

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Karin Johanna Immergut

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

United States District Judge for the District of Oregon

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.

Multnomah County Courthouse
1021 SW Fourth Avenue, Room 702
Portland, Oregon 97204

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

1960; Brooklyn, New York

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.

1985 – 1987, University of California Boalt Hall School of Law; J.D., 1987

1978 – 1982, Amherst College; B.A., 1982

January 1981 – June 1981, Universidad de Barcelona; no degree received (exchange semester from Amherst)

Summer 1980, Middlebury College Language School; no degree received.

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.

2009 – present
Multnomah County Circuit Court
1021 SW Fourth Avenue, Room 702
Portland, Oregon 97204
Circuit Court Judge

2001 – 2009
United States Attorney's Office, District of Oregon
1000 SW Third Avenue, Suite 600
Portland, Oregon 97204
United States Attorney (2003 – 2009)
Assistant United States Attorney, Criminal Division (2001 – 2003)

1996 – 1998 and 1998 – 2001
Multnomah County District Attorney's Office
1021 SW Fourth Avenue, Room 600
Portland, Oregon 97204
Deputy District Attorney, Drug Unit and Fraud Section

June 1998 – October 1998
Office of Independent Counsel Kenneth Starr
1001 Pennsylvania Avenue NW, Suite 490N
Washington, DC 20001
Associate Independent Counsel

1994 – 1996
Gravel & Shea
76 St. Paul Street
Burlington, Vermont 05401
Litigation Associate

1988 – 1994
United States Attorney's Office
Central District of California
312 North Spring Street
Los Angeles, California 90012
Chief, Training Section (1994)
Deputy Chief, Narcotics Section (1992 – 1994)
Assistant United States Attorney (1988 – 1992)

1987 – 1988
Covington & Burling
850 Tenth Street, NW
Washington, DC 20001
Litigation Associate

1987
Boalt Hall School of Law
University of California
215 Boalt Hall
Berkeley, California 94720
Research Assistant to Professor Stephen D. Sugarman

1986
Patton Boggs and Blow
2550 M Street, NW
Washington, DC 20037
Summer Associate

1985
Memel, Jacobs, Pierno, Gersh & Ellsworth (no longer in existence)
1801 Century Park East
Los Angeles, California 90067
Summer Associate

1982 – 1984
New York City Departments of Juvenile Justice and Corrections
365 Broadway
New York, New York 10013
Special Assistant to Legal Counsel (1983 – 1984)
Special Assistant to the Commissioner (1982 – 1983)

Other Affiliations (Uncompensated)

2016 – present
Classroom Law Project
620 SW Main Street, #102
Portland, Oregon 97205
Board Member

1983 – 1984 (approximate)
Brooklyn Mediation Center
(I have no record of the address)
Brooklyn, New York
Volunteer Mediator

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 never served in the military. 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.

Appointed by Attorney General Michael Mukasey to serve as Chair, Attorney General's Advisory Committee (2007 – 2009)

Selected by the United States Department of Justice to testify before the United States Sentencing Commission about application of the United States Sentencing Guidelines (2009)

Judge James M. Burns Federal Practice Professionalism Award Recipient, Oregon Chapter Federal Bar Association (2009)

Appointed by Attorney General Ashcroft to serve as Chair of the Attorney General's White Collar Crime Subcommittee (2004 – 2007)

Selected by the United States Department of Justice to testify before the Senate Judiciary Committee about the Department's corporate charging policies (2007)

Oregon Association of Certified Fraud Examiners Award Recipient (2002)

Managing Editor, Boalt Hall Industrial Relations Law Journal (1986 – 1987)

Co-Chair, Boalt Hall Moot Court Board (1986 – 1987)

New York City Urban Fellows Program Fellowship Recipient (1982 – 1983)

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, Member (unknown intermittent dates and 2015 – present)
White Collar Crime Committee, Vice Chair for Portland, Oregon (approximately 1998 – 2003)

Governor's Public Safety Steering Committee (approximately 2004 – 2005)

Local Professional Responsibility Committee, Member (1998 – 2000)

Local Public Safety Coordinating Council (2003 – 2009)

Multnomah Bar Association, Member (1996 – present)
Professionalism Committee (2015 – present)

Multnomah County Circuit Court Executive Committee (2017 – present)

Northwestern School of Law of Lewis & Clark College, Mentor (intermittently 2009 – 2015)

Oregon Judicial Education and Leadership Committee (2016 – present)

Oregon State Bar House of Delegates, Delegate (approximately 2000 – 2001)

Oregon State Bar Leadership College Advisory Board (2006 – 2009)

Oregon State Bar, Mentor (intermittently 2009 – 2015)

Oregon Women Lawyers Leadership Committee (2015 – present)

Owen M. Panner American Inns of Court, Member (approximately 1999 – 2013)

President's Identity Theft Task Force, Co-Chair, Enforcement Subcommittee (2006 – 2008)

United States Department of Justice, Discovery and Case Management Working Group, Co-Chair (2009)

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, 1996

District of Columbia, 1988 (inactive)

California, 1988 (inactive)

Vermont, 1995 (inactive beginning in 1997 and resigned in 2007)

I resigned from the Vermont Bar in 2007 because after approximately ten years of paying inactive dues, I concluded I would not be practicing law again in Vermont. I believe there were two occasions during which my inactive Vermont Bar membership lapsed because I was living in Oregon and did not receive the dues statements. When I discovered the issue, I paid all inactive dues owed and was not charged any penalties.

- 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, 1990

United States District Court for the Central District of California, 1988
United States District Court for the District of Oregon, 2001
United States District Court for the District of Vermont, 1995
Supreme Court of California, 1988
Supreme Court of Oregon, 1996
Supreme Court of Vermont, 1995
Court of Appeals District of Columbia, 1988

I resigned from the Vermont Bar in 2007 because, after approximately 10 years of paying inactive dues, I concluded I would not be practicing law again in Vermont.

I believe there were two occasions during which my inactive Vermont Bar membership lapsed because I was living in Oregon and did not receive the dues statements. When I discovered the issue, I paid all inactive dues owed and was not charged any penalties.

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.

Amherst College Alumni Association, President Oregon Chapter (2016 – present)

Classroom Law Project Board, Board Member (2016 – present)

Columbia Edgewater Country Club, Member (2006 – present)

Multnomah Athletic Club, Member (2005 – present)

National Association of Former United States Attorneys, Member (2009 – present)

National Charity League, Member, Oregon Rose Chapter (2013 – 2017)

Stuyvesant High School Alumni Association (1978 – present) (intermittent)

Volunteers In Parole, Los Angeles, California (1992 – 1994)

- 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, religion, sex, 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.

Where are the Girls??, The Judges' Forum, Oregon Women Lawyers (OWLS) Advance Sheet Fall 2016. Copy supplied.

The Inspector General's Report, Distorting the Facts in the Mayfield Case, The Oregonian "In My Opinion" letter, January 11, 2006. Copy supplied.

Joint Community Efforts Will Work on Gang Problem, The Oregonian, editorial, September 9, 2005 (co-authored with Michael Schrunk, Robert Jordan, and Derrick Foxworth). Copy supplied.

Gun Editorial Was Short on Evidence and Accuracy, The Oregonian, Commentary January 15, 2004. 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.

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.

Regional Hearing on the State of Federal Sentencing: Hearing Before the United States Sentencing Commission, Stanford Law School, Palo Alto, California, May

27, 2009 (statement of Karin J. Immergut, United States Attorney, District of Oregon). Copy supplied.

Examining Approaches to Corporate Fraud Prosecutions and the Attorney-Client Privilege Under the McNulty Memorandum: Hearing Before the S. Comm. On Judiciary, September 18, 2007 (statement of Karin Immergut, United States Attorney, District of Oregon, Chair White Collar Subcommittee for the Attorney General's Advisory Committee). Statement and follow-up questions supplied.

Hearing to Authorize the Commissioner-in-Charge of the Portland Police Bureau to Negotiate Certain Law Enforcement Agreements with the Federal Government Subject to Council Approval, March 30, 2005 (testimony of Karin Immergut, United States Attorney, District of Oregon). Transcript supplied.

Hearing, Oregon House Judiciary Committee, May 22, 2001 (testimony of Karin Immergut, Multnomah County Deputy District Attorney). Recording supplied

Hearing, Oregon House Judiciary Committee, Subcommittee on Criminal Law, March 9, 1999 (testimony of Karin Immergut, Multnomah County Deputy District Attorney). I have no notes, transcript, or recording. The address of the Oregon House Judiciary Committee is 900 Court Street NE, Room 331, Salem, Oregon 97301.

- 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.

The public speaking engagements I can recall, after conducting a thorough search, are as follows:

September 19, 2018: Panelist, "Presenting Experts in Trial," CLE, Multnomah Bar Association, Portland, Oregon. Notes supplied.

March 17, 2018: Panelist, "25th Annual Litigation Institute & Retreat Judicial Panel," CLE, Oregon State Bar, Skamania Lodge, Washington. I spoke about persuading juries. I have no notes, transcript, or recording. The address of the Oregon State Bar is 16037 SW Upper Boones Ferry Road, Tigard, Oregon 97224.

November 10, 2017: Moderator, "Oregon Women Lawyers Political Leadership series," Oregon Women Lawyers, Portland, Oregon. Notes supplied.

October 25, 2017: Panelist, “Annual Oregon Judicial Conference,” CLE, Judicial Department, State of Oregon, Sunriver, Oregon. I spoke about the admissibility of social media evidence. I have no notes, transcript, or recording. The address of the Oregon Judicial Department is 1163 State Street, Salem, Oregon 97301.

May 27, 2017: Moderator, Amherst College Reunion Panel, “When the State Kills: the Death Penalty,” Amherst, Massachusetts. A recording is available at <https://www.youtube.com/watch?v=0GoZFARcS6Y>.

May 11, 2017: Panelist, “Preserving Issues for Appeal in Oregon Circuit Court,” CLE, Oregon Association of Defense Counsel, Portland, Oregon. Notes supplied.

June 6, 2016: Moderator, “Oregon Women Lawyers Political Leadership series,” Oregon Women Lawyers, Portland, Oregon. I moderated a conversation with Oregon Attorney General Ellen Rosenblum about her background and what it was like to run for statewide election. I have no notes, transcript, or recording. The address of the Oregon Women Lawyers is PO Box 40393, Portland, Oregon 97204.

June 2, 2016: Moderator, “Multnomah Bar Association Young Lawyers Professionalism panel,” CLE, Multnomah Bar Association, Portland, Oregon. I spoke about the importance of ethics and professionalism in the law. I have no notes, transcript, or recording. The address of the Multnomah Bar Association is 620 SW Fifth Avenue, Suite 1220, Portland, Oregon 97204.

March 3, 2016: Moderator, “Professionalism Program for Criminal Law Practitioners,” CLE, Multnomah Bar Association, Portland, Oregon. The panel addressed ethics and professionalism in criminal law. I have no notes, transcript, or recording. The address of the Multnomah Bar Association is 620 SW Fifth Avenue, Suite 1220, Portland, Oregon 97204.

November 2016: Speaker, “How a Case Progresses through the Criminal Justice System,” Catlin Gabel High School class on crime and punishment, Portland, Oregon. PowerPoint supplied.

November 13, 2015: Speaker, “Limiting Instructions in State and Federal Courts,” CLE, Oregon Law Institute of Northwestern School of Law of Lewis & Clark College, Portland, Oregon. Notes and PowerPoint supplied.

October 1, 2015: Speaker, “Ethics and Professionalism in the Courtroom,” Boalt Hall Alumni, Portland, Oregon. Notes supplied.

June 17, 2015: Speaker, “Trial Practice: It’s All About Persuasion,” CLE, Oregon Law Institute of Northwestern School of Law of Lewis & Clark College, Portland, Oregon. Notes supplied.

March 18, 2015: Panelist, "Presenting Expert Witnesses at Trial," CLE, Multnomah Bar Association, Portland, Oregon. Notes supplied.

April 1, 2014: Panelist, "Investigating Evidence from Both Sides of the Bench," CLE, Multnomah Bar Association, Portland, Oregon. Notes and PowerPoint supplied.

December 4, 2013: Speaker, "Effective Civil Motion Practice," CLE, Oregon Association of Defense Counsel. I spoke about effective motions practice from a judicial perspective. I have no notes, transcript, or recording. The address of the Oregon Association of Defense Counsel is 147 SE 102nd Avenue, Portland, Oregon 97216.

October 19, 2012: Panelist, "Advanced Discovery and Trial Practice," CLE, National Business Institute (NBI) Civil Court Judicial Forum, Portland, Oregon. I spoke about effective motions and trial practice from a judicial perspective. I have no notes, transcript, or recording. The address of the National Business Institute is 1218 McCann Drive, Altoona, Wisconsin 54720.

October 12, 2012: Panelist, "State Court Foreclosures," CLE, Oregon State Bar Bankruptcy Panel with United States Bankruptcy Judge Elizabeth Perris, Oregon State Bar, Portland, Oregon. I spoke about the Multnomah County Circuit Court foreclosure panel. I have no notes, transcript, or recording. The Oregon State Bar's address is 16037 SW Upper Boones Ferry Road, Tigard, Oregon 97224.

May 2, 2012: Speaker, "Oregon Certified Fraud Examiners Spring Seminar," Association of Certified Fraud Examiners, Portland, Oregon. Notes supplied.

February 14, 2012: Speaker, "Consequences of Drug and Alcohol Abuse," Catlin Gabel School, Portland, Oregon 97225. Notes supplied.

November 10, 2011: Speaker, United States Attorney Swearing-In Ceremony for Amanda Marshall, United States Courthouse, Portland, Oregon. I spoke about the United States Attorney's office. I have no notes, transcript, or recording. The address of the United States Attorney's office is 1000 SW Third Avenue, Portland, Oregon 97204.

October 6, 2009: Speaker, my investiture ceremony as Circuit Court Judge for Multnomah County, Oregon. I spoke about the important attributes of a judge and thanked the people who have helped me throughout my career. I have no notes, transcript, or recording. The Multnomah County Circuit Court's address is 1021 SW Fourth Avenue, Portland, Oregon 97204.

November 6–7, 2008: Panelist, “Defending the White Collar Case,” CLE, National Association of Criminal Defense Lawyers, Georgetown University Law Center, Washington, DC. Notes supplied.

September 10, 2008: Speaker, “Conference on Preventing Gun Violence,” Oregon Ceasefire, Portland, Oregon. I spoke as United States Attorney about the need for collaboration among partners to prevent gun violence. Notes supplied.

August 13, 2008: Introductory Speaker, “Oregon Anti-Terrorism Conference and Training,” United States Attorney’s Office, Portland, Oregon. I introduced Attorney General Mukasey. I have no notes, transcript, or recording. The address of the United States Attorney’s Office is 1000 SW Third Avenue, Portland, Oregon 97204.

May 2008: Panelist, “Southern Oregon Meth Forum,” hosted by Congressman Greg Walden at Smullin Center, Medford, Oregon. I spoke about the United States Attorney’s Office efforts to combat methamphetamine manufacture and distribution. I have no notes, transcript, or recording. The address of Congressman Greg Walden is 2185 Rayburn House Office Building, Washington, DC 20515.

April 2008: Speaker, “Corporate Fraud and Attorney-Client Privilege Waivers,” CLE, Oregon Women Lawyers, Mary Leonard Law Society’s Spring CLE, Salem, Oregon. I spoke about waivers of attorney-client privilege in corporate fraud investigations. I have no notes, transcript, or recording. The address of Oregon Women Lawyers is PO Box 40393, Portland, Oregon 97204.

Approximately 2008: Panelist, “United States Department of Justice Corporate Charging Policies,” Association of Corporate Counsel conference, Washington, DC. I spoke about the Department of Justice’s corporate charging policies. I have no notes, transcript, or recording. The address of the Association of Corporate Counsel is 1001 G Street NW, Suite 300W, Washington, DC 20001.

November 29, 2007: Panelist, “Oral Advocacy 2007 District of Oregon Conference,” CLE, United States District Court of Oregon, Portland, Oregon. Notes supplied.

November 16, 2007: Panelist, 20th Annual Ethics CLE “What’s Hot and What’s Not,” Oregon Law Institute of Northwestern School of Law of Lewis & Clark College, Portland, Oregon. I believe that I spoke about attorney-client privilege waivers. I have no notes, transcript, or recording. The address of the Oregon Law Institute, Northwestern School of Law of Lewis & Clark College is 10015 SW Terwilliger Boulevard, Portland, Oregon 97219.

June 25, 2007: Speaker, “Keynote,” Portland State University Women’s Leadership College, Portland, Oregon. Notes supplied.

May 4, 2007: Speaker, "Naturalization Ceremony for New Citizens," United States Attorney's office, Portland, Oregon. Copy of speech supplied.

March 15, 2007: Speaker, "Federal Bar Association Luncheon," Federal Bar Association, Portland, Oregon. Notes supplied.

February 21, 2007: Introductory Remarks, "Oregon Child Exploitation Conference," United States Attorney's Office, Portland, Oregon. Notes supplied.

January 11, 2007: Panelist, "Lessons Learned – An Overview of Significant Terrorism Cases from a United States Attorney's Perspective," United States Attorneys' National Security Conference, Columbia, South Carolina. I spoke about my office's terrorism investigations and prosecutions. I have no notes, transcript, or recording. The address of the United States Department of Justice is 950 Pennsylvania Avenue NW, Washington, DC 20530.

December 8, 2006: Introductory Remarks, "Gang Prevention Conference," office of the Portland mayor, Portland, Oregon. I spoke about the importance of collaboration in preventing gang violence. I have no notes, transcript, or recording. The address of the office of the Portland mayor is 1221 SW Fourth Avenue, Portland, Oregon 97204.

November 20, 2006: Speaker, "New Lawyers CLE." I cannot recall which organization sponsored the event or where it was held. I spoke about my background and priorities of the United States Attorney's office and advice for professional success. Notes supplied.

October 4, 2006: Speaker, "The Lawyers Campaign for Equal Justice" Event, Lawyers' Campaign for Equal Justice, Pendleton, Oregon. I spoke about domestic violence. I have no notes, transcript, or recording. The address of the Lawyers' Campaign for Equal Justice is 620 SW Fifth Avenue, Suite 1225, Portland, Oregon 97204.

May 18, 2006: Speaker, Southern Oregon Federal Bar Committee, United States District Court, Klamath Falls, Oregon. I believe I spoke generally about the priorities of the United States Attorney's office and Department of Justice. I have no notes, transcript, or recording. The address of the United States District Court is 1000 SW Third Avenue, Portland, Oregon 97204.

April 12, 2006: Panelist, "Balancing Civil Liberties and National Security in a Post-9/11 World," Washington State University, Program in Public Affairs, Vancouver, Washington. Notes supplied.

February 27, 2006: Moderator, panel about attorney-client privilege waivers and corporate fraud, United States Attorney Conference, Orlando, Florida. I have no

notes, transcript, or recording. The address of the Executive Office for United States Attorneys is United States Department of Justice, 950 Pennsylvania Avenue, NW, Room 2242, Washington, DC 20530.

May 3, 2005: Introductory Remarks, "Project Safe Neighborhoods Conference," United States District Court of Oregon, Portland, Oregon. Notes supplied.

February 24, 2005. Introductory remarks, "Drug Endangered Children (DEC) Training Conference," Oregon Alliance for Drug Endangered Children, Beaverton, Oregon. I do not specifically recall my remarks but I believe I spoke about my office's efforts to combat methamphetamine production. I have no notes, transcript, or recording. The address of the National Alliance for Drug Endangered Children is 9101 Harlan Street, Suite 245, Westminster, Colorado 80031.

Approximately 2004: Guest Lecturer, one class of Professor John Kroger, Northwestern School of Law of Lewis & Clark College, Portland, Oregon. Notes supplied.

October 22, 2004: Panelist, "Willamette University Presentation on Patriot Act," Willamette University, Salem, Oregon. The panel was about the balance of liberty and security. I have no notes, transcript, or recording. The address of Willamette University is 900 State Street, Salem, Oregon 97301.

October 19, 2004: Speaker, "Domestic Violence and Firearms," Legal Aid, Portland, Oregon. Notes supplied.

October 12, 2004: Panelist, Oregon Methamphetamine Summit sponsored by United States Senator Gordon Smith, held at United States District Court, Portland, Oregon. I have no notes, transcript, or recording. The address of the United States District Court for Oregon is 1000 SW Third Avenue, Portland, Oregon 97204.

April 15, 2004: Panelist, "Patriot Act Forum," Oregon State Bar, Portland, Oregon. Notes supplied.

November 20, 2003: Speaker, my formal swearing-in ceremony as United States Attorney for the District of Oregon, Portland, Oregon. Notes supplied.

Approximately October 2003: Speaker, Investiture of United States District Judge Michael W. Mosman, Portland, Oregon. Copy of remarks supplied.

June 30, 2003: Panelist, CLE on sentencing issues, Multnomah County District Attorney's Office, Portland, Oregon. I spoke about sentencing post-*Apprendi*. I have no notes, transcript, or recording. The address of the Multnomah County District Attorney's Office is 1021 SW Fourth Avenue, Portland, Oregon 97204.

Approximately 1999: Speaker, Trumpeters, Portland, Oregon. I was invited to discuss my experience working for the Office of Independent Counsel by Trumpeters, a toastmaster group affiliated with the Multnomah Athletic Club. I have no notes, transcript, or recording. The office of the Multnomah Athletic Club is 1849 SW Salmon Street, Portland, Oregon 97205.

- 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.

Shaun Morgan, *Meet Multnomah Circuit Court Judge Karin J. Immergut*, Oregon Women Lawyers Advance Sheet, Vol. 28 No. 3 Summer 2017 issue. Copy supplied.

Bryan Denson, *For the Prosecution: Ethan Knight's Hardworking Mentality Belies His Youth*, Oregonian, Jan. 10, 2013. Copy supplied.

Maxine Bernstein, *Portland Sex Abuse Suspect Asks To Withdraw Guilty Plea; Didn't Expect 225 Months In Prison*, The Oregonian, Dec. 14, 2012. Copy supplied.

Voters' Pamphlet, Oregon General Election, November 2, 2010. Copy supplied.

Barrett Henderson, *Consumers on Receiving End of Fraudulent Business Practices*, LaGrande Observer, July 15, 2009. Copy supplied.

FBI and U.S. Attorney Expand Oregon Mortgage Fraud Working Group Effort, US Fed. News, July 7, 2009. Copy Supplied.

Portland Couple Arraigned on Transporting and Sex Trafficking Charges Involving Minor Victim, US Fed. News, June 27, 2009. Copy supplied (reprinted in multiple outlets).

Registered Sex Offender Sentenced to Federal Prison for Sex Trafficking of Child, US Fed. News, June 26, 2009. Copy supplied.

Two Medford Men Sentenced for Role in Federal Hate Crime, US Fed. News, June 17, 2009. Copy supplied.

Directors of Company in La Grande Plead Guilty to Federal Money Laundering Charges, US Fed. News, June 16, 2009. Copy supplied (reprinted in multiple outlets).

Joseph B. Frazier, *2 Sentenced in Medford Racial Incident*, AP Alert – Political, June 16, 2009. Copy supplied (reprinted in multiple outlets).

Texas man Arraigned on Transporting, Sex Trafficking charges Involving Minor Victim, US Fed. News, June 10, 2009. Copy supplied.

Ore. Businessmen Plead Guilty to Money Laundering, AP Alert – Oregon, June 10, 2009. Copy supplied.

Methamphetamine Dealer Sentenced to Serve 10 Years in Federal Prison, US Fed. News, June 4, 2009. Copy supplied.

Eleven Count Federal Indictment Charges Former Portland Loan Officer with Mortgage Fraud, US Fed. News, June 4, 2009. Copy supplied.

Army Captain Indicted for Money Laundering, Theft of Government Property, US Fed. News, June 4, 2009. Copy supplied.

Washington Man Sentenced to Federal Prison for Using Internet to Entice Minor, US Fed. News, June 4, 2009. Copy supplied.

Ore. Meth Dealer Gets 10 Years in Prison, AP Alert – Oregon, June 2, 2009. Copy supplied.

Salem Resident Charged by Federal Grand Jury for Bank Robbery, US Fed. News, June 1, 2009. Copy supplied.

Newberg Man Charged with Producing, Receiving, Possessing Child Pornography, US Fed. News, June 1, 2009. Copy supplied.

Cannon Beach Art Dealer Arrested in Multimillion-Dollar Investment Ponzi Scheme, US Fed. News, June 1, 2009. Copy supplied.

Bryan Denson, *Golf Coach Arraigned in Child Porn Case*, The Oregonian, May 19, 2009. Copy supplied.

Art Dealer Indicted in Ponzi Scheme, Daily Astorian (OR), May 15, 2009. Copy supplied (reprinted in multiple outlets).

Cannon Beach Art Dealer Accused of Ponzi Scheme, AP Alert – Oregon, May 15, 2009. Copy supplied.

Fake Oakley Importer Sentenced in Oregon Courtroom, Associated Press, May 12, 2009. Copy supplied (reprinted in multiple outlets).

Clackamas Woman Sentenced for Illegally Importing Protected Leopard Skins, Interior Department Documents, May 11, 2009. Copy supplied.

Bryan Denson, *U.S. Attorney Lands Job as Oregon Circuit Judge*, The Oregonian, May 10, 2009. Copy supplied (reprinted in multiple outlets).

Gang Member Sentenced to Serve 100 Months in Federal Prison for Armed Bank Robbery, US Fed. News, May 6, 2009. Copy supplied.

Oregon Governor's Fund for Environment Awards More Than \$290,000 in Grants, US Fed. News, May 5, 2009. Copy supplied.

Oregon Governor's Fund for the Environment Awards More Than \$290,000 in Grants, April 23, 2009. Copy supplied.

FBI, Prosecutors Crack Down on Ore. Mortgage Fraud, AP Alert – Oregon, April 21, 2009. Copy supplied.

Poacher Fined \$50K, Banned from Oregon, Redding Rec. Searchlight (CA), April 18, 2009. Copy supplied (reprinted in multiple outlets).

Oxnard Man Charged in Multistate Theft Ring, Ventura County Star (CA), April 16, 2009. Copy supplied.

Bryan Denson, *Detective Work Cuts Off Flow of Chicken Goo into Columbia*, The Oregonian, April 15, 2009. Copy supplied.

Point Adams Fined \$75,000, Daily Astorian (OR), April 14, 2009. Copy supplied.

Portland Children's Author Charged with Trafficking in Child Pornography, US Fed. News, April 9, 2009. Copy supplied.

Child Rapist, Pornographer Freeman Sentenced to 50 Years in Prison, US Fed. News, March 27, 2009. Copy supplied.

Anna Griffin, *Influential Multnomah County Prosecutor Guards his Privacy Unopposed for Office Since 1992, Mike Shrunck has Reshaped the Criminal Justice System as a Political Policeman of Sorts*, The Oregonian, March 22, 2009. Copy supplied.

Granite Falls Man Sentence to 10 Years, Seattle Times, March 10, 2009. Copy supplied (reprinted in multiple outlets).

Local News, Tri-City Herald (Kennewick, WA), March 10, 2009. Copy supplied.

April Baer, *Portland-Area Army Captain Faces Charges*, Oregon Public Broadcasting, March 6, 2009. Copy supplied.

Stuart Tomlinson, *Captain Accused in Iraq Theft*, The Oregonian, March 6, 2009. (Reprinted in multiple outlets.) Copy supplied.

Oregon Man Pleads Not Guilty in Fire that Killed 2, Associated Press, March 5, 2009. Copy supplied.

Army Captain Indicted for Money Laundering and Theft of Government Property, Justice Department Documents, March 5, 2009. Copy supplied.

Two Oregon Men Plead Guilty to Federal Hate Crime, US Fed. News, February 28, 2009. Copy supplied.

Gearhart Woman to Serve Prison Time for Stealing from Foundations, Daily Astorian (OR), Feb. 24, 2009. Copy supplied.

John Branton, *Police, Fire Report: Hearthwood-area Blaze Forces Three from Home*, Columbian (Vancouver, WA), Feb. 21, 2009. Copy supplied.

Gearin Pleads Guilty, Regrets Harm to Port, Daily Astorian (OR), Feb. 20, 2009. Copy supplied.

Eric Mortenson, *Ex-Port Chief Pleads Guilty in EPA Case*, The Oregonian, Feb. 20, 2009. Copy supplied.

Bryan Denson, *German National Accused of Smuggling Endangered Coral*, The Oregonian, Feb. 14, 2009. Copy supplied.

Bombing May Bring Federal Charges, Statesman Journal (Salem, OR), Feb. 7, 2009. (Reprinted in multiple outlets.) Copy supplied.

Carrie Johnson, *Imprisoned Spy, His Son Face Conspiracy Charges*, Washington Post, Jan. 30, 2009. Copy supplied (reprinted in multiple outlets).

Two Former Oregon Residents Indicted for Obstructing IRS Investigation and Other Tax Crimes, State and Local Health Law Weekly, Jan. 22, 2009. Copy supplied.

Jeff Manning, *'Easy Money' Magnified Real Estate Crash*, The Oregonian, Jan. 2, 2009. Copy supplied.

Child Rapist and Pornographer Pleads Guilty, Justice Department Documents, Dec. 18, 2008. Copy supplied.

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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 Oregon Governor Ted Kulongoski to serve as a Circuit Court Judge effective July 1, 2009, and ran unopposed in 2010 and 2016.

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

Approximately 250.

- i. Of these, approximately what percent were:

jury trials:	90%
bench trials:	10%
civil proceedings:	30%
criminal proceedings:	70%

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

In my nine years as a trial judge, I have presided over hundreds of cases and have written numerous orders in those cases. Almost none of those orders have been published or are available on official reporting websites. A search of Westlaw yielded 64 trial court orders that I authored; a copy of that result list is attached as Appendix 13(b). Additionally, I have identified the following written opinions:

Pierce v. Daimler Trucks North America, LLC, No. 15CV24701 (Cir. Ct. Multnomah Cty. July 19, 2017)

Taylor v. Capital Express Lines, Inc., et al., No. 17CV11155 (Cir. Ct. Multnomah Cty. July 12, 2017)

Bryant v. Platinum Exteriors, Inc., et al., No. 16CV26482 (Cir. Ct. Multnomah Cty. July 5, 2017)

White v. Walgreen Co., No. 1209-12223 (Cir. Ct. Multnomah Cty. September 23, 2013)

Biggs v. State, No. 1112-15752 (Cir. Ct. Multnomah Cty. September 14, 2012)

Chapman, et al. v. Mayfield, et al., No. 1012-16919 (Cir. Ct. Multnomah Cty. December 1, 2011), *aff'd*, 329 P.3d 12 (2013), *aff'd en banc*, 361 P.3d 566 (2015)

Jarvis, et al. v. Neo-Image Candlelight LTD, et al., No. 1102-02481 (Cir. Ct. Multnomah Cty. July 27, 2011)

State v. Sprague, No. 0601-30261 (Cir. Ct. Multnomah Cty. July 1, 2010)

Hughes v. Crandell, et al., No. 0905-05190 (Cir. Ct. Multnomah Cty. April 23, 2010)

Energy Material and Recovery, Inc. v. Harbor Oil, Inc., et al., No. 0101-00512 (Cir. Ct. Multnomah Cty. December 31, 2009)

- 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. *Friedenberg v. Legacy Good Samaritan Hospital, et al.*, No. 15CV06640 (Cir. Ct. Multnomah Cty.)

Jury Trial: January 8, 2018 – January 19, 2018

In this medical malpractice case, a court-appointed conservator sued a clinic, a hospital, and two doctors for \$46 million for failing to diagnose a pregnant mother's herpes, which led to the child's severe brain damage. After approximately a two-week jury trial, the jury returned a verdict in favor of the remaining defendant doctor and hospital. One doctor and his clinic settled before completion of trial. General Judgment supplied.

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2. *State v. Richardson*, No. 15CR43791 (Cir. Ct. Multnomah Cty.)
Jury Trial: September 18, 2017 – October 18, 2017

This was a death penalty eligible aggravated murder case involving the shooting and killing of two people, and wounding a third. The defendant was 23 years old. I presided over several days of pretrial litigation concerning the death penalty and spent several weeks selecting a death qualified jury. The defendant was convicted after the guilt phase of trial, but then agreed to a sentence of “true life” rather than facing the risk of death at the penalty phase. Judgment supplied.

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3. *Pierce v. Daimler Trucks North America*, No. 15CV04279, (Cir. Ct. Multnomah Cty.)
Jury Trial: February 12, 2017 – February 21, 2017

This was an employment discrimination claim based on a racially hostile work environment. I presided over a summary judgment motion and extensive pretrial motions. Ultimately, after a two week trial, the jury returned a verdict for plaintiff for \$750,000 in non-economic damages. No economic damages were sought. Judgment supplied.

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4. *State v. Paye*, No. 15CR50132 (Cir. Ct. Multnomah Cty.)
Jury Trial: January 5, 2016 – January 8, 2016 (guilt phase)
March 30, 2016 – March 31, 2016 (penalty phase)

The defendant in this case was charged with multiple counts of compelling and promoting prostitution, as a pimp, including with respect to a developmentally disabled young woman. The defendant was convicted of several counts of promoting and compelling prostitution. I sentenced him to a total of 190 months in custody. Judgment supplied.

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5. *State v. Saunders*, No. 14CR20839 (Cir. Ct. Multnomah Cty.)
Jury Trial: June 22, 2015 – July 6, 2015

This was a child sex abuse case alleging a grandfather sexually abused his five-year old granddaughter. There was significant pretrial litigation concerning computer search evidence, other bad acts evidence, as well as issues involving expert testimony. The jury convicted the defendant and sentenced the defendant to a total of 100 months in custody. Judgment supplied.

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6. *Mead v. Legacy Health, et al.*, No. 0402-01947 (Cir. Ct. Multnomah Cty.)
Jury Trial: April 6, 2015 – April 17, 2015

This medical malpractice claim involved a plaintiff who sued a hospital on-call neurosurgeon for failing to diagnose cauda equine syndrome, which left her lower body almost completely paralyzed. She sued for \$12 million. There were significant pretrial hearings. The jury found no doctor-patient relationship existed, and accordingly it was a defense verdict for the doctor. The hospital settled pretrial. Judgment supplied.

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7. *Conway Construction Company, et al. v. Zellcomp, et al.*, No. 1208-10105
(Cir. Ct. Multnomah Cty.)
Jury Trial: February 17, 2015 – March 6, 2015

In this multi-party construction defect case, Multnomah County was suing various contractors and subcontractors for defects in bridge construction on a major Portland bridge. The jury returned a verdict for the plaintiff in the amount of \$5.6 million. Judgments supplied.

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8. *Golik v. CBS, et al.*, No. 1308-11192 (Cir. Ct. Multnomah Cty.)
Jury Trial: December 1, 2014 – December 19, 2014

In this multi-party wrongful death asbestos case, plaintiff was seeking \$5 million against several corporate defendants, including four paper mills. There were complicated pretrial issues concerning admissibility of evidence and experts, as well as choice of law issues. Four defendants remained at trial, which resulted in a plaintiff's verdict. Judgment supplied.

Defendants filed a post-trial motion for new trial during which they demonstrated that local counsel for plaintiff had withheld a particular critical document that could have been helpful to the defense so, based on Oregon law, I granted the new trial motion. This case is on appeal in the Oregon Court of Appeals.

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9. *Levy v. Legacy Good Samaritan Hospital, et al.*, No. 0905-07467 (Cir. Ct. Multnomah Cty.)
Jury Trial: February 27, 2012 – March 9, 2012

In this medical malpractice case, a family which gave birth to a child born with Down syndrome sued the hospital that had performed a chorionic villus sampling (“CVS) for negligently performing the test, which showed the child did not have a chromosomal abnormality. Plaintiffs sought \$3 million for the expenses related to life care of the child and a jury awarded that amount. The parties signed a stipulated judgment of dismissal with prejudice on September 7, 2012. I do not have a copy of this stipulated judgment of dismissal and it is not available electronically from the court.

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10. *State v. Washington*, No. 0904-31605 (Cir. Ct. Multnomah Cty.), *aff'd*, 337 P.3d 859 (2014), *rev. denied*, 345 P.3d 456 (2015)
Court Trial: March 7, 2011 – March 9, 2011

Defendant posed as a magazine salesman and talked his way into a non-English speaking victim's home. He then raped her after dragging her up the stairs. The defendant waived jury and I found him guilty of rape, kidnap, and burglary, but not guilty of attempted murder. The State conceded at closing argument that there was very weak evidence that the defendant intended to kill the victim.

I sentenced the defendant to 486 months in custody. Judgment supplied.

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- 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 generally rule from the bench because of the volume of cases I handle and the parties' desire for expeditious resolution. I have included all of the opinions I have written, but they are not necessarily the most significant decisions I have made as a judge.

1. *Pierce v. Daimler Trucks North America, LLC*, No. 15CV2470, (Cir. Ct. Multnomah Cty. July 19, 2017) (Order Granting Defendant Daimler Trucks North

America, LLC's Motion to Reduce Damages to the Statutory Limit). Copy supplied.

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2. *Taylor v. Capital Express Lines, Inc., et al.*, No. 17CV11155 (Cir. Ct. Multnomah Cty. July 12, 2017) (Order Denying Defendants' Motion to Change Venue). Copy supplied.

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3. *Bryant v. Platinum Exteriors, Inc., et al.*, No. 16CV26482 (Cir. Ct. Multnomah Cty. July 5, 2017) (Order Granting Defendants' Motion to Change Venue in Part). Copy supplied.

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4. *White v. Walgreen Co, et al.*, No. 1209-12223 (Cir. Ct. Multnomah Cty. September 23, 2013) (Order Granting Plaintiff's Motion for Leave to File Amended Complaint to Add Punitive Damages). Copy supplied.

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5. *Biggs v. State*, No. 1112-15752 (Cir. Ct. Multnomah Cty. September 14, 2012) (General Judgment Denying Petition for Post-Conviction Relief). Copy supplied.

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6. *Chapman, et al. v. Mayfield, et al.*, No. 1012-16919 (Cir. Ct. Multnomah Cty. December 1, 2011) *aff'd*, 329 P.3d 12 (2013), *aff'd en banc*, 361 P3d 566 (2015) (opinion granting summary judgment in part). Copy supplied.

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7. *Jarvis, et al. v. Neo-Image Candlelight LTD, et al.*, No. 1102-02481 (Cir. Ct. Multnomah Cty. July 27, 2011), (Opinion and Order re: Motion to Bifurcate Claims). Copy supplied.

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8. *State v. Sprague*, No. 0601-30261 (Cir. Ct. Multnomah Cty. July 1, 2010) (Order and Opinion Denying Defendant's Motion to Dismiss the Indictment on Grounds of Double Jeopardy). Copy supplied.

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9. *Hughes v. Crandell, et al.*, No. 0904-05190 (Cir. Ct. Multnomah Cty. April 23, 2010) (Opinion and Order Denying Plaintiff's Motion for Preliminary Injunction). Copy supplied.

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10. *Energy Material and Recovery, Inc. v. Harbor Oil, Inc., et al.*, No. 0101-00512 (Cir. Ct. Multnomah Cty. December 31, 2009) (Opinion and Order denying motion to declare Sheriff's sale void and set aside order confirming sale). Copy supplied.

Attorney for Plaintiff
Kenneth S. Antell
Dunn Carney LLP
851 SW 6th Avenue, Suite 1500
Portland, Oregon 97204
(503) 224-6440

Attorney for Defendant Western Oil Inc.
Charles R. Williamson
6312 SW Capitol Highway, No. 408
Portland, Oregon 97239
(503) 206-4911

Attorney for Defendant Harbor Oil Inc.
Kimberly Anne SY Stuart
Washington County Counsel
161 NW Adams Avenue, Suite 305
Hillsboro, Oregon 97124
(503) 846-8636

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

I am not aware of any of my cases in which certiorari was requested.

- 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.

The only reversals I am aware of are listed below. I am not aware of any instances in which my judgment was affirmed with significant criticism of my substantive or procedural rulings.

State v. Hartley, No. 131236011 (Cir. Ct. Multnomah Cty.), *rev'd*, 407 P.3d 902 (Or. Ct. App. 2017). This was a prosecution for second degree assault with a firearm. The Oregon Court of Appeals reversed and remanded this case for new trial because I admitted an out-of-court statement by defendant's girlfriend to police officers in which she identified the defendant as the person who shot the victim. The statement occurred during a police "show-up." I admitted the statement under Oregon Evidence Code 801(4)(a) as one of identification, and therefore not hearsay. The Court of Appeals disagreed and found the error was not harmless. Judgment supplied.

State v. Aguilar-Ramos, No. 130748629 (Cir. Ct. Multnomah Cty.), *rev'd*, 395 P.3d 65 (Or. Ct. App. 2017). Under Oregon law, restitution in criminal cases must be determined within 90 days of sentencing unless "good cause" is shown to extend the deadline. This case involved a misdemeanor plea for the crime of assault in the fourth degree. I don't remember the facts clearly other than that there were a series of factors that caused delays, including an ice storm that shut down our courthouse on the day of the scheduled hearing. I believe because of the cancellation of the hearing there was confusion about resetting it, and then the prosecutor had an emergency causing the second hearing to be rescheduled. Although the prosecution was responsible for setting the hearings, I found there were sufficient reasons to allow an extension for good cause. The Court of Appeals disagreed and the victim was unable to get restitution for injuries sustained. Judgment supplied.

State v. Johnson, No. 110933980 (Cir. Ct. Multnomah Cty.), *rev'd*, 364 P.3d 353 (Or. Ct. App. 2015), *rev. denied*, 370 P.3d 504 (Or. 2016). In this criminal sexual assault and strangulation case, defendant was convicted of 17 counts. The Oregon Court of Appeals reversed the jury's conviction on one count of misdemeanor assault in the fourth degree, determining that I should have granted defendant's motion for judgment of acquittal on that count because there was insufficient evidence that when defendant slapped his girlfriend in the face it caused "substantial pain," which is a required element. All of the other convictions on the remaining counts were affirmed. Judgment supplied.

Kohring v. Ballard, No. 1111-14966 (Cir. Ct. Multnomah Cty.), *rev'd*, 325 P.3d 717 (Or. 2014) (*en banc* decision on Writ of Mandamus). On direct review to the Oregon Supreme Court, the Supreme Court reversed my decision denying a change of venue. This was a medical malpractice case filed in Multnomah County, Oregon, against an orthopedic clinic and doctor located just outside of Multnomah County. I found that the clinic engaged in “regular and sustained business” in Multnomah County because its marketing efforts, among other business activities, were aimed at soliciting Portland patients, and occurred in Multnomah County. The Supreme Court disagreed and found essentially that marketing is not part of a private clinic’s “regular, sustained business activity,” which is what Oregon’s venue statute requires. Judgment supplied.

State v. Osorno, No. 120444112 (Cir. Ct. Multnomah Cty.), *rev'd*, 333 P.3d 1163 (Or. Ct. App. 2014). This was a misdemeanor case of driving under the influence of intoxicants. The prosecutor elicited a statement from the defendant that alluded to an invocation of her right to counsel. I gave a curative instruction to the jury and found that based on the entire record, it did not affect the defendant’s right to a fair trial, so I denied a motion for mistrial. The Oregon Court of Appeals disagreed and reversed. Judgment supplied.

State v. Salazar-Castillo, No. 101234793 (Cir. Ct. Multnomah Cty.), *rev'd*, 313 P.3d 386 (Or. Ct. App. 2013) (reversed and remanded for resentencing to merge eight counts of first-degree kidnapping into two). This was a criminal jury trial in which the defendant was convicted of multiple counts of kidnapping, menacing, and strangulation, and some of the counts were charged and convicted under alternative theories. Although I did not add additional sentences for the counts based on alternative theories of charging, some of the counts should have been “merged” for sentencing under Oregon law and the Oregon Court of Appeals remanded the case for resentencing to merge counts of conviction. It had no effect on the actual sentence. Judgment supplied.

State v. Harris, No. 091153540 (Cir. Ct. Multnomah Cty.), *rev'd*, 273 P.3d 277 (Or. Ct. App. 2012). This was a misdemeanor resisting arrest trial. The Court of Appeals reversed, finding that I erred by not giving a jury instruction requested by the defense that passive resistance does not constitute interference with a peace officer. Judgment supplied.

- 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.

Because of the volume of cases I handle, I rarely issue opinions. I handle hundreds of matters every year. In order to effectively manage my state court docket, I try to rule from the bench, whenever possible. It is generally the practice in Multnomah County Circuit Court for the prevailing party to prepare a

proposed order for me to sign. Any opinions issued by me generally would be in our court's electronic filing system.

- 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.

None.

- 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.

None.

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.

As a judge on the Multnomah County Circuit Court, I have never been asked to recuse myself by a party or attorney due to an asserted conflict of interest. I have requested to be automatically recused from any case in which my husband's law firm represents a party. I have always sought to comply with all statutes and ethical rules regarding recusal. In addition, I have always tried to err on the side of caution in disclosing any, even tenuous, connections with any case, litigant, or attorney, to allow the litigants to raise any concerns they might have to avoid the appearance of a conflict

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.

2003 – 2009

United States Attorney, District of Oregon. I was appointed by President George W. Bush, after confirmation by the United States Senate.

I have never had an unsuccessful nomination. I have not run for elected office.

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

I have never held a membership in a political party or played a role in a political campaign.

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

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

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

I have never clerked for a judge.

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

I have never 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.

1987 – 1988

Covington & Burling
850 Tenth Street NW
Washington, DC 20001
Litigation Associate

1988 – 1994

United States Attorney's Office
Central District of California
312 North Spring Street
Los Angeles, California 90012
Chief, Training Section (1994)
Deputy Chief, Narcotics Section (1992 – 1994)
Assistant United States Attorney (1988 – 1992)

1994 – 1996
Gravel & Shea
76 St. Paul Street
Burlington, Vermont 05401
Litigation Associate

1996 – 1998 and 1998 – 2001
Multnomah County District Attorney's Office
1021 SW Fourth Avenue
Portland, Oregon 97204
Deputy District Attorney, Drug Unit and Fraud Section

June 1998 – October 1998
Office of Independent Counsel Kenneth Starr
(A temporary office was used)
Washington, DC
Associate Independent Counsel

2001 – 2009
United States Attorney's Office, District of Oregon
1000 SW Third Avenue
Portland, Oregon 97204
Served as United States Attorney (2003 – 2009)
Assistant United States Attorney, Criminal Division (2001 – 2003)

2009 – present
Multnomah County Circuit Court
1021 SW Fourth Avenue
Portland, Oregon 97204
Circuit Court Judge

- 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.

Although I volunteered at the Brooklyn Mediation Center before I went to law school, I have never served as a legal mediator or arbitrator. As a state trial court judge, I have been involved in judicial settlement

conferences in both civil and criminal cases. I have not kept a record of those cases.

b. Describe:

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

I have served as a state court judge for the past eight and one-half years. I became a judge in September 2009. I appear in court on a daily basis. I have presided over approximately 250 trials and have handled over 100 civil motions. I am one of approximately four judges on our court assigned to handle death penalty eligible aggravated murder cases. I have been specially assigned complex civil cases, including multi-party asbestos litigation, insurance coverage, construction defect matters, and employment discrimination cases, to name a few. I have also handled dozens of judicial settlement conferences in both civil and criminal cases. In addition, during the past year, I have presided over our court's drug diversion program and work with a team to get drug offenders into treatment.

Before assuming my current position on the bench, I spent 22 (1987 to 2009) years as a criminal and civil litigator in state and federal courts. I served as Oregon's United States Attorney for six years, prior to joining the bench, during which I managed an office of over 100 employees, 52 of whom were attorneys, in three offices. I was responsible for a budget of approximately \$9.5 million. I directed the strategy of important criminal and civil cases and I generally oversaw the work of the office. I worked closely with local, state, and federal agency heads, elected officials, tribal council, and community groups to develop and implement strategies to improve public safety. I served for more than five years on the Attorney General's Advisory Committee (AGAC), which consists of 16 United States Attorneys from around the country, who are appointed by the Attorney General to advise the Attorney General about national issues and Department of Justice policies. I served under four different Attorneys General during my tenure on the AGAC and was reappointed several times.

I also served as an Assistant United States Attorney for eight years, both in Los Angeles (six years – 1988 to 1994) and Oregon (two years – 2001 to 2003). I tried 17 federal criminal cases and regularly appeared in federal court while serving as an Assistant United States Attorney. I became a supervisor in Los Angeles after approximately three years in that United States Attorney's Office and eventually became chief of the Training Unit and was responsible for training and supervising all new Assistant United States Attorneys in the Los Angeles office.

I served for almost five years (1996 to 2001) as a Deputy District Attorney in Multnomah County, Portland, Oregon, and was assigned to felony cases. For five months in 1998 I took a leave of absence from the District Attorney's office to work for Independent Counsel Ken Starr on the Lewinsky investigation. I also worked as a litigation associate in civil practice for three years (1987 to 1988 and 1994 to 1996) at the law firms of Covington & Burling, Washington, DC and Gravel & Shea, Burlington, Vermont. While I was a litigation associate in Vermont (1994 to 1996), I also served as a court-appointed panel attorney for indigent criminal defendants in United States District Court.

During the course of my career as a litigator, I tried 17 criminal cases in federal court, over 25 felony cases in state court, and three civil cases in state court. I also briefed several appeals and argued approximately five appeals before the United States Court of Appeals for the Ninth Circuit.

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

As both a United States Attorney and an Assistant United States Attorney, my "client" was the United States. As an Assistant United States Attorney I handled large-scale narcotics and money laundering cases, financial fraud cases, and an assortment of other federal cases, including firearms cases and bank robberies, among others.

As a Deputy District Attorney in Multnomah County, Oregon, my "client" was the People of the State of Oregon. I handled financial fraud investigations, particularly elder fraud, as well as homicides and drug cases.

In private practice in Vermont, my firm represented various Vermont businesses and I worked on a variety of matters, such as contract disputes, property disputes, and employment cases for the firm's clients. I did not have my own clients. I also handled some criminal defense cases in federal court on a pro bono basis.

- 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.

Before becoming a state court judge in September 2009, 100% of my practice was in litigation in federal and state courts. As United States Attorney from 2003 to 2009, although I appeared in court only occasionally, I supervised the high profile litigation in the office and was involved in running the office and working with the Department of Justice and local officials on national and local policy issues. I

handled one federal criminal trial while I was United States Attorney in a case involving a cheerleading coach sexually abusing a cheerleader on an airplane.

Before becoming United States Attorney, I spent eight years of my legal career as a federal prosecutor in the Central District of California (1988 to 1994) and Oregon (2001 to 2003), during which 100% of my practice was in federal court conducting criminal investigations and trying cases. I tried 16 federal cases in Los Angeles, and one in Oregon. Those cases included multi-defendant narcotics trafficking, money laundering, bank robbery, and unlawful gun possession, to name a few. I also briefed and argued five appeals before the United States Court of Appeals for the Ninth Circuit. I appeared in court regularly, perhaps once or twice a week.

As a Deputy District Attorney in Multnomah County, Oregon, for five years 100% of my practice was in state court trying cases.

i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 60% |
| 2. state courts of record: | 40% |
| 3. other courts: | 0% |
| 4. administrative agencies: | 0% |

ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 20% |
| 2. criminal proceedings: | 80% |

- 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.

During the course of my career as a litigator, I tried 17 criminal cases in federal court to a jury, over 25 felony cases in state court, and three civil cases in state court. In all of the criminal trials, I have served as lead counsel, sole counsel, and on three occasions co-counsel. In my civil trials, I served as sole counsel in two of the trials and co-counsel in one trial.

i. What percentage of these trials were:

- | | |
|--------------|-----|
| 1. jury: | 98% |
| 2. non-jury: | 2% |

- 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 never appeared 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) *United States v. Chatman*, No. 3:07-CR-0178-RE (D. Or.)

I represented the United States. The defendant, a cheerleading coach, was charged with sexually abusing a cheerleader on his team while travelling on an airplane. The defendant was convicted after trial.

Date of Representation: 2007

Judge

Hon. James Redden, United States District Judge

Co-Counsel

Bill Williams
United States Attorney
District of Oregon
1000 SW 3rd Avenue
Portland, Oregon 97204
(503) 727-1000

Counsel for Defendant

Amy Baggio
Baggio Law
621 SW Morrison Street, Suite 1025
Portland, Oregon 97205
(503) 222-8930

Chris Schatz
Office of the Federal Public Defender
101 SW Main Street, Suite 1700

Portland, Oregon 97204
(503) 326-2123

2) *United States v. Siegelbaum, et al.*, No. 3:02-CR-00179-PA (D. Or.)

I represented the United States. Nine defendants were charged with conspiracy to commit identity theft and bank fraud. I was the sole Assistant United States Attorney on the case. The defendants retrieved bank customer information from bank garbage dumpsters, created false Oregon identification cards, and posed as bank customers to cash stolen or counterfeit checks. The case involved over 99 bank transactions, over 40 victims, and attempted losses of over \$350,000. All of the defendants entered guilty pleas. The defendants were indicted in April 2002.

Date of Representation: 2002

Judge

Hon. Owen Panner, United States District Judge

Counsel for Defendant Siegelbaum

Lisa Maxfield
Pacific Northwest Law LLP
1225 NW 9th Avenue, No. 11
Portland, Oregon 97209
(503) 222-2510

3) *State of Oregon v. Jenkins*, No. C 99-06-34654 (Cir. Ct. Multnomah Cty.)

I represented the State of Oregon. I served as co-counsel in the trial, which involved charges that the defendant committed the crime of solicitation to commit aggravated murder. The case involved a disgruntled stock trader who stalked and solicited the murder of the owner of a discount brokerage firm. The defendant was convicted of the charges and sentenced on August 14, 2000.

Date of Representation: 1999 – 2000

Judge

Hon. David Gernant, Multnomah County Circuit Court Judge

Co-Counsel

John C. Bradley (retired)
First Assistant Deputy District Attorney
Multnomah County Courthouse
1021 SW 4th Avenue, Room 600
Portland, Oregon 97204
(503) 988-3162

Counsel for Defendant

A. Alexander Hamalian
Law Office of A. Alexander Hamalian
4228 SE Powell Boulevard
Portland, Oregon 97206
(503) 222-3641

4) *State of Oregon v. Stempson*, No. C 00-07-35997 (Cir. Ct. Multnomah County)

I represented the State of Oregon. I served as sole counsel in this trial, which involved the embezzlement of in excess of \$600,000 from a small mason contractor. Defendant Stempson's mother, Ms. Sawatzky, was also charged, but fled before trial. Stempson was convicted on January 3, 2001 after a jury trial. The trial occurred in the fall of 2000 in Multnomah County Circuit Court before Judge Jean Kerr Mauer. Defendant Sawatzky was apprehended after her son's trial and pled guilty to all charges in the indictment. She received a sentence of 100 months. Defendant Sawatzky was sentenced by Multnomah County Circuit Court Judge David Gernant.

Date of Representation: 2000 – 2001

Judge

Hon. Jean Kerr Mauer, Multnomah County Circuit Court Judge (retired)

Counsel for Defendant Stempson

Patrick Birmingham
Pat Birmingham Law
696 McVey Avenue
Lake Oswego, Oregon 97034
(503) 675-5355

Counsel for Defendant Sawatzky

Hon. Gregory F. Silver
(then Public Defender at Metropolitan Public Defender, Portland Office)
Multnomah County Circuit Court
1021 SW 4th Avenue, Room 712
Portland, Oregon 97204
(503) 988-3069

5) *State of Oregon v. Plumb*, No. C 00-08-36196 (Cir. Ct. Multnomah Cty.)

I represented the State of Oregon. That case involved the embezzlement of funds believed to be in excess of \$1 million from a small heating company. I served as sole counsel. The defendant entered a guilty plea November 9, 2000 to the indictment, which consisted of multiple counts of aggravated theft. Defendant's final sentencing hearing was held on February 16, 2001.

Date of Representation: 2000

Judge

Hon. Edward J. Jones, Multnomah County Circuit Court Judge (retired)

Counsel for Defendant

Edward Dunkerly
1014 Franklin Street
Vancouver, Washington 98660
(360) 607-9243

6) *State of Oregon v. Sylvester*, No. C 97-08-36312 (Cir. Ct. Multnomah Cty.)

I represented the State of Oregon. I served as sole counsel in this trial, which involved theft of \$285,000 from the estate of a deceased woman by her estate's attorney during the course of probate. The defendant was convicted and sentenced on February 5, 1998.

Date of Representation: 1997 – 1998

Judge

Hon. Joseph Cenicerros, Multnomah County Circuit Court Judge (retired)

Counsel for Defendant

Jay Bum Chung
I have no current information for Mr. Chung.

7) *United States v. Lopez, et al.*, No. 2:91-cr-00547-JSL

I represented the United States and served as sole counsel. In this case, seven defendants were charged with a conspiracy to possess with intent to distribute over 1,000 kilograms of cocaine. Two defendants proceeded to trial and were convicted.

Date of Representation: 1994

Judge

Hon. Spencer Letts, United States District Judge

Counsel for Defendant Lopez

Dwight B. Moore (inactive)
1146 Civic Center Drive West
Santa Ana, California 92703
(714) 541-8790

8) *United States v. Cleveland, et al*, No. 2:93-cr-361-AHS (C.D. Cal.)

I represented the United States. Several defendants were charged with participating in a large-scale, complex money laundering scheme, in which they laundered drug money through real estate transactions. The indictment was returned after a lengthy, multi-agency investigation. One of the defendants was a former Los Angeles police officer. Two defendants proceeded to trial and were convicted. The others entered guilty pleas and one fled during the trial.

Date of Representation: 1993

Judge

Hon. Alicemarie Stotler, United States District Judge (deceased)

Co-Counsel

Rob Villeza

Assistant United States Attorney
1427 West Covina Parkway
West Covina, California 91790
(626) 430-2508

Counsel for Defendants

Edward Robinson (deceased)

William A. Elliot
13522 Newport Avenue, Suite 201
Tustin, California 92780
(714) 547-0986

9) *United States v. Meza, et al.*, No. 2:91-cr-00895-RSWL (C.D. Cal.)

I represented the United States. The indictment charged defendants with conspiracy to possess with intent to deliver over two tons of cocaine, which had been delivered to the Los Angeles area in two motorhomes equipped with hidden compartments. The hidden compartments were custom built by one of the co-defendants. All of the defendants entered guilty pleas in October of 1992 after a lengthy suppression hearing in which the government prevailed.

Date of Representation: 1992

Judge

Hon. Ronald Lew, United States District Judge

Counsel for Defendants

Cornell John Price (inactive)
PO Box 91773

Pasadena, California 91109
(213) 858-6976

10) *United States v. Vasquez, et al.*, No. 2:90-cr-00613-R

I represented the United States. Nine defendants were charged with conspiracy to import approximately 650 kilograms of cocaine into the United States from Guatemala. Four defendants entered guilty pleas on the second and third days of trial. The remainder were convicted by the jury.

Date of Representation: 1990

Counsel for Defendant Vasquez
Mark Heaney
2808 Alma Avenue
Manhattan Beach, California 90266
(310) 545-6774

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.)

I have never performed lobbying activities.

Judicial Work: In addition to handling a wide range of serious criminal cases, I have presided over several complex civil trials involving a variety of legal claims, such as race discrimination, medical malpractice, asbestos, and construction defect litigation, among others.

During the last year and a half, I have presided over the Multnomah County Circuit Court's drug diversion court and I, along with a colleague, have been working to make it more effective and bring it into compliance with best practices that have evolved during the past several years. This court is designed to provide drug treatment and accountability to the high risk/high needs drug offenders in our county, in lieu of prosecution.

United States Attorney Work: During my six years as United States Attorney, I had the opportunity to lead an office of over 100 employees, including 52 Assistant United States Attorneys. I had the opportunity to work on issues of local and national importance. As Chair of the Attorney General's Advisory Committee, I met with approximately 16 United States Attorney colleagues from around the country and the United States Attorney General and the Deputy Attorney General approximately every six weeks to

provide input from the field on matters affecting the United States Department of Justice. Among the matters I worked on as United States Attorney for Oregon were identity theft, the Department's policies on discovery, international terrorism policies, and corporate charging policies.

I also had the opportunity in Oregon to work closely with state, local, and federal partners to combat a variety of problems, including methamphetamine production and distribution, identity theft, gun violence, human trafficking, large scale financial fraud including mortgage fraud, environmental crimes, and terrorism issues.

Prior to my work as United States Attorney: While I was at the Multnomah County District Attorney's office, in addition to handling criminal trials and investigations, I assisted in drafting Oregon's money laundering legislation and testified before the Oregon legislature to facilitate its passage. The bill was passed and became effective in 1999. I also assisted in drafting Oregon's Evidence Code 504-5, which creates a privilege exception for particular communications revealing intent to commit certain crimes of violence.

During my tenure at the Multnomah County District Attorney's Office, I started the complex financial fraud section and prosecuted several cases involving elder fraud. Those cases required special sensitivity to the unique hardships of elderly victims. I worked extremely hard to help victims through the prosecution process, to reach a just result in terms of penalty, and also to try to obtain restitution for elderly victims who were often destitute as a result of the fraud.

In addition, for five months in 1998, I had the opportunity to serve as an Associate Independent Counsel in Washington, DC as part of the Lewinsky investigation of President Clinton. I was responsible for interviewing and conducting grand jury inquiries of witnesses, including Monica Lewinsky.

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.

None.

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

None.

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

I do not have any plans, commitments, or agreements to pursue outside employment.

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.

If confirmed, I will recuse myself from cases in which my husband's firm is involved. I am not aware of any other likely conflicts, but I would routinely consult with the Code of Conduct for United States Judges, 28 U.S.C. § 455, and the relevant rules, practices, procedures, and personnel of the District Court, the Ninth Circuit, and the Administrative Office of the United States Courts, and the Judicial Conference to identify any parties which present an actual or potential conflict of interest.

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

If confirmed, I will follow the Code of Conduct for United States Judges, the Ethics Reform Act of 1989, 28 U.S.C. § 455, and any other relevant recusal guidelines. I will always err on the side of caution and disclose to litigants even the potential appearance of conflicts to allow input as to whether recusal would be in the interests of justice in a given case.

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.

As a judge, and in my prior jobs as federal and state prosecutor, I have been prohibited from performing pro bono legal work for clients. As United States Attorney, I was also discouraged from serving on any non-profit board. As described in this questionnaire, I am on the board of Classroom Law Project (CLP), and regularly meet with students on courtroom tours. I also participate as a judge in CLP’s We the People Competition and Mock Trial. In addition, during my membership with National Charity League from 2014 to 2017, I volunteered at the Oregon Food Bank and other non-profits that feed the hungry for approximately 20 hours a year. I have spoken at my daughters’ schools about drugs and alcohol. I have helped to organize and participate in a lunchtime mock trial event with Oregon Women Lawyers’ take your child to work day for the past seven years. I have regularly participated as a mentor in the Oregon State Bar’s judicial minority mentorship program to mentor minority law students and women.

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.

Oregon Senators Ron Wyden and Jeff Merkeley, along with Congressman Greg Walden, announced publicly that they had created a judicial selection committee and sought applications for vacancies on the United States District Court for the District of Oregon, as well as the Oregon vacancy on the United States Court of Appeals for the Ninth Circuit. I applied for the United States District Court vacancy before the deadline of October 1, 2017. I was interviewed by the Oregon judicial selection committee on January 28, 2018. On February 9, 2018, Senator Wyden’s office contacted me to inform me that my name was among those selected by the judicial selection committee, and my name, along with others selected by the committee, would now be submitted to White House Counsel’s office for further consideration. On February 12, 2018, I received a call from the White House Counsel’s office to schedule an interview. I interviewed with representatives from the White House Counsel’s office and Department of Justice on February 21, 2018. On April 9, 2018, I received a call from White House Counsel’s office informing me that I had been selected for possible nomination and was asked to complete the background materials. On June 6, 2018, President Trump submitted my nomination to the Senate.

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

No.