

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

David Wayne Dugan

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

United States District Court Judge for the Southern District of Illinois.

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.

Madison County Courthouse
155 North Main Street
Edwardsville, Illinois 62025

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

1960; Litchfield, Illinois

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.

1984 – 1985, Valparaiso University School of Law; J.D., 1985

1983 – 1984, Thomas Cooley Law School; no degree

1980 – 1982, Eastern Illinois University; B.A., 1982

1979 – 1980, 1995 Lewis & Clark Community College, no degree

1978 – 1979; University of Tennessee, Knoxville, 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.

2017 – Present
Third Judicial Circuit Court
Madison County Courthouse
155 North Main Street
Edwardsville, Illinois 62025
Circuit Court Judge

2007 – 2017
David W. Dugan, P.C.
2 Terminal Drive
East Alton, Illinois 62024
Attorney

2003 – 2005
Simmons & Cooper
1 Court Street
East Alton, Illinois 62024
Attorney (part-time)

1999 – 2013
Sabreliner Corporation
7700 Bonnhomme
Clayton, Missouri 63105
Contract Pilot

1999 – 2007
Dugan & Diaz, P.C.
2 Terminal Drive
East Alton, Illinois 62024
Attorney

1994 – 1999
Pitts, Dugan & Diaz, P.C.
200 North Wood River Avenue
Wood River, Illinois 62097
Attorney

1993 – 1994
Madison County State's Attorney's Office
Administration Building
Edwardsville, Illinois 62025
Prosecutor (part-time)

1991 – 1994
Lakin & Herndon, P.C.

251 Old Saint Louis Road
Wood River, Illinois 62097
Attorney

1987 – 1991
Law Offices of Gary E. Peel, Ltd.
2 Center Grove Road
Edwardsville, Illinois 62025
Attorney

1985 – 1987
Coppinger, Carter, Schrempf & Blaine, Ltd.
307 Henry Street
Alton, Illinois 62002
Attorney (1985 – 1987)
Law Clerk (1985)

Summer 1984
Law Office of Thomas Ryder
3 Turnberry Place
Springfield, Illinois 62704
Law Clerk

1982
Ron Tulin, Ltd.
609 Monroe Avenue
Charleston, Illinois 61920
Law Clerk/Investigator

Other Affiliations (uncompensated)

2016 – 2019
Riverbend Family Ministries
131 East Ferguson Avenue
Wood River, Illinois 62095
Volunteer Board member

2015 – 2017
Refuge
131 East Ferguson
Wood River, Illinois, 62097
Counsel

2013 – 2016
Options-Now Medical Pregnancy Center
4854 North Alby Street

Godfrey, Illinois 62035
Board Member (2013 – 2014)
Board Chairperson (2014 – 2016)

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 U.S. Military. I registered for Selective Service System shortly after it was reinstated in 1980.

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.

Thomas M. Cooley Law School's Deans List (1983)

Thomas M. Cooley Law School's Outstanding Students Honor Roll (1983)

American Jurisprudence Scholarship Award (1985)

Dr. Martin Luther King, Jr. Humanitarian Award, New Shining Light Church of Venice, Illinois (2018)

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.

Alton-Wood River Bar Association (1995 – Present)

American Bar Association (1988 – 1995)

Illinois Judge's Association (2017 – Present)

Illinois State Bar Association (1986 – Present)

Lawyers-Pilots Bar Association (1999 – 2010)

Madison County Bar Association (1986 – Present)

National Board of Trial Advocacy Certification (1997)

Tri-City Bar Association (2017 – Present)

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.

Illinois, 1986
Missouri, 2008

My membership in the Missouri Bar has been inactive status since I became a judge in 2017. There have been no other 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, 2011
United States Court of Appeals for the Seventh Circuit, 2007
United States District court for the Central District of Colorado, 2009
United States District court for the Central District of Illinois, 1995
United States District court for the Northern District of Illinois, 2006
United States District court for the Southern District of Illinois, 1986

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.

Alliance Defending Freedom (2014 – 2016)

American Trial Lawyers Association (1992 – 1999)

Edwardsville Gun Club, Edwardsville, Illinois (2016 – Present)

Experimental Aircraft Association (1994 – Present)

Federalist Society for Law and Public Policy Studies (2017 – Present)

Illinois Trial Lawyers Association (1992 – 1999)

International Aerobatic Association (1994 – Present)

National Association for the Advancement of Colored People (2017 – Present)

Silver Life Member

National Rifle Association (2008 – Present)
Life Member

Options-Now (2013 – 2016)
Board Member (2013 – 2014)
Board Chairperson (2014 – 2016)

Riverbend Family Ministries (2016 – 2019)
Board Member (2016 – 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 in response to Question 11(a) currently discriminates or formerly discriminated on the basis of race, sex, religion, or national origin, either through formal membership requirements or the practical implementation or 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.

Common Errors Committed by Small Businesses-Misclassifications of Employees, internet publication at www.davidduganlaw.com, Aug. 2016. Copy supplied.

A few "Gotchas" to be Aware of When Your Car is Damaged, website publication at www.davidduganlaw.com, Apr. 2016. Copy supplied.

Most Common of All Accidents Causing Injury, website publication at www.davidduganlaw.com, Oct. 2015. Copy supplied.

Losing Your Rights in Property by Selling on Consignment, website publication at www.davidduganlaw.com, July 2015. Copy supplied.

Selling your Home? Seller Beware, website publication at

www.davidduganlaw.com, Dec. 2014. Copy supplied.

Section 709 Remedial Training for Flight Instructors, c.2007, Mentor Magazine, National Association of Flight Instructors. I am not in possession of this article, nor have I been able to locate a copy.

- 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.

None

- 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.

Belleville News Democrat, October 10, 2018. Response to candidate questionnaire. Copy supplied.

Illinois Civil Justice League, February 10, 2018. Letter in response to judicial candidate questionnaire. Copy supplied.

Illinois Right to Life Action, December 31, 2017. Letter in response to judicial candidate questionnaire. Copy supplied.

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

October 17, 2018: Speaker, "Local Candidates Forum," League of Women Voters, Edwardsville, Illinois. I spoke regarding my candidacy for judicial office. I have no notes, transcript, or recording. The address of the League of Women Voters is PO Box 841, Edwardsville, Illinois 62025.

October 4, 2018: Speaker, "Illinois Judicial Elections: Independent Judges or Robed Politicians," East Alton Rotary Club, East Alton, Illinois. PowerPoint

supplied.

September 25, 2018: Speaker, "Illinois Judicial Elections: Independent Judges or Robed Politicians," Highland Rotary Club, Highland, Illinois. I used the same PowerPoint for this presentation that I supplied for the October 4, 2018 presentation.

August 28, 2018: Speaker, "Illinois Judicial Elections: Independent Judges or Robed Politicians," Granite City Rotary Club, Granite City, Illinois. I used the same PowerPoint for this presentation that I supplied for the October 4, 2018 presentation.

July 31, 2018: Speaker, "Illinois Judicial Elections: Independent Judges or Robed Politicians," Alton Rotary Club, Alton, Illinois. I used the same PowerPoint for this presentation that I supplied for the October 4, 2018 presentation.

June 22, 2018: Presenter, "Civil Dispositive Motion Practice," Madison County Bar Association, Collinsville, Illinois. Notes supplied.

May 4, 2018: Panelist, "Role of Judicial Branch: How Judges Enforce and Interpret Law," Illinois Association of Defense Trial Counsel, Edwardsville, Illinois. I spoke about the role of judges. I have no notes, transcript, or recording. The address of the Illinois Association of Defense Trial Counsel is PO Box 588, Rochester, Illinois 62563.

April 26, 2018: Presenter, "Tri-Partite Relationships and Defense Counsel," Illinois the Illinois Institute of Continuing Legal Education, Springfield, Illinois. Notes supplied.

April 23, 2018: Presenter, "The Role of the Courts in Government," Edwardsville High School, Edwardsville, Illinois. I spoke about the role of courts in government. I have no notes, transcript, or recording. The address of Edwardsville High School is 6161 Center Grove Road, Edwardsville, Illinois 62025.

March 20, 2018: Presenter, "The Role of the Courts in Government," Anna-Jonesboro High School, Anna, Illinois. I spoke about the role of courts in government. I have no notes, transcript, or recording. The address of Anna-Jonesboro High School is 608 South Main Street, Anna, Illinois 62906.

February 15, 2018: Panelist, "View from the Bench-Writing Techniques," Illinois Association of Defense Trial Counsel, Edwardsville, Illinois. I spoke about legal writing. I have no notes, transcript, or recording. The address of the Illinois Association of Defense Trial Counsel is PO Box 588, Rochester, Illinois 62563.

March 3, 2017: Speaker, Investiture Ceremony, Edwardsville, Illinois. Transcript

supplied.

May 2015: Presenter "Uninsured/Underinsured Motorist Coverage Issues," Illinois Institute of Continuing Legal Education, St. Louis, Missouri. Notes supplied.

May 2015: Guest Speaker, "Medical – Legal Issues: When Nurses Meet Lawyers," Lewis & Clark Community College, Godfrey, Illinois. Presentation provided.

On frequent occasions during my 2018 campaign, I offered extemporaneous remarks departing from my usual speech. I have no record of the specific dates of those events, and I do not have any notes, transcripts or recordings.

- 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.

Heather Isringhausen Gvillo, *Dugan Secures Madison County Circuit Judge Seat for the Barberis Vacancy*, Madison Record, Nov. 7, 2018. Copy supplied.

Heather Isringhausen Gvillo, *Dugan Says He is Troubled by Make Up of Madison County Judiciary*, Madison Record, Oct. 24, 2018. Copy supplied.

Candidate Profile: David Dugan, Belleville News-Democrat, Oct. 4, 2018. Copy supplied.

Judge Dugan to seek election to Madison County Bench, The Riverbender, Aug. 30, 2017. Copy supplied.

Ann Maher, *Dugan Picked to fill Barberis Vacancy in Third Circuit*, Madison-St. Clair Record, Feb. 9, 2017. Copy supplied.

Susan McCain, *Pilot cleared in fiery crash into house*, Alton Telegraph, 1994. Copy supplied.

Charles Bosworth Jr., *Settlement of Will to Go to Judge*, Metro Illinois Post, June 7, 1993. Copy supplied.

Hilary Saperstein, *Suit Filed over Photograph on Book about Sims*, State Journal-Register, Apr. 3, 1992. Copy supplied.

Terry Hillig, *Lawsuit over Sims' Book is Settled*, Alton Telegraph, 1991. 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 was appointed by the Illinois Supreme Court as a Circuit Judge for the Third Judicial Circuit in Madison County, Illinois on March 3, 2017. I ran for reelection and prevailed in the November 2018 general election for a full term beginning on December 4, 2018. The court is a trial court of general jurisdiction.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? Approximately 40.

- i. Of these, approximately what percent were:

jury trials:	20%
bench trials:	80% [total 100%]
civil proceedings:	100%
criminal proceedings:	0 % [total 100%]

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

None.

- 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. *Cori v. Martin*, 16 MR 111 (Ill. Cir. Ct.).

This matter was brought by a political organization and several members regarding control and direction of the organization. Numerous hearings were conducted on a wide variety of motions including those concerning Illinois Citizen's Participation Act and summary judgment determination regarding validity of board meeting. The case remains pending. Decision supplied.

Counsel for the Plaintiffs:

Barry Noeltner
105 West Vandalia
Edwardsville, Illinois 62025
(618) 656-4646

James Sanders
SmithAmundsen

120 S Central Avenue, Suite 700
St. Louis, Missouri 63105-1794
(314) 719-3700

Eric Solverud
SpencerFane, LLC
1 North Brentwood Boulevard, Suite 1000
St. Louis, Missouri, 63105
(314) 863-7733

Counsel for the Defendants:

William Lucco
Lucco, Brown, Threlkeld & Dawson, LLP
224 St. Louis Avenue
Edwardsville, Illinois 62025
(618) 656-2321

Daniel Schattnick
Unsell, Schattnick & Phillips P.C.
3 South 6th Street
Wood River, Illinois 62095
(618) 258-1800

John Stobbs
307 Henry Street
Alton, Illinois
(618) 462-8484

Randy D. Grady
RiezmanBerger
7700 Bonnhomme, Avenue
Clayton, Missouri 63105
(314) 727-0101

Roy Dripps
Armbruster, Dripps, Winderscheidt & Blotevogle, LLC
51 Executive Plaza
Maryville, Illinois 62062
(800) 917-1529

2. *Village of Godfrey, Illinois v. Singh Enterprises LLC*, 16 MR 322 (Ill. Cir. Ct.).

This matter arises out of a dispute regarding whether condition of a large locally historic hotel was so deficient that demolition was appropriate. The case concluded following a bench trial and with the demolition of the structure. Decision supplied.

Counsel for Plaintiffs:

J. Thomas Long
Sandberg, Phoenix & von Gontard
101 West Vandalia Street
3rd Floor
Edwardsville, Illinois 62025
(618) 624 5292

Counsel for the Defendants:

Edward McCarthy
3 Ginger Creek Parkway
Glen Carbon, Illinois 62034
(618) 307-4099

3. *Kielty v. City of Granite City Clinic*, 14 MR 234 (Ill. Cir. Ct.).

This matter concerned a dispute regarding the proper interpretation of the Illinois Public Safety Employee Benefit Act, and whether its amendments should be applied retroactively to expand application and availability of additional benefits. The City moved for summary judgment, which was granted. Decision supplied.

Counsel for the Plaintiff:

Thomas Duda
330 West Colfax Street
Palatine, Illinois 60067
(847) 577-2470

Counsel for the Defendant:

Erin Phillips & Jane Unsell
Unsell, Schattnick & Phillips
3 South 6th Street
Wood River, Illinois 62095
(618) 258-1800

4. *Contegra Construction Co. v. Hi-Tech Housing, Inc.*, 16 MR 336 (Ill. Cir. Ct.).

This matter concerned a dispute regarding the entitlement to a performance bond following an alleged breach of contract. The defendant moved to dismiss and for transfer for *forum non conveniens*, which was denied. The case was settled. Decision supplied.

Counsel for the Plaintiff:

Chris Baucom
ArmstrongTeasdale

7700 Forsyth Boulevard, Suite 1800
St. Louis, Missouri 63105
(314) 342-4187

Counsel for the Defendant:

Jeremy Brummond
LewisRice
600 Washington Avenue
St. Louis, Missouri
(314) 444-1339

5. *Tarasuik v. Granite City Clinic Corp*, 16 AR 372 (Ill. Cir. Ct.).

This matter involved a dispute regarding the interpretation of an employment contract between a medical provider and a physician's assistant. The plaintiff filed his motion for summary judgment, which was granted. Decision supplied.

Counsel for the Plaintiff:

Dan Farrol
HeplerBroom
Currently with Goldenberg Heller & Antognoli, P.C.
2227 South State Route 157
Edwardsville, Illinois 62025
(618) 656-5150

Counsel for the Defendant:

Jason Kinser
Behr, McCarter & Potter, P.C.
7777 Bonhomme
Clayton, Missouri 63105
(314) 862-3953

6. *Peipert v. Emons Law Office*, 16 SC 1328 (Ill. Cir. Ct.).

This matter involved legal malpractice and negligent misrepresentation claims against an attorney arising out of a real estate transaction. The case was tried without a jury. I entered judgment for the defendants and against the plaintiffs. Decision supplied.

Counsel for the Plaintiffs:

Jan Adams
Jan Adams, P.C.
7150 Cambridge Avenue
St. Louis, Missouri 63130
(314) 497-7815

Counsel for the Defendants:

Brian Dooling
MillerKing
2410 State Street
Alton, Illinois 62002
(618) 462-8405

7. *Blaylock v. Granite City*, 17 AR 105 (Ill. Cir. Ct.).

This action was filed against an employer for an alleged violation of the Illinois Whistleblower Act. The claim was dismissed on the motion of the defendants. Decision supplied.

Counsel for the Plaintiff:

John Stephen Brubaker
1 South Church Street, Suite 500
Belleville, Illinois 62220
(618) 233-8807

Counsel for the Defendant:

Erin Phillips
Jane Unsell
Unsell, Schattnik, & Phillips, P.C.
3 South 6th Street
Wood River, Illinois 62095
(618) 258-1800

8. *Monigan v. Watt*, 15 AR 598 (Ill. Cir. Ct.).

The jury rendered a verdict for the Plaintiff for injuries arising out of an automobile collision. The motion for new trial for inconsistent verdict was denied. Decision supplied.

Counsel for the Plaintiff:

Keith Short
Short & Daugherty
325 Market Street
Alton, Illinois 62002
(618) 254-0055

Counsel for the Defendant:

Tori Walls
107 Southpointe Drive
Edwardsville, Illinois 62025
(618) 659-0588

9. *James Greco v. Orthopedic & Sports Medicine Clinic, P.C., et al.* 11 L 140 (Ill. Cir. Ct.).

Plaintiffs filed this medical malpractice claim against an orthopedic surgeon for failure to diagnose and treat a deep vein thrombosis resulting in the death of a 35 year old woman. The jury returned a verdict for the defendants. Judgment supplied.

Counsel for the Plaintiffs:

David Horan
950 Francis Place Suite 202
St. Louis, Missouri 63105
(314) 918-7400

Greg Fenlon
St. Louis Lawyers Group
601 South Lindbergh
St. Louis, Missouri 63131
(314) 862-7999

Counsel for the Defendants:

Philip Willman
Brown & James
800 Market Street, Suite. 1100
St. Louis, Missouri 63101
(314) 421-3300

Don Weber
115 North Buchanan
Edwardsville, Illinois 62025
(618) 314-325-2750

10. *Madison County Government Emergency Telephone System Board v. Illinois Department of Central Management Services*, 18 MR 202 (Ill. Cir. Ct.).

This matter presented issues of whether the court has jurisdiction to hear an interlocutory appeal from an administrative decision regarding the intervention of a non-party in the litigation. I found that the Illinois Constitution did not confer jurisdiction. Decision supplied.

Counsel for the Plaintiff:

Heidi L. Eckert
FordHarrison
222 South Central Avenue, Suite 900
Clayton, Missouri 63105
(314) 746-4845

Counsel for Defendants:

Kevin Kaufhold
Kaufold & Associates
5111 West Main Street
Belleville Illinois 62226
(618) 235-3580

- 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.

Case numbers refer to Madison County, Illinois case numbers unless otherwise designated. Decisions for each matter are supplied.

1. *Grater v. Court of Claims*, 14 MR 127 (Ill. Cir. Ct.), *aff'd* 2019 IL App (5th) 170399-U, *petition for leave to appeal denied* 135 N.E.3d 554 (Table) (Ill. 2019). Opinion supplied.

Counsel for the Plaintiff:

Brian Wendler
Wendler & Associates
100 Hillsboro
Edwardsville, Illinois 62025
(618) 692-0011

Counsel for the Defendant:

Jamie Knodel
Assistant Attorney General
500 South Second Street
Springfield, Illinois 63705
(618) 557-7081

2. *Midwest Sanitary Service v. Sandberg, Phoenix & VonGontard*, 18 L 811 (Ill. Cir. Ct.). Opinion supplied.

Counsel for the Plaintiff:

George Ripplinger
2215 West Main Street
Belleville, Illinois, 62226
(618) 234-2440

Counsel for the Defendant:

Gary E. Meadows
HepplerBroom
130 North Main Street

Edwardsville, Illinois 62025
(618) 656-0184

3. *Blechinger v. Alvarado*, 16 L 373 (Ill. Cir. Ct.). Opinion supplied.

Counsel for the Plaintiff:

Samantha Unsell
Keefe, Keefe & Unsell
6 Executive Woods Court
Belleville, Illinois 62226
(618) 236-2221

Counsel for the Defendant:

Kevin Burke
Brown & James, P.C.
525 West Main Street
Belleville, Illinois 62226
(618) 355-5104

4. *Christy Industrial Services, LLC v. GRP Mechanical*, 19 L 557 (Ill. Cir. Ct.). Opinion supplied.

Counsel for the Plaintiff:

Michael Quinlin
2526 Barrett Avenue
St. Louis, Missouri 63023
(314) 223-6035

Counsel for the Defendants:

Chris Baucom
Don Flack
Armstrong Teasdale
7700 Forsyth Avenue
St. Louis, Missouri 63105
(314) 621-5070

Doug Heise,
Heyl Royster
105 West Vandalia
Edwardsville, Illinois 62025
(618) 656-4242

5. *Contegra Construction Co. v. Hi-Tech Housing, Inc.*, 16 MR 336 (Ill. Cir. Ct.). Opinion supplied.

Counsel for the Plaintiff:

Chris Baucom,
ArmstrongTeasdale
7700 Forsyth Avenue
St. Louis, Missouri 63105
(314) 621-5070

Counsel for the Defendant:

David Weder
Lewis & Rice
600 Washington Avenue
St. Louis, Missouri 63101
(314) 444-1339

6. *Hartman v. Tabb*, 19 L 16 (Ill. Cir. Ct.). Opinion supplied.

Counsel for the Plaintiff:

Rodney Caffey
3017 Godfrey Road
Godfrey, Illinois 62035
(618) 463-1928

Counsel for the Defendant:

Steve Mudge
107 South Pointe
Edwardsville, Illinois 62025
(618) 659-0588

7. *Tarasuik v. Granite City Clinic Corp.*, 16 AR 372 (Ill. Cir. Ct.). Opinion supplied.

Counsel for the Plaintiff:

Dan Farrol
HeplerBroom
Currently with Goldenberg Heller & Antognoli, P.C.
2227 South State Route 157
Edwardsville, Illinois 62025
(618) 656-5150

Counsel for the Defendant:

Jason Kinser
Behr, McCarter & Potter, P.C.
7777 Bonhomme
Clayton, Missouri 63105
(314) 862-3953

8. *Cori v. Martin*, 16 MR 111 (Ill. Cir. Ct.). Opinion supplied.

Counsel for the Plaintiffs:

Barry Noeltner
105 West Vandalia
Edwardsville, Illinois 62025
(618) 656-4646

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SmithAmundsen
120 S Central Avenue, Suite 700
St. Louis, Missouri 63105-1794
(314) 719-3700

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SpencerFane, LLC
1 North Brentwood Boulevard, Suite 1000
St. Louis, Missouri, 63105
(314) 863-7733

Counsel for the Defendants:

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Lucco, Brown, Threlkeld & Dawson, LLP
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Edwardsville, Illinois 62025
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Unsell, Schattnick & Phillips P.C.
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(314) 727-0101

Roy Dripps
Armbruster, Dripps, Winderscheidt & Blotevogel, LLC
51 Executive Plaza

Maryville, Illinois 62062
(800) 917-1529

9. *Atkinson v. Polzin*, 13 L 1497 (Ill. Cir. Ct.). Opinion supplied.

Counsel for the Plaintiff:

Ed Szewczyk,
1326 Niedringhaus Avenue
Granite City, Illinois 62040
(618) 452-1323

Counsel for the Defendant:

Kenneth Williams
29100 Northwestern Highway
Southfield, Michigan 48034
(248) 994-0060

10. *Blaylock v. Granite City*, 17 AR 105 (Ill. Cir. Ct.). Opinion supplied.

Counsel for the Plaintiff:

John Steven Brubaker
1 South Church Street
Belleville, Illinois 62220
(618) 233-3800

Counsel for the Defendant:

Erin Phillips
Unsell, Schattnik, & Phillips, P.C.
3 South 6th Street
Wood River, Illinois 62095
(618) 258-1800

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

To my knowledge, no case over which I presided has been the subject of a petition for a writ of certiorari to the Supreme Court of the United States.

- 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.

To the best of my information and belief, no opinion or decision of mine has been reversed by a reviewing court, nor affirmed with criticism of my substantive or procedural ruling.

- 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.

Illinois Circuit Court decisions are not typically published and to the best of my information and belief none of my decisions have been published. However, my decisions are always filed with the court and are made a public record.

- 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.

Grater v. Court of Claims, 14 MR 127 (Ill. Cir. Ct.), *aff'd* 2019 IL App (5th) 170399-U, *petition for leave to appeal denied* 135 N.E.3d 554 (Table) (Ill. 2019). Opinion 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 any 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.

The Third Judicial Circuit for Madison County, Illinois does not have an "automatic" recusal system in place. However, I have recused and will recuse myself under the Code of Judicial Conduct in cases in which one party is represented by a conflict law firm, that is, a firm with which I have within the past

five (5) years or maintained a financial association such as attorney fee expectation. Accordingly, as a matter of practice, I recuse myself from any case a party is represented by the law firm of Goldenberg, Heller & Antognoli, P.C. Edwardsville, Illinois and/or Will Miller of Miller/King Law Firm, Alton, Illinois

In Illinois state courts, a party may on a single occasion move "as of right" for a change of judge or may otherwise move for a change of judge "for cause." When seeking a change of judge "as of right," there need be no basis alleged for such a motion. When a party moves for a change of judge "for cause" he or she must allege a basis therefor. To the best of my recollection, no "for cause" motion for change of judge has been filed to have me removed as the presiding judge. To the best of my recollection, I have not otherwise recused myself sua sponte or on the motion of any party except when the motion was made "as of right."

To the best of my recollection, I have refused to allow an "as of right" change of judge in only one case, *JRacking Storage v Sabados*, 18 L 626. I refused the "as of right" motion for change of judge for the reasons that I had previously ruled on a substantial matter in the case, and the motion was tactical to avoid a trial setting. Each serve as a basis for denial of even an "as of right" motion under Illinois law.

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 held no non-judicial public office, nor have I had any unsuccessful candidacy for elective office or unsuccessful nomination 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.

Precinct Committeeman for Madison County Illinois Republican Party, periodically between 1990 and 2005.

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 have not served as a law clerk to a judge.

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

2007 – 2017

David W. Dugan, P.C.

2 Terminal Drive

East Alton, Illinois 62024

Attorney

- 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.

1985 – 1987

Coppinger, Carter, Schrempf & Blaine, Ltd.

307 Henry Street

Alton, Illinois 62002

Attorney (1985 – 1987)

Law Clerk (1985)

1987 – 1991

Law Offices of Gary E. Peel, Ltd.

2 Center Grove Road

Edwardsville, Illinois 62025

Attorney

1991 – 1994

Lakin & Herndon, P.C.

251 Old Saint Louis Road

Wood River, Illinois 62097

Attorney

1993 – 1994

Madison County State's Attorney's Office

Administration Building

Edwardsville, Illinois 62025

Prosecutor (part-time)

1994 – 1999

Pitts, Dugan & Diaz, P.C.

200 North Wood River Avenue

Wood River, Illinois 62097

Attorney

1999 – 2007
Dugan & Diaz, P.C.
2 Terminal Drive
East Alton, Illinois 62024
Attorney

1999 – 2013
Sabreliner Corporation
7700 Bonnhomme
Clayton, Missouri 63105
Contract Pilot

2003 – 2005
Simmons & Cooper
1 Court Street
East Alton, Illinois 62024
Attorney (part-time)

2007 – 2017
David W. Dugan, P.C.
2 Terminal Drive
East Alton, Illinois 62024
Attorney

- 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 an arbitrator or mediator outside of my judicial role.

b. Describe:

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

The nature of my legal practice did not change in a significant way over my legal career, although I have had a wide range of experiences in a large variety of cases. Throughout my legal career, my law practice has involved litigation in both state courts and federal courts, as well as various administrative tribunals such as the National Transportation Safety Board and the Illinois Department of Professional Responsibility. My litigation experience has included many types of cases, such as contract, tort, civil rights, insurance, patent violations and copyright infringements, for both plaintiff and defendant, as well as state and federal criminal defense.

During the first 15 years of my practice, I appeared in Federal Courts more frequently than in the last 15 years of my practice. My practice involving criminal matters in Federal Courts, however, increased significantly when I became a Public Defender Panel attorney.

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

My typical clients consisted of individuals and small business organizations. Rarely did I represent an institutional client or insurer during my career. My practice centered on litigation in areas such as contract, tort, civil rights, insurance, patent violations and copyright infringements, for both plaintiff and defendant, as well as state and federal criminal defense. During my practice, I have dedicated substantial time and energy to providing *pro bono* services to local not-for-profit organizations, particularly those involving the protection of children.

- 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.

I appeared in state very frequently throughout my career. In the early half of my career I appeared in federal court frequently but less so in the latter half.

- i. Indicate the percentage of your practice in:

1. federal courts:	15%
2. state courts of record:	80%
3. other courts:	0%
4. administrative agencies:	5%

Indicate the percentage of your practice in:

1. civil proceedings:	90%
2. criminal proceedings:	10%

- 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.

In my estimation I have tried verdict, judgment or final judgment over 75 cases in courts of record and before administrative law judges where I have acted as sole counsel, chief counsel, or associate counsel.

- i. What percentage of these trials were:

1. jury:	30%
2. non-jury:	70%

- 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 before 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. *Best v Taylor Machine Works*, 179 Ill. 2d 267 (1997).

Dates of representation: 1995 – 1999

Presiding Judge: Associate Judge David Herndon, Circuit Court of Madison County

I acted as co-lead counsel on behalf of injured plaintiff in product liability action against the manufacturer of a forklift tractor. The lift mechanism failed resulting in a fire fed by hydraulic fluid. Plaintiff was severely injured. At the trial level, issues were raised regarding the constitutionality of various newly amended provisions of the Illinois Civil Practice Act. The case proceeded to the Illinois Supreme Court which deemed unconstitutional numerous newly amended provisions of the Illinois Civil Practice Act. The case settled during mediation.

Co-Lead Counsel:

Eric Carlson
Jon Carlson
411 St. Louis Street
Edwardsville, Illinois 62025
(618) 655-0600

Opposing Counsel:

Michael Reda

HeplerBroom, LLC
211 North Broadway, Suite 2700
St. Louis, Missouri 63102
(314) 480-4197

2. *Stark v Watson*, Madison County 00 CH 265

Dates of representation: 2000 – 2003

Presiding Judge: Associate Judge Clarence Harrison

I acted as lead counsel on behalf of a Defendant regarding claims of nuisance and interference with easement use. The case was tried over a three-day bench trial.

Opposing Counsel:

Larry Taliana
216 North Main Street
Edwardsville, Illinois 62025
(618) 692-4422

3. *Piston Tank Co. v Peanut Processors*, SDIL, 03-407-MJR

Dates of representation: 2003 – 2006

Presiding Judges: Judge M. Reagan and Magistrate Gerald Cohn

I acted as Lead Counsel representing the plaintiff for patent and license violations involving the design of a trailer tank design that permitted the movement of oils & greases, as well as food-grade liquids, in large volumes with varying viscosities through the use of a piston and wiping seal operated by low volume and pressure. The case settled during a settlement conference with Magistrate Cohn.

Opposing Counsel:

Gary Meadows
Gordon Broom
HeplerBroom, LLC
130 North Main Street
Edwardsville, Illinois 62025
(618) 307-1153

4. *United States v. Gerald Howliet*, 543 F.2d 653 (7th Cir.)

Dates of representation: 2006 – 2008

Presiding Judge: Judge Patrick Murphy

I acted as lead counsel on behalf of a defendant charged with three counts and convicted on two counts for possession with the intent to distribute. Judge Murphy denied a Motion to Suppress which was appealed but affirmed by the 7th Circuit Court of Appeals, Chicago.

Opposing Counsel:

James Porter
Assistant U.S. Attorney
Nine Executive Drive
Fairview Heights, Illinois 62208

5. *United State v. Hall*, No. 07-cr-30022-MJR, 2007 WL 1266452 (S.D. Ill.)

Dates of representation: 2006 – 2007

Presiding Judge: Judge M. Reagan

I acted as lead counsel on behalf of a man accused of growing marijuana in his basement on assignment of Judge M. Reagan. The defense raised issues of search and seizure in the form of a Motion to Suppress. The matter resolved with a plea.

Opposing Counsel:

James Crowe, III
Assistant U.S. Attorney
12555 Manchester Road
St. Louis, Missouri 63131
(314) 515-1651

6. *Donnell v. Washington County Hospital*, Washington County 7 L 16

Dates of representation: 2007 – 2010

Presiding Judge: Judge Dennis Hatch

I acted as lead counsel on a premises liability action involving injuries to Ms. Donnell. The matter was tried before a jury resulting in a verdict for defendant.

Opposing Counsel:

Paul Lynch
115 North 7th Street
Mt. Vernon, Illinois 62864
(618) 244-7511

7. *Redmond v. Cintas*, Madison County 09 L 1163

Dates of representation: 2009 – 2012

Presiding Judge: Judge Dennis Ruth

I acted as Lead Counsel in this product liability action on behalf of a plaintiff who was injured when his protective clothing caught fire resulting in his serious injuries. The matter settled on the eve of trial.

Opposing Counsel:

Denise Baker-Seal
Brown and James
525 West Main Street
Belleville, Illinois 62220
(618) 355-5105

Reed Sugg
Sandberg, Phoenix & VonGontard
600 Washington Avenue
St. Louis, Missouri 63101
(314) 446-4420

Mike McGinley
Sandberg, Phoenix & VonGontard
101 West Vandalia
Edwardsville, Illinois 62025
(314) 425-4920

8. *Loelke v. Shivvers*, Madison County 09 L 1121

Dates of representation: 2008 – 2012

Presiding Judge: Judge A. Matoesian

I acted as lead counsel in a product liability action involving a defective design of a grain auger that resulted in severe injuries to the plaintiff's hand. The case was removed and remanded in SDIL 12-cv-0002-GPM-DGW Judge David Herndon, presiding. The matter settled prior to trial.

Opposing Counsel:

Heather Mueller-Jones
105 West Vandalia
Edwardsville, Illinois 62025
(618) 656-4646

Jane Unsell
Unsell, Schattnik & Phillips P.C.
#3 South 6th Street

Wood River, Illinois 62095
(618) 258-1000

9. *Davenport v. Krankle*, Madison County 09 L 35

Dates of representation: 2009 – 2011

Presiding Judge: Circuit Judge Anne Callis

I acted as lead counsel for a plaintiff who was badly injured in an automobile collision while a passenger. Case was tried before a jury over a three-day period resulting in a verdict for the plaintiff.

Opposing Counsel:

Paul Travous
12400 Olive Boulevard
Creve Coeur, Missouri 63141
(314) 542-5045

10. *Huber v Rope-n-Ride*, Madison County 12 L 293

Dates of representation: 2012 – 2014

Presiding Judge: Judge Barbara Crowder

I acted as lead counsel for a plaintiff who was badly injured when she fell from a horse during a trail ride sponsored by a local pony ride concern. It was determined through an equine expert that the tack used was defective through overuse or inadequate maintenance and the failure of the equipment caused the horse to throw the plaintiff to the ground. The case settled prior to trial.

Opposing Counsel:

Michael McDonald
3636 South Geyer Road
St. Louis, Missouri 61327
(314) 966-4490

Samuel Mormino
3517 College Avenue
Alton, Illinois 62002
(618) 465-2541

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.)

In addition to those matters described above, I acted as lead counsel for a number of unassociated physicians in Southern Illinois who were charged with violating the Medical Studies Practices Act of Illinois. Specifically, the allegations were that this group of physicians engaged in the prohibited practice of "fee splitting" of mobile diagnostics and lab fees with a neurologist. Heavy fines were demanded and actions against their licenses were threatened. The prosecutor alleged to at least one reporter that these physicians were "unindicted co-conspirators" and those allegations were repeated in newspapers. Following two trials resulting in not-guilty determinations, the charges against the remaining physicians were dismissed.

As to non-litigation matters, I would like to believe that one of the most significant legal activities I have pursued is the providing of *pro bono* legal services and personal support to local not-for-profit organizations that "fill the gap" created by voids left by funding reductions, particularly in those areas where children's welfare is paramount. There is a very real need for counseling and treatment for children and their families who have been exposed to or been a victim of violence in the home. Likewise, resources for foster parent training and protections for foster children are in great want. My participation in assisting and supporting these entities and others like them consisted of, in addition to financial support, *pro bono* legal services including corporate creation, corporate compliance and legal management, advising on hiring and employment, risk management and sustainability of providing services to those in need. I have also provided extensive and various *pro bono* legal services for local not-for-profit organizations which serve the needs of the poor and disadvantaged.

I have never registered or served as a lobbyist.

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

I have not taught any such course.

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.

I have financial interests through my former law firm, David W. Dugan, P.C. in the recovery of attorney's fees and/or costs for work and services performed in various

matters prior to my coming to the bench on March 3, 2017. The amounts that may be recovered are currently unknown and contingent in nature.

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 such plans, commitments, or agreements.

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).

When my nomination is formally transmitted to the Senate, I will file my mandated Financial Disclosure Report and will supply a copy to this Committee.

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

Please 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.

If confirmed, I would, as I do currently as a Circuit Court Judge, recuse myself from any case where I have played any role as an attorney or which I have a tangible interest. Of course, I would evaluate on a case-by-case basis any actual or potential conflict of interest, or relationship that could give rise to the appearance of a conflict of interest. If a basis for recusal should exist, I would determine the appropriate action, including recusal, consistent with applicable canons of judicial ethics and 28 U.S.C. § 455.

I anticipate recusing myself in any all cases where the following law firms represent a party in a case before me: Goldenberg, Heller and Antognoli of Edwardsville, Illinois; Miller & King of Alton, Illinois

- 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 and address any actual or potential conflicts

of interest by reference to section 28 U.S.C. § 455 and all applicable canons of the Code of Conduct for United States Judges, as well as any and all other laws, rules, practices, and procedures governing 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.

I have dedicated a significant of my professional and personal time in supporting local not-for-profit organizations that "fill the gap" created by voids left by funding reductions particularly in those areas where children's welfare is paramount. For example, there is a very real need for counseling and treatment for children and their families who have been exposed to or been a victim of violence in the home. Likewise, resources for foster parent training and protections for foster children are in great want. My participation in supporting these entities and others like them included performing *pro bono* services including corporate creation and legal management, advising on hiring and employment, risk management, and sustainability of providing services. I have also provided extensive and various *pro bono* legal services for local not-for-profit organizations which serve the needs of the poor and disadvantaged.

During my more than 30 years of practicing law, I have taken the opportunity to periodically provide legal services to a host of individuals at no cost to the client.

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.

On January 4, 2019, I transmitted my legal resume and questionnaire responses to Senator Richard Durbin's Office. On January 25, 2019, I was contacted by Senator Durbin's Judicial Screening Committee to attend an interview with members of the Committee. On February 8, 2019 I met with and was interviewed by Senator Durbin's Screening Committee in St. Louis, Missouri. On March 27, 2019 I was contacted by White House Counsel to attend an interview in Washington, D.C. On April 1, 2019 I met with and was interviewed by attorneys with the White House Counsel's Office and the Department of Justice in Washington, D.C. On May 10, 2019, I was contacted by Senator Durbin's Office

to arrange for an interview with Senator Durbin. On May 18, 2019 I met with and was interviewed by Senator Durbin and his staff at his Springfield, Illinois Office. On May 20, 2019, I was contacted by Senator Tammy Duckworth's office to arrange to be interviewed by Senator Duckworth. On June 6, 2019 I met with and was interviewed in Springfield, Illinois by Senator Duckworth and her staff member via Skype.

Since June 6, 2019, I have been in contact with officials from the White House Counsel's Office and the Office of Legal Policy at the Department of Justice in Washington, D.C.

- 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 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		278	000	Notes payable to banks-secured (auto)			
U.S. Government securities				Notes payable to banks-unsecured			
Listed securities – see schedule		537	806	Notes payable to relatives			
Unlisted securities				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			
Real estate owned – Residence		550	000	Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property		203	000	Auto Purchase Money Security Interest		23	201
Cash value-life insurance		134	000				
Other assets itemize:							
Govt & Corporate Bonds – see schedule		326	674				
State of Illinois Deferred Saving		44	300				
				Total Liabilities		23	201
				Net Worth	2	050	579
Total Assets	2	073	780	Total Liabilities and Net Worth	2	073	780
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor				Are any assets pledged? (Add schedule)	No		
On leases or contracts				Are you defendant in any suits or legal actions?	No		
Legal Claims				Have you ever taken bankruptcy?	No		
Provision for Federal Income Tax							
Other special debt							

FINANCIAL STATEMENT

NET WORTH SCHEDULES

Listed Securities

Goldman Sachs Square Treasury Solutions	\$	16,635
DFA Emerging Markets Institutional Class		30,043
DFA International Small Institutional Class		22,074
DFA US Small Cap Institutional Class		28,675
Fidelity International Index		43,076
MFS International Diversification Fund Class		44,084
Vanguard Russell 1000 Index Institutional		161,238
Baird Aggregate Bond Fund Institutional		40,006
Busey Bank Money Market		5,889
DFA Emerging Markets Core Institutional		8,453
DFA US Small Cap Institutional		8,424
Federated Institutional High Yield Bond Fund		10,042
Lord Abbett Bond Deb. Fund		4,000
Lord Abbett Short Duration Fund		12,663
MFS International Diversification Fund		15,750
Vanguard Developed Markets Index Fund		15,921
Vanguard Large Cap Index Fund		45,361
Vanguard Mid-Cap Index Fund		11,589
Baird Aggregate Bond Fund Inst.		4,003
DFA Emerging Markets Core Inst.		551
DFA US Small Caps Inst.		548
Federated Institutional HY Bond Fund		987
Goldman Sachs Financial Square		258
Lord Abbett Bond Fund		398
Lord Abbett Short Duration Income Fund		1,258
MFS International Div. Fund		1,049
Vanguard Developed Markets		1,034
Vanguard Large Cap Index		3,023
Vanguard Mid-Cap Index		774
Total Listed Securities		\$537,806

Government & Corporate Bonds

Bank of Nova Scotia BC	\$	25,390
Caterpillar Financial		26,503
Federal Home Loan Banks		20,319
Hanmi Bank Los Angeles		25,249
Indianapolis Ind. Loc. Pub. Bond		25,766

Lake Orion Michigan Comm School District	25,126
North Carolina HSG Homeownership Rev.	25,921
Oakland Univ. Mich. Rev.	25,054
Oracle Corp.	25,500
Richland Washington Elec.	25,094
Sallie Mae Bank	25,273
San Angelo Tx Waterworks	25,643
South Dakota HSG Dev. Auth.	25,832

Total Gov't & Corp. Bonds

\$ 326,674

AFFIDAVIT

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

Feb. 3, 2020
(DATE)

David W. Dugan
David W. Dugan

Donald E. Yarbrough
(NOTARY)

