the Code of Conduct for United States Judges and other applicable canons and statutory provisions, including 28 U.S.C § 455 and Canon 3(c), to determine whether an actual or potential conflict exists. Where necessary, I would disclose, recuse or seek reassignment of the case to another judge.

25. **Pro Bono Work**: An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

I have served as an Adjunct Settlement Judge in the Northern District of Oklahoma in over fifty mediations. I have also represented indigent criminal defendants free of charge throughout my legal career, including the representation of a capital defendant over a period of eight years which resulted in a change in his sentence following a favorable ruling in the Supreme Court of the United States. I have also provided free legal services in a variety of civil matters, including the representation of an HIV-positive blood donor whose donation was linked to the death of a child. For over twenty years, I have provided pro bono legal counsel to the high school from which I graduated, including work on matters that were litigated.

26. **Selection Process**:

a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

In my jurisdiction, there is no formal selection commission to recommend candidates for nomination to the federal courts.

On November 27, 2009, I sent letters to Senator Tom Coburn, Senator Jim Inhofe, and Congressman Dan Boren, conveying my interest in being considered for nomination as a United States District Judge for the Northern District of Oklahoma. These letters included a short resumé.

Since October 13, 2011, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On December 7, 2011, I met with officials from the White House Counsel's Office and the Department of Justice in Washington, D.C. On February 20, 2012, I met with Senator Inhofe in his Tulsa office. On February 29, 2012, the President submitted my nomination to the Senate.

b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.

AO 10
Rev. 1/2011

FINANCIAL DISCLOSURE REPORT
NOMINATION FILING

Report Required by the Ethics in Government Act of 1978 (5 U.S.C. app. §§ 101-111)

1. Person Reporting (last name, first, middle initial)	2. Court or Organization	3. Date of Report
Dowdell, John E.	Northern District of Oklahoma	2/29/2012
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)	5a. Report Type (check appropriate type)	6. Reporting Period
District Judge	☑ Nomination, Date 02/29/2012 ☐ Initial ☐ Annual ☐ Final 5b. ☐ Amended Report	1/1/2011 to 2/28/2012
7. Chambers or Office Address	8. On the basis of the information contained in this Report and any modifications pertaining thereto, it is, in my opinion, in compliance with applicable laws and regulations.	
401 S. Boston Ave., Suite 2900 Tulsa, OK 74103	Reviewing Officer__________ Date______	

IMPORTANT NOTES: *The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information. Sign on last page.*

I. POSITIONS. *(Reporting individual only; see pp. 9-13 of filing instructions.)*

☐ NONE *(No reportable positions.)*

	POSITION	NAME OF ORGANIZATION/ENTITY
1.	Shareholder and Director	Norman Wohlgemuth Chandler & Dowdell, P.C.
2.		
3.		
4.		
5.		

II. AGREEMENTS. *(Reporting individual only; see pp. 14-16 of filing instructions.)*

☑ NONE *(No reportable agreements.)*

	DATE	PARTIES AND TERMS
1.		
2.		
3.		

Name of Person Reporting	Date of Report
Dowdell, John E.	2/29/2012

III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see pp. 17-24 of filing instructions.)*

A. Filer's Non-Investment Income

☐ NONE *(No reportable non-investment income.)*

DATE	SOURCE AND TYPE	INCOME (yours, not spouse's)
1. 2010	Norman Wohlgemuth Chandler & Dowdell, P.C.	$563,822.77
2. 2011	Norman Wohlgemuth Chandler & Dowdell, P.C.	$318,138.00
3. 2012	Norman Wohlgemuth Chandler & Dowdell, P.C.	$13,333.32
4.		

B. Spouse's Non-Investment Income - *If you were married during any portion of the reporting year, complete this section.*

(Dollar amount not required except for honoraria.)

☐ NONE *(No reportable non-investment income.)*

DATE	SOURCE AND TYPE
1. 2011	Family & Children's Services - salary
2. 2011	School of St. Mary - salary
3. 2012	School of St. Mary - salary
4.	

IV. REIMBURSEMENTS – *transportation, lodging, food, entertainment.*

(Includes those to spouse and dependent children; see pp. 25-27 of filing instructions.)

☐ NONE *(No reportable reimbursements.)*

SOURCE	DATES	LOCATION	PURPOSE	ITEMS PAID OR PROVIDED
1. Exempt				
2.				
3.				
4.				
5.				

Name of Person Reporting	Date of Report
Dowdell, John E.	2/29/2012

V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*

☐ NONE *(No reportable gifts.)*

	SOURCE	DESCRIPTION	VALUE
1.	Exempt		
2.			
3.			
4.			
5.			

VI. LIABILITIES. *(Includes those of spouse and dependent children; see pp. 32-33 of filing instructions.)*

☐ NONE *(No reportable liabilities.)*

	CREDITOR	DESCRIPTION	VALUE CODE
1.	Chase Bank	credit card	K
2.			
3.			
4.			
5.			

Name of Person Reporting	Date of Report
Dowdell, John E.	2/29/2012

VII. INVESTMENTS and TRUSTS – *income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)*

☐ NONE *(No reportable income, assets, or transactions.)*

	A. Description of Assets (including trust assets)	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	Place "(X)" after each asset exempt from prior disclosure	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1.	Brokerage Account # 1					Exempt				
2.	- Greystone Logistics, Inc.	A	Dividend	J	T					
3.	-American Funds Capital World Fund	B	Dividend	L	T					
4.	-American Funds Growth Fund of America	A	Dividend	K	T					
5.	-American Funds Investment Company of America	A	Dividend	J	T					
6.	-American Funds New Perspective Fund	A	Dividend	K	T					
7.	-American Funds Washington Mutual Fund	A	Dividend	K	T					
8.	-Fidelity Advisor Balanced Fund	A	Dividend	J	T					
9.	-First Eagle Global Fund	A	Dividend	L	T					
10.	-MainStay Government Fund	A	Dividend	J	T					
11.	-Oppenheimer Global Allocation Fund	A	Dividend	K	T					
12.	-Prudential International Equity Fund	A	Dividend	J	T					
13.	-Prudential Jennison Select Growth Fund		None	J	T					
14.	-Templeton Global Opportunities Fund	A	Dividend	J	T					
15.	-UBS U.S. Allocation Fund	A	Dividend	J	T					
16.	-UBS Money Market Account	A	Interest	M	T					
17.										

1 Income Gain Codes (See Columns B1 and D4)	A = $1,000 or less F = $50,001 - $100,000	B = $1,001 - $2,500 G = $100,001 - $1,000,000	C = $2,501 - $5,000 H1 = $1,000,001 - $5,000,000	D = $5,001 - $15,000 H2 = More than $5,000,000	E = $15,001 - $50,000
2 Value Codes (See Columns C1 and D3)	J = $15,000 or less N = $250,001 - $500,000 P3 = $25,000,001 - $50,000,000	K = $15,001 - $50,000 O = $500,001 - $1,000,000	L = $50,001 - $100,000 P1 = $1,000,001 - $5,000,000 P4 = More than $50,000,000	M = $100,001 - $250,000 P2 = $5,000,001 - $25,000,000	
3 Value Method Codes (See Column C2)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	

Name of Person Reporting	Date of Report
Dowdell, John E.	2/29/2012

VII. INVESTMENTS and TRUSTS – *income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)*

☐ NONE *(No reportable income, assets, or transactions.)*

A. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period (1) Amount Code 1 (A-H)	B. (2) Type (e.g., div., rent, or int.)	C. Gross value at end of reporting period (1) Value Code 2 (J-P)	C. (2) Value Method Code 3 (Q-W)	D. Transactions during reporting period (1) Type (e.g., buy, sell, redemption)	D. (2) Date mm/dd/yy	D. (3) Value Code 2 (J-P)	D. (4) Gain Code 1 (A-H)	D. (5) Identity of buyer/seller (if private transaction)
18. 401K # 1	A	Dividend	O	T					
19. -ABA Stable Assett Return Fund									
20. -ABA Balanced Fund									
21. -ABA Large Cap Equity Fund									
22. -ABA Small-Mid Cap Equity Fund									
23. -ABA Self-Managed Brokerage Account									
24.									
25. IRA # 1	B	Dividend	L	T					
26. -Allianz NFJ Renaissance Fund									
27. -American Funds Capital World Growth Allocation Fund									
28. -American Funds Investment Company of America									
29. -First Eagle Global Fund									
30. -Ivy Asset Strategy Fund									
31. -Oppenheimer Global Allocation Fund									
32. -Prudential International Equity Fund									
33. -Prudential Jennison Select Growth Fund									
34.									

1 Income Gain Codes: (See Columns B1 and D4) A =$1,000 or less; B =$1,001 - $2,500; C =$2,501 - $5,000; D =$5,001 - $15,000; E =$15,001 - $50,000; F =$50,001 - $100,000; G =$100,001 - $1,000,000; H1 =$1,000,001 - $5,000,000; H2 =More than $5,000,000

2 Value Codes (See Columns C1 and D3) J =$15,000 or less; K =$15,001 - $50,000; L =$50,001 - $100,000; M =$100,001 - $250,000; N =$250,001 - $500,000; O =$500,001 - $1,000,000; P1 =$1,000,001 - $5,000,000; P2 =$5,000,001 - $25,000,000; P3 =$25,000,001 - $50,000,000; P4 =More than $50,000,000

3 Value Method Codes (See Column C2) Q =Appraisal; R =Cost (Real Estate Only); S =Assessment; T =Cash Market; U =Book Value; V =Other; W =Estimated

Name of Person Reporting	Date of Report
Dowdell, John E.	2/29/2012

VII. INVESTMENTS and TRUSTS – *income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)*

☐ NONE *(No reportable income, assets, or transactions.)*

A. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period (1) Amount Code 1 (A-H)	B. (2) Type (e.g., div., rent, or int.)	C. Gross value at end of reporting period (1) Value Code 2 (J-P)	C. (2) Value Method Code 3 (Q-W)	D. Transactions during reporting period (1) Type (e.g., buy, sell, redemption)	D. (2) Date mm/dd/yy	D. (3) Value Code 2 (J-P)	D. (4) Gain Code 1 (A-H)	D. (5) Identity of buyer/seller (if private transaction)
35. Guardian Whole Life	A	Dividend	K	T					
36. Guardian Whole Life	B	Dividend	L	T					
37.									
38. Tulsa Federal Employee's Credit Union Accounts	A	Interest	J	T					

1 Income Gain Codes (See Columns B1 and D4): A =$1,000 or less; B =$1,001 - $2,500; C =$2,501 - $5,000; D =$5,001 - $15,000; E =$15,001 - $50,000; F =$50,001 - $100,000; G =$100,001 - $1,000,000; H1 =$1,000,001 - $5,000,000; H2 =More than $5,000,000

2 Value Codes (See Columns C1 and D3): J =$15,000 or less; K =$15,001 - $50,000; L =$50,001 - $100,000; M =$100,001 - $250,000; N =$250,001 - $500,000; O =$500,001 - $1,000,000; P1 =$1,000,001 - $5,000,000; P2 =$5,000,001 - $25,000,000; P3 =$25,000,001 - $50,000,000; P4 =More than $50,000,000

3 Value Method Codes (See Column C2): Q =Appraisal; R =Cost (Real Estate Only); S =Assessment; T =Cash Market; U =Book Value; V =Other; W =Estimated

Name of Person Reporting	Date of Report
Dowdell, John E.	2/29/2012

VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of report.)*

Name of Person Reporting	Date of Report
Dowdell, John E.	2/29/2012

IX. CERTIFICATION.

I certify that all information given above (including information pertaining to my spouse and minor or dependent children, if any) is accurate, true, and complete to the best of my knowledge and belief, and that any information not reported was withheld because it met applicable statutory provisions permitting non-disclosure.

I further certify that earned income from outside employment and honoraria and the acceptance of gifts which have been reported are in compliance with the provisions of 5 U.S.C. app. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

Committee on Financial Disclosure
Administrative Office of the United States Courts
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544

FINANCIAL STATEMENT

NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.

ASSETS				LIABILITIES			
Cash on hand and in banks		10	000	Notes payable to banks-secured (auto)		11	000
U.S. Government securities				Notes payable to banks-unsecured			
Listed securities – see schedule		959	714	Notes payable to relatives			
Unlisted securities				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due		21	400
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgages payable – personal residence		275	240
Real estate owned – personal residence		775	000	Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property		363	987				
Cash value-life insurance		77	400				
Other assets itemize:							
NWCD Capital Account		175	000				
				Total liabilities		307	640
				Net Worth	2	053	461
Total Assets	2	361	101	Total liabilities and net worth	2	361	101
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor				Are any assets pledged? (Add schedule)	No		
On leases or contracts				Are you defendant in any suits or legal actions?	No		
Legal Claims				Have you ever taken bankruptcy?	No		
Provision for Federal Income Tax							
Other special debt							

FINANCIAL STATEMENT

NET WORTH SCHEDULES

Listed Securities	
Brokerage Account	
American Funds Capital World Fund	$ 54,259
American Funds Growth Fund of America	16,403
American Funds Investment Company of America	4,063
American Funds New Perspective Fund	15,992
American Funds Washington Mutual Fund	15,128
Fidelity Advisor Balanced Fund	8,582
First Eagle Global Fund	73,388
Greystone Logistics, Inc. stock	3,848
MainStay Government Fund	3,580
Oppenheimer Global Allocation Fund	8,306
Prudential International Equity Fund	1,182
Prudential Jennison Select Growth Fund	998
Templeton Global Opportunities Fund	1,583
UBS U.S. Allocation Fund	5,282
UBS Money Market Account	112,508
Retirement Account	
ABA Stable Asset Return Fund	$ 48,389
ABA Balanced Fund	127,195
ABA Large Cap Equity Fund	140,577
ABA Small-Mid Cap Equity Fund	156,466
ABA Self-Managed Brokerage Account	69,915
Allianz NFJ Renaissance Fund	15,185
American Funds Capital World Growth and Income Fund	9,889
American Funds Investment Company of America	17,515
First Eagle Global Fund	15,592
Ivy Asset Strategy Fund	19,400
Oppenheimer Global Allocation Fund	13,097
Prudential International Equity Fund	711
Prudential Jennison Select Growth Fund	681
Total Listed Securities	$959,714

AFFIDAVIT

I, John E. Dowdell, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

03-01-2012
(DATE)

JOHN E. DOWDELL
(NAME)

Pamela Grimes
(NOTARY)

Notary Public Oklahoma
OFFICIAL SEAL
PAMELA GRIMES
Rogers County
01015238 Exp. 9-30-13