

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Goodwin Hon Liu

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

United States Circuit Judge for the Ninth Circuit

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.

UC Berkeley School of Law
Berkeley, California 94720

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

1970; Augusta, Georgia

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.

1995 – 1998, Yale Law School; J.D., 1998
1991 – 1993, Oxford University; M.A., 2002
1987 – 1991, Stanford University; B.S. with distinction, 1991
1986, Harvard Summer School; no degree

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.

2003 -- Present
UC Berkeley School of Law
Berkeley, California 94720
Associate Dean and Professor of Law (2008 – Present)
Assistant Professor of Law (2003 – 2008)

2008 – Present

San Francisco Unified School District
555 Franklin Street
San Francisco, California 94102
Legal Consultant

2006 – 2007

University of Washington
Center for Reinventing Public Education
2101 North 34th Street, Suite 195
Seattle, Washington 98103
Consultant

2005

The William and Flora Hewlett Foundation
2121 Sand Hill Road
Menlo Park, California 94025
Consultant

2001 – 2003

O'Melveny & Myers LLP
1625 Eye Street, NW
Washington, D.C. 20006
Litigation Associate

2000 – 2001

Supreme Court of the United States
One First Street, NE
Washington, D.C. 20543
Law Clerk to Justice Ruth Bader Ginsburg

2000

Nixon Peabody LLP
401 Ninth Street, NW, Suite 900
Washington, D.C. 20004
Contract Attorney

1999 – 2000

United States Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20003
Special Assistant to the Deputy Secretary of Education

1998 – 1999

United States Court of Appeals for the D.C. Circuit
333 Constitution Avenue, NW
Washington, D.C. 20001
Law Clerk to Judge David S. Tatel

1998

NAACP Legal Defense Fund
1444 Eye Street, NW
Washington, D.C. 20005
Summer Intern

1996 – 1998

Yale Law School
P.O. Box 208215
New Haven, Connecticut 06520
Teaching Assistant to Professor Drew Days (Civil Procedure)
Teaching Assistant to Professor Owen Fiss (Civil Procedure)

1997

Lawyers' Committee for Civil Rights Under Law
1401 New York Avenue, NW, Suite 400
Washington, D.C. 20005
Summer Intern

1997

Covington & Burling LLP
1201 Pennsylvania Avenue, NW
Washington, D.C. 20004
Summer Associate

1996

Howard Rice Nemerovski Canady Falk & Rabkin
Three Embarcadero Center, 7th Floor
San Francisco, California 94111
Summer Associate

1995

Providence College
Feinstein Institute for Public Service
Providence, Rhode Island 02918
Senior Fellow

1993 – 1995

Corporation for National Service
1201 New York Avenue, NW
Washington, D.C. 20525
Senior Program Officer for Higher Education

1992

Hogan & Hartson LLP
555 Thirteenth Street, NW
Washington, D.C. 20004
Document Analyst

1991

Upward Bound
Haas Center for Public Service
Stanford, California 94305
Chemistry Teacher

Other Affiliations

2009 – Present

Public Welfare Foundation
1200 U Street, NW
Washington, D.C. 20009
Member, Board of Directors

2008 – Present

Stanford University
Stanford, California 94305
Member, Board of Trustees (uncompensated)

2008 – Present

National Women's Law Center
11 Dupont Circle, NW, Suite 800
Washington, D.C. 20036
Member, Board of Directors (uncompensated)

2008 – Present

Alliance for Excellent Education
1201 Connecticut Avenue, NW, Suite 901
Washington, D.C. 20036
Member, Board of Directors (uncompensated)

2004 – Present

American Constitution Society

1333 H Street, NW, 11th Floor

Washington, D.C. 20005

Chair, Board of Directors (2009 – Present) (uncompensated)

Member, Board of Directors (2004 – Present) (uncompensated)

2008

Obama-Biden Transition

Office of the President-Elect

Washington, D.C. 20500

Member, Education Policy Working Group

Member, Education and Labor Agency Review Team

2005 – 2008

ACLU of Northern California

39 Drumm Street

San Francisco, California 94111

Member, Board of Directors (uncompensated)

2004 – 2008

Chinese for Affirmative Action

17 Walter U. Lum Place

San Francisco, California 94108

Member, Board of Trustees (uncompensated)

1997 – 2000

Stanford Alumni Association

Stanford, California 94305

Member, Board of Directors (uncompensated)

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 have registered for 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.

Distinguished Teaching Award, UC Berkeley, 2009

Pacific Islander, Asian, and Native American Law Students Association Alumni Award,

Yale Law School, 2009

Elected to American Law Institute, 2008

Selected as one of ten Emerging Scholars by *Diverse Issues in Higher Education*, 2008
Steven S. Goldberg Award for Distinguished Scholarship in Education Law, Education Law Association, 2007

Asian American Alumni Award, Stanford University, 2005

Stanford Associates Governors' Award for exemplary volunteer service, Stanford University, 2005

Benjamin Scharps Prize (best paper by third-year law student), Yale Law School, 1998

Clifford Porter Prize (best paper on taxation), Yale Law School, 1998

Potter Stewart Prize (best team argument in appellate moot court competition), Yale Law School, 1997

Editor, *Yale Law Journal*, 1996 – 1998

Doctor of Public Service (honorary degree), Unity College, 1995

Rhodes Scholarship, 1991

Lloyd W. Dinkelspiel Award for Outstanding Service to Undergraduate Education, Stanford University, 1991

Phi Beta Kappa, 1990

James W. Lyons Dean's Award for Service, Stanford University, 1990

Boothe Prize for Excellence in Writing, Stanford University, 1988

Walter Vincenti Prize (best paper on values, technology, science, and society), Stanford University, 1988

University President's Award for Academic Excellence, Stanford University, 1988

David Starr Jordan Scholar, Stanford University, 1987

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

American Law Institute

National Asian Pacific American Bar Association

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.

California, 1999

District of Columbia, 2002

There have been no lapses 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, 2006
United States Court of Appeals for the Third Circuit, 2002
United States Court of Appeals for the Seventh Circuit, 2001
United States Court of Appeals for the Ninth Circuit, 2008
United States Court of Appeals for the D.C. Circuit, 2002

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.

Public Welfare Foundation, Board of Directors (2009 – Present)
Stanford University Board of Trustees (2008 – Present)
 Chair, Special Committee on Investment Responsibility (2009 – Present)
American Constitution Society (2001 – Present)
 Board of Directors (2004 – Present); Chair (2009 – Present); Secretary (2004 – 2008); Chair, Board Development Committee (2004 – 2008)
American Law Institute (2008 – Present)
National Women's Law Center, Board of Directors (2008 – Present)
Alliance for Excellent Education, Board of Directors (2008 – Present)
Oakland Zoo (2008 – Present)
California Academy of Sciences (2008 – Present)
Education Sector, Nonresident Senior Fellow (2007 – Present)
The Club at the Claremont (2006 – Present)
United States Tennis Association (2006 – Present)
KQED Public Radio (2004 – Present)
Stanford Alumni Association (1991 – Present)
 Board of Directors (1997 – 2000)
Chief Justice Earl Warren Institute on Race, Ethnicity & Diversity, UC Berkeley
 Faculty Co-Director (2004-2009)
Center on Reinventing Public Education, University of Washington
 National Working Group on Funding Student Learning (2006 – 2008)
ACLU of Northern California, Board of Directors (2005 – 2008)
Chinese for Affirmative Action, Board of Trustees (2004 – 2008)
Haas Center for Public Service, National Advisory Board (1999 – 2007)
 Chair (2005 – 2007); Deputy Chair (2003 – 2005)
Young Faculty Leaders Forum, Kennedy School of Government (2002 – 2006)
Alumni Trustee Nominating Committee, Stanford University (2001 – 2005)
Task Force on Minority Alumni Relations, Stanford University (2001 – 2005, 1995 – 1996)

Vice Chair (2001 – 2005)

- 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.

None of the organizations listed above currently discriminates or has discriminated at any time I have been a member on the basis of race, sex, religion, or national origin either through formal membership requirements or the practical implementation of membership policies. I am not aware of any discrimination by these organizations prior to my membership.

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.

Scholarly Work

The Bush Administration and Civil Rights: Lessons Learned, 4 Duke J. Const. L. & Pub. Pol'y 77 (2009)
Keeping Faith with the Constitution (Oxford University Press, forthcoming 2010; American Constitution Society, 2009) (with Pamela S. Karlan and Christopher H. Schroeder)
National Citizenship and the Promise of Equal Educational Opportunity, in *The Constitution in 2020* (Jack M. Balkin & Reva B. Siegel eds., 2009)
Rethinking Constitutional Welfare Rights, 61 Stan. L. Rev. 203 (2008)
The First Justice Harlan, 96 Cal. L. Rev. 1383 (2008)
Improving Title I Funding Equity Across States, Districts, and Schools, 93 Iowa L. Rev. 973 (2008)
"History Will Be Heard": An Appraisal of the Seattle/Louisville Decision, 2 Harv. L. & Pol'y Rev. 53 (2008)
Interstate Inequality and the Federal Role in School Finance, in *Holding NCLB Accountable: Achieving Accountability, Equity, and School Reform* 103 (Gail L. Sunderman ed., 2008)
Seattle and Louisville, 95 Cal. L. Rev. 277 (2007)
Education, Equality, and National Citizenship, 116 Yale L.J. 330 (2006)
Interstate Inequality in Educational Opportunity, 81 N.Y.U. L. Rev. 2044 (2006)
Developments in U.S. Education Law and Policy, 2 Daito L. Rev. 17 (2006)

The Parted Paths of School Desegregation and School Finance Litigation, 24 L. & Inequality 81 (2006)
School Choice to Achieve Desegregation, 74 Fordham L. Rev. 791 (2005) (with William L. Taylor)
Race, Class, Diversity, Complexity, 80 Notre Dame L. Rev. 289 (2004)
Brown, Bollinger, and Beyond, 47 How. L.J. 705 (2004)
Separation Anxiety: Congress, the Courts, and the Constitution, 91 Geo. L.J. 439 (2003) (with Hillary Rodham Clinton)
The Causation Fallacy: Bakke and the Basic Arithmetic of Selective Admissions, 100 Mich. L. Rev. 1045 (2002)
Social Security and the Treatment of Marriage: Spousal Benefits, Earnings Sharing, and the Challenge of Reform, 1999 Wis. L. Rev. 1
Affirmative Action in Higher Education: The Diversity Rationale and the Compelling Interest Test, 33 Harv. C.R.-C.L. L. Rev. 381 (1998)
Developments in Policy: The FDA's Tobacco Regulations, 15 Yale L. & Pol'y Rev. 399, 416–29 (1996)
Knowledge, Foundations, and Discourse: Philosophical Support for Service-Learning, Mich. J. Community Service Learning, Fall 1995, at 5

Editorials

“The Next Verdict on Prop. 8,” *L.A. Times*, Nov. 10, 2008, at A19
“Finding Right Mix for School Funding,” *Sacramento Bee*, Jan. 13, 2008, at E5 (with Alan Bersin and Michael Kirst)
“The Meaning of Brown vs. the Board,” *L.A. Times*, Dec. 25, 2006, at A31
“Life and Death and Samuel Alito,” *L.A. Times*, Nov. 27, 2005, at M5
“Roberts Would Swing the Supreme Court to the Right,” *Bloomberg.com*, July 22, 2005
“Truth Is, We Do Underfund Our Schools,” *S.F. Chron.*, June 23, 2005, at B9
“A Misguided Challenge to Affirmative Action,” *L.A. Times*, Dec. 20, 2004, at B11; reprinted in “Too Good To Be True,” *Cal. Bar Journal*, Feb. 2005, at 8
“Regent’s Stand on UC Admissions Is on Shaky Ground,” *Sacramento Bee*, Apr. 1, 2004, at B7 (with Theodore Hsien Wang and William Kidder)
“A Moment as Big as ‘Brown,’” *Wash. Post*, June 29, 2003, at B3
“Real Options for School Choice,” *N.Y. Times*, Dec. 4, 2002, at A35
“The Myth and Math of Affirmative Action,” *Wash. Post*, Apr. 14, 2002, at B1

Other

“Getting Beyond the Facts: Reforming California School Finance,” Chief Justice Earl Warren Institute on Race, Ethnicity and Diversity Issue Brief (2008) (with Alan Bersin and Michael W. Kirst)
“Justice Alito and the Death Penalty,” American Constitution Society Issue Brief (2005) (with Lynsay Skiba)
“From Brown to Grutter and Beyond,” *Boalt Hall Transcript*, Spring/Summer 2004, at 26

Foreword, in SERVICE-LEARNING: A MOVEMENT'S PIONEERS REFLECT ON ITS ORIGINS, PRACTICE, AND FUTURE at xi (Timothy K. Stanton et al. eds., 1999)
 "Origins, Evolution, and Progress: Reflections on a Movement," Feinstein Institute for Public Service, Providence College (1996); portions reprinted in *Metropolitan Universities: An International Forum*, Summer 1996, at 25
 "Service-Learning: A Paradigm Shift in Higher Education?," *NSEE Quarterly* (National Society for Experiential Education, Mt. Royal, N.J.), Fall 1995, at 8
National Service, The Federal Government and Higher Education: Reflections on the Corporation's Role, in CAMPUS COMPACT, SERVICE COUNTS: LESSONS FROM THE FIELD OF SERVICE AND HIGHER EDUCATION (Melissa Smith ed., 1995)

Some of my published works may have been reprinted in other media.

- 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.

Funding Student Learning: How to Align Education Resources with Student Learning Goals, School Finance Redesign Project, Center on Reinventing Public Education, University of Washington (2008)

Final Report of the Task Force on Minority Alumni Relations, Stanford University (2004)

Final Report of the Task Force on Minority Alumni Relations, Stanford University (1996)

- 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.

Letter to Senator Patrick Leahy and Senator Jeff Sessions in support of the confirmation of Judge Sonia Sotomayor as an Associate Justice of the United States Supreme Court (2009) (I did not contribute to the preparation of this letter; I joined it as a signatory.)

Testimony Before a Joint Hearing of the California Senate and Assembly Judiciary Committees on Proposition 8 (Oct. 2, 2008)

Brief of Amici Curiae Professors of Constitutional Law in Support of Respondents, *In re Marriage Cases*, 183 P.3d 384 (Cal. 2008) (I did not contribute to the preparation of this brief; I joined it as a signatory.)

Testimony Before the California Assembly Education Committee on AB 586 (Jan. 16, 2008)

Testimony Before the U.S. Senate Judiciary Committee on the Nomination of Judge Samuel A. Alito, Jr. to the U.S. Supreme Court (Jan. 10, 2006)
Lawyers' Statement on Bush Administration's Torture Memos (2004) (I did not contribute to the preparation of this statement; I joined it as a signatory.)

- 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.

I have repeatedly and thoroughly searched on-line resources (Westlaw, Lexis, Google), my calendar, and my memory to produce the list below. To the best of my knowledge, this list is accurate and complete.

Aug. 10, 2009: American Sociological Association Annual Meeting, San Francisco, CA. I spoke on a panel titled "Education in Diverse Communities."

June 19, 2009: American Constitution Society National Convention, Washington, D.C. I discussed the ideas in my co-authored book, *Keeping Faith with the Constitution*, on a panel. I also gave brief remarks at lunch.

May 16, 2009: Boalt Hall Commencement, Berkeley, CA. I gave a commencement speech to the Boalt Hall Class of 2009.

May 1, 2009: American Constitution Society, Washington, D.C. I spoke at an event to release my co-authored book *Keeping Faith with the Constitution*.

Apr. 22, 2009: UC Berkeley Distinguished Teaching Award Ceremony, Berkeley, CA. I gave an award acceptance speech.

Apr. 18, 2009: Northern District of California Judicial Conference, Yountville, CA. I compared and contrasted the early Obama administration with the early Lincoln administration on a panel titled "Team of Rivals." I do not have copies of any notes, transcript, or recording.

Apr. 16, 2009: Blum Center for Developing Economies, Berkeley, CA. Justice Stephen Breyer gave a presentation on "International Law," and I served as a moderator and commenter.

Apr. 15, 2009: American Educational Research Association Annual Meeting, San Diego, CA. I presented my paper, *Improving Title I Funding Equity Across States, Districts, and Schools*, 93 Iowa L. Rev. 973 (2008), on a panel titled "Funding Public Education for Disadvantaged Students: Economic, Legal and Policy Perspectives."

Apr. 4, 2009: Brennan Center for Justice Conference on "The Next Democracy," White Oak Conservation Center, FL. I gave a brief interview for a conference video.

- Feb. 23, 2009: Washington University St. Louis School of Law, St. Louis, MO. I spoke on civil rights as part of the Public Interest Law and Policy Speaker Series.
- Jan. 30, 2009: Dale Minami Boalt Alumni Fellowship Dinner, San Francisco, CA. I gave dinner remarks urging the student audience to pursue public service.
- Jan. 8, 2009: American Association of Law Schools Annual Meeting, San Diego, CA. I described the mission and activities of the American Constitution Society on a panel titled "Associational Pluralism." I do not have copies of any notes, transcript, or recording.
- Dec. 17, 2008: Public Education Network Annual Conference, San Francisco, CA. I described the activities of the Obama-Biden Transition team on education policy in a session titled "Equity and Access." I do not have copies of any notes, transcript, or recording.
- Nov. 14, 2008: American Constitution Society Conference on "The Second Founding and the Reconstruction Amendments: Toward a More Perfect Union," Philadelphia, PA. I spoke on a panel titled "The Privileges or Immunities Clause."
- Nov. 13, 2008: Columbia Law School, New York, NY. I presented my paper, *Rethinking Constitutional Welfare Rights*, 61 Stan. L. Rev. 203 (2008), at a legal theory workshop.
- Oct. 30, 2008: University of Chicago Law School, Chicago, IL. I presented my paper, *Rethinking Constitutional Welfare Rights*, 61 Stan. L. Rev. 203 (2008), at a constitutional law workshop.
- Oct. 22, 2008: Duke Law School, Durham, NC. I presented my paper, *The Bush Administration and Civil Rights: Lessons Learned*, 4 Duke J. Const. L. & Pub. Pol'y 77 (2009), in the "Lessons Learned Series" of the Program in Public Law.
- Oct. 3, 2008: Stanford Center for Opportunity Policy in Education, Stanford, CA. I gave a talk on civil rights at a conference on the forty-year anniversary of the Kerner Commission report.
- Sept. 16, 2008: Institute for Legal Research, Forum on "Courts, Politics, and the Media," Berkeley, CA. I gave brief remarks on the need for judicial decisions to be better communicated to the public. I do not have copies of any notes, transcript, or recording.
- June 14, 2008: American Constitution Society National Convention, Washington, D.C. I spoke on a panel titled "Our Enduring Constitution: Applications and Interpretations."
- June 9-10, 2008: James B. Hunt Institute for Educational Leadership and Policy, Governors Education Symposium, Cary, NC. I discussed my articles, *Improving Title I Funding Equity Across States, Districts, and Schools*, 93 Iowa L. Rev. 973 (2008), and *Interstate Inequality in Educational Opportunity*, 81 N.Y.U. L. Rev. 2044 (2006).
- May 16, 2008: UC Santa Barbara Conference on "Realizing Bakke's Legacy: Equal Opportunity and Access to Higher Education," Santa Barbara, CA. I gave remarks on diversity and higher education.

- May 6, 2008: Grantmakers in Film and Electronic Media, Washington, D.C. I spoke on a panel discussing the documentary film *Traces of the Trade*.
- Apr. 25, 2008: Asian Pacific Americans in Higher Education Annual Conference, San Francisco, CA. I spoke at a session on university trusteeship and described my service as a member of the Stanford Board of Trustees. I do not have copies of any notes, transcript, or recording.
- Apr. 18, 2008: EdSource Forum, Palo Alto, CA. I presented my co-authored report, "Getting Beyond the Facts: Reforming California School Finance" (2008).
- Apr. 2, 2008: UC Berkeley webcast on "Understanding California's School Funding Crisis," co-sponsored by the California Media Collaborative, Commonwealth Club of California, and Education Writers Association, Berkeley, CA. I discussed ideas from my co-authored report, "Getting Beyond the Facts: Reforming California School Finance" (2008).
- Mar. 17, 2008: National Academy of Sciences, Workshop Series on Common Standards for K-12 Education, Washington, D.C. I was assigned to speak on "Implications of Common Standards for Adequacy Lawsuits."
- Feb. 8, 2008: University of Washington School of Law, American Constitution Society student chapter, Seattle, WA. I discussed my article, "*History Will Be Heard: An Appraisal of the Seattle/Louisville Decision*," 2 Harv. L. & Pol'y Rev. 53 (2008).
- Feb. 8, 2008: Seattle University School of Law, Seattle, WA. I discussed the ideas in my article, "*History Will Be Heard: An Appraisal of the Seattle/Louisville Decision*," 2 Harv. L. & Pol'y Rev. 53 (2008), at a conference titled "*Brown Undone? The Future of Integration in Seattle After PICS v. Seattle School District No. 1.*"
- Jan. 11, 2008: Policy Analysis for California Education Seminar, Sacramento, CA. I presented my co-authored report, "Getting Beyond the Facts: Reforming California School Finance" (2008).
- Jan. 4, 2008: American Association of Law Schools Annual Meeting, New York, NY. I discussed the ideas in my article, "*History Will Be Heard: An Appraisal of the Seattle/Louisville Decision*," 2 Harv. L. & Pol'y Rev. 53 (2008), on a panel titled "The *Seattle/Louisville* Ruling: Constriction or Expansion of Race-Based Policies?"
- Dec. 12, 2007: Union for Reform Judaism Biennial Conference, San Diego, CA. I gave remarks at a session examining recent Supreme Court cases in light of new appointments.
- Dec. 12, 2007: Kaiser Permanente Annual National Diversity Conference, San Francisco, CA. I discussed the current state of affirmative action law and policy on a panel titled "Affirmative Action: Past, Present, and Future."
- Nov. 19, 2007: American Association of State Colleges and Universities Annual Conference, San Francisco, CA. I gave remarks on diversity in higher education.
- Nov. 2, 2007: Center for Comparative Study of Race and Ethnicity Conference on "Embracing Diversity: Making and Unmaking Race, Ethnicity and Difference in the 21st Century," Stanford, CA. I discussed changes in civil

- rights law and policy since *Brown* on a panel titled "Education and Equity in a Post-*Brown* Era." I do not have copies of any notes, transcript, or recording.
- Oct. 9, 2007: U.S. Court of Appeals for the Ninth Circuit annual law clerk orientation, San Francisco, CA. I gave dinner remarks published as *The First Justice Harlan*, 96 Cal. L. Rev. 1383 (2008).
- Oct. 5, 2007: Columbia Law School, American Constitution Society student chapter, New York, NY. I discussed my article, "*History Will Be Heard: An Appraisal of the Seattle/Louisville Decision*," 2 Harv. L. & Pol'y Rev. 53 (2008).
- July 27, 2007: American Constitution Society National Convention, Washington, D.C. I spoke on a panel titled "Race and the Constitution: The State of Equal Protection."
- July 24, 2007: Bar Association of San Francisco "Supreme Court Review," San Francisco, CA. I discussed major cases of October Term 2006. I do not have copies of any notes, transcript, or recording.
- Mar. 31, 2007: *Pepperdine Law Review* Symposium on "Post-*Grutter*: What Does Diversity Mean in Legal Education and Beyond?," Malibu, CA. I discussed the implications of *Grutter v. Bollinger* (2003) and *Gratz v. Bollinger* (2003) for university admissions policies in a session titled "Diversity in Admissions." I do not have copies of any notes, transcript, or recording.
- Mar. 23, 2007: San Mateo Legal Aid Society Annual Awards Luncheon, East Palo Alto, CA. I gave remarks on the meaning of *Brown v. Board of Education*.
- Mar. 6, 2007: UC Berkeley Graduate School of Education Colloquium, Berkeley, CA. I spoke on a panel discussing No Child Left Behind and commented on a presentation by Sandy Kress, former education advisor to President George W. Bush.
- July 20, 2006: Bar Association of San Francisco "Supreme Court Review," San Francisco, CA. I discussed major cases of October Term 2005. I do not have copies of any notes, transcript, or recording.
- June 19, 2006: Achievement Gap Initiative Research Conference, Kennedy School of Government, Cambridge, MA. I presented my articles, *Interstate Inequality in Educational Opportunity*, 81 N.Y.U. L. Rev. 2044 (2006), and *Education, Equality, and National Citizenship*, 116 Yale L.J. 330 (2006).
- June 18, 2006: American Constitution Society National Convention, Washington, D.C. I moderated a panel titled "Wealth Inequality."
- May 8, 2006: Mathematical Sciences Research Institute, Berkeley, CA. I presented my articles, *Interstate Inequality in Educational Opportunity*, 81 N.Y.U. L. Rev. 2044 (2006), and *Education, Equality, and National Citizenship*, 116 Yale L.J. 330 (2006), at a conference titled "Raising the Floor: Progress and Setbacks in the Struggle for Quality Mathematics Education for All."
- Apr. 28, 2006: UC Berkeley School of Law, Berkeley, CA. I presented my articles, *Interstate Inequality in Educational Opportunity*, 81 N.Y.U. L. Rev. 2044 (2006), and *Education, Equality, and National Citizenship*, 116 Yale L.J.

- 330 (2006), at a conference titled “Rethinking *Rodriguez*: Education as a Fundamental Right.”
- Apr. 10, 2006: American Educational Research Association Annual Meeting, San Francisco, CA. I was a commenter on a keynote address by Christopher Edley on educational opportunity and civil rights.
- Mar. 11, 2006: Daito Bunka University Law School, Tokyo, Japan. I presented my article, *Developments in U.S. Education Law and Policy*, 2 Daito L. Rev. 17 (2006), to law students and faculty.
- Mar. 9, 2006: National Taiwan University College of Law, Taipei, Taiwan. I gave a talk on the U.S. Supreme Court and recent appointments to law students and faculty.
- Mar. 4, 2006: National Asian Pacific American Conference on Law and Public Policy, Harvard Law School, Cambridge, MA. I gave a talk on the historical struggle of Asian Americans for equal citizenship and marriage equality.
- Feb. 13, 2006: American Constitution Society Bay Area Lawyers Chapter, San Francisco, CA. I spoke on a panel titled “Domestic Spying: Illegal or Inevitable?”
- Sept. 29, 2005: Charles Hamilton Houston Institute for Race and Justice, Harvard Law School, Cambridge, MA. I presented my articles, *Interstate Inequality in Educational Opportunity*, 81 N.Y.U. L. Rev. 2044 (2006), and *Education, Equality, and National Citizenship*, 116 Yale L.J. 330 (2006).
- July 30, 2005: American Constitution Society National Convention, Washington, D.C. I moderated a panel titled “The Right to Education Revisited.” I described the Supreme Court decision in *San Antonio Independent School District v. Rodriguez* (1973) and introduced the panelists. I do not have copies of any notes, transcript, or recording.
- June 28, 2005: Bar Association of San Francisco “Supreme Court Review,” San Francisco, CA. I discussed major cases of October Term 2004. I do not have copies of any notes, transcript, or recording.
- May 5, 2005: University of Minnesota Law School Conference on “With All Deliberate Speed: *Brown II* and Desegregation’s Children,” Minneapolis, MN. I presented my article, *The Parted Paths of School Desegregation and School Finance Litigation*, 24 L. & Inequality 81 (2006).
- July 1, 2004: Supreme Court Review, American Constitution Society, Washington, D.C. I moderated a panel discussion on the major cases of October Term 2003.
- June 15, 2004: American Association of Law Schools Racial Justice Workshop, Portland, OR. I presented my article, *Race, Class, Diversity, Complexity*, 80 Notre Dame L. Rev. 289 (2004).
- Sept. 11, 2003: Boalt Hall Alumni Association Annual Dinner, Berkeley, CA. I presented my article, “From *Brown* to *Grutter* and Beyond,” *Boalt Hall Transcript*, Spring/Summer 2004, at 26.
- Aug. 30, 2003: Harvard Civil Rights Project Color Lines Conference, Cambridge, MA. I spoke on a panel titled “Inequality in K-12 Educational Opportunity” and presented my co-authored article, *School Choice to Achieve Desegregation*, 74 Fordham L. Rev. 791 (2005).

- Aug. 2, 2003: American Constitution Society National Convention, Washington, D.C. I spoke on a panel titled "Segregation, Integration, and Affirmative Action After *Bollinger*." I do not have copies of any notes, transcript, or recording.
- Mar. 31, 2003: Georgetown University Law Center, Washington, D.C. I spoke on a panel titled "One Step Forward, Two Steps Back? *Grutter v. Bollinger* and the Future of Affirmative Action" and analyzed the *Grutter* decision. I do not have copies of any notes, transcript, or recording.
- Sept. 30, 1999: Workshop on "Foundations of Educational and Psychological Assessment," National Academy of Sciences, Washington, D.C. I discussed federal laws and policies concerning student assessment in K-12 public schools. I do not have copies of any notes, transcript, or recording.
- May 20, 1995: Chandler-Gilbert Community College, Chandler, AZ. I gave a commencement speech.
- May 13, 1995: Unity College, Unity, ME. I gave a commencement speech.
- Apr. 10, 1991: Panel discussion on "Safe Speech, Free Speech, and the University," Stanford University, Stanford, California. I discussed recent debates on campus concerning hate speech. I do not have copies of any notes, transcript, or recording.
- 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.

Peter Jamison, "The Torture Memos and Berkeley's Law-School Schedule," *SF Weekly*, Aug. 12, 2009

Jess Bravin, "Decision Reflects Court's Deep Division," *Wall Street Journal*, June 30, 2009, at A4

Ari Shapiro, "Conservatives Have 'Originalism'; Liberals Have ...?," *NPR All Things Considered*, June 23, 2009

Lydia DePillis, "Et Tu, Scalia?," *Slate*, June 22, 2009

Ariel Alexovich, "Suite Talk: ACLU Director Leaves D.C. Office," *Politico.com*, June 3, 2009

Maura Dolan, "Battles Brew As Gay Marriage Ban Is Upheld," *Los Angeles Times*, May 27, 2009, at A1

Petra Pasternak, "Prop 8 Stands, But What About the 18K Marriages?," *LegalPad Blog*, May 26, 2009

Bara Vaida, "ACLU's Fredrickson Departs for Legal Group," *Under the Influence* (National Journal blog), May 19, 2009

Aaron Wiener, "Supreme Court Nominee Debate Defined by Conservatives," *Washington Independent*, May 18, 2009

Joe Garofoli, "Pros and Cons of President's Potential Choices," *San Francisco Chronicle*, May 13, 2009, at A6

David Lightman et al., "Obama Court Pick Could Sail Through," *Miami Herald*, May 2, 2009, at A5

Michael Doyle, "Souter Has Defied a Legal Stereotype," *Miami Herald*, May 2, 2009, at A5

Michael Doyle & Marisa Taylor, "Liberal or Not, Souter's Departure Will Remake Court," *McClatchy-Tribune News Service*, May 1, 2009

Dan Levine, "A Handful of Hopefuls Eye Ninth Circuit," *Recorder*, Mar. 18, 2009, at 1

Jess Bravin, "Rethinking Original Intent," *Wall Street Journal*, Mar. 14, 2009, at W3

Leslie A. Gordon, "Left Turn Permitted," *ABA Journal*, Mar. 2009, at 9

Noelle Carter, "Slow Revolution," *Los Angeles Times*, Feb. 25, 2009, at F1

Eric Lichtblau, "Obama Pick to Analyze Broad Powers of President," *New York Times*, Jan. 8, 2009, at A22

Ari Shapiro, "Balance of Power Swings to Liberal Legal Group," *NPR Weekend Edition*, Jan. 3, 2009

Lisa Lerer, "Liberal Legal Group Comes to the Fore," *Politico.com*, Dec. 28, 2008

Maura Dolan, "Brown Asks Justices to Toss Prop. 8," *Los Angeles Times*, Dec. 20, 2008 at A1

James Parker, "Prop. 8 Suits Win Supreme Court Review," *Daily Californian*, Nov. 20, 2008

Maura Dolan, "Justices Will Hear Prop. 8 Challenges," *Los Angeles Times*, Nov. 20, 2008 at A1

John Simerman, "Same-Sex Marriage Headed Back to Court," *Contra Costa Times*, Nov. 6, 2008

Ben Smith, "Affirmative Action Change Under Obama?," *Politico.com*, Nov. 3, 2008

David G. Savage, "Roe vs. Wade? Bush vs. Gore? What Are the Worst Supreme Court Decisions?," *Los Angeles Times*, Oct. 23, 2008

Bob Egelko, "U.S. Supreme Court in Play After Election," *San Francisco Chronicle*, Oct. 20, 2008, at A1

Tony Mauro, "Can McCain, Obama Turn High Court?," *Legal Times*, Oct. 13, 2008, at 8

Joseph Bui, "Same-Sex Couples Plan to Marry," *Daily Californian*, June 24, 2008

Amber Lee, "Anticipation over Supreme Court Ruling on Same-Sex Marriage," *KTVU Evening News*, May 14, 2008,
<http://www.ktvu.com/video/16269552/index.html>

Zusha Elinson, "Valley Attorneys Get Political: Local Lawyers Help Candidates to Form Tech, IP Policies," *Recorder*, May 13, 2008, at 1

Peter Schrag, "California School Funding: Inadequate By Any Measure," *Sacramento Bee*, Apr. 9, 2008, at B7

Kendra Hamilton, "Is Right the New Left? An Analysis of Justice Clarence Thomas's Concurring Opinion in the Seattle and Louisville Cases," *Diverse Issues in Higher Education*, Aug. 23, 2007, at 27

Marcia Coyle, "Prevailing Winds: In the First Full Term with Alito, Court Took Marked Conservative Turn," *National Law Journal*, Aug. 1, 2007, at 1

Ibram Rogers, "The Weight of One Man's Opinion: While Casting the Deciding Vote in the Recent K-12 Desegregation Case, Justice Anthony Kennedy's Opinion Left Some Room to Maneuver," *Diverse Issues in Higher Education*, July 26, 2007, at 7

Shirley Dang, "Panel Tries to Explain Desegregation Ruling," *Contra Costa Times*, July 25, 2007, at A10

Mark Walsh, "Use of Race Uncertain for Schools," *Education Week*, July 18, 2007, at 1

Josh Gerstein, "Duplicity Pervades Race-Related Measures," *New York Sun*, July 2, 2007

Bill Mears, "5-4 Votes Nudge Supreme Court to the Right," *CNN.com*, July 2, 2007

Margaret Warner, "Key Decisions Mark Shift in Supreme Court," *NewsHour with Jim Lehrer*, June 29, 2007

Ellen Goodman, "The Transformation of Justice Ginsburg," *Boston Globe*, June 29, 2007, at 17A

Nina Totenberg, "High Court's New Race Ruling Echoes in Schools," *NPR Morning Edition*, June 29, 2007

Bob Egelko, "5-4 Decision Disrupts Schools' Integration Plans," *San Francisco Chronicle*, June 29, 2007, at A21

Joan Biskupic, "Roberts Steers Court Right Back to Reagan," *USA Today*, June 29, 2007, at 8A

Brent Kendall, "State's Ban on Race Use Exceeds Court's; Opinion Won't Affect California Schools' Plans," *Los Angeles Daily Journal*, June 29, 2007

Joseph Goldstein, "Color-Blind Schools Set by Court," *New York Sun*, June 29, 2007, at 1

Nina Totenberg, "Supreme Court Rejects School Desegregation Plan," *NPR All Things Considered*, June 28, 2007

Warren Olney, "The United States Supreme Court and School Integration in L.A.," *Which Way, L.A.?* (KCRW radio), June 28, 2007, http://www.kcrw.com/news/programs/ww/ww070628the_united_states_su

Linda Greenhouse, "Oral Dissents Give Ginsburg a New Voice," *New York Times*, May 31, 2007, at A1

Michael Krasny, "School Integration," *KQED Forum*, May 30, 2007, <http://www.kqed.org/epArchive/R705300900>

Halimah Abdullah, "School Systems Still Losing Numbers Game: Neediest Don't Always Get Their Fair Share of Money," *Memphis Commercial Appeal*, Jan. 29, 2007, at A1

"More Fairness in Funding Key to Equal Opportunity," *Oakland Tribune*, Jan. 3, 2007

Linda Seebach, "If School Funding Is Rigged, It's to Benefit Those in Charge," *Rocky Mountain News*, Dec. 30, 2006, at 11C

"Report Rips Funding for Low-Income Education," *Mobile Press-Register*, Dec. 23, 2006, at B2

Grace Rauh, "Needy Students Go Without, Report Finds," *Contra Costa Times*, Dec. 22, 2006, at F4

Amit R. Paley, "Program Widens School Funding Gap, Report Says," *Washington Post*, Dec. 21, 2006, at A4

Naush Boghossian, "Wealthy Schools Get More, Report: Districts Nationwide Shortchange Poor, Minorities," *Los Angeles Daily News*, Dec. 21, 2006, at N1

Nancy Zuckerbrod, "Aid Policies Hurting Poor Students?," *Deseret Morning News*, Dec. 21, 2006, at A3

Todd Silberman, "School Funding Gaps Cited," *Raleigh News & Observer*, Dec. 21, 2006, at B7

Eleanor Chute, "Report: Education Funds Misdirected," *Pittsburgh Post-Gazette*, Dec. 21, 2006, at B3

Bob Egelko, "School Integration Back Before Supreme Court," *San Francisco Chronicle*, Dec. 3, 2006, at A1

Paul Tough, "What It Takes to Make a Student," *New York Times Magazine*, Nov. 26, 2006

"UC Teachers Propose New Admissions Policy," *Monterey County Herald*, Oct. 28, 2006

Michelle Locke, "University of California Professors Propose Admissions Changes," *Associated Press*, Oct. 27, 2006

Elaine Ayala, "Kauffman Still Seeks Equality in Education," *San Antonio Express-News*, Sept. 5, 2006, at 1C

Charles Lane, "Justices to Hear Cases of Race-Conscious School Placements," *Washington Post*, June 6, 2006, at A3

Wendy Davis, "Vouchers Tested: School Vouchers Are Facing a Different Set of Legal Challenges in State Courts," *ABA Journal*, June 24, 2006

Ray Suarez, "The Alito Effect," *NewsHour with Jim Lehrer*, Feb. 21, 2006

Ed Gordon, "High Court Considers Domino's Discrimination Suit," *NPR News & Notes*, Dec. 8, 2005

Daniel Eisenberg, "How Alito Looks Under the Lens," *Time Magazine*, Nov. 14, 2005, at 28

Jonathan Jones, "Alito Record on Religion a Concern," *Argus*, Nov. 2, 2005

Adam Liptak & Jonathan D. Glater, "The Paper Trail: Lucid Rulings Tackling Many of Biggest Issues," *New York Times*, Nov. 1, 2005, at A25

Bob Egelko, "The President's Supreme Court Nominee," *San Francisco Chronicle*, July 20, 2005, at A13

Matt Krupnick, "Campuses Reject Polarizing Guests," *Contra Costa Times*, June 12, 2005, at F4

Stephen Phillips, "Union Joins Attack on Bush Flagship Reforms," *Times Education Supplement*, Apr. 29, 2005

Tom Hamburger, "White House Curbs Probe of Commentator's Hiring," *Los Angeles Times*, Apr. 15, 2005, at A13

Tonia Bui, "Affirmative Action Study Met with Controversy," *Daily Californian*, Feb. 17, 2005

Matt Krupnick, "New Spotlight on High Court Appointments," *Contra Costa Times*, Oct. 26, 2004, at A1

Marcia Coyle, "2003-2004 Term: Supreme Court Review, Flexing Muscle and Wisdom," *National Law Journal*, Aug. 2, 2004, at S1

Charles Lane, "Finality Seems to Elude High Court's Grasp," *Washington Post*, July 4, 2004, at A12

Michael Doyle, "Election-Year Term is Cautious One for Court," *Sacramento Bee*, July 3, 2004, at A1

Jonathan D. Glater, "Attention Wal-Mart Plaintiffs: Hurdles Ahead," *New York Times*, June 27, 2004, at 35

Margarita Bauza, "U-M Readies New Admissions Plan; More Individualized Review of Freshman Applicants Is Expected," *Detroit News*, Aug. 26, 2003, at 1A

Linda Greenhouse, "Context and the Court," *New York Times*, June 25, 2003, at A1

Peter Y. Hong, "Justices to Reconsider Race in Admissions," *Los Angeles Times*, Mar. 31, 2003, at A18

Sean Groom, "Clerking at the Supreme Court," *Washington Lawyer*, Mar. 2003, at 21

Elliot Zaret, "Will Grutter Trump Bakke?," *Washington Lawyer*, Dec. 2002, at 22

"From Statistics to Soup Kitchens: Youth as Resources in the 1990s," *National Civic Review*, Mar. 22, 1994, at 120

Sue Hutchison, "Travails of the 'Stanford Man': For Some, Donald Kennedy's Brash Image Is Symbolic of the School's Arrogance," *San Jose Mercury News*, Apr. 14, 1991, at 1A

Sue Hutchison, "Stanford Students to Lobby Sacramento for Public Schools," *San Jose Mercury News*, Mar. 27, 1991, at Peninsula Extra 8

Carolyn Jung, "Stanford Out Front in Focus on Teaching: University Backs New Push with Cash," *San Jose Mercury News*, Mar. 8, 1991, at 1B

"List of 32 Rhodes Scholars Includes Two Texans," *Houston Chronicle*, Dec. 10, 1990, at A7

Art Campos, "Capital's Rhodes Scholar," *Sacramento Bee*, Dec. 10, 1990, at A1

Carl Irving, "N. Californians Named as Rhodes Scholars Are Both from Families of Achievers, with Hopes of Careers with Government in Public Service," *San Francisco Examiner*, Dec. 10, 1990, at A5

Kathryn Dettman, "Thirty-Two Rhodes Scholars Announced, Including Minister, Five from Harvard," *Associated Press*, Dec. 9, 1990

Herbert A. Michelson, "Capital Teen Completes Project at UC Lab," *Sacramento Bee*, July 6, 1987, at B2

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 a judicial office.

- 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. **Recusal:** 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:

- 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.

I have not served as a judge.

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 had no 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 am a registered Democrat. I have never held office in or rendered services to a political party. I have never been a member of, held office in, or rendered services to an election committee. I have never held a position or played a role in a political campaign, apart from occasional monetary contributions to political candidates.

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;

1998 – 1999; I served as a law clerk to Judge David S. Tatel, U.S. Court of Appeals for the D.C. Circuit.

2000 – 2001; I served as a law clerk to Justice Ruth Bader Ginsburg, Supreme Court of the United States.

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

2008 – Present; I serve as a legal consultant to the San Francisco Unified School District. My office address is UC Berkeley School of Law, Berkeley, California 94720.

- 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.

1998
NAACP Legal Defense Fund
1444 Eye Street NW
Washington, D.C. 20005
Summer Intern

1999 – 2000
United States Department of Education
400 Maryland Avenue SW
Washington, D.C. 20003
Special Assistant to the Deputy Secretary of Education

2000
Nixon Peabody LLP
401 Ninth Street NW, Suite 900
Washington, D.C. 20004
Contract Attorney

2001 – 2003
O'Melveny & Myers LLP
1625 Eye Street NW
Washington, D.C. 20006
Litigation Associate

2003 – Present
UC Berkeley School of Law
Berkeley, California 94720
Associate Dean and Professor of Law (2008 – Present)
Assistant Professor of Law (2003 – 2008)

- 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.

I have never served as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:

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

As a law clerk to Circuit Judge David S. Tatel (1998-1999) and to Associate Justice Ruth Bader Ginsburg (2000-2001), I assisted with legal research and writing. As a Special Assistant to the Deputy Secretary of Education (1999-2000), I was an attorney staff member to the senior leadership in the Department. Early in my career, I also served short stints as a legal intern to the NAACP Legal Defense Fund (summer 1998) and as a contract attorney to a law firm (summer 2000), where I assisted with legal research and writing.

After clerking at the Supreme Court, I practiced law at O'Melveny & Myers in Washington, D.C. (2001 to 2003). I did general business litigation and was a member of the appellate litigation group. I also did significant pro bono work.

Since 2003, I have been a full-time law professor at the UC Berkeley School of Law.

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

At O'Melveny & Myers, my typical clients were large businesses. In addition to appellate work, my areas of practice included antitrust, insurance, and product liability. I also represented some individuals in white collar criminal matters and pro bono matters.

Since my appointment to the UC Berkeley faculty in 2003, my primary work has consisted of teaching and research. I also have performed occasional legal work as a consultant in the area of education law.

- 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.

My practice at O'Melveny & Myers was exclusively litigation. I appeared in court occasionally. My other work as an attorney has not involved court appearances.

i. Indicate the percentage of your practice in:

1. federal courts 75%
2. state courts of record 25%
3. other courts
4. administrative agencies

ii. Indicate the percentage of your practice in:

1. civil proceedings 80%
2. criminal proceedings 20%

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.

I have not tried any cases in courts of record to verdict, judgment, or final decision.

i. What percentage of these trials were:

1. jury:
2. non-jury:

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 filed one amicus brief in the Supreme Court of the United States. Brief of 19 Former Chancellors of the University of California as *Amici Curiae* in Support of Respondents, *Parents Involved in Comm. Schs. v. Seattle Sch. Dist. No. 1*, No. 05-908, and *Meredith v. Jefferson County Bd. of Educ.*, No. 05-915 (Oct. 10, 2006).

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. *In re: Rite Aid Corp. Securities Litigation*

I assisted O'Melveny attorneys Bruce Hiler, Jeffrey Kilduff, and William Stuckwisch in handling an appeal in the U.S. Court of Appeals for the Third Circuit on behalf of a former chief financial officer of Rite Aid facing fraud and other charges in a securities class action filed after Rite Aid restated its earnings in the late 1990s. The appeal (No. 01-3563) challenged the district court's entry of a settlement bar order that purported to eliminate potentially valuable contractual indemnification claims that our client might have had against Rite Aid under state law (E.D. Pa., Civil Action No. 99-CV-1349, Judge Dalzell). I briefed the appeal. Our client reached a settlement with Rite Aid in September 2002 before the appeal was argued.

Managing counsel for our client were Bruce Hiler and Jeffrey Kilduff, O'Melveny & Myers LLP, 1625 Eye St., NW, Washington, DC 20006, (202) 383-5300. Counsel for Rite Aid were William A. Slaughter, Ballard, Spahr, Andrews & Ingersoll, 1735 Market Street, 51st Floor, Philadelphia, PA 19103, (215) 665-8500, and Douglas B. Adler, Skadden, Arps, Slate, Meagher & Flom, 300 South Grand Avenue, 34th Floor, Los Angeles, CA 90071, (213) 687-5000. Counsel for Class Plaintiffs were Carole Broderick, Berger & Montague, 1622 Locust Street, Philadelphia, PA 19103, (215) 875-3015; David J. Bershad, Milberg, Weiss, Bershad, Hynes & Lerach.

2. *Hidalgo v. FBI*

This case involved a Freedom of Information Act (FOIA) request by a federal inmate, who in 1999 sought documents from the FBI relating to an informant who had testified at his trial. The FBI invoked various FOIA exemptions and refused to confirm or deny the existence of responsive documents. After an unsuccessful administrative appeal, plaintiff brought this case *pro se* (D.D.C., Civil Action No. 00-0709, Judge Robertson), and the court rejected his claims on March 16, 2001. He then filed a *pro se* appeal in the U.S. Court of Appeals for the D.C. Circuit (No. 01-5161). The appeal was on a list of *pro se* cases that the D.C. Circuit assigns to pro bono counsel. I volunteered for the assignment, and Walter Dellinger served as the supervising partner. I briefed the appeal and argued the case before Chief Judge Ginsburg and Judges Sentelle and Henderson. On October 3, 2003, the court held that my client's administrative appeal was untimely and dismissed the suit without prejudice. 344 F.3d 1256 (D.C. Cir. 2003). The court of appeals did not reach the merits of the FBI's nondisclosure decision, although I had fully briefed those issues. After I left O'Melveny, plaintiff refiled the suit with the firm's continued assistance, and the district court ultimately ordered the FBI to disclose most of the information plaintiff had requested. 541 F. Supp. 2d 250 (D.D.C. 2008). The opinion relied substantially on the merits arguments I had made in the original case.

Supervising co-counsel was Walter Dellinger, O'Melveny & Myers LLP, 1625 Eye St., NW, Washington, DC 20006, (202) 383-5300. Counsel for the government was Diane M. Sullivan, United States Attorney's Office, Judiciary Center, 555 Fourth Street NW, Washington, D.C. 20530, (202) 514-7205.

3. *IVAX Corp. v. Aztec Peroxides LLC*

I assisted O'Melveny attorneys Richard Parker and William Stuckwisch in the representation of a defendant foreign company in this suit alleging unlawful price-fixing among organic peroxide manufacturers. The complaint was filed on March 28, 2002, in the U.S. District Court for the District of Columbia (02-CV-00593), and the case was assigned to Judge Robertson. I helped brief a motion to dismiss for lack of personal jurisdiction or, in the alternative, for failure to state a claim. On January 7, 2003, Judge Robertson dismissed our client from the suit based on plaintiffs' failure to state a claim.

Managing counsel for our client was Richard Parker, O'Melveny & Myers LLP, 1625 Eye St., NW, Washington, DC 20006, (202) 383-5300. Counsel for Plaintiffs was Ann C. Yahner, Cohen Milstein, 1100 New York Avenue NW, Washington, D.C. 20005, (202) 408-4600.

4. *Paper Systems Inc. v. Nippon Paper Industries Co.*

I assisted O'Melveny attorneys Ian Simmons and William Stuckwisch in handling this appeal in the U.S. Court of Appeals for the Seventh Circuit. Our client, a paper manufacturer, had won dismissal in district court of a price-fixing conspiracy suit against it. 2000 WL 362020 (E.D. Wis. Mar. 30, 2002). I was principal author of the briefs. The court of appeals (Chief Judge Flaum and Judges Bauer and Easterbrook) reversed. 281 F.3d 629 (7th Cir. 2002).

Managing counsel for our client was Ian Simmons, O'Melveny & Myers LLP, 1625 Eye St., NW, Washington, DC 20006, (202) 383-5300. Counsel for Plaintiffs was Daniel A. Small, Cohen, Milstein, Hausenfeld & Toll, 1100 New York Avenue NW, Suite 500, Washington, D.C. 20005, (202) 408-4600.

5. *Parents Involved in Community Schools v. Seattle School District No. 1*

The case concerned the constitutionality of race-conscious voluntary desegregation plans in the Louisville and Seattle school districts. I was counsel of record and the primary author of an amicus brief filed on October 10, 2006, in the Supreme Court of the United States on behalf of nineteen former University of California chancellors representing all ten UC campuses in support of the school districts. Boalt Hall dean Christopher Edley collaborated with me on the brief. We did all the work pro bono. The Supreme Court invalidated the school districts' plans. 551 U.S. 701 (2007).

Co-counsel on the amicus brief was Christopher Edley, Dean, UC Berkeley School of Law, Boalt Hall, Berkeley, CA 94720, (510) 642-6483. Counsel for Louisville Petitioner

was Teddy B. Gordon, 807 West Market Street, Louisville, KY 40202, (502) 585-3534. Counsel for Seattle Petitioner was Harry Korrell, Davis Wright Tremaine, 1201 Third Avenue, Suite 2200, Seattle, WA 98101, (206) 622-3150. Counsel for Jefferson County Public Schools was Francis J. Mellen, Wyatt, Tarrant & Combs, 500 West Jefferson Street, Suite 2800, Louisville, KY 40202, (502) 589-5235. Counsel for Seattle School District No. 1 were Michael Madden, Bennett Bigelow & Leedom, 1700 Seventh Avenue, Suite 1900, Seattle, WA 98101, (206) 622-5511, and Maree Sneed, Hogan & Hartson, 555 Thirteenth Street NW, Washington, D.C. 20004, (202) 637-5600.

6. *Gilchrist v. State Farm Mutual Automobile Insurance Co.*

Plaintiffs alleged that defendant insurers violated federal antitrust laws by conspiring to limit coverage for certain auto body repairs. After the district court certified a nationwide class of 70 million policyholders, the insurance companies appealed to the U.S. Court of Appeals for the Eleventh Circuit. I assisted O'Melveny attorney John Beisner in writing an amicus brief in support of the insurance companies on behalf of several insurance trade associations. Among other arguments, we contended that the McCarran-Ferguson Act required this dispute to be resolved by state regulatory authorities and not by federal courts. The Eleventh Circuit agreed that the McCarran-Ferguson Act barred the suit. 390 F.3d 1327 (11th Cir. 2004).

Managing counsel for our clients was John Beisner, now with Skadden, Arps, Slate, Meagher & Flom, 1440 New York Ave., NW, Washington, DC 20005, (202) 371-7000. Counsel for Plaintiffs was R. Stephen Berry, Berry & Leftwich, 1717 Pennsylvania Avenue NW, Suite 450, Washington, D.C. 20006, (202) 296-3020. Counsel for State Farm was Carey P. DeDeyn, Sutherland Asbill & Brennan, 999 Peachtree Street NE, Atlanta, GA 30309, (404) 853-8000

7. *Lloyd v. General Motors Corp.*

I assisted O'Melveny attorneys John Beisner, Neil Gilman, and Jonathan Hacker in representing General Motors in the Maryland Court of Appeals in a suit by several individuals seeking to recover the cost of repairing allegedly unsafe seatbacks where none of the individuals claimed actual personal injury as a result of the alleged defect. General Motors prevailed in the lower courts, and plaintiffs appealed. I helped brief the appeal, heard by Chief Judge Bell and Judges Eldridge, Raker, Wilner, Cathell, Harrell, and Battaglia. The Maryland Court of Appeals reversed. 916 A.2d 257 (Md. 2007).

Managing counsel for our clients was John Beisner, now with Skadden, Arps, Slate, Meagher & Flom, 1440 New York Ave., NW, Washington, DC 20005, (202) 371-7000. Counsel for Plaintiffs were John M. Mason, Marks & Sokolov, 1835 Market Street, 28th Floor, Philadelphia, PA 19103, (215) 569-8901; and William F. Askinazi, Law Offices of William F. Askinazi, OBA Bank Building, Suite 200, 20300 Seneca Meadows Parkway, Germantown, MD 20876, (301) 540-5380.

8. *Martinez v. Bush*

I assisted O'Melveny attorneys Ron Klain and Jeremy Bash in the representation of minority voters raising constitutional and statutory challenges to Florida redistricting plans. The complaint was filed in January 2002 in the U.S. District Court for the Southern District of Florida (Nos. 02-20244-CIV, 02-10028-CIV), and the case was assigned to a three-judge district court comprised of Judges Tjoflat, Hinkle, and Jordan. I helped draft the second amended complaint and plaintiffs' consolidated memorandum in opposition to defendants' motion for judgment on the pleadings. The district court upheld the redistricting plans. 234 F. Supp. 2d (S.D. Fla. 2002).

Managing counsel were Ron Klain and Jeremy Bash, both now with the United States Government. Counsel for the State of Florida was Paul F. Hancock, Deputy Attorney General, 110 SE 6th Street, 10th Floor, Fort Lauderdale, FL 33301, (954) 712-4600.

9. *State of Maryland v. Sanders*

I was pro bono defense counsel to a Maryland inmate facing a criminal charge of second-degree assault for striking a correctional officer during an altercation with another inmate (Montgomery County Circuit Court Docket No. 96047C). I took on this case through a partnership between my law firm and a local public defender's office in which firm attorneys provided pro bono counsel to indigent defendants facing misdemeanor charges. By working with the state's attorney and the victim of the offense, I helped the client secure probation before judgment. To achieve this result, I successfully persuaded the assault victim to appear on the defendant's behalf at an October 2002 hearing before Judge Weinstein in Montgomery County Circuit Court.

My co-counsel was Brett S. Lonker, Assistant Public Defender, 199-P East Montgomery Avenue, Rockville, MD 20850, (240) 773-9600. Counsel for the State of Maryland was John McLane, Montgomery County State's Attorney, 50 Maryland Avenue, 5th Floor, Rockville, MD 20850, (240) 777-7300.

10. *Highland Tank v. ACE/CIGNA*

In October 2000, Plaintiff filed this class action suit against its insurers alleging failure to pay certain dividends owed under a workers' compensation policy. The case was filed in Pennsylvania state court (Lancaster County Court of Common Pleas). The court certified a nationwide class, and I assisted O'Melveny attorney Brian Boyle in the representation of the defendants on appeal. I helped brief the appeal, in which our clients argued that class certification was improper because the policies were governed by state laws that varied from one jurisdiction to another. I do not recall whether the appeal was argued or decided before I left O'Melveny, and I am unable to locate the docket or filings for this case. The parties settled in July 2004.

Managing counsel for our client was Brian Boyle, O'Melveny & Myers LLP, 1625 Eye St., NW, Washington, DC 20006, (202) 383-5300.

18. **Legal Activities:** 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.)

Since 2003, I have been a full-time law professor at UC Berkeley. My principal work consists of teaching and research and, since becoming associate dean in 2008, administrative duties. I also served as faculty co-director of the Chief Justice Earl Warren Institute on Race, Ethnicity & Diversity from 2004 to 2009 and in that capacity advised and participated in civil rights research projects.

On a limited basis, I have been a legal consultant on matters of education law and policy. Most significantly, I advise the San Francisco Unified School District on its student assignment plan. I occasionally testify on constitutional law questions before local, state, and federal government entities. I have served on the boards of several nonprofit legal organizations.

I have performed no lobbying activities on behalf of any client or organization.

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 been a member of the UC Berkeley School of Law faculty since 2003. In those years, I have taught the following courses:

Constitutional Law: 2004, 2005, 2006, 2008, 2010

judicial review, federalism, separation of powers, equal protection, due process

Contemporary Issues in Constitutional Law: 2009

a different topic each week, including gun rights, death penalty, abortion, and voting rights

Fundamental Rights: 2005, 2006

positive and negative rights, legislative constitutionalism, substantive due process, theories of constitutional interpretation

Education Law & Policy: 2003, 2004, 2005

school desegregation, school finance, school choice, vouchers, standards, and testing

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.

Under my contract with Oxford University Press for publication of *Keeping Faith with the Constitution*, I am entitled to royalties based on book sales. I have no other arrangements for deferred income or future benefits.

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.

I have no plans, commitments, or agreements to pursue outside employment, with or without compensation, during my service with the court.

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.

My wife and I are both presently employees of the University of California. I serve on the Board of Trustees of Stanford University. I am a consultant to the San Francisco Unified School District. I also serve and recently have served on the boards of several nonprofits, some of which participate in litigation on behalf of clients or on their own behalves. My wife is a senior fellow at the Center for American Progress, and she serves on two non-profit boards, Public Advocates and the East Bay Community Law Center, some of whose work involves litigation. If confirmed, I would carefully apply the recusal statutes, the relevant canons of the Code of Conduct for United States Judges, and the advice of colleagues and/or the Judicial Conference to any case involving one or more of these entities in any capacity. Where necessary to ensure impartiality or to avoid

appearance of partiality, I would disclose ties to litigants and recuse myself where appropriate.

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

I will handle all matters involving actual or potential conflicts of interest through the careful and diligent application of the Code of Conduct for United States Judges as well as other relevant canons and statutory provisions.

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 take seriously the professional responsibility of lawyers to serve the disadvantaged, which was a large part of my motivation to go to law school. As a law firm associate, I took on many pro bono matters, which in some months accounted for one-third or more of my billable hours. Those matters included *Hidalgo v. FBI*, 344 F.3d 1256 (D.C. Cir. 2003), a Freedom of Information Act case in which I served as court-appointed counsel. They also included cases I handled through a local partnership between my firm and the Montgomery County, Maryland, Office of the Public Defender. For example, I represented a woman facing an assault charge for throwing a kitchen knife at her husband and successfully persuaded the district attorney to drop the charge by uncovering a long history of physical and psychological abuse of the woman by her husband.

Since joining the Berkeley Law faculty, I have continued to devote considerable time to the needs of the disadvantaged, especially low-income or minority children in public schools. In addition to my scholarship and policy work in these areas, I contributed my time and expertise to the creation of a new charter school run by UC Berkeley and Aspire Public Schools in my local community. From 2004 to 2008, I served on a faculty advisory committee that helped launch the California College Preparatory Academy. The school serves a predominantly low-income, African American, and Hispanic student population in grades 7-10 (with plans to expand to grades 7-12). In the first two years of my involvement, I participated in monthly two-hour committee meetings as well as volunteer activities at the school site.

I also have worked with disadvantaged students in more direct ways. During the first two years after law school, while clerking on the D.C. Circuit and then serving in the U.S. Department of Education, I volunteered my services for three hours on Saturday mornings as an SAT tutor for low-income students at Washington-Lee High School, a public school in Arlington, Virginia.

Finally, I devote considerable time to serving on boards of nonprofit organizations that address the needs of disadvantaged individuals and groups through policy, litigation, and

direct services. I typically spend one to three days per month on this board work.

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.

There is no selection commission to recommend candidates for nomination to the United States Court of Appeals for the Ninth Circuit.

On February 6, 2009, I met with White House Counsel Gregory Craig and staff regarding my interest in serving as a judge. I had a second meeting with White House Counsel's Office attorneys on March 12, 2009. Since August 2009, I have been in contact with White House staff and pre-nomination officials in the Office of Legal Policy at the Department of Justice. On September 23, 2009, I interviewed in Washington, D.C., with Associate Attorney General Thomas Perrelli and attorneys from the Department of Justice and the White House Counsel's Office. The President submitted my nomination to the United States Senate on February 24, 2010.

- 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.

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) Liu, Goodwin H.	2. Court or Organization U.S. Court of Appeals for the Ninth Circuit	3. Date of Report 2/24/2010
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Circuit Judge - Nominee	5a. Report Type (check appropriate type) ☒ Nomination, Date 2/24/2010 ☐ Initial ☐ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 1/1/2009 to 1/31/2010
7. Chambers or Office Address UC Berkeley School of Law Berkeley, CA 94720-7200	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. 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. Member, Board of Trustees	Stanford University
2. Chair, Board of Directors (I served as Secretary before becoming Chair)	American Constitution Society for Law and Policy
3. Member, Board of Directors	Public Welfare Foundation
4. Member, Board of Directors	National Women's Law Center
5. Member, Board of Directors	Alliance for Excellent Education

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

☒ NONE (No reportable agreements.)

DATE

PARTIES AND TERMS

1.	_____
2.	_____
3.	_____

FINANCIAL DISCLOSURE REPORT

Page 2 of 9

Name of Person Reporting

Liu, Goodwin H.

Date of Report

2/24/2010

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.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1. 2010	University of California - salary	\$21,705.50
2. 2010	San Francisco Unified School District - legal consulting	\$4,972.50
3. 2010	Public Welfare Foundation - director's fee	\$1,500.00
4. 2009	University of California - salary	\$241,102.05
5. 2009	San Francisco Unified School District - legal consulting	\$5,703.75
6. 2009	Public Welfare Foundation - director's fee	\$6,000.00
7. 2009	Oxford University Press - book advance	\$500.00
8. 2009	Georgetown University - honorarium	\$500.00
9. 2009	University of Arkansas, Fayetteville - honorarium	\$250.00
10. 2009	University of San Diego - honorarium	\$200.00
11. 2008	University of California - salary	\$202,642.39
12. 2008	San Francisco Unified School District - legal consulting	\$15,697.50
13. 2008	Union for Reform Judaism - honorarium	\$5,000.00
14. 2008	Kaiser Foundation Health Plan - honorarium	\$2,500.00
15. 2008	James B. Hunt Institute for Educational Leadership and Policy - honorarium	\$1,500.00
16. 2008	Stanford University - honorarium	\$1,000.00
17. 2008	Duke University - honorarium	\$1,000.00
18. 2008	University of Chicago - honorarium	\$300.00

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.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>
1. 2010	University of California - salary

FINANCIAL DISCLOSURE REPORT

Page 3 of 9

Name of Person Reporting

Liu, Goodwin H.

Date of Report

2/24/2010

2. 2009	University of California - salary
3. 2009	Center for American Progress - consulting
4. 2009	Princeton University - honorarium (\$15,000)
5. 2009	San Francisco Chronicle - honorarium (\$150)

IV. REIMBURSEMENTS — *transportation, lodging, food, entertainment.**(Includes those to spouse and dependent children; see pp. 25-27 of filing instructions.)*☐ NONE *(No reportable reimbursements.)*

	<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
1. EXEMPT					
2.					
3.					
4.					
5.					

FINANCIAL DISCLOSURE REPORT

Page 4 of 9

Name of Person Reporting

Liu, Goodwin H.

Date of Report

2/24/2010

V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*☐NONE *(No reportable gifts.)*SOURCEDESCRIPTIONVALUE

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.)*CREDITORDESCRIPTIONVALUE CODE

1.

2.

3.

4.

5.

FINANCIAL DISCLOSURE REPORT

Page 5 of 9

Name of Person Reporting

Liu, Goodwin H.

Date of Report

2/24/2010

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		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(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 Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. - Chesapeake Core Growth	A	Dividend	K	T	Exempt				
2. - Fidelity Large Cap Stock	A	Dividend	K	T					
3. - Harbor Capitol Appreciation	A	Dividend	K	T					
4. - Vanguard PrimeCap Core	A	Dividend	K	T					
5. - Fidelity Puritan	A	Dividend	K	T					
6. - Oakmark	A	Dividend	K	T					
7. - Vanguard Value Trust Index	A	Dividend	J	T					
8. - SPDR Midcap	A	Dividend	K	T					
9. - Fidelity Low Priced Stock	A	Dividend	K	T					
10. - Royce Value Plus Service	A	Dividend	J	T					
11. - Artio International Equity A	C	Dividend	K	T					
12. - Dodge and Cox International	A	Dividend	J	T					
13. - Fidelity Money Market	A	Dividend	M	T					
14. - Fidelity Ginnie Mae	A	Dividend	K	T					
15. - Fidelity VIP Contrafund	A	Dividend	J	T					
16. - Fidelity VIP Equity-Income	A	Dividend	J	T					
17. - Fidelity VIP Mid Cap	A	Dividend	J	T					

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	

FINANCIAL DISCLOSURE REPORT

Page 6 of 9

Name of Person Reporting

Liu, Goodwin H.

Date of Report

2/24/2010

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		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(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 Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
18. - Fidelity Intermediate Bond	A	Dividend	J	T					
19. - Vanguard PrimeCap Core	A	Dividend	K	T					
20. - Dodge and Cox Income	A	Dividend	J	T					
21. - Selected American Shares	A	Dividend	J	T					
22. - Fidelity Midcap Stock	A	Dividend	K	T					
23. - Fidelity Small Cap	A	Dividend	J	T					
24. - Fidelity Diversified International	A	Dividend	J	T					
25. - Vanguard Emerging Market Index	A	Dividend	K	T					
26. - Fidelity Capital Appreciation	A	Dividend	J	T					
27. - Harbor Bond International	B	Dividend	K	T					
28. - TCW Dividend Focused N	A	Dividend	K	T					
29. - Third Avenue International Value	A	Dividend	K	T					
30. - Fidelity Inflation-Protected Bond	A	Dividend	K	T					
31. - Fidelity Capital Appreciation	A	Dividend	K	T					
32. - Fidelity Growth and Income	A	Dividend	J	T					
33. - Fidelity International Small Cap	A	Dividend	J	T					
34. - Fidelity Real Estate Investment	A	Dividend	J	T					

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	

FINANCIAL DISCLOSURE REPORT

Page 7 of 9

Name of Person Reporting

Liu, Goodwin H.

Date of Report

2/24/2010

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		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(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 Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
35. - UC Pathway 2040	A	Dividend	K	T					
36. - UC Balanced Growth	A	Dividend	L	T					
37. - Fidelity Balanced	A	Dividend	K	T					
38.									
39.									

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	

FINANCIAL DISCLOSURE REPORT
Page 8 of 9

Name of Person Reporting

Liu, Goodwin H.

Date of Report

2/24/2010

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

FINANCIAL DISCLOSURE REPORT
Page 9 of 9

Name of Person Reporting
Liu, Goudwin H.

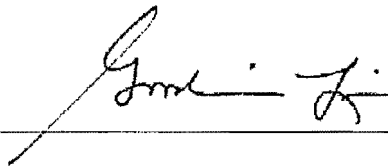
Date of Report
2/24/2010

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)

FILING INSTRUCTIONS

Mail signed original and 3 additional copies to:

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		115	816	Notes payable to banks-secured			
U.S. Government securities-add schedule				Notes payable to banks-unsecured			
Listed securities-add schedule		350	967	Notes payable to relatives			
Unlisted securities--add schedule				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due			
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgages payable-add schedule		536	594
Real estate owned-add schedule		975	000	Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property		66	409				
Cash value-life insurance							
Other assets itemize:							
See attached schedule		537	746				
				Total liabilities		536	594
				Net Worth	1	509	344
Total Assets	2	045	938	Total liabilities and net worth	2	045	938
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor				Are any assets pledged? (Add schedule)	NO		
On leases or contracts				Are you a 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

Chesapeake Core Growth	\$34,708
Fidelity Large Cap Stock	15,936
Harbor Capital Appreciation	29,999
Vanguard PrimeCap Core	15,620
Fidelity Puritan	30,494
Oakmark	34,891
Vanguard Value Trust Index	14,426
SPDR Midcap	38,250
Fidelity Low Priced Stock	46,287
Royce Value Plus Service	13,513
Artio International Equity A	33,949
Dodge and Cox International	13,715
Fidelity Ginnie Mae	29,179
Total Listed Securities	<u>\$350,967</u>

Real Estate Owned

Personal residence (estimate)	\$975,000
-------------------------------	-----------

Real Estate Mortgages Payable

Personal residence	\$536,594
--------------------	-----------

Other assets: Retirement accounts

University of California (UC) 403(b)	
Fidelity Inflation-Protected Bond	\$31,322
Fidelity Capital Appreciation	17,930
Fidelity Growth and Income	13,720
Fidelity Small Cap Stock	10,466
Fidelity International Small Cap	9,582
Fidelity Real Estate Investment	8,304
Subtotal UC 403(b)	<u>91,324</u>
UC 457(b) UC Balanced Growth	73,920
UC Defined Contribution Plan (DCP) Fidelity Balanced	42,532
Fidelity Annuity	
Fidelity VIP Contrafund	13,433
Fidelity VIP Equity-Income	10,536
Fidelity VIP Mid Cap	16,523
Subtotal Fidelity Annuity	<u>40,492</u>

Pershing IRA	
Fidelity Intermediate Bond	14,874
Vanguard PrimeCap Core	15,240
Fidelity Low Priced Stock	6,221
Cash/Money Market	446
Subtotal Pershing IRA	36,781
Pershing Roth IRA	
Dodge and Cox Income	11,833
Vanguard PrimeCap Core	20,885
Selected American Shares	9,577
Fidelity Midcap Stock	25,467
Fidelity Small Cap	13,207
Fidelity Diversified International	13,200
Vanguard Emerging Market Index	24,992
Cash/Money Market	156
Subtotal Pershing Roth IRA	119,317
UC 403(b) UC Pathway 2040	22,137
UC 457(b) UC Pathway 2040	22,137
UC Defined Contribution Plan UC Pathway 2040	4,510
Fidelity Roth IRA	
Fidelity Capital Appreciation	1,846
Fidelity Cash Reserves	8
Subtotal Fidelity Roth IRA	1,854
Pershing Roth IRA	
Harbor Bond International	36,747
TCW Dividend Focused N	28,452
Third Avenue International Value	17,468
Cash/Money Market	75
Subtotal Pershing Roth IRA	82,742
Total Other Assets	\$537,746

AFFIDAVIT

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

2/23/10

(DATE)

[Signature]

(NAME)

State of California
County of

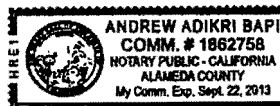
ALAMEDA

On FEBRUARY, 23RD 2010 before me, ANDREW ADIKRI BAPI. (NOTARY PUBLIC)
(insert name and title of the officer)

personally appeared GOODWIN HON LIU.
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature] (Seal)