

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Dani ("Danielle") Jo Hunsaker  
Danielle J. Hunsaker  
Danielle Jo Forrest  
Danielle Joy Forrest  
Dani Jo Forrest

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

Circuit Judge, United States Court of Appeals 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.

Washington County Courthouse  
150 North First Avenue, Courtroom 301C  
Hillsboro, Oregon 97124

Residence: Portland, Oregon

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

1977; Roseburg, Oregon

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.

2001 – 2004, University of Idaho, College of Law; J.D. (*summa cum laude*), 2004

1996 – 1998, 2000 – 2001, University of Idaho; B.S. (*cum laude*), 2001

1994 – 1996, Ricks College; A.A.S., 1996

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.

2017 – present

Washington County Circuit Court  
Washington County Courthouse  
150 North First Avenue, Courtroom 301C  
Hillsboro, Oregon 97124  
Presiding Judge (June 2019 – present)  
Chief Civil Judge (January 2019 – June 2019)  
Circuit Judge (December 2017 – January 2019)

2009 – 2017

Larkins Vacura Kayser, LLP  
121 Southwest Morrison Street, Suite 700  
Portland, Oregon 97204  
Partner (2014 – 2017)  
Associate (2009 – 2013)

2011 – 2016

Lewis & Clark Law School  
10015 Southwest Terwilliger Boulevard  
Portland, Oregon 97219  
Adjunct Law Professor

2007 – 2008; 2008 – 2009

Stoel Rives LLP  
760 Southwest Ninth Avenue, Suite 3000  
Portland, Oregon 97205  
Litigation Associate

2008

United States Court of Appeals for the Ninth Circuit  
700 Southwest Sixth Avenue, Suite 313  
Portland, Oregon 97204  
Law Clerk to Hon. Diarmuid F. O'Scannlain

2005 – 2007

United States District Court for the District of Oregon  
1000 Southwest Third Avenue  
Portland, Oregon 97204  
Law Clerk to Hon. Michael W. Mosman

2004 – 2005

United States Court of Appeals for the Tenth Circuit  
Federal Courthouse

106 South Federal Place  
Santa Fe, New Mexico 87501  
Law Clerk to Hon. Paul J. Kelly, Jr.

2003 – 2004  
Simon Azar-Farr & Associates  
2313 North Flores Street  
San Antonio, Texas 78212-3817  
Student Law Clerk (worked remotely)

2002 – 2003  
University of Idaho College of Law  
711 South Rayburn Street  
Moscow, Idaho 83844  
Teaching Assistant

Summer 2002  
Latah County District Court  
522 South Adams Street #119  
Moscow, Idaho 83843  
Judicial Extern to Hon. John R. Stegner

2001  
ServiceMaster  
427 Troy Road  
Moscow, Idaho 83843  
Janitor

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, and I was not required to register 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.

*Oregon Super Lawyers, Rising Star (2014 – 2017)*

Oregon State Bar, New Lawyers Division Public Service Award (2013)

University of Idaho College of Law, Award of Legal Achievement (highest graduating GPA in class of 2004)

Graduated *summa cum laude* from University of Idaho College of Law (2004).

*Idaho Law Review*, Best Student Article Award (2003)

*Idaho Law Review*, Best Associate Editor Award (2003)

Idaho Law Foundation Scholarship (2003)

Peter Heiser Memorial Scholarship (2002 – 2004)

Jacobsen Renn Scholarship (2000 – 2001)

Katherine Brandt Scholarship (1997 – 1999)

Presidential Scholarship (1996 – 1997)

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 (2012 – 2017)

American Judges Association (2019 – present)

District of Oregon Lawyer Representative Ninth Circuit Judicial Conference (2013 – 2017)

Co-Chair of Oregon Lawyer Representatives (2015 – 2017)

Lawyer Representatives Coordinating Committee (2015 – 2017)

District of Oregon Local Rules Committee (2016)

Federal Bar Association, Oregon Chapter (2007 (approximately) – present)

Vice President (2017)

Secretary (2016 – 2017)

Membership Chair (2015 – 2016)

Board Member (2013 – 2017)

Merit Selection Panel Re: Reappointment of U.S. Magistrate Judge Dennis Hubel (2013)

Multnomah County Bar Association (2010 – 2017)

Oregon State Bar Federal Practice & Procedure Committee (2007 – 2009)

Chair (2009)

Secretary (2008)

Oregon State Bar Judicial Administration Committee (2013 – 2015)

Chair (2015)  
Secretary (2014)

Washington County Bar Association (2011 – present)  
President (2017)  
President-Elect (2016 – 2017)

Washington County Bench/Bar Committee (2019)

Washington County Civil Bench/Bar Committee (2014 – present)  
Chair (2014 – 2017)

**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.

Oregon (2004)  
Washington (2011)  
Idaho (2015)

There have been no lapses. In 2017, I was appointed to the Oregon bench, and I resigned membership in the Washington and Idaho bars.

- 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.

United States Court of Appeals for the Ninth Circuit, 2007  
United States Court of Appeals for the Tenth Circuit, 2005  
United States District Court for the District of Oregon, 2006  
United States District Court for the Western District of Washington, 2012

My membership in the Western District of Washington lapsed when I resigned from the Washington bar in 2017.

**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.

Federalist Society (approximately 2002 – 2006, 2017 – present)  
Student Chapter Secretary (2002 – 2004)

J. Reuben Clark Law Society, Oregon Chapter (2012 – present)  
Board of Directors (2015 – present)

Oregon Women Lawyers (2011 – present)  
Community Service Committee Member (2016 – 2017)  
Coffee Creek Book Drive Coordinator (2015 – 2016)

Owen M. Panner Inn of Court (2009 – 2014)

Portland City Club (2008 – 2009)

United States District Court of Oregon Historical Society (2018 – present)

University of Idaho College of Law Advisory Council  
Member (2010 – 2016)  
Emeritus Member (2016 – present)

Washington County Arbitration Commission (2018 – present)  
Chair (2018 – present)

Washington County Public Safety Coordinating Council (2019)

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

To the best of my knowledge, none of the organizations listed above currently discriminates 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.

**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.

*Straight From the Top*, IN BRIEF, July 2019. Copy supplied.

*Summary Judgment Motions: To File or Not to File?*, Oregon State Bar Litigation Section, Apr. 2019. Copy supplied.

*Straight from the Top: Reflecting on My First Year*, IN BRIEF, Mar. 2019. Copy supplied.

*President's Message*, WASH. COUNTY BAR, Dec. 2017. Copy supplied.

*President's Message*, WASH. COUNTY BAR, Nov. 2017. Copy supplied.

*President's Message*, WASH. COUNTY BAR, Oct. 2017. Copy supplied.

*President's Message*, WASH. COUNTY BAR, Sept. 2017. Copy supplied.

With Jack Scholz, *2017 Bankruptcy CLE*, FOR THE DISTRICT OF OREGON, Spring 2017. Copy supplied.

*September CLE—Navigating Federal & State Court Civil Litigation in Oregon*, WASH. COUNTY BAR, Oct. 2016. Copy supplied.

*Coffee Creek Book Drive Makes a Difference*, OREGON WOMEN LAWYERS ADVANCE SHEET, Summer 2016. Copy supplied.

With Christopher J. Kayser, *Substitution of Parties*, in OREGON CIVIL PLEADING & PRACTICE (2012). Copy supplied.

With Per A. Ramfjord, *Governing Law*, in FEDERAL CIVIL LITIGATION IN OREGON (2009). Copy supplied.

*The Right to a Jury "Has Never Been Efficient; But It Has Always Been Free": Idaho Capital Juries After Ring v. Arizona*, 39 IDAHO L. REV. 650 (2003). Copy supplied.

- 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.

*Washington County Circuit Court General Order 273*, July 30, 2019. Copy supplied.

*Washington County Circuit Court General Order 272*, July 9, 2019. Copy supplied.

*Washington County Circuit Court General Order 271*, June 27 2019. Copy supplied.

*Washington County Circuit Court, General Order 263*, Dec. 18, 2018. Copy supplied.

Washington County Arbitration Commission, *Proposed Washington County Supplemental Local Rule 13.161*, 2018. Copy supplied.

Washington County Civil Bench/Bar Committee, *Proposed Washington County Supplemental Local Rule 6.201*, 2017. Copy supplied.

*2017 District Report, United States District Court of Oregon*. Copy supplied.

*2016 Annual Report, United States District Court of Oregon*. Copy supplied.

*Federal Bar Association—Oregon Chapter Membership Plan*, Jan. 14, 2015. Copy supplied.

In 2017, I helped draft a letter to the District of Oregon Ninth Circuit Lawyer Representatives providing guidance about the activities and duties of lawyer representatives. The letter was ultimately issued by Chief Judge Michael Mosman. Copy supplied.

In 2016, as a member of the District of Oregon Local Rules Committee, I provided input into amendments of Local Rules 3 and 26. Copies supplied.

- 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.

*Minutes of Washington County Public Safety Coordinating Council Meeting* (July 19, 2019). Copy supplied.

*Minutes of Washington County Bench/Bar Committee Meeting* (July 11, 2019). Copy supplied.

*Minutes of Washington County Bench/Bar Committee Meeting* (Apr. 5, 2019). Copy supplied.

*Minutes of Oregon State Bar Judicial Administration Committee Meeting* (Dec. 2015). Copy supplied.



*Annual Report of Oregon State Bar Judicial Administration Committee* (Dec. 2015). Copy supplied.

*Minutes of Oregon State Bar Judicial Administration Committee Meeting* (Sept. 17, 2015). Copy supplied.

*Minutes of Oregon State Bar Judicial Administration Committee Meeting* (June 11, 2015). Copy supplied.

*Minutes of Oregon State Bar Judicial Administration Committee Meeting* (May 14, 2015). Copy supplied.

*Minutes of Oregon State Bar Judicial Administration Committee Meeting* (Apr. 9, 2015). Copy supplied.

*Minutes of Oregon State Bar Judicial Administration Committee Meeting* (Mar. 12, 2015). Copy supplied.

*Minutes of Oregon State Bar Judicial Administration Committee Meeting* (Feb. 6, 2015). Copy supplied.

*Statement of Support of HB 2337, Oregon State Bar Judicial Administration Committee* (Jan. 2015). Copy supplied.

*Minutes of Oregon State Bar Judicial Administration Committee Meeting* (Jan. 26, 2015). Copy supplied.

*Annual Report of Oregon State Bar Judicial Administration Committee* (Dec. 2014). Copy supplied.

*Minutes of Oregon State Bar Judicial Administration Committee Meeting* (Nov. 2014). Copy supplied.

*Minutes of Oregon State Bar Judicial Administration Committee Meeting* (Oct. 2014). Copy supplied.

*Minutes of Oregon State Bar Judicial Administration Committee Meeting* (Sept. 2014). Copy supplied.

*Minutes of Oregon State Bar Judicial Administration Committee Meeting* (May 2014). Copy supplied.

*Minutes of Oregon State Bar Judicial Administration Committee Meeting* (Apr. 2014). Copy supplied.

*Minutes of Oregon State Bar Judicial Administration Committee Meeting (Mar. 2014). Copy supplied.*

*Minutes of Oregon State Bar Judicial Administration Committee Meeting (Jan. 2014). Copy supplied.*

*Minutes of Oregon State Bar Judicial Administration Committee Meeting (Dec. 5, 2013). Copy supplied.*

*Annual Report of Oregon State Bar Judicial Administration Committee (Dec. 2013). Copy supplied.*

*Minutes of Oregon State Bar Judicial Administration Committee Meeting (Nov. 7, 2013). Copy supplied.*

*Minutes of Oregon State Bar Judicial Administration Committee Meeting (Oct. 3, 2013). Copy supplied.*

*Minutes of Oregon State Bar Judicial Administration Committee Meeting (Sept. 5, 2013). Copy supplied.*

*Minutes of Oregon State Bar Judicial Administration Committee Meeting (Aug. 1, 2013). Copy supplied.*

*Minutes of Oregon State Bar Judicial Administration Committee Meeting (June 6, 2013). Copy supplied.*

*Minutes of Oregon State Bar Judicial Administration Committee Meeting (May 2, 2013). Copy supplied.*

*Minutes of Oregon State Bar Judicial Administration Committee Meeting (Apr. 4, 2013). Copy supplied.*

*Minutes of Oregon State Bar Judicial Administration Committee Meeting (Mar. 7, 2013). Copy supplied.*

*Minutes of Oregon State Bar Judicial Administration Committee Meeting (Feb. 7, 2013). Copy supplied.*

*Minutes of Oregon State Bar Judicial Administration Committee Meeting (Jan. 3, 2013). Copy supplied.*

*Minutes of Oregon State Bar Federal Practice & Procedure Committee (Aug. 12, 2009). Copy supplied.*

*Minutes of Oregon State Bar Federal Practice & Procedure Committee (June 10,*

2009). Copy supplied.

With Scott Jerger et al., *Comments on Proposed Amendments to Fed. R. Civ. P 56* (Feb. 12, 2009). Copy supplied.

*Minutes of Oregon State Bar Federal Practice & Procedure Committee* (Feb. 11, 2009). Copy supplied.

*Minutes of Oregon State Bar Federal Practice & Procedure Committee* (Jan. 14, 2009). Copy supplied.

*Minutes of Oregon State Bar Federal Practice & Procedure Committee* (Dec. 10, 2008). Copy supplied.

*Minutes of Oregon State Bar Federal Practice & Procedure Committee* (Oct. 8, 2008). Copy supplied.

*Minutes of Oregon State Bar Federal Practice & Procedure Committee* (Aug. 13, 2008). Copy supplied.

*Minutes of Oregon State Bar Federal Practice & Procedure Committee* (May 14, 2008). Copy supplied.

*Minutes of Oregon State Bar Federal Practice & Procedure Committee* (Mar. 12, 2008). Copy supplied.

*Minutes of Oregon State Bar Federal Practice & Procedure Committee* (Jan. 16, 2008). Copy supplied.

*Minutes of Oregon State Bar Federal Practice & Procedure Committee* (Nov. 14, 2007). Copy supplied.

*Minutes of Oregon State Bar Federal Practice & Procedure Committee* (Sept. 12, 2007). Copy supplied.

I was also on the District of Oregon Local Rules Committee and the Washington County Civil Bench/Bar Committee, but they do not record minutes of their meetings.

To the extent responsive, the minutes that could be located from the Federal Bar Association Oregon Chapter Board Meetings and the Washington County Bar Association Board Meetings during the time periods that I served on those boards are supplied. The J. Reuben Clark Law Society Oregon Chapter Board does not keep minutes of its meetings.

- 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.

June 27, 2019: Speaker, "Investiture of Judge Rebecca Guptill," Washington County Circuit Court, Hillsboro, Oregon. I provided congratulatory and welcome remarks and expressed thanks to Judge Guptill for taking on the responsibility of public service. I have no notes, transcript, or recording. The address for the Washington County Circuit Court is 150 North First Avenue, Hillsboro, Oregon 97124.

June 5, 2019: Co-presenter, "Clackamas County/Washington County Practice Update," Multnomah County Bar Association CLE, Portland, Oregon. Notes and presentation slides supplied. A recording is available at [https://mbabar.org/assets/documents/cle\\_audio\\_archives/06.05.19 Wash Clack Update compressed audio.mp3?d=1564685653294](https://mbabar.org/assets/documents/cle_audio_archives/06.05.19_Wash_Clack_Update_compressed_audio.mp3?d=1564685653294).

April 15, 2019: Presenter, "Summary Judgment Motions: To File or Not to File?," Oregon State Bar Litigation Section Judge's Corner Q&A Teleconference, Salem, Oregon. Article supplied.

February 21, 2019: Speaker, "Investiture of Judge Kathleen Proctor," Washington County Circuit Court, Hillsboro, Oregon. I administered the ceremonial oath of office and provided congratulatory and welcome remarks. I have no notes, transcript, or recording. The address for the Washington County Circuit Court is 150 North First Avenue, Hillsboro, Oregon 97124.

September 27, 2018: Co-Presenter, "Winning Dispositive Motions," Multnomah County Bar Association CLE, Portland, Oregon. Outline and slides supplied. A recording is available at [https://mbabar.org/assets/documents/cle\\_audio\\_archives/09.27.18\\_Dispositive\\_Motions\\_Audio\\_compressed.mp3?d=1564685570149](https://mbabar.org/assets/documents/cle_audio_archives/09.27.18_Dispositive_Motions_Audio_compressed.mp3?d=1564685570149).

April 26, 2018: Speaker, "Meet the Judge: Danielle Hunsaker," Lawyers' Association of Washington County, Oregon Women Lawyers, Hillsboro, Oregon. This was an informal Q&A session where I took questions from attorneys. I have no notes, transcript, or recording. The address of the Oregon Women Lawyers is P.O. Box 40393, Portland, Oregon 97240.

February 1, 2018, Speaker, "Investiture of Judge Danielle Hunsaker," Washington County Circuit Court, Hillsboro, Oregon. Notes and audio recording supplied.

October 26, 2017: Panelist, "OSB Pro Bono Fair CLE--Expanding Horizons: Pro Bono Opportunities & Ethics for New Lawyers," Oregon State Bar, Portland, Oregon. I participated in panel presentation about pro bono opportunities and discussed experiences with the U.S. District Court Pro Bono Program. I have no notes, transcript, or recording. The address of the Oregon State Bar is 16037 Southwest Upper Boones Ferry Road, Tigard, Oregon 97224.

October 11, 2017: Speaker Introducer, "Call Them Something Besides Cowards: The *Sweet* Murder Trial," Washington County Bar Association CLE, Hillsboro, Oregon. I introduced the speaker and made no substantive remarks. I have no notes, transcript, or recording. The address for the Washington County Bar Association is P.O. Box 912, Hillsboro, Oregon 97124.

October 6, 2017: Speaker Introducer, "District of Oregon Conference," District Court of Oregon, Portland, Oregon. I introduced speakers and made no substantive remarks. I have no notes, transcript, or recording. The address for the District Court of Oregon is 1000 Southwest Third Avenue, Portland, Oregon 97204. Conference agenda supplied.

October 5, 2017: Speaker Introducer, "Truth as Advocacy," J. Reuben Clark Law Society Oregon Chapter, Portland, Oregon. I introduced the speaker, Judge Jay Bybee, and I made no substantive remarks. I have no notes, transcript, or recording. The address for the J. Reuben Clark Law Society Oregon Chapter is c/o Skyler Tanner, Lane Powell PC, 601 Southwest 2nd Avenue, Suite 2100, Portland, Oregon 97204.

July 17, 2017: Panelist, "Tips for Planning a District Court Conference," Ninth Circuit Judicial Conference Lawyer Representatives Business Meeting, San Francisco, California. I spoke about planning a court conference. I have no notes, transcripts, or recording. The address for the United States Court of Appeals for the Ninth Circuit is 95 7th Street, San Francisco, California 94103.

October 21, 2016: Presenter, "Investiture of U.S. Magistrate Judge Jolie Russo," Eugene, Oregon. Transcript and press report supplied.

October 11, 2016: Panelist, "We Can Do More to Help Those Who Cannot Afford Our Hourly Rate: Pro Bono Opportunities," Oregon Women Lawyers Queen's Bench CLE, Portland, Oregon. I provided a description of the District Court Pro Bono Program and discussed the cases that I had handled through the program. I have no notes, transcript, or recording. The address of the Oregon Women Lawyers is P.O. Box 40393, Portland, Oregon 97240.

September 14, 2016: Moderator, "Federal v. State Civil Practice in Oregon," Washington County Bar Association, Hillsboro, Oregon. I moderated a discussion between U.S. District Court Judge Michael Mosman and Washington

County Judge Janelle Factora Wipper regarding the differences between civil practice in Oregon federal and state courts. I have no notes, transcript, or recording. The address for the Washington County Bar Association is P.O. Box 912, Hillsboro, Oregon 97124. I have supplied an article I wrote summarizing the event.

2015 – 2016: Speaker, New attorney swearing-in ceremonies, Oregon Chapter of the Federal Bar Association. I spoke about FBA membership and the District Court's pro bono program. I have been unable to locate the precise dates of the ceremonies that I attended. I have no notes, transcripts, or recordings, but a copy of a welcome letter I prepared is supplied. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444 Arlington, Virginia 22201.

November 4, 2015: Speaker, "Washington County Practice," Multnomah County Bar Association Court Liaison Committee Meeting, Portland, Oregon. I provided an update on Washington County practice and court rules. I have no notes, transcript, or recording. The address for the Multnomah County Bar Association is 620 Southwest Fifth Avenue, Suite 1220, Portland, Oregon 97204.

October 2, 2015: Speaker Introducer, "Navigating Complex Problems in Oregon & Beyond," District Court of Oregon, Portland, Oregon. I introduced speakers and made no substantive remarks. I have no notes, transcript, or recording. The address for the District Court of Oregon is 1000 Southwest Third Avenue, Portland, Oregon 97204. Conference agenda supplied.

April 23, 2015: Moderator, "Navigating the Differences Between Federal & State Practice," Deschutes County Bar Association and the Federal Bar Association, Bend, Oregon. Outline supplied.

October 3, 2014: Moderator, "Can I do this? Pro Bono Attorneys Share their Experiences," U.S District Court Pro Bono CLE, Portland, Oregon. I discussed my experience with the District Court Pro Bono Program, the cases that I handled under the program, and responded to questions from attendees handling pro bono cases or considering joining the program. I have no notes, transcript, or recording. The address of the District Court of Oregon is 1000 Southwest Third Avenue, Portland, Oregon 97204.

April 17, 2014: Panelist, "Spinning Plates—Finding Balance in Life and the Law," J. Reuben Clark Law Society, Oregon Chapter, Portland, Oregon. I participated in a panel discussion about how to maintain balance between professional and personal obligations and interests. I have no notes, transcript, or recording. The address of the J. Reuben Clark Law Society Oregon Chapter is c/o Sara Kearsley, McKean & Knaupp Attorneys, 101 Southwest Washington Street, Hillsboro, Oregon 97123.

April 4, 2013: Panelist, "Distinguished Lawyers Lunch," University of Idaho College of Law, Boise, Idaho. I participated in a panel discussion with other University of Idaho College of Law graduates discussing career experiences and advice with law students. I have no notes, transcripts, or recording. The address of the University of Idaho College of Law is 711 South Rayburn Street, Moscow, Idaho 83844. Press report supplied.

Approximately 2009: Moderator, "*Sua Sponte Action by Trial Judges*," Owen M. Panner Inn of Court, Portland, Oregon. I moderated a panel discussion between U.S. District Judge Michael Mosman and U.S. Magistrate Judge John Acosta regarding the limits of a trial judge's ability to act sua sponte. I have no notes, transcript, or recording. The address for the American Inns of Court is 225 Reinekers Lane, Suite 770, Alexandria, Virginia 22314.

- 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.

Dan J. Nichols, *Honorable Danielle J. Hunsaker: Washington County Circuit Court, A Biography*, THE VERDICT, First Issue 2019. Copy supplied.

Murf Raquet, *Special Delivery; Woman Opens Midwifery Practice on the Palouse*, MOSCOW-PULLMAN DAILY NEWS (Moscow, Idaho), May 26, 1998. Copy supplied.

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

I have served as a Circuit Court Judge in the State of Oregon Twentieth Judicial District from December 13, 2017, through the present. I was appointed to this position by Oregon Governor Kate Brown and was retained for a six-year term in an uncontested election in November 2018. The circuit court is Oregon's general jurisdiction trial court. The authority of an Oregon Circuit Judge is defined in Oregon Constitution, Art. VII, Sec. 9. On January 1, 2019, I was selected to serve as the Chief Civil Judge. On June 17, 2019, the Chief Justice of the Oregon Supreme Court appointed me to serve as Presiding Judge.

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

I have presided over and disposed of approximately 3,500 cases total. I have presided over approximately 23 trials that have resulted in a verdict or judgment.

- i. Of these, approximately what percent were:

jury trials:	55%
bench trials:	45%
civil proceedings:	30%
criminal proceedings:	70%

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

I do not write opinions or substantive orders in most of my cases, and none of the opinions that I have written have been published in any electronic or print database of legal opinions. I have supplied copies of all the substantive opinions or orders that I have written.

- 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).

1. *State v. Moore*, No. 18CR39673 (Or. Circ. Ct., Wash. Cnty.).

Child sex abuse case arising under Oregon's Jessica's Law, which mandates a minimum 25-year sentence. The victim was a nine-year-old girl and the defendant was her mother's boyfriend. I ruled on pretrial motions and presided over a multi-day jury trial, which resulted in a conviction. I sentenced defendant. Judgment supplied.

Counsel for Prosecution

Allison Brown  
Washington County District Attorney's Office  
150 North First Avenue, #300  
Hillsboro, Oregon 97124  
(503) 846-8671

Counsel for Defendant

Shannon Kmetic  
Bertrand-Kmetic Attorneys  
217 7th Street  
Oregon City, Oregon 97045  
(503) 659-1025

2. *Voxtel, Inc. v. LaChapelle, et al.*, No. 18CV27356 (Or. Circ. Ct., Wash. Cnty.).



Trade secret case involving technology used in self-driving cars. Plaintiff alleged its former employee took proprietary information when he went to work for a competitor, and it filed suit against the employee and the competitor. Employee moved to compel arbitration or, alternatively, dismiss the claims against it. The competitor moved to dismiss. I held oral argument and issued an opinion compelling arbitration of the claims against the employee and granting in part, denying in part the competitor's motion to dismiss. Opinion supplied.

Counsel for Plaintiff

Daniel Larsen  
Ater Wynne LLP  
1331 Northwest Lovejoy Street, Suite 900  
Portland, Oregon 97209  
(503) 226-1191

Counsel for Defendants

Jeff Pitzer  
Pitzer Law  
210 Southwest Morrison Street, Suite 600  
Portland, Oregon 97204  
(503) 227-1477

B. John Casey  
Stoel Rives LLP  
760 Southwest Ninth Avenue, Suite 3000  
Portland, Oregon 97205  
(503) 294-9170

3. *15005 NW Cornell LLC v. Cornell Rd. LLC, et al.*, No. 18CV17059 (Or. Circ. Ct., Wash. Cnty.).

Family members and co-owners of a multi-million-dollar real property with development potential sought equitable partition to separate their ownership interests. I presided over a bench trial and issued findings and conclusions that partition was appropriate and requiring the parties to engage in pre-development planning process with land use authorities so that an equitable boundary line could be established. Order supplied.

Counsel for Plaintiff

Greg Minor  
Bateman Seidel

888 Southwest 5th Avenue, Suite 1250  
Portland, Oregon 97204  
(503) 972-9920

Counsel for Defendants

Edward Trompke  
Jordan Ramis PC  
2 Centerpointe Drive 6th Floor  
Lake Oswego, Oregon 97035  
(503) 598-5532

4. *Venture Commerce Center-Hillsboro Condo Ass'n v. LB/VCC OR-Hillsboro, LLC, et al.*, No. 17CV19667 (Or. Circ. Ct., Wash. Cnty.).

Construction defect case regarding roofing and water drainage problems on a commercial property. The property owner sued numerous defendants, including the architect, developer, and general contractor. The listed defendants moved for summary judgment on multiple grounds. I held oral argument and issued an opinion denying summary judgment, except on limited statute of limitations grounds. Opinion supplied.

Counsel for Plaintiff

Peter Viteznik  
Kilmer Voorhees & Laurick PC  
732 Northwest 19th Avenue  
Portland, Oregon 97209  
(503) 224-0055

Counsel for Defendants

Jonathan Holt  
Scheer Holt Woods & Scisciani LLP  
701 Pike Street, Suite 2200  
Seattle, Washington 98101  
(503) 542-1200

Elizabeth Wright MacGregor  
Lewis Brisbois Bisgaard & Smith LLP  
888 Southwest Fifth Avenue, Suite 900  
Portland, Oregon 97204  
(971) 334-7030  
*Formerly with Lorber, Greenfield & Polito, LLP*

Tyler Storti

Stewart Sokol & Larkin LLC  
2300 Southwest 1st Avenue, Suite 200  
Portland, Oregon 97201  
(503) 221-0699

5. *State v. Richelle Seamster*, No. 18CR35682 (Or. Circ. Ct., Wash. Cnty.) & *State v. Andre Wamulumba*, No. 18CR40953 (Or. Circ. Ct., Wash. Cnty.).

Felony child abuse case alleging the defendant-parents knowingly exposed their infant to controlled substances after the baby tested positive for methamphetamine. I presided over a bench trial and acquitted defendants because state charged it as a knowing offense and proved only a reckless mental state. I did not issue a written decision. Judgments supplied.

Counsel for Prosecution

Meghan Johnson  
Pickett Dummigan McCall LLP  
210 Southwest Morrison Street, 4th Floor  
Portland, Oregon 97204  
(503) 223-7770  
*Formerly with Washington County District Attorney's Office*

Counsel for Defendant

Tyler Beach  
Ridehalgh & Associates, LLC  
233 East Main Street, Suite 200  
Hillsboro, Oregon 97123  
(503) 693-7505

6. *State v. Carter*, Nos. 18CR52358, 17CR65676 (Or. Circ. Ct., Wash. Cnty.).

Criminal and probation violation cases where defendant was found unable to aid and assist in his defense, and State moved for order to force medicate the defendant under the U.S. Supreme Court's decision in *Sell v. United States*. Presided over evidentiary hearing and denied State's motion, finding it failed to meet its burden to prove State's interest in prosecuting the case justified relief sought and that forced medication was in defendant's best medical interest where medical experts could not quantify likelihood of medication being successful and medication has known, irreversible physical side effects. I did not issue a written decision. Judgment supplied.

Counsel for Prosecution

Melanie Musial  
Washington County District Attorney's Office  
150 North First Avenue, #300  
Hillsboro, Oregon 97124  
(503) 846-8671

Counsel for Defendant

Zac Hlavaty  
Metropolitan Public Defenders  
400 East Main Street, #210  
Hillsboro, Oregon 97123  
(503) 726-7900

7. *State v. Johnson*, No. 18CR76458 (Or. Circ. Ct., Wash. Cnty.).

Felony distribution of methamphetamine case. Defendant was stopped for a traffic violation, consented to search of his vehicle, and officers found two baggies of methamphetamine, two digital scales, and unused baggies. Officers conducted a warrant search of defendant's phone and obtained evidence of drug transactions. Defendant moved to suppress the evidence from his phone arguing there was no nexus to his phone to justify the search and the warrant was not sufficiently particular. I presided over oral argument and issued a written opinion that there was a sufficient nexus to search the defendant's phone but the scope of the warrant was overbroad. Two days after my original decision, the Oregon Court of Appeals issued a decision on the legal principles at issue. Defendant moved for reconsideration in light of the new decision, and after a hearing on the motion I granted Defendant's motion to suppress. Both opinions supplied.

Counsel for Prosecution

Marie Atwood  
Washington County District Attorney's Office  
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Hillsboro, Oregon 97124  
(503) 846-8671

Counsel for Defendant

Cameron Taylor  
Metropolitan Public Defenders  
400 East Main Street, #210  
Hillsboro, Oregon 97123  
(503) 726-7900

8. *Country Mut. Ins. Co. v. Silverside, Inc., et al.*, No. 18CV37700 (Or. Circ. Ct., Wash. Cnty.).

Construction defect case regarding siding installation on a multi-family housing unit that damaged wiring and caused a fire. Resolved pretrial motions and presided over multi-day jury trial that resulted in a defense verdict. Judgment supplied.

Counsel for Plaintiff

Bryan Campbell  
Avin Singh  
Cozen O'Connor  
999 Third Avenue, Suite 1900  
Seattle, Washington 98104  
(206) 340-1000

Counsel for Defendants

Megan Ferris  
MacMillan Scholz & Marks PC  
900 Southwest 5th Avenue, Suite 1800  
Portland, Oregon 97204  
(503) 224-2165

9. *Murray v. Anthony Bouneff, et al.*, No. 18CV38890 (Or. Circ. Ct., Wash. Cnty.).

Medical malpractice case involving dental implants. I resolved pretrial motions and presided over multi-day jury trial that resulted in a defense verdict. Judgment supplied.

Counsel for Plaintiff

Jacob Johnston  
Johnstun Injury Law  
1935 Saint Helens Street, Suite A  
St. Helens, Oregon 97051  
(503) 410-3572

Counsel for Defendants

Peter Tuenge  
Keating Jones Hughes PC  
200 Southwest Market Street, Suite 900

Portland, Oregon 97201  
(503) 222-9955

10. *State v. Ramirez*, No. 18CR60120 (Or. Circ. Ct., Wash. Cnty.).

Misdemeanor domestic violence case alleging the defendant assaulted his ex-girlfriend causing physical injury and damaging her car. I presided over a multi-day jury trial that resulted in a guilty verdict. I sentenced defendant and presided over restitution proceedings to determine the amount of damages the defendant owed to the victim for the damages. I did not issue a written opinion. Judgment supplied.

Counsel for Prosecution

Mitchell Diesko  
Washington County District Attorney's Office  
150 North First Avenue, #300  
Hillsboro, Oregon 97124  
(503) 846-8671

Counsel for Defendant

Jennelle Johnson  
Ridehalgh & Associates, LLC  
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Hillsboro, Oregon 97123  
(503) 693-75053

- 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.

I have presided over approximately 3,500 total criminal and civil cases, but I do not write opinions in the vast majority of cases that I handle. Below is a list of the most substantive opinions that I have written. None of these opinions were published in electronic or print databases of legal decisions.

1. *Voxtel, Inc. v. LaChapelle, et al.*, No. 18CV27356 (Or. Circ. Ct., Wash. Cnty. Feb. 1, 2019). Copy supplied.

Counsel for Plaintiff

Daniel Larsen  
Ater Wynne LLP  
1331 Northwest Lovejoy Street, Suite 900

Portland, Oregon 97209  
(503) 226-1191

Counsel for Defendants

Jeff Pitzer  
Pitzer Law  
210 Southwest Morrison Street, Suite 600  
Portland, Oregon 97204  
(503) 227-1477

B. John Casey  
Stoel Rives LLP  
760 Southwest Ninth Avenue, Suite 3000  
Portland, Oregon 97205  
(503) 294-9170

2. *Venture Commerce Center-Hillsboro Condo Ass'n v. LB/VCC OR-Hillsboro, LLC, et al.*, No. 17CV19667 (Or. Circ. Ct., Wash. Cnty. July 18, 2018). Copy supplied.

Counsel for Plaintiff

Peter Viteznik  
Kilmer Voorhees & Laurick PC  
732 Northwest 19th Avenue  
Portland, Oregon 97209  
(503) 224-0055

Counsel for Defendants

Jonathan Holt  
Scheer Holt Woods & Scisciani LLP  
701 Pike Street, Suite 2200  
Seattle, Washington 98101  
(503) 542-1200

Elizabeth Wright MacGregor  
Lewis Brisbois Bisgaard & Smith LLP  
888 Southwest Fifth Avenue, Suite 900  
Portland, Oregon 97204  
(971) 334-7030  
*Formerly with Lorber, Greenfield & Polito, LLP*

Tyler Storti  
Stewart Sokol & Larkin LLC

2300 Southwest 1st Avenue, Suite 200  
Portland, Oregon 97201  
(503) 221-0699

3. *Sec. Nat'l Ins. Co. v. Sunset Presbyterian Church*, No. C124608CV (Or. Circ. Ct., Wash. Cnty.). Copy supplied.

Counsel for Plaintiff

Thomas Christ  
Sussman Shank LLP  
1000 Southwest Broadway, Suite 1400  
Portland, Oregon 97205  
(503) 227-1111

Counsel for Defendant

Kevin Mapes  
Ball Janik LLP  
101 Southwest Main Street, Suite 1100  
Portland, Oregon 97204  
(503) 228-2525

Phillip Joseph  
Ball Janik LLP  
101 Southwest Main Street, Suite 1100  
Portland, Oregon 97204  
(503) 228-2525

4. *State v. Johnson*, No. 18CR76458 (Or. Circ. Ct., Wash. Cnty. July 15, 2019). Copies supplied.

Counsel for Plaintiff

Marie Atwood  
Washington County District Attorney's Office  
150 North First Avenue, #300  
Hillsboro, Oregon 97124  
(503) 846-8671

Counsel for Defendant

Cameron Taylor  
Metropolitan Public Defenders  
400 East Main Street, #210  
Hillsboro, Oregon 97123



(503) 726-7900

5. *Assoc. of Unit Owners of Cornell Meadows Condos. v. Jensen, et al.*, No. 18CV19920 (Or. Circ. Ct., Wash. Cnty.). Copy supplied.

Counsel for Plaintiff

Noam Amir-Brownstein  
Vial Fotheringham LLP  
17355 Southwest Boones Ferry Road, Suite A  
Lake Oswego, Oregon 97035  
(503) 594-8114

Counsel for Defendant

None

6. *Moore v. Hendren*, No. 18CV33600 (Or. Circ. Ct., Wash. Cnty.). Copy supplied.

Counsel for Plaintiff

Benjamin Knaupp  
McKean & Knaupp Attorneys LLC  
101 Southwest Washington Street  
Hillsboro, Oregon 97123  
(503) 846-0707

Counsel for Defendant

James Marron  
Marron Law LLC  
17175 Southwest TV Highway, Suite B3  
Beaverton, Oregon 97003  
(503) 430-7976

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

Certiorari has not been requested or granted in any of my cases.

- 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.

None of the cases that I have handled as a judge have been reversed by a reviewing court.

- 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.

None of the opinions that I issue as a state trial court judge are published in a public electronic or printed database. The opinions are filed and stored in the Oregon state court electronic filing system. I also maintain copies of my opinions on my work computer.

- 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.

As a state trial judge with a predominantly criminal case docket, I handle many cases that raise constitutional criminal procedure issues. Below are the only opinions (an initial opinion and an opinion on reconsideration) that I have issued addressing these issues. I have not issued any other opinions addressing a constitutional issue.

*State v. Johnson*, No. 18CR76458 (Or. Circ. Ct., Wash. Cnty. July 15, 2019, and Aug. 16, 2019). Copies supplied.

- 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.

I have not sat by designation on a federal court of appeals.

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.

Oregon Revised Statute 14.260 allows litigants to disqualifying a judge from hearing a case peremptorily without stating cause other than a belief that the judge cannot be fair and impartial. I am not aware that any litigant has ever moved to disqualify me from hearing a case.

I follow the Oregon Code of Judicial Conduct and recuse myself from any case where I have a conflict, as defined in the Code, or where there could be an appearance of partiality or impropriety. My court does not have an automated conflict process nor does our electronic filing system systematically track judicial conflicts that would allow me to identify the cases in which I have recused myself. When I joined the bench, I notified court staff of conflicts that I have due to my prior practice and my husband's employment with a law firm, and I review the cases that I am assigned for these conflicts. I also review the cases I am assigned for other personal conflicts or potential appearances of impropriety. From my recollection, I have recused myself four times due to a prior relationship with an attorney or litigant involved in the case. All four recusals were sua sponte.

**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.

As described above, I serve as a Judge on the Washington County Circuit Court. Other than judicial office, I have not held any public offices.

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

I have not held membership or office in any political party or election committee, nor rendered any services thereto. Nor have I held any position in a political campaign, although, to the extent responsive, I publicly endorsed one of my colleagues, Kathleen Proctor, during her contested election for the state trial bench in Oregon. Judicial elections in Oregon are non-partisan, and I did not participate in an election committee nor assist her campaign in any way other than to allow her to publicize my endorsement as part of her voter pamphlet statement, as allowed by Oregon law.

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

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

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

I served as a law clerk to the Honorable Paul J. Kelly, Jr., United States Circuit Judge, United States Court of Appeals for the Tenth Circuit in Santa Fe, New Mexico, from September 2004 to August 2005.

I served as a law clerk to the Honorable Michael W. Mosman, United States District Judge, United States District Court for the District of Oregon in Portland, Oregon, from August 2005 to August 2007.

I served as a law clerk to the Honorable Diarmuid F. O'Scannlain, United States Circuit Judge, United States Court of Appeals for the Ninth Circuit in Portland, Oregon, from March 2008 to August 2008.

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

I have not practiced alone.

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

Summer 2004  
Simon Azar-Farr & Associates  
2313 North Flores Street  
San Antonio, Texas 78212-3817  
Student Law Clerk (worked remotely)

2007 – 2008; 2008 – 2009  
Stoel Rives LLP  
760 Southwest Ninth Avenue, Suite 3000  
Portland, Oregon 97205  
Litigation Associate

2009 – 2017  
Larkins Vacura Kayser, LLP  
121 Southwest Morrison Street, Suite 700  
Portland, Oregon 97204  
Partner (2014 – 2017)

Associate (2009 – 2013)

- 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 not served as a mediator or arbitrator.

b. Describe:

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

Following my clerkships, I was in private practice focusing on complex commercial litigation. I handled cases involving wide-ranging real property and environmental disputes, including the Portland Harbor CERCLA Superfund Cleanup Cost Allocation. I handled corporate governance, business torts, and commercial contract disputes. I represented financial institutions in consumer protection litigation.

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

When at Stoel Rives, I represented small and large businesses in disputes involving corporate governance, insurance coverage, customs regulation, and environmental regulation. At Larkins Vacura Kayser, I continued to represent business entities in commercial disputes, I represented financial institutions in real estate and consumer protection disputes, and I represented the Port of Portland in the Portland Harbor Superfund Cleanup Cost Allocation. I spent a significant amount of my time on that matter from 2015 until I was appointed to the bench. While in private practice I also worked on numerous prisoner civil rights cases.

- 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 was almost exclusively litigation. Throughout my time in private practice I appeared regularly in federal and state trial courts in Oregon and Washington. I also appeared in the Ninth Circuit Court of Appeals and the Oregon and Washington Courts of Appeals.

- i. Indicate the percentage of your practice in:
  - 1. federal courts: 40%
  - 2. state courts of record: 59%
  - 3. other courts: 0%

4. administrative agencies: 1%

ii. Indicate the percentage of your practice in:

1. civil proceedings: 99%
2. criminal proceedings: 1%

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.

As an attorney I tried seven civil cases to verdict or judgment (three jury trials in state court, two jury trials in federal court, and two bench trials in bankruptcy court). I was sole counsel in two, chief counsel in one, and associate counsel in four.

i. What percentage of these trials were:

1. jury: 72%
2. non-jury: 28%

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

I have not practiced in the Supreme Court of the United States.

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. *Coviello v. Armagno*, No. 1002-02252 (Or. Circ. Ct., Multnomah Cnty.).

Date of Representation: 2010 – 2012  
Judge Edward Jones (now retired)

I represented plaintiff in this shareholder derivative action against a family member concerning management of family business. Claims included breach of fiduciary duty, fraud, conversion, and unjust enrichment. Case was tried over 9 days, partially to jury and partially to the court. Jury awarded plaintiff over \$1.9 million in damages on February 28, 2011, and court awarded equitable relief, including removal of defendant from the Board of Directors, on April 12, 2011, and plaintiff's attorney fees on January 12, 2012. I second-chaired the trial and handled pretrial filings and post-trial briefing.

Co-counsel

Julie Vacura  
Larkins Vacura Kayser, LLP  
121 Southwest Morrison Street, Suite 700  
Portland, Oregon 97204  
(503) 222-4424

Counsel for Defendant

Michael Hanlon  
Law Offices of Michael Hanlon  
101 Southwest Main Street, Suite 825  
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(503) 228-9787

Counsel for Nominal Defendants

Jeff Pitzer  
Pitzer Law  
101 Southwest Main Street, Suite 805  
Portland, Oregon 97204  
(503) 227-1477

2. *Florida Eye Institute v. Minotti*, No. N/A (Fla. Circ. Ct., Indian River Cnty.).

Date of Representation: 2007, 2008 – 2009

I represented shareholders of an ophthalmology practice in this derivative action against majority shareholder for breach of fiduciary duty, fraud, invasion of privacy, and civil conspiracy. After a five-week jury trial, we won a nearly-\$2 million verdict, equitable shareholder remedies, and attorney fees. I defended verdict on appeal. I served as co-counsel, handled pretrial filings, handled jury instructions, prepared witnesses for

trial, argued legal motions, and managed trial evidence and records. I drafted appellate briefing.

Co-counsel

Lois Rosenbaum  
*Retired*

Reilley Keating  
Stoel Rives LLP  
760 Southwest Ninth Avenue, Suite 3000  
Portland, Oregon 97205  
(503) 224-3380

Buck Vocelle  
Vocelle & Berg  
3333 20th St  
Vero Beach, Florida 32960  
(772) 562-8111

Lead Counsel for Defendant

Laura Prather  
Jackson Lewis  
Wells Fargo Center  
100 South Ashley Drive, Suite 2200  
Tampa, Florida 33602  
(813) 512-3225

3. *Oregon Brewing Co. v. Excelled Sheepskin & Leather Coat Co.*, No. 1103-03863 (Or. Circ. Ct., Multnomah Cnty.), No. A151638 (Or. Ct. App.).

Date of Representation: 2011 – 2014  
Judges Stephen Bushong, Timothy Sercombe, Erica Hadlock, and Douglas Tookey

I defended New York clothing manufacturer in a dispute over the interpretation and enforceability of a settlement agreement that resolved the parties' competing trademark claims. I prevailed at summary judgment on all issues, allowing client to limit Oregon Brewing's use of the trademark. The ruling was affirmed without opinion by the Oregon Court of Appeals on June 25, 2014. I served as co-counsel and developed case strategy, conducted discovery, drafted summary judgment briefing, drafted appellate briefing, and argued appeal.



Co-counsel

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(503) 222-4424

Michael Grow  
Arent Fox  
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Counsel for Plaintiff

Andrew Glascock  
Glascock Street Waxler LLP  
6915 Southwest Macadam Avenue, Suite 300  
Portland, Oregon 97219  
*Formerly with Hiefield Foster & Glascock, LLP*

4. *Jensen v. U.S. Bank*, No. 3:12-cv-00333, 2013 WL 11319046 (D. Or. May 31, 2013), *aff'd*, 615 F. App'x 870 (9th Cir. 2015).

Date of Representation: 2012 – 2015  
U.S. Magistrate Judge Janice Stewart, Circuit Judges William Fletcher and Andrew Hurwitz, and Senior District Judge Donald Walter

I defended U.S. Bank against Fair Credit Reporting Act and Real Estate Settlement Procedures Act claims arising from a failed trial mortgage loan modification. I prevailed on summary judgment in the district court. I argued the case in the Ninth Circuit and received a favorable unpublished decision on July 8, 2015. I was lead counsel throughout litigation, including on appeal.

Counsel for Plaintiffs

Justin Baxter  
Baxter & Baxter LLP  
8835 Southwest Canyon Lane, Suite 130  
Portland, Oregon 97225  
(503) 297-9031

5. *Boydston v. U.S. Bank N.A.*, No. 3:11-cv-429, 2013 WL 5524693 (D. Or. June 6, 2013), *adopted*, 2013 WL 5522595 (D. Or. Sept. 30, 2013); 2015

WL 5144352 (D. Or. May 26, 2015), *adopted in part & rejected in part*, 2015 WL 5128928 (D. Or. Aug. 28, 2015); 187 F. Supp. 2d 1213 (D. Or. 2016), *aff'd*, 726 F. App'x 601 (9th Cir. 2018).

Date of Representation: 2012 – 2017

U.S. Magistrate Judge John Acosta, U.S. District Judges Marco Hernandez and Robert Lasnik, and U.S. Circuit Judges Margaret McKeown and Richard Paez

I represented U.S. Bank in this Fair Credit Reporting Act case concerning negative credit reporting on a business owner's personal credit after the business defaulted on a credit card account for which the business owner was personally liable. I handled summary judgment proceedings and was lead counsel for trial. I prevailed on a *Daubert* motion to exclude plaintiff's damages witness a few weeks before trial that caused plaintiff to waive his remaining damages claims and allow a defense judgment so he could immediately appeal. I was sole counsel for U.S. Bank on appeal, until I was appointed to the bench, and I drafted the appellate brief. Oral argument was held after I went on the bench, and an unpublished decision was rendered in favor of U.S. Bank on June 7, 2018.

Co-counsel

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(503) 222-4424

Counsel for Plaintiff

Jay Zollinger  
Outside GC Services PC  
10975 Southwest Avocet Court  
Beaverton, Oregon 97007  
(503) 464-6787

Counsel for Co-Defendant TransUnion LLC

William Brown  
Schuckit & Associates, P.C.  
4545 Northwestern Drive  
Zionsville, Indiana 46077  
(317) 363-2400

6. *Tilahun v. Oregon Dep't of Corrections, et al.*, No. 2:13-cv-01074 (D. Or.).

Date of Representation: 2013 – 2014  
U.S. Magistrate Judge Janice Stewart

I represented a prisoner pro bono in this excessive force case against four prison guards who used physical force against him and broke several bones in his face. I defeated summary judgment as against the individual guards, but lost summary judgment against ODOC. A jury trial resulted in a defense verdict. I was lead counsel managing all aspects of the litigation and serving as first chair for trial.

Co-counsel

Bridget Donegan  
Larkins Vacura Kayser, LLP  
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Portland, Oregon 97204  
(503) 222-4424

Counsel for Defendants

Hon. Rafael Caso  
Polk County Circuit Court  
850 Main Street, Room 301  
Dallas, Oregon 97338  
(503) 831-1776  
*Formerly with Oregon Department of Justice*

Andrew Hallman  
Oregon Department of Justice  
1162 Court Street Northeast  
Salem, Oregon 97301  
(503) 947-4700

7. *Lyft v. King Broadcasting Co.*, No. 16-2-26971-1 (Wash. Circ. Ct., King Cnty.).

Date of Representation: 2016  
Judge Beth Andrus

I represented Lyft in a public records dispute against Seattle television news broadcasting company, King 5. King 5 sought data about drivers and cars operating with Transportation Network Companies collected by King County regulators. Lyft and Uber filed separate injunctive actions to

prevent the data from being released based on trade secret and competition concerns. The two cases were consolidated. Dispute partially resolved by negotiation and remainder of the dispute was tried to the court at a preliminary injunction hearing on December 9, 2016. I was sole counsel for Lyft and handled all aspects of the litigation.

Counsel for Raiser, LLC (Uber)

Heidi Bradley  
Lane Powell  
1420 Fifth Avenue, Suite 4200  
Seattle, Washington 98111-9402  
(206) 223-7000

Counsel for Defendant King Broadcasting Company

Michelle Earl-Hubbard  
Allied Law Group  
P.O. Box 33744  
Seattle, Washington 98133  
(206) 443-0200

Counsel for City of Seattle

Hon. Michael Ryan  
King County Superior Court  
401 4th Avenue North, Room 2D  
Seattle, Washington 98032  
(206) 477-4936  
*Formerly with Seattle City Attorney's Office*

8. *York v. Henderickson, et al.*, No. 0901-00289 (Or. Circ. Ct., Multnomah Cnty.).

Date of Representation: 2009 – 2011  
Judge Leslie Roberts

I represented homeowners after they suffered catastrophic property damage caused by a landslide occurring on an uphill neighbor's property. I brought claims for negligence, trespass, and nuisance against two uphill neighbors and numerous contractors who performed work on the uphill properties. The three homeowners who suffered damages settled amongst themselves and consolidated their separate actions for trial against the contractors. I entered favorable settlements with multiple parties. I went to a jury trial against one defendant, and I served as co-counsel and briefed

and argued summary judgment, managed pretrial filings, and second-chaired the jury trial.

Co-counsel

Julie Vacura  
Larkins Vacura Kayser, LLP  
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Counsel for Co-Plaintiffs

William Davis  
Samuel Anderson  
Davis Rothwell Earle & Xochihua PC  
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Counsel for Defendant Terra-Sol Landscaping

Richard Kuhn  
*Retired*

Counsel for Defendant Harrity Tree Service

Robert Scholz  
MacMillian Scholz & Marks PC  
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Portland, Oregon 97204  
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Counsel for Defendant Jenise Adams

Phil Parks  
*Retired*

Counsel for Defendant Thomas Darnell Irrigation

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Counsel for Terras Landscape Maintenance

Mark Zipse  
Zipse Resolutions  
7410 Southwest Oleson Road, PMB No. 227  
Portland, Oregon 97223  
(503) 502-5575  
*Formerly with Law Office of Julie D. Elkins*

9. *Thomas v. OneWest Bank*, No. 10-cv-6234, 2011 WL 867880 (D. Or. Mar. 10, 2011); 2011 WL 3585042 (D. Or. Aug. 15, 2011); 2011 WL 6444306 (D. Or. Nov. 30, 2011); 2012 WL 2049462 (D. Or. June 4, 2012); No. 11-35774 (9th Cir.); No. 13-35761-elp13 (Bankr. D. Or.); No. 11CV0846 (Or. Circ. Ct., Deschutes Cnty.); No. A156992 (Or. Ct. App.).

Date of Representation: 2010 – 2015  
U.S. District Judge Ann Aiken, Bankruptcy Judge Randall Dunn, Deschutes County Circuit Court Judge Michael Adler.

I represented OneWest Bank in multi-forum litigation regarding defaulted loan secured by investment property, on which borrowers had not made any loan payments for several years. In federal district court, I defeated a preliminary injunction and successfully defended Unfair Trade Practices, Fraud, Equitable Estoppel, and injunctive and declaratory relief claims challenging non-judicial foreclosure during period when Oregon law regarding the Mortgage Electronic Registration System was unsettled. I handled Ninth Circuit appellate proceedings involving procedural issues related to *sua sponte* court action and indicative ruling procedures. I successfully prosecuted judicial foreclosure action in Deschutes County Circuit Court, and defended lender's foreclosure rights in borrowers' Chapter 13 bankruptcy case and secured relief from automatic stay allowing lender to proceed with foreclosure. I handled appeal of judicial foreclosure judgment in the Oregon Court of Appeals until parties reached a settlement. I served as lead counsel in each forum and handled all briefing and court appearances.

Counsel for Plaintiffs

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Counsel for Co-Defendant Regional Trustee Services Corp.

Lisa M. McMahon-Myhran  
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10. *Streeter v. Elser, et al.*, No. C141801CV (Or. Circ. Ct., Wash. Cnty.)

Date of Representation: 2014 – 2015  
Judge Janelle Factora Wipper

I represented landowners suing for timber trespass and negligence claims against a neighbor and contractors who performed logging on the neighbors' property after logging road was built partially on and trees were removed from clients' property. I conducted discovery and defeated defendants' motions for summary judgment. After a failed mediation, I directly negotiated settlement with all parties shortly before trial. I was lead counsel and conducted discovery, handled all briefing and court appearance, and managed settlement negotiations.

Co-counsel

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Counsel for Defendant Harvey Elser (neighbor)

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Counsel for Defendant Bean Logging, Inc.

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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.)

1. *Environment One v. Robertshaw Controls Company*, No. 12-CV-988 (N.D.N.Y.).

Date of Representation: 2012 – 2014

I represented a wastewater pump manufacturer in this contract dispute against a supplier that provided defective component parts that failed in use, resulting in significant property damage to customers. After extensive discovery involving mass e-discovery and depositions in numerous states and extensive expert work, the parties filed cross *Daubert* motions challenging each other's experts and cross motions for summary judgment. The case settled before the motions were considered by the court. I served as co-counsel, handling extensive document discovery, depositions, expert development and discovery, and motions briefing.

2. *Kanagroo Media, Inc. v. Yinzcam, Inc.*, No. 12-CV-382 (W.D. Penn.).



Date of Representation: 2014 – 2015

I represented the Portland Trailblazers in responding to third-party discovery required in a patent dispute related to the mobile telephone application that the Trailblazers and other NBA teams use to enhance their fans' game experience. I was sole outside counsel.

3. Portland Harbor Superfund Site Cleanup Cost Allocation

Date of Representation: 2015 – 2017

I was co-counsel for the Port of Portland in a mediated allocation process entered into by numerous parties with potential liability exposure for environmental clean-up of the Portland Harbor Superfund Site. I participated in developing advocacy strategy related to key harbor sites in cooperation with experts and developing advocacy briefing format and strategy, and I drafted advocacy briefing for multiple key sites.

4. From 2014 through 2017, I served as a District of Oregon Lawyer Representative to the Ninth Circuit Judicial Conference. From 2015 through 2017, I was co-chair of the Oregon Lawyer Representatives and served on the Lawyer Representative Coordinating Committee.
5. Periodically from 2015 through the present I have helped lobby for funding for the Oregon Judicial Department and the creation of new judgeships. These efforts have included participating in the Oregon State Bar's "Day at the Capitol" speaking to state legislators. I have never registered as a lobbyist.
6. From 2013 through 2015 while serving on the Oregon State Bar Judicial Administration Committee I helped create and implement a Speaker's Bureau designed to get state judges into the community to talk about the role of the courts. I worked with judges in Deschutes County and Washington County, Oregon to arrange speaking engagements with civic groups, and I accompanied the judges to these events.

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.

Spring 2011, Fall 2012, Fall 2014, Fall 2016: Oregon Pleading and Practice, Lewis and Clark Law School. This was an upper division civil procedure course focusing on Oregon court rules and litigation writing skills. I taught this course by myself the first three times. I had two co-teachers, Gosia Fonberg and Nadia Dahab, the last time I taught the course. Copies of all syllabi supplied.

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.

The only future benefits I expect to receive are from my state retirement plan and from my individual retirement accounts.

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 do not have any plans, commitments, or agreements to pursue outside employment if appointed to the federal bench. I may consider adjunct law teaching in the future.

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

I do not have any relationships or financial interests that are likely to present potential conflicts of interest were I to be confirmed. My husband is the office manager for a law firm in Portland, although he is not a lawyer. To avoid conflicts of interest, I would provide a list of the cases I have been involved with as an attorney, as well as the attorneys and parties with which I have a personal conflict, including my family members; prior clients; and the members of my former firm, Larkins Vacura Kayser.

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

If confirmed, I will carefully review any real or potential conflicts of interest under the standards of 28 U.S.C. § 455, Canon 3 of the Code of Conduct of United States Judges, and any other laws, rules, and practices that may apply to such circumstances.

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.

In 2007 I worked with United States Magistrate Judge Janice Stewart to reestablish and update the United States District Court Pro Bono Program. Under this program, federal magistrate and district judges assign private attorneys to represent pro se litigants in pending federal cases. The entire time I was in private practice I was an active member of this program, and I was the firm coordinator for the program when I was at Larkins Vacura Kayser, LLP. The cases that I accepted representation in under the program are listed below.

1. *Benton v. Legacy Health, et al.*, No. 3:13-cv-613 (D. Or.).

Date of Representation: 2016 – 2017  
Magistrate Judge Youlee You

I represented a client in a battery and excessive force case against Legacy Emanuel Hospital security officers and a Portland Police Officer concerning events that occurred after client was discharged from the hospital and ordered to leave hospital property. 130 hours worked.

2. *Gutierrez v. Shelton et al.*, No. 2:14-cv-2071 (D. Or.).

Date of Representation: 2015  
District Judge Ann Aiken

I represented a prisoner in this Section 1983 case alleging denial of medical care by prison staff. I withdrew as counsel at client's request. 22 hours worked.

3. *Tilahun v. Oregon Dept of Corrections, et al.*, No. 2:13-cv-01074 (D. Or.).

Date of Representation: 2013 – 2014  
U.S. Magistrate Judge Janice Stewart

I represented a prisoner in this excessive force case against four prison guards who broke several bones in his face. I defeated summary judgment against the individual guards and lost summary judgment against Oregon Department of Corrections. A jury trial against individual guards resulted in defense verdict. 235 hours worked.

4. *Martinez v. Fletcher*, No. 3:09-cv-580 (D. Or.).

Date of Representation: 2012 – 2013  
Magistrate Judge Janice Stewart

I represented a prisoner shot during an inmate riot, and he brought Eighth Amendment claims against the prison guard who fired the shot. I had to withdraw from representation because of lack of communication and cooperation from client. 47 hours worked.

5. *Martinez v. Social Security Administration*, No. 3:11-cv-672 (D. Or.).

Date of Representation: 2011 – 2013  
Magistrate Judge John Jelderks

I represented an employee in age and race discrimination claims against the Social Security Administration. I conducted discovery and defended a summary judgment motion. 99 hours worked.

6. *Hamilton v. City of Portland Fire & Rescue, et al.*, No. 3:10-cv-309 (D. Or.).

Date of Representation: 2011  
United States District Judge Anna Brown

I represented a prisoner in an excessive force case against City of Portland police officers arising from injuries sustained during arrest. We reached settlement after discovery phase. 44 hours worked.

7. *Brown v. Nooth, et al.*, No. 1:08-cv-621 (D. Or.).

Date of Representation: 2009 – 2010  
United States District Judge Anna Brown/Senior District Judge Owen Panner

I represented an elderly prisoner attacked by fellow prisoners in this Section 1983 failure-to-protect case brought against a prison guard and the Oregon Department of Corrections. I conducted discovery, defeated summary judgment as to individual guard, and went to jury trial. 250 hours worked.

I worked on two additional pro bono cases assigned through the U.S. District Court Pro Bono Program when I worked at Stoel Rives, but I no longer have any records for those

cases, and I do not remember the case names. One of the cases was representing an Oregon prisoner against the Oregon Department of Corrections for denial of medical care related to an eye condition. I remember conducting discovery and securing a pro bono medical expert to review the case. I believe the case resolved at summary judgment. I do not remember any details regarding the other case.

Over the years, I have also handled small landlord/tenant, consumer contract, and real property disputes on a pro bono basis for individuals who could not afford legal representation. These matters were not formally litigated, and I did not track my time.

From 2007 through the present I have served as a volunteer judge for high school mock trial and congressional hearing competitions through the Classroom Law Project.

**26. Selection Process:**

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

In September 2017, I submitted an application to Senator Ron Wyden's office, which was accepting applications on behalf of both senators, for a position on the U.S. District Court for the District of Oregon. On approximately January 4, 2018, I interviewed for this position in Washington, D.C., with attorneys from the White House Counsel's Office and the Department of Justice, Office of Legal Policy. In July 2018, I was contacted by the White House Counsel's Office about the position on the Ninth Circuit Court of Appeals, and on approximately July 24, 2018, I had a phone interview for this position with attorneys from the Office of White House Counsel and the Department of Justice, Office of Legal Policy. On March 18, 2019, I had an in-person interview in Washington, D.C., for the Ninth Circuit position with attorneys from the Office of White House Counsel and the Department of Justice, Office of Legal Policy. On June 3, 2019, Senator Wyden's office issued a public announcement that applications were being accepted for the open position on the Ninth Circuit to be reviewed by an Oregon federal judicial selection committee. On June 17, 2019, I submitted my application to Senator Wyden's office. Since then, I have had periodic contact with the White House Counsel's Office and Department of Justice, Office of Legal Policy. I was interviewed by the Oregon selection committee on August 13, 2019, and I was one of the finalists listed in a letter dated August 21, 2019, from Oregon Senators Wyden and Merkley to the White House.

- 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.