

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Lucy Haeran Koh
(middle name also has been spelled as Haerun)

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

United States Circuit Judge for the Ninth Circuit

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

Office: United States District Court for the Northern District of California
280 South First Street
San Jose, California 95113

Residence: Menlo Park, California

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

1968; Washington, District of Columbia

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.

1990 – 1993, Harvard Law School; J.D., 1993
1986 – 1990, Harvard University; B.A. (*magna cum laude*), 1990

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.

2010 – Present
United States District Court for the Northern District of California
280 South First Street

San Jose, California 95113
Judge

2008 – 2010
Superior Court of California, County of Santa Clara
191 North First Street
San Jose, California 95113
Judge

2002 – 2008
McDermott Will & Emery LLP
275 Middlefield Road, Suite 100
Menlo Park, California 94025
Partner

2000 – 2002
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, California 94304
Senior Associate

1997 – 2000
Office of the United States Attorney, Central District of California
312 North Spring Street, Suite 1200
Los Angeles, California 90012
Assistant United States Attorney

1994 – 1997
United States Department of Justice
950 Pennsylvania Avenue Northwest
Washington, District of Columbia 20530
Special Assistant to the Deputy Attorney General (1996 – 1997)
Special Counsel, Office of Legislative Affairs (1994 – 1996)

1993 – 1994
United States Senate, Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, District of Columbia 20510
Women's Law and Public Policy Fellow

1991 – 1993
Harvard Law School
1525 Massachusetts Avenue
Cambridge, Massachusetts 02138
Research Assistant to Professor Charles Haar (Summer 1993)
Research Assistant to Professor Christopher Edley, Jr. (1991 – 1993)

1992
NAACP Legal Defense & Educational Fund, Inc.
99 Judson Street, Suite 1600
New York, New York 10013
Summer Intern

1992
Dewey Ballantine
1301 Avenue of the Americas
New York, New York 10019
Summer Associate

1991
American Civil Liberties Union, Immigrants' Rights Project
125 Broad Street
New York, New York 10004
Summer Intern

1991
Natural Resources Defense Council
40 West 20th Street
New York, New York 10011
Summer Intern

1990
Prabhassorn Viddhaya School
80/90 Sukhumvit Road
Chonburi, Thailand 20000
English Teacher

Other Affiliations (uncompensated):

2014 – Present
American Law Institute
4025 Chestnut Street
Philadelphia, Pennsylvania 19104
Data Privacy Project Adviser

2014 – Present
Association of Business Trial Lawyers
115 Northwood Commons
Livermore, California 94551
Board of Governors

2011 – Present

Harvard University
Board of Overseers
17 Quincy Street
Cambridge, Massachusetts 02138
Law School Visiting Committee

2011 – 2013
St. Thomas More Society
830 The Alameda
San Jose, California 95126
Board of Directors

2011 – 2012
Santa Clara University School of Law
High Tech Law Institute
Bannan Hall, Room 301H
500 El Camino Real
Santa Clara, California 95053
Advisory Board

2012
Santa Clara County Bar Association
31 North Second Street, Suite 400
San Jose, California 95113
Fair Judicial Election Practices Commission

2006 – 2008
Asian Pacific American Bar Association of Silicon Valley
3000 El Camino Real
Five Palo Alto Square, Ninth Floor
Palo Alto, California 94306
Board of Directors

2003 – 2004
Korean American Coalition, San Francisco Chapter
3695 Stevenson Boulevard, Unit 225
Fremont, California 94538
Board of Directors

2001 – 2003
Korean American Bar Association of Northern California
575 Market Street, Suite 3700
San Francisco, California 94105
Board of Directors

2000

Korean American Bar Association of Southern California
9107 Wilshire Boulevard, Suite 450
Beverly Hills, California 90210
Board of Directors

2000
Harvard-Radcliffe Club of Southern California
627 Aviation Way
Manhattan Beach, California 90266
Board of Directors

1999 – 2000
Asian Pacific American Bar Association of Los Angeles
1145 Wilshire Boulevard, Second Floor
Los Angeles, California 90017
Board of Governors

1999 – 2000
Korean American Coalition, Los Angeles Chapter
3540 Wilshire, Boulevard, Suite 911
Los Angeles, California 90010
Board of Directors

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

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

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

WIRED Magazine, *20 Unsung Geniuses Revolutionizing the Business World* (2015)

Above the Law, *Judging The Judges: Who Are the Most-Cited New Jurists On The Federal Bench?* (2015)

Above the Law, *Seven Rising Star Judges You Want to Clerk For* (2015)

Popular Mechanics, *The 12 Most Influential People in Tech You've Never Heard Of* (2014)

California State Bar Intellectual Property Law Section, *IP Vanguard Award – Judiciary Award* (2013)

The American Lawyer Litigation Daily, *Four Judges Who Made a Mark* (2012)

The American Lawyer & Corporate Counsel, *Judges to Watch: Ready to Step Up – Ten Recent Appointees to the Federal Bench Who Are Making Their Mark* (2012)

RCR Wireless News, *Top Ten Women in Wireless* (2012)

California Asian Pacific Islander Legislative Caucus, Asian Pacific Islander Heritage Award for Excellence in Law (2011)
 Bay Area Asian Pacific American Law Students Association, Outstanding Leadership Award (2011)
 Institute for Corean-American Studies Liberty Foundation, Institute for Corean-American Studies Liberty Award (2011)
 San Francisco La Raza Lawyers Association, Judge of the Year (2010)
 National Asian Pacific American Bar Association, Women's Leadership Award (2010)
 Asian Pacific American Bar Association of Silicon Valley, Trailblazer Award (2010)
 National Asian Pacific American Bar Association, Trailblazer Award (2009)
 National Association of Professional Asian American Women, Asian American Woman of Achievement Award (2009)
 Silicon Valley/San Jose Business Journal, Women of Influence in Silicon Valley (2008)
 Korean American Bar Association of San Diego and Korean American Coalition of San Diego, Mugunghwa Award for achievements in law and community service (2008)
 McDermott Will & Emery LLP, Client Service Award for *Seagate Tech.* case (2007)
 Silicon Valley/San Jose Business Journal, *40 Under 40* (2007)
 Federal Bureau of Investigation, Director Louis J. Freeh Award for demonstrated excellence in prosecuting a major criminal case (2000)
 Federal Bureau of Investigation Award for prosecution of *United States v. Stapleton* (2000)
 United States Postal Inspection Service, Certificate of Appreciation (2000)
 United States Secret Service, Letter of Recognition (1999)
 United States Attorney's Office, Sustained Superior Performance Award (1998)
 Women's Law and Public Policy Fellowship (1993)
 Harvard Law School Irving R. Kaufman Public Service Fellowship (1993)
 Harvard Law School Ames Moot Court, Semi-Final Round, Best Brief Award (1992)
 Harry S. Truman Scholarship (1988)

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 Law Institute

Data Privacy Project Adviser (2014 – Present)

Asian American Bar Association of the Greater Bay Area

Mentor Judge (2009 – 2011)

Asian Pacific American Bar Association of the Greater Washington, District of Columbia Area

Asian Pacific American Bar Association of Los Angeles

Board of Governors (1999 – 2000)

Asian Pacific American Bar Association of Silicon Valley

Board of Directors (2006 – 2008)

Civil Rights Committee Co-Chair (2005 – 2008)

Association of Business Trial Lawyers

Board of Governors (2014 – Present)

Bench Bar Coalition
 Bench Bar Media Police Committee
 California Asian American Judges Association (now known as California Asian Pacific American Judges Association)
 California Judges Association
 Federal Circuit Advisory Council, Model Order Committee
 Harvard Law School Association of Southern California
 Harvard University Board of Overseers Law School Visiting Committee (2011 – Present)
 Hispanic National Bar Association
 Korean American Bar Association of Northern California
 Board of Directors (2001 – 2003)
 Mentorship Program Group Leader (2008 – 2010)
 Korean American Bar Association of Southern California
 Board of Directors (2000)
 La Raza Lawyers Association of Santa Clara County
 Los Angeles County Bar Association
 National Association of Women Judges, Annual Convention Education Committee
 National Association of Women Lawyers, Amicus Committee
 Ninth Circuit District Judges Association
 Ninth Circuit Education Committee
 Northern District of California Practice Program
 Patent Pilot Program Committee
 Chair (2011 – Present)
 San Francisco Bay Area Intellectual Property American Inn of Court
 Santa Clara County Bar Association
 Fair Judicial Election Practices Commission (2012)
 Federal Courts Committee Co-Chair (2011)
 Judiciary Committee
 Santa Clara County Superior Court
 Amicus (Social) Committee Chair (2010)
 Civil Courts Committee
 Criminal Courts Committee
 Domestic Violence Coordinating Committee
 Education Committee
 Law Books Committee
 Legislative and Executive Branch Outreach Committee
 Self-Represented Litigants Committee
 South Asian Bar Association of Northern California
 William A. Ingram Inn of Court
 Executive Committee (2009 – 2011)
 Outreach Committee Chairperson (2009 – 2010)
 Team Leader/Mentor Judge (2008 – 2010)
 Women Lawyers Association of Los Angeles

10. **Bar and Court Admission:**

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

California, 1997

Massachusetts, 1994

There have been no lapses in membership. In California a person serving as a judge is not considered a member of the State Bar. Similarly, my Massachusetts bar membership became inactive when I began service as a judge.

- 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, 1997

United States Court of Appeals for the Federal Circuit, 2006

United States District Court for the Central District of California, 1997

United States District Court for the Eastern District of California, 2000

United States District Court for the Northern District of California, 2000

United States District Court for the Southern District of California, 2000

United States District Court for the Northern District of Illinois, 2002

There have been no lapses in membership.

11. Memberships:

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

Asian Pacific American Leadership Institute, Senior Fellow (2008 – 2011)

Center for Asian American Media (2004 – 2008)

Conference on Asian Pacific American Leadership (1993 – 1997)

Dinner Committee (1993 – 1995)

Harvard-Radcliffe Club of Southern California (1997 – 2000)

Board of Directors (2000)

Korean American Alliance, District of Columbia Area (1995 – 1997)

Task Force for the Preservation of Immigrant Rights (1995 – 1996)

Korean American Coalition (approximately 1997 – 2000 and 2003 – 2004)

San Francisco Chapter Board of Directors (2003 – 2004)

Los Angeles Chapter Board of Directors (1999 – 2000)

Korean Americans for Political Empowerment (2000 – 2001)

Korean American Professional Society (2000 – 2002)
Santa Clara University School of Law, High Tech Law Institute
Advisory Board (2011 – 2012)
Silicon Valley Asian Pacific American Democratic Club (2002 – 2007)
St. Thomas More Society (2008 – Present)
Board of Directors (2011 – 2013)

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

None of the organizations listed in response to 11a above currently discriminates or formerly discriminated on the basis of race, sex, religion or national origin, either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

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

“Why Would Someone Volunteer to Serve Meals at Loaves & Fishes?,” LOAVES & FISHES FAMILY KITCHEN, Summer 2010. Copy supplied.

Litigating Doctrine of Equivalents Cases in the Age of Festo, IP REVIEW (Spring 2004) (co-authored with Brian E. Ferguson). Copy supplied.

Combatting Inequality, in PUBLIC INTEREST JOB SEARCH GUIDE (Harvard Law School 6th ed. 1995). Copy supplied.

CCR Debunks Wareings's Myths, HARV. L. REC., Mar. 12, 1993, at 10 (co-authored with Julie Su). Copy supplied.

Yearning: Race, Gender, and Cultural Politics, 14 HARV. WOMEN'S L.J. 255 (1991) (book review) (multiple co-authors). Copy supplied.

Letter to the Editors, HARV. CRIMSON, Mar. 1, 1990. Copy supplied.

Letter to the Editors, HARV. CRIMSON, Nov. 18, 1989, at 2. Copy supplied.

Mexico Memoir, IV HARV. DEV. F. 11 (1989). 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.

A Model Order Limiting Excess Patent Claims and Prior Art, Federal Circuit Advisory Council, 2013. Copy supplied.

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

On February 11, 2010, I testified at my confirmation hearing before the Judiciary Committee of the United States Senate to be a United States District Judge for the Northern District of California. I also answered Questions for the Record presented to me by United States Senators Sessions and Coburn. Video of the hearing is available at www.judiciary.senate.gov/meetings/date-and-time-change-nominations for the 111th Congress and a copy of my responses to the written questions is 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 notes, furnish a copy of any outline or notes from which you spoke.

The following list of speeches includes those I was able to locate after a diligent review of my records. It is possible that there are additional speeches to which I no longer have access or for which I did not prepare formal remarks or notes.

March 2, 2016: Speaker, Question and Answer Session with High School Students Following Court Observation, Castilleja School, San Jose, California. I spoke about why a change of plea colloquy in a criminal case must be comprehensive and why it is essential to ensure that a defendant understands each of his rights and understands each question. I have no notes, transcript or recording. The address of the Castilleja School is 1310 Bryant Street, Palo Alto,

California 94301.

February 23, 2016: Panelist, "Juror Management Challenges and Opportunities: During Service," Juror Management and Utilization Workshop, Federal Judicial Center, Redondo Beach, California. Notes supplied.

February 20, 2016: Keynote Speaker, "Tino and Lucy's 10 Personal and Professional Tips to Make Your Life Less Crazy," 16th Annual Conference, Bay Area Asian Pacific American Law Students Association, Berkeley, California. Notes supplied.

February 11, 2016: Speaker, Question and Answer Session with Law Students Following Court Observation, American Constitution Society of Stanford Law School, San Jose, California. I spoke about the Northern District of California's docket, the patent pilot program, multi-district litigation, and opportunities for new lawyers to argue in court. I have no notes, transcript or recording. The address of the American Constitution Society of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

January 14, 2016: Panelist, State of Law and Technology Roundtable, Berkman Center for Internet & Society at Harvard University, Cambridge, Massachusetts. The panel discussed the prevalence of algorithms in decision-making. I have no notes, transcript or recording. The address of the Berkman Center for Internet & Society at Harvard University is 23 Everett Street, Second Floor, Cambridge, Massachusetts 02138.

November 10, 2015: Speaker, Question and Answer Session with LL.M. International Students, Santa Clara University Law School, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of Santa Clara University Law School is 500 El Camino Real, Santa Clara, California 95053.

November 9, 2015: Speaker, Question and Answer Session with Third Graders, Las Lomas Elementary School, Menlo Park, California. I spoke about career paths in the law and federal and state courts. I have no notes, transcript or recording. The address of Las Lomas Elementary School is 299 Alameda de las Pulgas, Atherton, California 94027.

November 6, 2015: Panelist, "Shattering Double Ceilings: How to Increase APA Women Leaders in Law," National Convention, National Asian Pacific American Bar Association, New Orleans, Louisiana. Notes supplied.

November 6, 2015: Panelist, "Litigating High-Profile Cases," National Convention, National Asian Pacific American Bar Association, New Orleans, Louisiana. Notes supplied.

October 28, 2015: Speaker, Judicial Best Practices Committee Announcement, Women in IP Global Summit 2015, Chiefs of Intellectual Property (ChIPs), Washington, District of Columbia. Notes supplied.

October 28, 2015: Panelist, Trial Judges Panel, Women in IP Global Summit 2015, Chiefs of Intellectual Property (ChIPs), Washington, District of Columbia. Notes supplied.

October 27, 2015: Speaker, Brown Bag Lunch with Office of the Solicitor General, U.S. Department of Justice, Washington, District of Columbia. Notes supplied.

May 30, 2015: Panelist, "Making Technology Work for You," Harvard Class of 1990, 25th Reunion, Cambridge, Massachusetts. Notes supplied.

May 11, 2015: Judge, Fifth Grade Mock Trial, Oak Avenue School, San Jose, California. I was a volunteer judge. I have no notes, transcript or recording. The address of the Oak Avenue School is 1501 Oak Avenue, Los Altos, California 94024.

May 8, 2015: Speaker, Question and Answer Session, Working Group on Intellectual Property, Innovation, and Prosperity, "From Trolls to Thickets: The Patent System and the US Economy" Conference, Hoover Institution, Stanford University, Stanford, California. Notes supplied.

January 30, 2015: Speaker, Question and Answer Session with Students, Introduction to Environmental Law Class, San Jose State University, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of San Jose State University is One Washington Square, San Jose, California 95192.

January 7, 2015: Panelist, "Challenging Careers and Family Life: Striking the Balance," William A. Ingram Inn of Court, Santa Clara University School of Law, Santa Clara, California. Notes supplied.

September 24, 2014: Speaker, "Empowering and Advancing Female APA Attorneys: The Trailblazer's Perspective," Asian Pacific American Bar Association of Silicon Valley's Women in Law Committee and Stanford Law School Asian and Pacific Islander Law Students Association, Stanford, California. Notes supplied.

September 5, 2014: Speaker, Question and Answer Session with Students, Introduction to Environmental Law Class, San Jose State University, San Jose, California. I spoke about my professional background, career paths in the law,

how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of San Jose State University is One Washington Square, San Jose, California 95192.

July 28, 2014: Speaker, "Perspectives on the American Judicial System," 2014 Draper Hills Summer Fellows Program on Democracy and Development, Stanford University Center on Democracy, Development, and the Rule of Law, Stanford, California. Notes supplied.

March 6, 2014: Speaker, "A Conversation with Judge Lucy H. Koh," Harvard Law School Journal on Law and Technology, Asian Pacific American Law Students Association, and Asia Law Society, Cambridge, Massachusetts. Notes supplied.

January 27, 2014: Speaker, Brown Bag Lunch with Students, American Constitution Society of Stanford Law School, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of the American Constitution Society of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

January 26, 2014: Welcome Speech, Annual Retreat, Asian Pacific American Bar Association of Silicon Valley, Palo Alto, California. I spoke about the importance of the board's and committee chairs' work. I have no notes, transcript or recording. The address of the Asian Pacific American Bar Association of Silicon Valley is P.O. Box 60988, Palo Alto, California 94306.

December 6, 2013: Speaker, Swearing-In Ceremony for New Bar Admits, University of San Francisco School of Law, San Francisco, California. Notes supplied.

November 8, 2013: Speaker, Acceptance Speech for IP Vanguard Award — Judiciary Award, California State Bar, Intellectual Property Law Section, Berkeley, California. Notes supplied.

November 1, 2013: Speaker, Assembly, The Harker School, San Jose, California. Notes supplied.

October 22, 2013: Speaker, "A Discussion with the Honorable Lucy Koh '93," Harvard Law School Association Recent Graduates Council and Stanford Law School, Stanford, California. Notes supplied.

October 12, 2013: Speaker, "San Jose's Federal Judges Address Hot-Button Litigation Topics," Federal Courts Committee, State Bar of California Annual Meeting, San Jose, California. Notes supplied.

September 27, 2013: Panelist, “My Brilliant but Unusual Career,” Leaders for Change, Celebration 60, Women Transforming Our Communities & the World, Harvard Law School, Cambridge, Massachusetts. Video is available at <http://hls.harvard.edu/dept/alumni/reunions/celebration-60/celebration-60-videos/>.

September 20, 2013: Speaker, Question and Answer Brown Bag Lunch with Summer Interns, Asian Law Alliance, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of the Asian Law Alliance is 991 West Hedding Street, Suite 202, San Jose, California 95126.

July 30, 2013: Speaker, Question and Answer Session with High School Government and History Teachers, Gilder Lehrman Institute of American History, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of the Gilder Lehrman Institute of American History is 49 West 45th Street, Sixth Floor, New York, New York 10036.

July 23, 2013: Speaker, “Perspectives on the American Judicial System,” 2013 Draper Hills Summer Fellows Program on Democracy and Development, Stanford University Center on Democracy, Development, and the Rule of Law, Stanford, California. Notes supplied.

June 24, 2013: Speaker, Question and Answer Brown Bag Lunch with Summer Interns, Federal Public Defender’s Office and U.S. Attorney’s Office, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of the Federal Public Defender’s Office is 55 South Market Street, Suite 820, San Jose, California 95113.

June 21, 2013: Speaker, Question and Answer Brown Bag Lunch with Summer Interns, Asian Law Alliance, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of the Asian Law Alliance is 991 West Hedding Street, Suite 202, San Jose, California 95126.

June 18, 2013: Speaker, “Trolls, Traders, and Wizards – Understanding the Market for Innovation,” Association of Business Trial Lawyers, East Palo Alto, California. Notes supplied.

June 17, 2013: Speaker, “If a Little Knowledge Can Be Dangerous, How About a Lot of Knowledge?,” Federal Courts Committee, Santa Clara County Bar Association, Palo Alto, California. Notes supplied.

June 14, 2013: Speaker, "A View from the Bench," National Convention, American Constitution Society, Washington, District of Columbia. Video is available at https://www.youtube.com/watch?v=_hh_vOcRVDo.

May 8, 2013: Speaker, "View from the Bench," The Recorder, San Jose, California. Notes supplied.

May 3, 2013: Panelist, Judicial Panel, 2013 Advanced Complex Litigation Series, Federal Circuit Bar Association, Santa Clara, California. I spoke about district court patent case management and litigation. I have no notes, transcript or recording. The address of the Federal Circuit Bar Association is 1620 I Street Northwest, Suite 801, Washington, District of Columbia 20006.

April 27, 2013: Speaker, "Beyond Your Limits," Korean-American Youth Forum, San Francisco Korean Education Center, San Jose, California. Notes supplied.

April 13, 2013: Panel Moderator, "China's Economic Development: the Impact in Federal Court," 2013 Northern District of California Judicial Conference, Napa, California. Notes supplied.

April 11, 2013: Speaker, Question and Answer Session with Law Students Following Court Observation, Federal Litigation Class, Stanford Law School, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

March 21, 2013: Speaker, Question and Answer Session with Law Students Following Court Observation, Civil Procedure Class, Santa Clara University Law School, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of Santa Clara University Law School is 500 El Camino Real, Santa Clara, California 95053.

March 15, 2013: Speaker, Brown Bag Lunch, Federal Public Defender's Office, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of the Federal Public Defender's Office is 55 South Market Street, Suite 820, San Jose, California 95113.

March 9, 2013: Speaker, Keynote Address, Second Annual Banquet, University of California at Davis Asian Pacific American Law Student Association, Sacramento, California. Notes supplied.

March 2, 2013: Speaker, A Conversation with Federal Judges, Student Convention 2013, American Constitution Society of Stanford Law School,

Stanford, California. Video is available at
<https://www.youtube.com/watch?v=oLmrKXsXg2M>.

February 28, 2013: Speaker, Question and Answer Session with Law Students, Civil Procedure Class, Santa Clara University Law School, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of Santa Clara University Law School is 500 El Camino Real, Santa Clara, California 95053.

February 1, 2013: Speaker, Question and Answer Session with College Students, Introduction to Environmental Law Class, San Jose State University, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of San Jose State University is One Washington Square, San Jose, California 95192.

January 25, 2013: Speaker, Keynote Speech, Sixth Annual Dale Minami Public Interest Fellowship Dinner, University of California at Berkeley School of Law Asian Pacific American Law Students Association, San Francisco, California. Notes supplied.

November 28, 2012: Panelist, Judges' Panel, Intellectual Property Inn of Court, San Jose, California. Notes supplied.

November 16, 2012: Panelist, "Judges' Views on Litigating Complex Cases," National Convention, National Asian Pacific American Bar Association, Washington, District of Columbia. Notes supplied.

October 13, 2012: Speaker, "State Court Practitioner's Playbook for Mastering Federal Court," Annual Meeting, California State Bar, Monterey, California. Notes supplied.

October 5, 2012: Speaker, Jay Koh Memorial Service, Sunnyvale, California. Notes supplied.

July 24, 2012: Speaker, Question and Answer Session with High School Government and History Teachers, Gilder Lehrman Institute of American History, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of Gilder Lehrman Institute of American History is 49 West 45th Street, Sixth Floor, New York, New York 10036.

July 10, 2012: Speaker, Question and Answer Brown Bag Lunch with Summer Interns, Asian Law Alliance, San Jose, California. I spoke about my professional

background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of the Asian Law Alliance is 991 West Hedding Street, Suite 202, San Jose, California 95126.

June 25, 2012: Speaker, Question and Answer Brown Bag Lunch with Summer Interns, Federal Public Defender's Office and U.S. Attorney's Office, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of the Federal Public Defender's Office is 55 South Market Street, Suite 820, San Jose, California 95113.

June 23, 2012: Panelist, "Mentoring the Next Generation: Career Pathways," Council of Korean Americans, Stanford, California. Notes supplied.

June 23, 2012: Speaker, Keynote Address: "Mentoring the Next Generation: Career Pathways," Council of Korean Americans, Stanford, California. Notes supplied.

May 22, 2012: Speaker, "Patent Local Rules, Pre-Trial Orders, and Early Case Management Philosophy, Context, Logic, and Departures," Intellectual Property in the New Technological Age: Conference for Federal Judges, Federal Judicial Center and the Berkeley Center for Law & Technology, Berkeley, California. Notes supplied.

May 21, 2012: Panelist, "The Federal Circuit/District Court Interface," Patent Institutions Summit: Bringing Together the PTO, Federal Circuit, District Courts, and the ITC, Stanford Program in Law, Science & Technology and Berkeley Center for Law & Technology, Stanford, California. Video is available at <https://www.youtube.com/watch?v=ni9NZo5yWpM>.

May 19, 2012: Speaker, Distinguished Speaker Dinner, Network of Korean-American Leaders Fellowship Program, School of Social Work, Center for Asian Pacific Leadership, University of Southern California, Palo Alto, California. Notes supplied.

May 17, 2012: Speaker, "The Judicial Viewpoint: Judicial Panel on Hot Topics in Patent and Trademark Law," Federal Circuit Court of Appeals Judicial Conference, Washington, District of Columbia. Notes supplied.

May 9, 2012: Speaker, "Changing Venue: A Conversation with Judge Lucy H. Koh and Judge Edward J. Davila," William A. Ingram Inns of Court, San Jose, California. Notes supplied.

May 3, 2012: Speaker, Tribute to Magistrate Judge Paul Grewal, Judge of the Year, Judges' Night 2012, Santa Clara County Trial Lawyers Association, San Jose, California. Notes supplied.

April 28, 2012: Speaker, Introduction of Mariano-Florentino Cuellar, Northern District of California Judicial Conference, Monterey, California. Notes supplied.

April 18, 2012: Speaker, "One Judge's Perspective on High Tech Litigation in the Northern District of California," MCLE Brown Bag, High Technology Section, Santa Clara County Bar Association, San Jose, California. Notes supplied.

April 3, 2012: Panelist, Panel on Clerking, University of California at Berkeley School of Law Women of Color Collective, Coalition for Diversity, and Men of Color Alliance, Berkeley, California. Notes supplied.

March 1, 2012: Panelist, Patent Law Roundtable Discussion, Northern District of California Practice Program, San Francisco, California. Notes supplied.

February 25, 2012: Speaker, 25th Anniversary Video, Pro Bono Project of Silicon Valley, Palo Alto, California. Notes supplied.

February 3, 2012: Speaker, Question and Answer Session with College Students, Introduction to Environmental Law Class, San Jose State University, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript or recording. The address of San Jose State University is One Washington Square, San Jose, California 95192.

January 18, 2012: Panelist, District Judges Panel, The New Northern District of California Patent Pilot Program, Federal Bar Association, Federal Circuit Bar Association, and Stanford Law School Program in Law, Science & Technology, Stanford Law School, Stanford, California. Notes supplied.

January 12, 2012: Panelist, Technology and Law Discussion Panel, 2012 Students' Silicon Valley Trip, Claremont McKenna College, Information Technology Advisory Board, East Palo Alto, California. Notes supplied.

December 8, 2011: Panel, Judicial Panel, Advanced Patent Law Institute, East Palo Alto, California. Notes supplied.

December 5, 2011: Speaker, Swearing-In Ceremony and Reception, Santa Clara University, Santa Clara County Bar Association, Santa Clara, California. Notes supplied.

November 15, 2011: Speaker, Remedies Class and Student Intellectual Property Law Association, Santa Clara University School of Law, Santa Clara, California. Notes supplied.

October 24, 2011: Speaker, American Constitution Society, San Francisco,

California. Notes supplied.

October 12, 2011: Attendee, Judges' Dinner, Asian American Bar Association of the Greater Bay Area Judiciary Committee, San Francisco, California. I do not recall specifics, but I believe I may have spoken about how to become a judge. I have no notes, transcript or recording. The address of the Asian American Bar Association of the Greater Bay Area is 575 Market Street, Suite 2125, San Francisco, California 94105.

September 3, 2011: Speaker, Luncheon Keynote Speech, National Convention, Hispanic National Bar Association, Dallas, Texas. Notes supplied.

August 20, 2011: Speaker, Grand Opening, Silicon Valley Korean Community Center, San Jose, California. Notes supplied.

August 6, 2011: Speaker, Liberty Award Acceptance Speech, Institute for Corean-American Studies Liberty Foundation, Bluebell, Pennsylvania. Notes supplied.

May 5, 2011: Speaker, Tribute to Judge Jeremy Fogel, Federal Judge of the Year, Judges' Night 2011, Santa Clara County Trial Lawyers Association, San Jose, California. Notes supplied.

April 16, 2011: Speaker, Brunch, American Constitution Society of Stanford Law School, Federalist Society, and Asian Pacific Islander Law Students Association, Stanford, California. Notes supplied.

April 13, 2011: Panelist, "Building Bridges: Connecting Women of Color in Law," University of California at Berkeley School of Law Women of Color Collective, Berkeley, California. Notes supplied.

April 10, 2011: Panel Moderator, "Managing Mega and High Profile Cases: Opportunities and Traps," Northern District Judicial Conference, Monterey, California. Notes supplied.

March 18, 2011: Panelist, "Intellectual Property in the Courtroom: Issues District Judges Face with Significant IP Dockets," Intellectual Property Panel Symposium, George Washington University Law School, San Francisco, California. Notes supplied.

March 15, 2011: Panelist, "New Judicial Assignments in Northern California Courtrooms," Association of Business Trial Lawyers, San Francisco, California. Notes supplied.

February 11, 2011: Judge, Galloway Moot Court Competition Final Round, Santa Clara University School of Law, Santa Clara, California. I was a volunteer judge

at the competition. I have no notes, transcript or recording. The address of Santa Clara University School of Law is 500 El Camino Real, Santa Clara, California 95053.

February 5, 2011: Speaker, Keynote Speech, Bay Area Asian Pacific American Law Students Association Conference, Golden Gate University School of Law, San Francisco, California. Notes supplied.

January 21, 2011: Judge, Marion Rice Kirkwood Moot Court Competition Semifinal Round, Stanford Law School, Stanford, California. I was a volunteer judge at the competition. I have no notes, transcript or recording. The address of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

December 14, 2010: Speaker, 2010 Judge of the Year Award, San Francisco La Raza Lawyers Association, San Francisco, California. Notes supplied.

December 9, 2010: Panelist, Judges Panel, 11th Annual Silicon Valley Advanced Patent Law Institute, East Palo Alto, California. Notes supplied.

December 7, 2010: Speaker, Swearing-In Ceremony for New Bar Admits, Santa Clara County Bar Association, East Palo Alto, California. Notes supplied.

December 3, 2010: Speaker, Swearing-In Ceremony for New Bar Admits, University of San Francisco School of Law, San Francisco, California. Notes supplied.

December 1, 2010: Panelist, "A View from the Bench: A Candid Discussion with Your Federal Judges and Magistrates," Santa Clara County Bar Association, San Jose, California. Notes supplied.

November 20, 2010: Panelist, "Convincing the Judge – Best Practices," National Convention, National Asian Pacific American Bar Association, Los Angeles, California. Notes supplied.

November 20, 2010: Panelist, "California Inspires! Tales of Making It to the Top," National Convention, National Asian Pacific American Bar Association, Los Angeles, California. Notes supplied.

November 20, 2010: Judge, Thomas Tang International Moot Court Competition, National Asian Pacific American Bar Association, Los Angeles, California. I was a volunteer judge at the competition. I have no notes, transcript or recording. The address of the National Asian Pacific American Bar Association is 1612 K Street Northwest, Suite 510, Washington, District of Columbia 20006.

November 20, 2010: Speaker, 2010 Women's Leadership Award, National

Convention, National Asian Pacific American Bar Association, Los Angeles, California. Notes supplied.

November 19, 2010: Speaker, Korean American Bar Associations of Southern California and Northern California and International Association of Korean Lawyers Reception, National Convention, National Asian Pacific American Bar Association, Los Angeles, California. Notes supplied.

November 10, 2010: Panelist, Bay Area Judges Panel, Asian American Bar Association of the Greater Bay Area, San Francisco, California. The panel discussed how to become a judge. I have no notes, transcript or recording. The address of the Asian American Bar Association of the Greater Bay Area is 575 Market Street, Suite 2125, San Francisco, California 94105.

November 5, 2010: Panelist, "Judicial Perspectives on the Effective Use of Interpreters in the Courtroom," 17th Annual Judges Panel, Asian Pacific American Bar Association of Silicon Valley, San Jose, California. Notes supplied.

October 23, 2010: Judge, Thomas Tang International Moot Court Competition, San Francisco Regionals, Semi-Final Round, National Asian Pacific American Bar Association, San Francisco, California. I was a volunteer judge at the competition. I have no notes, transcript or recording. The address of the National Asian Pacific American Bar Association is 1612 K Street Northwest, Suite 510, Washington, District of Columbia 20006.

October 18, 2010: Panelist, "Judicial Perspectives on Patent Damages," Federal Circuit Bar Association and the Berkeley Center for Law & Technology, Berkeley, California. Notes supplied.

October 15, 2010: Speaker, 2010 Trailblazer Award, Annual Scholarship Banquet, Asian Pacific American Bar Association of Silicon Valley, East Palo Alto, California. Notes supplied.

October 14, 2010: Panel Moderator, "Best Practices in Presiding Over Patent Cases," National Convention, National Association of Women Judges, San Francisco, California. Notes supplied.

September 30, 2010: Speaker, Induction Ceremony Speech, United States District Court for the District of Northern California, San Jose, California. Notes supplied.

November 21, 2009: Judge, Thomas Tang International Moot Court Competition, National Asian Pacific American Bar Association, Boston, Massachusetts. I was a volunteer judge at the competition. I have no notes, transcript or recording. The address of the National Asian Pacific American Bar Association is 1612 K Street

Northwest, Suite 510, Washington, District of Columbia 20006.

November 20, 2009: Speaker, Trailblazer Award Ceremony, National Convention, National Asian Pacific American Bar Association, Boston, Massachusetts. Notes supplied.

November 18, 2009: Panelist, Judicial Externship Panel, Santa Clara University Law School Black Law Students Association, Santa Clara, California. Notes supplied.

November 17, 2009: Panelist, "An Evening of Insightful Conversation with Some of the Most IP-Savvy Judges in California," Chiefs of Intellectual Property (ChIPs), Menlo Park, California. Notes supplied.

November 6, 2009: Panelist, Judges Panel, Asian Pacific Bar Association of Silicon Valley, San Jose, California. Notes supplied.

October 1, 2009: Visiting Instructor, Trial Advocacy Workshop, Stanford Law School, Stanford, California. I have no notes, transcript or recording. The address of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

September 24, 2009: Panelist, Judges Panel on the State Judicial Appointment Process, Santa Clara County Bar Association, San Jose, California. Notes supplied.

August 8, 2009: Panelist, Diversity Career Fair Panel, Bar Association of San Francisco and Orrick Herrington and Sutcliffe, San Francisco, California. Notes supplied.

August 4, 2009: Speaker, Discussion of Law School Application Process and Legal Careers, Youth Leadership Academy, Asian Pacific American Leadership Institute, De Anza Community College, California. I do not recall specifics, but I believe I spoke about how to apply to law school and career paths in the law. I have no notes, transcript or recording. The address of De Anza Community College is 21250 Stevens Creek Boulevard, Cupertino, California 95014.

July 10, 2009: Panelist, Career Panel, Pre-Law Diversity Day at Court, Santa Clara County Superior Court, San Jose, California. I spoke about career paths in the law. I have no notes, transcript or recording. The address of Santa Clara County Superior Court is 191 North First Street, San Jose, California 95113.

June 5, 2009: Panelist, "Developing Your Oral Argument Style," California Women Lawyers' Conference, Half Moon Bay, California. Notes supplied.

April 30, 2009: Speaker, Dinner Keynote, Korean Community Center of the East

Bay, Oakland, California. Notes supplied.

April 21, 2009: Judge, Trial Techniques Class, Santa Clara University School of Law, San Jose, California. I was a volunteer judge for this class. I have no notes, transcript or recording. The address of Santa Clara University School of Law is 500 El Camino Real, Santa Clara, California 95053.

April 14, 2009: Speaker, Keynote Speech, National Association of Professional Asian American Women and Center for Medicare & Medicaid Services/Health and Human Services, National Training Conference & Small Business Exposition, Baltimore, Maryland. Notes supplied.

April 1, 2009: Judge, Marion Rice Kirkwood Moot Court Competition Quarterfinal Round, Stanford Law School, Stanford, California. I was a volunteer judge at the competition. I have no notes, transcript or recording. The address of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

March 12, 2009: Judge, Speak and Lead with Pride Program High School Speech Contest, Organization of Chinese Americans, Inc. Peninsula Chapter of San Mateo County, San Mateo, California. I was a volunteer judge of this contest. I have no notes, transcript or recording. The address of the Organization of Chinese Americans, Inc. Peninsula Chapter of San Mateo County is P.O. Box 218, San Mateo, California.

February 22, 2009: Panelist, "Asian Americans and the Judiciary," Bay Area Asian Pacific American Law Students Association, San Francisco, California. Notes supplied.

February 5, 2009: Judge, Santa Clara County High School Mock Trial, Santa Clara County Bar Association and Santa Clara County Office of Education, San Jose, California. I was a volunteer judge at the competition. I have no notes, transcript or recording. The address of the Santa Clara County Bar Association is 31 North 2nd Street, Suite 400, San Jose, California 95113.

November 21, 2008: Judge, Thomas Tang International Moot Court Competition, National Asian Pacific American Bar Association, Seattle, Washington. I was a volunteer judge at the competition. I have no notes, transcript or recording. The address of the National Asian Pacific American Bar Association is 1612 K Street Northwest, Suite 510, Washington, District of Columbia 20006.

November 12, 2008: Panelist, Judges Panel on Judicial Careers, Asian American Bar Association of the Greater Bay Area, San Francisco, California. I do not recall specifics, but I believe I spoke about how to become a judge. I have no notes, transcript or recording. The address of the Asian American Bar Association of the Greater Bay Area is 575 Market Street, Suite 2125, San

Francisco, California 94105.

November 11, 2008: Speaker, Brief Remarks After Administering Oath of Office to Trustees, San Jose/Evergreen Community College District, San Jose, California. Notes supplied.

November 7, 2008: Panelist, Views from the Bench: Effective Written & Oral Advocacy, Asian Pacific Bar Association of Silicon Valley, San Jose, California. Notes supplied.

November 3, 2008: Visiting Instructor, Trial Advocacy Workshop, Stanford Law School, Stanford, California. I spoke about what makes an effective closing argument. I have no notes, transcript or recording. The address of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

October 23, 2008: Panelist, Career Panel, Korean American Bar Association of Northern California and University of California-Hastings' Korean-American Law Students Association, San Francisco, California. Notes supplied.

September 20, 2008: Panelist, Oral Presentation Skills, Women's Leadership Summit, Harvard Law School, Cambridge, Massachusetts. Notes supplied.

September 19, 2008: Speaker, Mugunghwa Award, Inaugural Annual Dinner and Installation Ceremony, Korean American Bar Association of San Diego & Korean American Coalition of San Diego, San Diego, California. Notes supplied.

September 13, 2008: Panelist, Judges Panel on Judicial Careers and Trial Skills, Annual Conference, International Association of Korean Lawyers, Philadelphia, Pennsylvania. Notes supplied.

May 9, 2008: Panelist, Law Day School Visits, Santa Clara County Superior Court and After-School All-Stars, San Jose, California. I spoke about careers in the law to students at Joseph George Middle School. I have no notes, transcript or recording. The address of the Santa Clara County Superior Court is 191 North First Street, San Jose, California 95113.

April 16, 2008: Judge, Trial Techniques Class, Santa Clara University School of Law, San Jose, California. I was a volunteer judge for this class. I have no notes, transcript or recording. The address of Santa Clara University School of Law is 500 El Camino Real, Santa Clara, California 95053.

April 1, 2008: Judge, Marion Rice Kirkwood Moot Court Competition Preliminary Round, Stanford Law School, Stanford, California. I was a volunteer judge at the competition. I have no notes, transcript or recording. The address of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford,

California 94305.

February 5, 2008: Judge, Santa Clara County High School Mock Trial, Santa Clara County Bar Association and Santa Clara County Office of Education, San Jose, California. I was a volunteer judge at the competition. I have no notes, transcript or recording. The address of the Santa Clara County Bar Association is 31 North Second Street, Suite 400, San Jose, California 95113.

November 8, 2007: Panelist, Path to Success Career Panel, University of San Francisco Korean American Law Students Association, San Francisco, California. Notes supplied.

September 27, 2007: Speaker, Introduction of Award Recipient and Scholarship Reception Keynote Speaker, Asian Pacific Bar Association of Silicon Valley, San Jose, California. Notes supplied.

February 17, 2007: Panelist, Women in the Law Panel, North American South Asian Law Student Association, San Francisco, California. I spoke about careers in the law. I have no notes, transcript or recording. The North American South Asian Law Student Association has no mailing address.

October 2006: Judge, Thomas Tang International Moot Court Regional Competition, National Asian Pacific American Bar Association, Palo Alto, California. I was a volunteer judge at the competition. I have no notes, transcript or recording. The address of the National Asian Pacific American Bar Association is 1612 K Street Northwest, Suite 510, Washington, District of Columbia 20006.

March 9, 2006: Panelist, Career Panel, Women's Leadership & Mentoring Luncheon, McDermott Will & Emery LLP, Palo Alto, California. I spoke about work-life balance. I have no notes, transcript or recording. The address of McDermott Will & Emery LLP is 275 Middlefield Road, Suite 100 Menlo Park, California 94025.

October 27, 2005: Panelist, Diversity Panel, Santa Clara University Asian Pacific American Law Students Association, Santa Clara, California. Notes supplied.

February 10, 2001: Panelist, Public Interest and Government Career Panel, Bay Area Asian Pacific American Law Students Association, Stanford, California. I spoke about careers in the law. I have no notes, transcript or recording. The Bay Area Asian Pacific American Law Students Association has no mailing address.

April 4, 1998: Panelist, Career Panel, 1998 Asian American Career Day, Asian Professional Exchange, Los Angeles, California. I spoke about careers in the law. I have no notes, transcript or recording. The address of the Asian Professional Exchange is 1137 Wilshire Boulevard, Los Angeles, California 90017.

November 2, 1996: Panelist, Career Paths to Consider in Law and Public Policy Panel, Women and the Law Public Leadership Career Conference, Public Leadership Education Network, Washington, District of Columbia. I spoke about careers in the law and public policy. I have no notes, transcript or recording. The address of the Public Leadership Education Network is 1875 Connecticut Avenue Northwest, Tenth Floor, Washington, District of Columbia 20009.

March 30, 1996: Panelist, Immigrant Legislation, Korean American Students Conference, University of Texas, Austin, Texas. Notes supplied.

March 3, 1996: Panelist, Asian Pacific American Issues Roundtable, Organization of Chinese Americans and Japanese American Citizens League Leadership Conference, Washington, District of Columbia. I spoke about immigration legislation. I have no notes, transcript or recording. The address of the Organization of Chinese Americans is 1322 18th Street Northwest, Washington, District of Columbia 20009.

November 4, 1995: Panelist, Career Paths to Consider in Law and Public Policy Panel, Women and the Law Public Leadership Career Conference, Public Leadership Education Network, Washington, District of Columbia. I spoke about careers in the law and public policy. I have no notes, transcript or recording. The address of the Public Leadership Education Network is 1875 Connecticut Avenue Northwest, Tenth Floor, Washington, District of Columbia 20009.

October 18, 1995: Panelist, Annual Career Panel, Korean Association of Harvard Law School, Cambridge, Massachusetts. I spoke about careers in the law. I have no notes, transcript or recording. The address of Harvard Law School is 1563 Massachusetts Avenue, Cambridge, Massachusetts 02138.

October 23, 1992: Panelist, Panel on Diversity, Harvard Law School Alumni Reunion, Cambridge, Massachusetts. I spoke about careers in the law. I have no notes, transcript or recording, but press coverage is supplied. The address of Harvard Law School is 1563 Massachusetts Avenue, Cambridge, Massachusetts 02138.

- 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.

Sheri Qualters, *Model Order Would Cut Patent Fights Down to Manageable Size*, NATIONAL LAW JOURNAL, July 22, 2013. Copy supplied.

John Roemer, *Pilot Program Just in Time for Red-Hot Patent Cases*, DAILY JOURNAL, September 6, 2012. Copy supplied.

2008 Women of Influence in Silicon Valley, SILICON VALLEY/SAN JOSE BUSINESS JOURNAL, Special Supplement, February 29, 2008, at 20. Copy supplied.

Evan Hill, *Bench Pick Limits S.C. Race*, THE RECORDER, January 28, 2008, at 1. Copy supplied.

President's Profiles, ASIAN AMERICAN BAR ASSOCIATION OF THE GREATER BAY AREA NEWSLETTER, November 2007, at 10 – 11. Copy supplied.

Zanto Peabody, *Agoura Hills Man Pleads Guilty in Federal Court in Stock Fraud Case*, LOS ANGELES TIMES, August 8, 2000. Copy supplied.

Woman Charged with Fraud in Equity-Skimming Case, LOS ANGELES TIMES, August 5, 2000, at B4. Copy supplied.

Rob O'Neil, *Valley Roundup; Westlake Village; Woman Indicted in Federal Fraud Case*, LOS ANGELES TIMES (Valley Edition), August 5, 2000, at B3. Copy supplied.

Ostrich Scam, CITY NEWS SERVICE, March 8, 2000. Copy supplied.

Cecilia Chan, *Grand Jury Indicts Pair in Tax Case*, DAILY NEWS OF LOS ANGELES, April 16, 1999, at SV4. Copy supplied.

Eleanor Kerlow, *POISONED IVY: HOW EGOS, IDEOLOGY, AND POWER POLITICS ALMOST RUINED HARVARD LAW SCHOOL* 281 – 282 & 290 (1994). Copy supplied.

Rajath Shourie, *Law Faculty Gives Tenure to Ogletree*, HARV. CRIMSON, June 7, 1993. Copy supplied.

Rajath Shourie, *Law School Graffiti Addresses Diversity*, HARV. CRIMSON, March 5, 1993. Copy supplied.

Rajath Shourie, *Law Students Hold Vigil for MacKinnon*, HARV. CRIMSON, February 27, 1993. Copy supplied.

Evan J. Eason, *Law School Will Hire Woman Prof*, HARV. CRIMSON, February 6, 1993. Copy supplied.

Toy Chandler, *CCR Holds Discussion with Rudenstine*, HARV. L. REC., November 20, 1992. Copy supplied.

Rob Weissman, *Students Hold Silent Vigil: Protesters Later Meet with President Rudenstine*, HARV. L. REC., October 23, 1992, at 1. Copy supplied.

Rajath Shourie, *Ad Board Votes to Warn Law School Protesters*, HARV. CRIMSON, May 11, 1992. Copy supplied.

Elizabeth A. Brown, *Harvard School of Law Sued Lack of Teachers from Minorities Is Said to Deprive Students of a 'Variety of Perspectives' Needed for the 'Best Possible' Law Education New Impetus for Campus Rights*, CHRISTIAN SCIENCE MONITOR, December 26, 1990. Copy supplied.

Grande Lum, *Harvard Hosts Napalsa*, HARV. L. REC., November 2, 1990, at 3. Copy supplied.

Philip M. Rubin, *Law Students Picket Interviews*, HARV. CRIMSON, October 10, 1990. Copy supplied.

Philip M. Rubin, *Seniors Give More to E4D, Less to Class Gift*, HARV. CRIMSON, June 6, 1990. Copy supplied.

Jeffrey C. Wu, *Council Avoids a Sticky Constitutional Debate: Alternative Parents Weekend*, HARV. CRIMSON, March 3, 1990. Copy supplied.

Maggie S. Tucker, *Students Rally for Minority Hiring as Visiting Parents Look On*, HARV. CRIMSON, March 3, 1990. Copy supplied.

Arnold E. Franklin, *Council Plans Different Parents Weekend Events*, HARV. CRIMSON, February 23, 1990. Copy supplied.

Daniel B. Baer, *Where Is Faculty Hiring This Fall?*, HARV. CRIMSON, November 14, 1989. Copy supplied.

Council Elections Begin, HARV. CRIMSON, October 5, 1989. Copy supplied.

Evolution to Activism Falls Short in the End: The Undergraduate Council, HARV. CRIMSON, June 8, 1989. Copy supplied.

John T. Dickson, *Protesters Court Faculty*, HARV. CRIMSON, May 3, 1989. Copy supplied.

The Benefit of Scholarship Aid: Students Report the Ways Scholarships Have Helped Them, HARV. COLLEGE FUND REPORT, Spring 1989. Copy supplied.

Harvard: The Flames of Student Protest Still Flicker, NEW YORK TIMES, March 19, 1989, at 43. Copy supplied.

Emily Huang, *Report Urges Hiring Reform*, HARV. INDEP., March 9, 1989. Copy supplied.

Joseph R. Palmore, *'No Room for Student Input,' Activists Say*, HARV. CRIMSON, March 4, 1989. Copy supplied.

Joanne Ball, *Harvard Poised for Report on Minorities; Undergraduates Fault Faculty Recruitment*, BOSTON GLOBE, January 31, 1989, at 72. Copy supplied.

Susan B. Glasser, *Committee Debates Hiring of Women, Minority Profs*, HARV. CRIMSON, December 8, 1988. Copy supplied.

Judy Williams, *UC Enters Minority Hiring Debate*, HARV. INDEP., December 1988. Copy supplied.

Jeremy L. Hirsh, *College to Pay Student for Collecting Papers*, HARV. CRIMSON, December 7, 1988. Copy supplied.

Joseph R. Palmore, *Council Calls for More Minority, Women Faculty*, HARV. CRIMSON, December 5, 1988. Copy supplied.

Joseph R. Palmore, *Council Joins Debate on Faculty Diversity*, HARV. CRIMSON, December 1, 1988. Copy supplied.

Joseph R. Palmore, *Council to Increase Divestment Pressure*, HARV. CRIMSON, November 21, 1988. Copy supplied.

Joseph R. Palmore, *Council Asks Harvard to Recognize Union*, HARV. CRIMSON, October 31, 1988. Copy supplied.

Prasad Jallepalli, *Council Asks University to Drop Union Challenge*, HARV. INDEP., October 27, 1988. Copy supplied.

Mark David Williams, *What UC Is What U Got*, Fall 1988. I do not know whether this article is from the Harvard Crimson or the Harvard Independent. Copy supplied.

Helen Verongos, *Five Kid-Size Stars Are Born*, THE CLARION-LEDGER (Jackson, Mississippi), March 16, 1980, at 1E & 12E. Copy supplied.

I have been interviewed on several occasions by Korean language media for human interest stories about my appointments to the bench and my public service as a federal prosecutor. Please see the English-language translations of the titles of responsive articles below. I do not have English-language versions of these articles.

First Korean American Woman Federal Judge Ceremony, THE KOREA DAILY (San Francisco), October 2, 2010. Copy supplied.

Asian Women Should Overcome Their Challenges with Self-Development and Enthusiastic Activity, THE KOREA DAILY (Los Angeles), April 15, 2009. Copy supplied.

'Wishing to Preside and Administer Justice Correctly': The Appointment Celebration of Santa Clara County Superior Court Judge Lucy Koh, THE KOREA TIMES, March 22, 2008. Copy supplied.

Birth of a Korean Woman Judge, Celebration for Minorities: Ceremony on [March] 20th for Lucy Koh's Inauguration Day for Judgeship... 400 Korean and American Attendees at Momentous Celebration, THE KOREA DAILY, March 22, 2008. Copy supplied.

'Even Having Ten Bodies Would Be Insufficient': Last Month's Appointed Santa Clara County Judge Lucy Koh, THE KOREA DAILY, February 14, 2008. Copy supplied.

Choosing the Judiciary Path and Surrendering High Annual Salary: Santa Clara County Court Judge Lucy Koh, THE KOREA DAILY (San Francisco), February 1, 2008. Copy supplied.

Swearing-In Ceremony of Santa Clara County Superior Court Judge Lucy Koh. THE KOREA TIMES (Los Angeles), January 30, 2008. Copy supplied.

Choosing the Judiciary Path and Surrendering High Annual Salary: Santa Clara County Court Judge Lucy Koh, THE KOREA DAILY (Los Angeles), January 30, 2008. Copy supplied.

Santa Clara County – Birth of the First Korean Woman Judge, THE KOREA DAILY (San Francisco), January 28, 2008. Copy supplied.

'Concerned About Human Problems and Public Service': Santa Clara County Superior Court Judge Appointee, Lucy Koh, THE KOREA TIMES (San Francisco), January 28, 2008. Copy supplied.

The Birth of a Korean Woman Judge: Attorney Lucy Koh Appointed, THE KOREA DAILY (Los Angeles), January 26, 2008. Copy supplied.

News Interview: Prosecution of Tax Fraud Case, FM Seoul Radio Broadcast, April 15, 1999. I have not been able to locate a transcript or recording of the interview.

'I Try to Do My Utmost in Enforcing the Law and Making Sure Justice Is Achieved': (Los Angeles-Based) U.S. Federal Prosecutor Lucy Koh, THE KOREA TIMES (Los Angeles), January 26, 1999. Copy supplied.

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

I have served as a United States District Judge for the Northern District of California since June 9, 2010. A United States District Court is an Article III court of general jurisdiction consistent with the Constitution and statutes of the United States.

In January 2008, Governor Arnold Schwarzenegger appointed me to the California Superior Court for the County of Santa Clara. I served as a Superior Court Judge until my appointment to the U.S. District Court. The California Superior Courts have unlimited jurisdiction in criminal, civil, juvenile delinquency, juvenile dependency, and family law matters.

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

As a U.S. District Judge, I have presided over 25 cases to verdict or judgment. As a Santa Clara County Superior Court Judge, I presided over 223 trials to verdict or judgment.

- i. Of these, approximately what percent were:

jury trials:	13%
bench trials:	87%

civil proceedings:	90%
criminal proceedings:	10%

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

I have issued 1,852 opinions. See attached list.

- 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. *Apple, Inc. v. Samsung Electronics Co. Ltd.*, 11-CV-01846 LHK (N.D. Cal.)

This dispute involved claims of patent and trademark infringement, trade dress dilution, antitrust and contractual violations, and unfair competition. Regarding the injunctions in the case, in 2011, I denied a preliminary injunction as to four

patents. The Federal Circuit affirmed my denial of a preliminary injunction as to three patents, but reversed my denial of a preliminary injunction as to one patent, U.S. Design Patent No. 504,889 ("D'889 Patent"). As a result, I issued a preliminary injunction for the D'889 Patent. However, in 2012, the jury found that Samsung did not infringe the D'889 Patent, so I dissolved the preliminary injunction. In 2012, I denied a permanent injunction. In 2013, the Federal Circuit affirmed my denial of a permanent injunction based on design patents and trade dresses, but vacated and remanded for further findings as to the utility patents. In 2014, I made further findings, but still denied a permanent injunction. The parties did not appeal my denial.

As to the rest of the case, in 2011, I ordered expedited discovery and ruled on a motion to dismiss. In 2012, I ruled on a second motion to dismiss, construed the patent claims, and ruled on cross-motions for summary judgment, *Daubert* motions, and other pretrial motions. In 2012, I also presided over a 16-day jury trial which resulted in a damages award to Apple of over \$1 billion. In 2012 and 2013, I issued numerous post-trial rulings, including rulings ordering a damages retrial for certain patents and certain products; denying a motion for a new trial based on juror misconduct; denying a motion for a stay; denying a motion to find two of Apple's patents invalid for indefiniteness; granting in part and denying in part Apple's motion for judgment as a matter of law; granting in part and denying in part Samsung's motion for judgment as a matter of law; and denying a motion for damages enhancements.

In 2013, I issued more than ten substantive pre-trial orders and presided over an eight-day jury retrial on damages. In 2014, I ruled on numerous post-trial motions including: denying cross-motions for judgment as a matter of law and entering a costs judgment for Apple. In 2015, the Federal Circuit affirmed the validity and infringement judgments with respect to Apple's design and utility patents, and the damages awards for the design and utility patent infringements. The Federal Circuit invalidated Apple's trade dresses and vacated the damages awards for the Samsung products that were found liable for trade dress dilution. On remand in 2015, I entered partial final judgment in the amount of \$548,176,477 for the damages awards not predicated upon Apple's trade dresses. On appeal, the Federal Circuit summarily affirmed my entry of partial final judgment. In 2015, I also granted Apple's motion to enforce Samsung's supersedeas bond against the 2014 costs judgment. The parties did not appeal the order granting enforcement of the supersedeas bond.

In 2016, I will preside over a retrial to determine the patent damages for the five Samsung products that were found liable for both patent infringement and trade dress dilution. In February 2016, I granted in part and denied in part cross-motions to strike expert reports and denied a motion brought by Samsung to introduce new evidence in the upcoming 2016 damages retrial that was not previously timely disclosed. In March 2016, I granted in part and denied in part Apple's motions in limine and Samsung's evidentiary objections. I will rule on

Samsung's motions in limine. After the trial, I will rule on post-trial motions. In 2016, I will also hear a motion for supplemental damages.

In total, I have issued 93 substantive orders in this case. The orders on motions to dismiss are *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, No. 11-CV-01846-LHK, 2011 WL 4948567 (N.D. Cal. Oct. 18, 2011); and *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, No. 11-CV-01846-LHK, 2012 WL 1672493 (N.D. Cal. May 14, 2012). The summary judgment orders are *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, No. 11-CV-01846-LHK, 2012 WL 2571719 (N.D. Cal. June 30, 2012) (order denying Samsung's motion for summary judgment); and *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, 876 F. Supp. 2d 1141 (N.D. Cal. 2012) (order granting-in-part and denying-in-part Apple's motion for summary judgment). The post-trial orders from the previous trials are *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, 909 F. Supp. 2d 1147 (N.D. Cal. 2012) (order denying permanent injunction), *aff'd in part, vacated in part* by 735 F.3d 1352 (Fed. Cir. 2013); *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, No. 11-CV-01846-LHK, 2012 WL 6574785 (N.D. Cal. Dec. 17, 2012) (order re: juror misconduct); *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, No. 11-CV-01846-LHK, 2013 WL 11675 (N.D. Cal. Jan. 1, 2013) (order denying motion to stay); *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, 932 F. Supp. 2d 1076 (N.D. Cal. 2013) (order re: indefiniteness); *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, 920 F. Supp. 1079 (N.D. Cal. 2013) (order granting-in-part and denying-in-part Samsung's motion for judgment as a matter of law), *aff'd in part, rev'd in part* by 786 F.3d 983 (Fed. Cir. 2015); *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, 920 F. Supp. 2d 1116 (N.D. Cal. 2013) (order granting-in-part and denying-in-part Apple's motion for judgment as a matter of law); *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, No. 11-CV-01846-LHK, 2013 WL 412862 (N.D. Cal. Jan. 29, 2013) (order denying damages enhancements); *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, 926 F. Supp. 2d 1100 (N.D. Cal. 2013) (order re: damages); *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, No. 11-CV-01846-LHK, 2014 WL 549324 (N.D. Cal. Feb. 7, 2014) (order denying cross-motions for judgment as a matter of law); *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, No. 11-CV-01846-LHK, 2014 WL 976898 (N.D. Cal. March 6, 2014) (order denying permanent injunction).

Plaintiff's Counsel:

Harold McElhinny
Rachel Krevans
Morrison & Foerster LLP
425 Market Street
San Francisco, California 94105
(415) 268-7455

William Lee
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109

(617) 526-6556

Defendants' Counsel:

Kathleen Sullivan
Quinn Emanuel Urquhart & Sullivan, LLP
51 Madison Avenue, 22nd Floor
New York, New York 10010
(212) 849-7000

William Price
Quinn Emanuel Urquhart & Sullivan, LLP
865 South Figueroa Street, Tenth Floor
Los Angeles, California 90017
(213) 624-7707

Victoria Maroulis
Quinn Emanuel Urquhart & Sullivan, LLP
555 Twin Dolphin Drive, Fifth Floor
Redwood Shores, California 94065
(650) 801-5000

2. Apple, Inc. v. Samsung Electronics Co. Ltd., 12-CV-00630 LHK (N.D. Cal.)

This dispute involved cross-claims of patent infringement by both Apple and Samsung as well as claims of antitrust and contractual violations. Regarding the injunctions in the case, I granted a preliminary injunction as to one of Apple's patents in July 2012. The Federal Circuit reversed the entry of a preliminary injunction. In 2014, after the jury found that Samsung had infringed three of Apple's patents, I denied Apple's motion for a permanent injunction. In December 2015, the Federal Circuit vacated and remanded the denial of a permanent injunction. In accordance with the Federal Circuit's opinion, I entered the permanent injunction in January 2016. As discussed in more detail below, in February 2016, the Federal Circuit reversed the judgments and jury verdicts of infringement or validity of the three Apple patents that were the bases for the permanent injunction.

As to the rest of the case, in 2013, I construed the patents' claims, granted in part and denied in part Apple's motion for partial summary judgment, denied Samsung's motion for partial summary judgment, and ruled on cross-*Daubert* motions challenging the testimony of a total of 16 expert witnesses. In 2014, I presided over a 14-day jury trial which resulted in a damages award to Apple of over \$119 million and a damages award to Samsung of over \$158,000. The jury found that three of Apple's patents—the '647 patent, the '721 patent, and the '172 patent—were valid and infringed by Samsung. The jury found that Samsung had not infringed Apple's '959 and '414 patents. The jury found that one of

Samsung's patents—the '449 patent—was valid and infringed by Apple. The jury found that Apple had not infringed Samsung's '239 patent.

In 2014, I also issued numerous pre-trial and post-trial rulings, including rulings denying an initial set of cross-motions for judgment as a matter of law, granting in part and denying in part Samsung's second motion for judgment as a matter of law, and granting in part and denying in part Apple's second motion for judgment as a matter of law. In February 2016, the Federal Circuit affirmed the judgments and jury verdicts of non-infringement as to Apple's '959 and '414 patents, reversed the judgment and jury verdict of infringement as to Apple's '647 patent, and reversed the judgments and jury verdicts of validity as to Apple's '721 and '172 patents. The Federal Circuit also affirmed both the judgment and jury verdict of non-infringement as to Samsung's '239 patent, and the judgment and jury verdict of infringement as to Samsung's '449 patent.

The order on cross-motions for summary judgment is *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, No. 12-CV-00630-LHK, 2014 WL 252045 (N.D. Cal. Jan. 21, 2014). The post-trial orders are *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, No. 12-CV-00630-LHK, slip op. (N.D. Cal. Aug. 21, 2014) (order denying judgment of invalidity); *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, No. 12-CV-00630-LHK, 2014 WL 7496140 (N.D. Cal. Aug. 27, 2014) (order denying permanent injunction), *vacated and remanded by* 809 F.3d 633 (Fed. Cir. 2015); *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, 67 F. Supp. 3d 1100 (N.D. Cal. 2014) (order granting-in-part and denying-in-part Apple's motion for judgment as a matter of law), *aff'd in part, vacated in part by* — F.3d —, 2016 WL 761884 (Fed. Cir. Feb. 26, 2016); *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, No. 12-CV-00630-LHK, 2014 WL 4467837 (N.D. Cal. Sept. 9, 2014) (order granting-in-part and denying-in-part Samsung's motion for judgment as a matter of law), *aff'd in part, rev'd in part by* — F.3d —, 2016 WL 761884 (Fed. Cir. Feb. 26, 2016); *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, No. 12-CV-00630-LHK, 2014 WL 6687122 (N.D. Cal. Nov. 25, 2014) (order granting-in-part Apple's motion for ongoing royalties); *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, No. 12-CV-00630-LHK, slip op. (N.D. Cal. Jan. 18, 2016) (order entering permanent injunction).

Plaintiff's Counsel:

Harold McElhinny
Rachel Krevans
Morrison & Foerster LLP
425 Market Street
San Francisco, California 94105
(415) 268-7000

William Lee
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street

Boston, Massachusetts 02109
(617) 526-6556

Defendants' Counsel:

Kathleen Sullivan
Quinn Emanuel Urquhart & Sullivan, LLP
51 Madison Avenue, 22nd Floor
New York, New York 10010
(212) 849-7000

William Price
Quinn Emanuel Urquhart & Sullivan, LLP
865 South Figueroa Street, Tenth Floor
Los Angeles, California 90017
(213) 624-7707

Victoria Maroulis
Quinn Emanuel Urquhart & Sullivan, LLP
555 Twin Dolphin Drive, Fifth Floor
Redwood Shores, California 94065
(650) 801-5000

3. *Columbia Cas. Ins. Co. v. Gordon Trucking*, 09-CV-05441 LHK (N.D. Cal.)

This was a civil action between two co-insurers over responsibility for paying for defense costs and the settlement of an underlying state court personal injury case. In 2010, I granted a motion to dismiss and granted in part and denied in part a motion for partial summary judgment. In 2011, I denied motions in limine and presided over a four-day bench trial. After trial, I found that plaintiff was obligated to pay its \$5 million policy limits. The parties reached a settlement and filed a stipulation of dismissal prior to filing any post-trial motions.

The order granting the motion to dismiss is available at *Columbia Cas. Co. v. Gordon Trucking Co.*, No. 09-CV-05441-LHK, 2010 WL 4591977 (N.D. Cal. Nov. 4, 2010). The order granting-in-part and denying-in-part the motion for partial summary judgment is *Columbia Cas. Co. v. Gordon Trucking Co.*, 758 F. Supp. 2d 909 (N.D. Cal. 2010). My findings of fact and conclusions of law are available at *Columbia Cas. Co. v. Gordon Trucking Co.*, No. 09-CV-05441-LHK, 2011 WL 4434722 (N.D. Cal. Sept. 23, 2011).

Plaintiff's Counsel:

Hon. Patrick A. Cathcart
California Superior Court, County of Los Angeles (formerly with AlvaradoSmith)
Stanley Mosk Courthouse

111 North Hill Street
Los Angeles, California 90012
(213) 830-0783

Joseph Collins
Solo Practitioner
406 Mount Holyoke Avenue
Pacific Palisades, California 90272
(310) 251-2315

Defendants' Counsel:

Frank Kaplan
Blank Rome LLP
2029 Century Park East, Sixth Floor
Los Angeles, California 90067
(424) 239-3411

4. *Fujitsu Ltd. v. Belkin Int'l, Inc.*, 10-CV-03972-LHK (N.D. Cal.)

This dispute involved claims of patent infringement. Plaintiff Fujitsu brought claims against defendants Belkin International, Inc.; Belkin, Inc.; D-Link Corporation; D-Link Systems, Inc.; and Netgear, Inc. In 2011, I granted in part and denied in part two motions to dismiss the original complaint, denied two additional motions to dismiss the original complaint, and denied two motions to dismiss the amended complaint. In 2012, I construed the patent claims, and ruled on cross-motions for summary judgment, pre-trial motions, and *Daubert* motions. I presided over a ten-day jury trial. The jury found for defendants and awarded no damages to Fujitsu. Before I ruled on cross-motions for judgment as a matter of law, the parties reached a settlement.

The orders on the motions to dismiss are *Fujitsu Ltd. v. Belkin Int'l, Inc.*, 782 F. Supp. 2d 868 (N.D. Cal. 2011) (order ruling on four motions to dismiss the original complaint); and *Fujitsu Ltd. v. Belkin Int'l, Inc.*, No. 10-CV-03972-LHK, 2011 WL 3903232 (N.D. Cal. Sept. 6, 2011) (order ruling on two motions to dismiss the amended complaint). The order on the cross-motions for summary judgment is *Fujitsu Ltd. v. Belkin Int'l, Inc.*, No. 10-CV-03972-LHK, 2012 WL 4497966 (N.D. Cal. Sept. 28, 2012). Because the parties reached a settlement and withdrew their motions for judgment as a matter of law, I did not rule on the cross-motions for judgment as a matter of law.

Plaintiff's Counsel:

Robert Fram
Covington & Burling LLP
One Front Street

San Francisco, California 94111
(415) 591-7025

Gary Rubman
Covington & Burling LLP
One CityCenter
850 Tenth Street Northwest
Washington, District of Columbia 20001
(202) 662-5465

Defendants' Counsel:

David Enzminger (for defendants Belkin International, Inc. and Belkin, Inc.)
Winston & Strawn LLP
275 Middlefield Road, Suite 205
Menlo Park, California 94025
(650) 858-6580

David Bloch (for defendants Belkin International, Inc. and Belkin, Inc.)
Winston & Strawn LLP
101 California Street, 35th Floor
San Francisco, California 94111
(415) 591-1452

John Bovich
Scott Baker (for defendant Netgear, Inc.)
Reed Smith
101 Second Street, Suite 1800
San Francisco, California 94105
(415) 659-5926

Duncan Palmatier (for defendants D-Link Systems, Inc. and D-Link Corporation)
Law Office of Duncan Palmatier
124 North Howard Street
Moscow, Idaho 83843
(208) 892-2962

5. *In re Anthem, Inc. Data Breach Litigation*, 15-MD-2617 LHK (N.D. Cal.)

This is a multi-district litigation (MDL) involving 124 data breach class action lawsuits filed against Anthem nationwide. In 2015, I appointed lead plaintiff's counsel, granted a motion to remand, and denied two motions to remand. In January 2016, I denied a motion for leave to file a motion for reconsideration. In February 2016, I granted in part and denied in part two motions to dismiss.

My orders on the motions to remand are available at *In re Anthem, Inc. Data*

Breach Litigation, No. 15-MD-02617-LHK, 2015 WL 7443779 (N.D. Cal. Nov. 25, 2015); *In re Anthem, Inc. Data Breach Litigation*, No. 15-MD-02617-LHK, 2015 WL 5286992 (N.D. Cal. Sept. 9, 2015); and *In re Anthem, Inc. Data Breach Litigation*, — F. Supp. 3d —, No. 15-MD-02617-LHK, 2015 WL 5265686 (N.D. Cal. Sept. 9, 2015). A copy of my order on the motion for leave to file a motion for reconsideration is available at *In re Anthem, Inc. Data Breach Litigation*, No. 15-MD-02617-LHK, 2016 WL 324386 (N.D. Cal. Jan. 27, 2016). A copy of my order on the motions to dismiss is available at *In re Anthem, Inc. Data Breach Litigation*, — F. Supp. 3d —, No. 15-MD-02617-LHK, 2016 WL 589760 (N.D. Cal. Feb. 14, 2016).

Plaintiffs' Counsel:

Eve Cervantez
Altshuler Berzon LLP
177 Post Street, Suite 300
San Francisco, California 94108
(415) 421-7151

Andrew Friedman
Cohen Milstein
1100 New York Avenue Northwest, Suite 500
Washington, District of Columbia 20005
(202) 408-4600

Defendant's Counsel:

Craig Hoover
Desmond Hogan
Hogan Lovells US LLP
Columbia Square
555 Thirteenth Street Northwest
Washington, District of Columbia 20004
(202) 637-5600

6. *In re High Tech Employee Antitrust Litigation*, 11-CV-02509-LHK (N.D. Cal.)

This case was a consolidation of five antitrust class action lawsuits. In 2012, I granted in part and denied in part two motions to dismiss. In 2013, I denied class certification, with leave to amend, and denied in part and granted in part the parties' various motions to strike expert reports and evidence. Later in 2013, I certified a damages class and preliminarily approved plaintiffs' settlement with Intuit, Lucasfilm, and Pixar. In 2014, the Ninth Circuit denied review of my class certification order. Also in 2014, I denied six summary judgment motions, denied defendants' motion to exclude plaintiffs' expert report, and denied in part and granted in part defendants' motion to strike plaintiffs' expert report. In 2014, I

gave final approval to plaintiffs' settlement with Intuit, Lucasfilm, and Pixar, but denied preliminary approval of plaintiffs' settlement with Apple, Google, Intel and Adobe. In 2015, I granted preliminary and final approval of plaintiffs' new settlement with Apple, Google, Intel, and Adobe.

The order on both motions to dismiss is *In re High-Tech Emp. Antitrust Litigation*, 856 F. Supp. 2d 1103 (N.D. Cal. 2012). The orders on class certification are *In re High-Tech Emp. Antitrust Litigation*, 289 F.R.D. 555 (N.D. Cal. 2013) (order granting-in-part and denying-in-part motion for class certification and motions to strike expert reports); and *In re High-Tech Emp. Antitrust Litigation*, 985 F. Supp. 2d 1167 (N.D. Cal. 2013) (order granting motion for class certification). The order granting final approval of plaintiffs' settlement with Apple, Google, Intel, and Adobe is *In re High-Tech Emp. Antitrust Litigation*, No. 11-CV-02509-LHK, 2015 WL 5159441 (N.D. Cal. Sept. 2, 2015). The order granting final approval of plaintiffs' settlement with Pixar, Lucasfilm, and Intuit is *In re High-Tech Emp. Antitrust Litigation*, No. 11-CV-02509-LHK, 2014 WL 10520477 (N.D. Cal. May 16, 2014).

Plaintiffs' Counsel:

Joseph R. Saveri
Joseph Saveri Law Firm
505 Montgomery Street #625
San Francisco, California 94111
(415) 500-6800

Kelly Dermody
Lief Cabraser Heimann & Bernstein LLP
275 Battery Street
San Francisco, California 94111
(415) 956-1000

Defendants' Counsel:

Robert Van Nest (for defendant Google)
Keker & Van Nest
633 Battery Street
San Francisco, California 94111
(415) 391-5400

Emily Henn (for defendants Lucasfilm Ltd. and Pixar)
Covington & Burling LLP
333 Twin Dolphin Drive, Suite 700
Redwood Shores, California 94065
(650) 632-4715

Robert Mittelstaedt (for defendants Adobe Systems Inc. and Intuit Inc.)
Jones Day
555 California Street, 26th Floor
San Francisco, California 94104
(415) 626-3939

George Riley (for defendant Apple Inc.)
O'Melveny & Myers LLP
Two Embarcadero Center, 28th Floor
San Francisco, California 94111
(415) 984-8741

Gregory Stone (for defendant Intel Corporation)
Munger, Tolles & Olson
355 South Grand Avenue, 35th Floor
Los Angeles, California 90071
(213) 683-9255

7. *Lift-U v. Ricon Corp.*, 10-CV-1850 LHK (N.D. Cal.); *Lift-U v. North Am. Bus Indus., Inc.*, 12-CV-1129 LHK (N.D. Cal.); and *Lift-U v. North Am. Bus Indus., Inc.*, 12-CV-3603 LHK (N.D. Cal.)

These were patent infringement actions. In 2011, I construed the patent claims, granted summary judgment of invalidity, and denied summary judgment of non-infringement. In 2012, I granted in part and denied in part the parties' cross-motions for partial summary judgment, which addressed validity, infringement, willfulness, and lost profits for four patents. At the parties' request, I presided over the settlement conference that settled all three cases in 2012.

The orders on summary judgment are *Lift-U v. Ricon Corp.*, No. 10-CV-01850-LHK, 2011 WL 5118634 (N.D. Cal. Oct. 28, 2011) (order granting summary judgment of invalidity and denying summary judgment of non-infringement); and *Lift-U v. Ricon Corp.*, No. 10-CV-01850-LHK, 2012 WL 5303301 (N.D. Cal. Oct. 25, 2012) (order granting-in-part and denying-in-part the cross-motions for partial summary judgment).

Plaintiff's Counsel:

Scott Allen
Allen Law Firm
19 Upper Ragsdale Drive # 200
Monterey, California 93940
(831) 901-3901

Defendants' Counsel:

Scott Baker (for defendants Ricon Corporation, North American Bus Industries, Inc., and Westinghouse Air Brake Technologies Corporation)
Reed Smith LLP
101 Second Street, Suite 1800
San Francisco, California 94105
(415) 659-5901

Barry Coyne (for defendants Ricon Corporation, North American Bus Industries, Inc., and Westinghouse Air Brake Technologies Corporation)
Reed Smith LLP
225 Fifth Avenue
Pittsburgh, Pennsylvania 15222
(412) 288-7210

8. *State Farm Life Ins. Co. v. Cai*, 09-CV-00396-LHK (N.D. Cal.)

This was an interpleader action to resolve competing claims to a life insurance policy stemming from Mr. Cai's allegedly felonious and intentional killing of the insured, his wife, Ms. Deng. In 2010, I denied State Farm's motion for judgment in interpleader and granted a motion to dismiss cross-claims. In 2011, I denied Mr. Cai's motion to dismiss a cross-claim brought by Ms. Deng's estate. In 2013, I granted State Farm's renewed motion for judgment in interpleader and ruled on State Farm's motion for attorney's fees. In 2014, I ruled on pre-trial motions and presided over a six-day jury trial on cross-claims brought against Mr. Cai by Ms. Deng's estate. Mr. Cai represented himself until he retained counsel prior to trial. The jury found that Mr. Cai feloniously and intentionally killed Ms. Deng, and thus the life insurance proceeds were awarded to Ms. Deng's estate.

The order denying judgment in interpleader and granting the motion to dismiss cross-claims is *State Farm Life Ins. Co. v. Cai*, No. 09-CV-00396-LHK, 2010 WL 4628228 (N.D. Cal. Nov. 4, 2010). The order denying the second motion to dismiss cross claims is *State Farm Life Ins. Co. v. Cai*, No. 09-CV-00396-LHK, 2011 WL 864938 (N.D. Cal. March 11, 2011). The order entering judgment in interpleader for State Farm is *State Farm Life Ins. Co. v. Cai*, No. 09-CV-00396-LHK, 2013 WL 4782383 (N.D. Cal. Sept. 6, 2013).

Plaintiff's Counsel:

Robert R. Pohls
Pohls & Associates
1550 Parkside Drive, Suite 2600
Walnut Creek, California 94596
(925) 973-0300

Counsel for Press, Special Administrator of the Estate of Deng:

Steve M. Defilippis
Ryan A. Ramseyer
Picone & Defilippis
625 North First Street
San Jose, California 95112
(408) 292-0441

Defendant's Counsel:

Paul Nguyen
Solo Practitioner
480 North First Street, Suite 100
San Jose, California 95112
(408) 350-0440

Julie Pulliam
Law Office of Julie Pulliam
6101 Gushee Street #1560
Felton, California 95018
(831) 600-7280

9. *United States v. Orellana*, 09-CR-00096 LHK (N.D. Cal.); and *Orellana v. United States*, 13-CV-00698 LHK (N.D. Cal.)

In 2012, I ruled on pretrial motions and presided over a five-day criminal bench trial involving one count of possession with intent to distribute cocaine and one count of conspiracy. I found defendant guilty of both counts and sentenced him to 68 months of incarceration. In 2014, the Ninth Circuit affirmed the conviction and sentence. Defendant thereafter filed a petition for writ of habeas corpus. In 2015, I denied with prejudice defendant's petition for habeas corpus, but reduced defendant's sentence to 63 months of incarceration pursuant to the parties' stipulation based on a change in the U.S. Sentencing Guidelines.

My order denying the habeas petition is available at *Orellana v. United States*, Nos. 13-CV-00698-LHK, 09-CR-00096-LHK, 2015 WL 4694038 (N.D. Cal. Aug. 6, 2015).

Plaintiff's Counsel:

Grant Fondo
Goodwin Procter LLP (formerly with the U.S. Attorney's Office)
135 Commonwealth Drive
Menlo Park, California 94025
(650) 752-3236

Jeffrey Nedrow

U.S. Attorney's Office
150 Almaden Boulevard, Suite 900
San Jose, California 95113
(408) 535-5045

Defendant's Counsel:

James Vaughns (at trial)
Solo Practitioner
6114 La Salle Avenue, Suite 289
Oakland, California 94611
(510) 583-9622

Pro se (in habeas proceeding)

10. *United States v. Rojas*, 10-CR-00931-LHK (N.D. Cal.)

The case involved a multi-defendant conspiracy to commit honest services fraud using a protected computer. There were initially three defendants in this action: Ms. Rodriguez, Mr. Bettencourt, and Mr. Rojas. In 2011, I granted a motion to sever Ms. Rodriguez's trial from the trials of Mr. Rojas and Mr. Bettencourt. The charges against Ms. Rodriguez and Mr. Bettencourt were subsequently dismissed prior to trial. However, the charges against Mr. Rojas were not dismissed. Specifically, Mr. Rojas, a police officer, was charged with honest services fraud, conspiracy to commit honest services fraud, unlawfully obtaining information from a protected computer, and four counts of unlawfully obtaining information from a protected computer for financial gain. In 2011, I ruled on various pretrial motions concerning Mr. Rojas, and presided over a five-day jury trial. Mr. Rojas was convicted of all counts, and I sentenced him to 36 months of incarceration. Mr. Rojas filed a notice of appeal of his conviction and sentence, but moved to voluntarily dismiss his appeal prior to briefing.

Plaintiff's Counsel:

Daniel Kaleba
U.S. Attorney's Office
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
(415) 436-7200

Jeffrey B. Schenk
U.S. Attorney's Office
150 Almaden Boulevard, Suite 900
San Jose, California 95113
(408) 535-5061

Defendants' Counsel:

Daniel Jensen (for defendant Rojas)
Law Office of Daniel Jensen, P.C.
4675 Stevens Creek Boulevard, Suite 250
Santa Clara, California 95051
(408) 296-4100

Lupe Martinez (for defendant Rodriguez)
Law Office of Lupe Martinez
95 South Market Street, Floor Three
San Jose, California 95113
(408) 857-5418

Defendant Bettencourt was dismissed prior to appointment of counsel.

- 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.

1. *In re Adobe Sys., Inc. Privacy Litig.*, 66 F. Supp. 3d 1197 (N.D. Cal. 2014)

Plaintiffs' Counsel:

Eric Gibbs
Girard Gibbs LLP
601 California Street, 14th Floor
San Francisco, California 94108
(415) 981-4800

Defendant's Counsel:

Kenneth Chernof
Ronald Lee
Arnold Porter LLP
555 Twelfth Street Northwest
Washington, District of Columbia 20004
(202) 942-5000

2. *In re Animation Workers Antitrust Litig.*, 87 F. Supp. 3d 1195 (N.D. Cal. 2015)

Plaintiffs' Counsel:

Daniel Small
Cohen Milstein Sellers & Toll PLLC

1100 New York Avenue Northwest, Suite 500
Washington, District of Columbia 20005
(202) 408-4600

Steve Berman
Hagens Berman Sobol Shapiro LLP
1918 Eighth Avenue, Suite 3300
Seattle, Washington 98101
(206) 623-7292

Marc Seltzer
Susman Godfrey LLP
1901 Avenue of the Stars, Suite 950
Los Angeles, California 90067
(310) 789-3102

Defendants' Counsel:

Emily Henn (for defendants The Walt Disney Company, Lucasfilm Ltd., LLC,
Pixar, and Two Pic MC LLC)
Covington & Burling LLP
333 Twin Dolphin Drive, Suite 700
Redwood Shores, California 94065
(650) 632-4715

Daniel Swanson
Rod Stone (for defendant DreamWorks Animation SKG, Inc.)
Gibson, Dunn & Crutcher LLP
333 South Grand Avenue
Los Angeles, California 90071
(213) 229-7000

Stephen Bomse
David Goldstein (for defendants Sony Pictures Animation Inc. & Sony Picture
Imageworks Inc.)
Orrick, Herrington & Sutcliffe LLP
405 Howard Street
San Francisco, California 94105
(415) 773-5700

John Schmidtlein
Jonathan Pitt (for defendant Blue Sky Studios, Inc.)
Williams & Connolly LLP
725 Twelfth Street Northwest
Washington, District of Columbia 20005
(202) 434-5000

3. *In re Google Inc. Gmail Litig.*, No. 13-MD-02430-LHK, 2013 WL 5423918 (N.D. Cal. Sept. 26, 2013)

Plaintiffs' Counsel:

F. Jerome Tapley
Cory Watson Crowder & Degaris, P.C.
2131 Magnolia Avenue South
Birmingham, Alabama 35205
(205) 271-7112

Sean Rommel
Wyly~Rommel, PLLC
4004 Texas Boulevard
Texarkana, Texas 75503
(903) 334-8646

Defendants' Counsel:

Michael Rhodes
Whitty Somvichian
Cooley LLP
101 California Street, Fifth Floor
San Francisco, California 94111
(415) 693-2000

4. *In re iPhone Application Litig.*, 844 F. Supp. 2d 1040 (N.D. Cal. 2012)

Plaintiffs' Counsel:

Scott Kamber
KamberLaw, LLC
11 Broadway, 22nd Floor
New York, New York 10004
(212) 920-3072

Deborah Kravitz
KamberLaw, LLP
401 Center Street, Suite 111
Healdsburg, California 95448
(202) 285-2560

Defendants' Counsel:

S. Ashlie Beringer

Facebook (formerly with Gibson, Dunn & Crutcher LLP)
1601 Willow Road
Menlo Park, California 94025
(650) 543-4800

James McCabe
Morrison & Foerster LLP
425 Market Street
San Francisco, California 94105
(415) 268-7011

5. *In re Yahoo Mail Litig.*, 308 F.R.D. 577 (N.D. Cal. 2015)

Plaintiffs' Counsel:

Daniel Girard
Girard Gibbs LLP
601 California Street, 14th Floor
San Francisco, California 94108
(415) 981-4800

Frederic Fox
Kaplan Fox & Kilsheimer LLP
850 Third Avenue, 14th Floor
New York, New York 10022
(212) 687-1980

Defendant's Counsel:

Rebekah Kaufman
Morrison & Foerster LLP
425 Market Street
San Francisco, California 94105
(415) 268-6148

6. *Karl v. City of Mountlake Terrace*, 678 F.3d 1062 (9th Cir. 2012)

Plaintiff's Counsel:

Joseph Shaeffer
MacDonald Hoague & Bayless
1500 Hoge Building
705 Second Avenue
Seattle, Washington 98104
(206) 622-1604

Defendants' Counsel:

Brenda Bannon
Keating, Bucklin & McCormack
800 Fifth Avenue, Suite 4141
Seattle, Washington 98104
(206) 623-8861

7. *Low v. LinkedIn Corp.*, 900 F. Supp. 2d 1010 (N.D. Cal. 2012)

Plaintiffs' Counsel:

Sanford Dumain
Milberg LLP
One Pennsylvania Plaza, 49th Floor
New York, New York 10119
(212) 594-5300

Defendant's Counsel:

Simon Frankel
Covington & Burling LLP
One Front Street
San Francisco, California 94111
(415) 591-7052

8. *Police Ret. Sys. of St. Louis v. Intuitive Surgical*, No. 10-CV-03451-LHK, 2012 WL 1868874 (N.D. Cal. May 22, 2012), *aff'd*, 759 F.3d 1051 (9th Cir. 2014).

Plaintiffs' Counsel:

Ian Berg
Abraham, Fruchter & Twersky LLP
11622 El Camino Real, Suite 100
San Diego, California 92130
(858) 764-2580

Defendants' Counsel:

Michael Celio
Keker and Van Nest LLP
633 Battery Street
San Francisco, California 94111
(415) 773-6613

9. *Ryan v. Microsoft Corp.*, No. 14-CV-04634-LHK, — F. Supp. 3d —, 2015 WL 7429495 (N.D. Cal. Nov. 23, 2015)

Plaintiffs' Counsel:

Tyler Belong
Hogue and Belong
430 Nutmeg Street, Second Floor
San Diego, California 92103
(619) 238-4720

Defendant's Counsel:

Stephen Rummage
Davis Wright Tremaine
1201 Third Avenue, Suite 2200
Seattle, Washington 98108
(206) 757-8136

10. *Shearwater v. Ashe*, No. 14-CV-02830-LHK, 2015 WL 4747881 (N.D. Cal. Aug. 11, 2015)

Plaintiffs' Counsel:

Eric Glitzenstein
Meyer Glitzenstein & Eubanks, LLP
4115 Wisconsin Avenue Northwest, Suite 210
Washington, District of Columbia 20016
(202) 588-5206

Defendants' Counsel:

David Glazer (for defendants Ashe, Director, U.S. Fish and Wildlife Service, and Jewell, Secretary, United States Department of the Interior)
U.S. Department of Justice
Environment & Natural Resources Division
301 Howard Street, Suite 1050
San Francisco, California 94105
(415) 744-6477

Alan Glen (for defendant-intervenor American Wind Energy Association)
Nossaman LLP
816 Congress Avenue, Suite 970
Austin, Texas 78701
(512) 813-7943

Steven Roland (for defendant-intervenor American Wind Energy Association)
Sedgwick LLP
333 Bush Street, 30th Floor
San Francisco, California 94104
(415) 781-7900

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

I am unaware of any case in which certiorari was granted. Certiorari was requested, but denied or dismissed, in the following cases:

Aguirre v. Woodford, No. C 09-1256 LHK (PR), 2011 WL 3471018 (N.D. Cal. Aug. 8, 2011), *certificate of appealability denied*, No. 11-17231 (9th Cir. Nov. 9, 2012), *cert. denied*, No. 12-9392 (U.S. May 28, 2013)

Ali v. Figueroa, No. C 12-2499 LHK (PR), 2013 WL 2016670 (N.D. Cal. May 13, 2013), *certificate of appealability denied*, No. 13-16185 (9th Cir. Apr. 4, 2014), *cert. denied*, 135 S. Ct. 756 (Dec. 8, 2014)

Bonty v. Ramsey, No. C 10-5360 LHK (PR), 2011 WL 6330656 (N.D. Cal. Dec. 19, 2011), *aff'd* 519 F. App'x 501 (9th Cir. 2013), *cert. denied*, 134 S. Ct. 1880 (Apr. 21, 2014)

Ilaw v. Daughters of Charity Health Sys., No. 11-CV-02752-LHK, 2012 WL 381240 (N.D. Cal. Feb. 6, 2012), *aff'd*, 585 F. App'x 572 (9th Cir. 2014), *cert. denied*, 135 S. Ct. 1412 (Feb. 23, 2015)

Johnson v. Hedgpeth, No. C 11-0495 LHK (PR), 2011 WL 4948668 (N.D. Cal. Oct. 18, 2011), *certificate of appealability denied*, No. 11-17756 (9th Cir. Dec. 22, 2011), *cert. dismissed*, No. 11-9011 (U.S. Apr. 30, 2012)

Potts v. McDonald, No. C 09-5849 LHK (PR), 2011 WL 6025869 (N.D. Cal. Dec. 5, 2011), *certificate of appealability denied sub nom. Potts v. Walker*, No. 11-17987 (9th Cir. June 22, 2012), *cert. denied*, No. 12-6977 (U.S. Jan. 7, 2013)

Northstar Fin. Advisors Inc. v. Schwab Invs., 807 F. Supp. 2d 871 (N.D. Cal. 2011), *rev'd in part, vacated in part, and remanded*, 779 F.3d 1036 (9th Cir. 2015), *cert. denied*, 136 S. Ct. 240 (Oct. 5, 2015)

Shaw v. Hedgpeth, No. C 10-5800 LHK (PR), 2012 WL 2906243 (N.D. Cal. July 16, 2012), *certificate of appealability denied*, No. 12-16761 (9th Cir. June 18, 2013), *cert. denied*, No. 13-7072 (U.S. Jan. 13, 2014)

Von Haar v. City of Mountain View, No. 10-CV-02995-LHK, 2012 WL 5828511 (N.D. Cal. Nov. 15, 2012), *appeal dismissed*, 584 F. App'x 297 (9th Cir. 2014), *cert. denied sub nom. Look v. City of Mountain View, Cal.*, 135 S. Ct. 2316 (May

18, 2015)

Wilkins v. Cty. of Alameda, No. C 10-3090 LHK (PR), 2012 WL 2568219 (N.D. Cal. July 2, 2012), *aff'd in part, rev'd in part, and remanded*, 571 F. App'x 621 (9th Cir. 2014), *cert. denied*, 135 S. Ct. 266 (Oct. 6, 2014)

A petition for certiorari is pending in the following case:

Apple, Inc. v. Samsung Elecs. Co., Ltd., 786 F.3d 983 (Fed. Cir. 2015), *petition for cert. filed*, No. 15-777 (Dec. 15, 2015) (the Federal Circuit's order affirmed my order at 2012 WL 3071477 (N.D. Cal. July 27, 2012); affirmed in part, reversed in part, and remanded my order at 920 F. Supp. 2d 1079 (N.D. Cal. 2013); and vacated and remanded my order at 926 F. Supp. 2d 1100 (N.D. Cal. 2013))

- 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.

Apple, Inc. v. Samsung Elecs. Co. Ltd., 2011 WL 7036077 (N.D. Cal. Dec. 2, 2011), *aff'd in part, vacated in part, and remanded*, 678 F.3d 1314 (Fed. Cir. 2012). In this opinion, I denied Apple's request for a preliminary injunction on four patents. In a 2-1 decision, the Federal Circuit affirmed my findings as to two patents. However, the Federal Circuit held that I had erred in concluding that Apple had failed to show a likelihood of success on the merits as to the other two patents. The Federal Circuit nevertheless affirmed my denial of a preliminary injunction as to one of those two patents because Apple had not sufficiently demonstrated irreparable harm. The Federal Circuit vacated my denial of a preliminary injunction as to the remaining patent and remanded the case for further proceedings.

Apple, Inc. v. Samsung Elecs. Co., Ltd., 909 F. Supp. 2d 1147 (N.D. Cal. 2012), *aff'd in part, vacated in part, and remanded*, 735 F.3d 1352 (Fed. Cir. 2013). I denied Apple's request for a permanent injunction on 26 of Samsung's products that had been found by a jury to have infringed Apple's design and utility patents and to have diluted Apple's trade dresses. The Federal Circuit affirmed my findings as to Apple's design patent and trade dress claims. However, the Federal Circuit determined that I had applied the incorrect legal standard to analyze the factors of irreparable harm and the inadequacy of damages as to Apple's utility patent claims. Accordingly, the Federal Circuit vacated and remanded my denial of a permanent injunction as to Apple's utility patents.

Apple, Inc. v. Samsung Elecs. Co., Ltd., 786 F.3d 983 (Fed. Cir. 2015), affirmed my order at 2012 WL 3071477 (N.D. Cal. July 27, 2012); affirmed in part,

reversed in part, and remanded my order at 920 F. Supp. 2d 1079 (N.D. Cal. 2013); and vacated and remanded my order at 926 F. Supp. 2d 1100 (N.D. Cal. 2013). Specifically, the Federal Circuit affirmed my claim construction order, 2012 WL 3071477. As to my 920 F. Supp. 2d 1079 and 926 F. Supp. 2d 1100 orders, the Federal Circuit affirmed the validity and infringement judgments and jury verdicts as to Apple's design and utility patents as well as the associated damages awarded for that infringement. However, the Federal Circuit reversed the judgments and jury verdicts that Apple's trade dresses were protectable and thus vacated the damages awarded for Samsung's products found to have diluted Apple's trade dresses.

Apple, Inc. v. Samsung Elecs. Co., Ltd., 2012 WL 3283478 (N.D. Cal. Aug. 9, 2012), and 2012 WL 5988570 (N.D. Cal. Nov. 29, 2012), *rev'd and remanded*, 727 F.3d 1214 (Fed. Cir. 2013). In the August order, I granted in part and denied in part requests to seal various exhibits attached to Apple's and Samsung's pre-trial motions. In the November order, I granted in part and denied in part requests to seal various exhibits attached to Apple's post-trial motions. Of the documents that I ordered to be unsealed, Apple and Samsung appealed a small subset to the Federal Circuit (26 documents total). The Federal Circuit consolidated the appeals. The Federal Circuit determined that the documents challenged on appeal should have been sealed, and accordingly reversed and remanded my decisions.

Apple, Inc. v. Samsung Elecs. Co., Ltd., 877 F. Supp. 2d 838 (N.D. Cal. 2012), *rev'd and remanded*, 695 F.3d 1370 (Fed. Cir. 2012). I granted Apple's request for a preliminary injunction on one of Samsung's products which allegedly infringed upon four of Apple's utility patents. The Federal Circuit reversed my decision, and held that I had erred in finding a sufficient causal nexus between Samsung's alleged infringement and the irreparable harm to Apple.

Apple, Inc. v. Samsung Elecs. Co., Ltd., 2014 WL 7496140 (N.D. Cal. Aug. 27, 2014), *vacated and remanded*, 809 F.3d 633 (Fed. Cir. 2015). I denied Apple's request for a permanent injunction on nine of Samsung's products which had been found by a jury to have infringed upon three of Apple's utility patents. In a 2-1 decision, the Federal Circuit concluded, contrary to my findings, that the factors of irreparable harm and inadequacy of legal remedies favored entry of a permanent injunction. Chief Judge Sharon Prost dissented from the majority's decision.

Apple, Inc. v. Samsung Elecs. Co., Ltd., 2014 WL 4467837 (N.D. Cal. Sept. 9, 2014), *aff'd in part and rev'd in part*, — F.3d —, 2016 WL 761884 (Fed. Cir. Feb. 26, 2016). At trial, Apple asserted five patents against Samsung (the '647, '959, '414, '721, and '172 patents). Samsung asserted two patents against Apple (the '239 and '449 patents). Following a jury trial, I upheld the jury's verdicts that (1) none of the five Apple patents were invalid; (2) Samsung infringed the '647 and '721 patents; and (3) Apple did not infringe Samsung's '239 patent. I also made other rulings regarding willful infringement and

Samsung's parent company's liability for indirect infringement; the Federal Circuit did not reach either issue on appeal. On appeal, the Federal Circuit concluded that Apple's '721 and '172 patents were invalid and that Apple's '647 patent was not infringed, and so reversed the judgments and jury verdicts as to those three Apple patents. The Federal Circuit affirmed the judgments and jury verdicts as to Apple's '959 and '414 patents as well as to Samsung's '239 patent. The Federal Circuit also affirmed other jury findings and my other post-trial rulings that were set forth in *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, 67 F. Supp. 3d 1100 (N.D. Cal. 2014).

Broussard v. Charvat, No. 13-CV-04878, No. 6 (N.D. Cal. Dec. 6, 2013) (copy supplied), *remanded*, No. 13-17680 (9th Cir. Aug. 25, 2014). I denied plaintiff's motion for reconsideration because plaintiff had filed a notice of appeal with the Ninth Circuit. In general, filing a notice of appeal would divest the district court of jurisdiction. The Ninth Circuit, however, issued a limited remand to consider whether plaintiff's motion for reconsideration could be construed as a motion seeking relief under Federal Rule of Civil Procedure 4(a)(4), even though plaintiff's motion did not expressly refer to Rule 4(a)(4). Motions seeking relief under Rule 4(a)(4) are exempt from the general rule regarding divestment of jurisdiction.

Northstar Financial Advisors Inc. v. Schwab Investments, 807 F. Supp. 2d 871 (N.D. Cal. 2011), *rev'd in part, vacated in part, and remanded*, 779 F.3d 1036 (9th Cir. 2015). The Ninth Circuit, in a 2-1 decision authored by Judge Edward Korman of the Eastern District of New York (who was sitting by designation), determined that certain fundamental investment policies, which were adopted via shareholder vote, could constitute a valid contract between shareholders and defendants. Based on this holding, the Ninth Circuit further determined that plaintiff had sufficiently alleged breach of contract and breach of fiduciary duty claims against defendants, and that my decision to grant dismissal of these claims was thus unwarranted. Judge Carlos Bea dissented from the majority's decision.

People v. Gautam, No. CC 785322 (Cal. Super. Ct. Dec. 16, 2008), *rev'd*, No. 1-09-AP-000670 (Cal. App. Dep't Super. Ct. Oct. 13, 2009) (copy supplied). The jury acquitted defendant of two charges. I denied defendant's motion for a finding of factual innocence and a sealing of arrest records as to the two tried charges. The Appellate Division of the Superior Court affirmed my denial of defendant's motion for a finding of factual innocence and a sealing of arrest records as to the two tried charges, but reversed my finding of no factual innocence and no sealing of arrest records as to a third charge that was dismissed prior to defendant's arraignment.

United States v. Howard, No. 14-CR-00390, No. 45 (N.D. Cal. May 6, 2015) (oral proceeding), *remanded*, 793 F.3d 1113 (9th Cir. 2015). This case concerns conditions regarding the revocation of pretrial release. The Ninth Circuit determined that it was unclear, based on the record, whether I had found that there

was probable cause to believe that defendant had committed a crime while on release or whether there was clear and convincing evidence that defendant had violated a condition of pretrial release. The case was remanded for clarification and further factual findings.

Wilkins v. County of Alameda, 2012 WL 2568219 (N.D. Cal. July 2, 2012), *aff'd in part, rev'd in part, and remanded*, 571 F. App'x 621 (9th Cir. 2014). The Ninth Circuit affirmed my decision to grant defendant's motion for summary judgment on plaintiff's fundamental right-to-vote claim. However, the Ninth Circuit held that plaintiff, who was proceeding pro se, had not been provided sufficient notice that defendants were moving for summary judgment on plaintiff's equal protection and procedural due process claims. Accordingly, the Ninth Circuit reversed my decision to grant summary judgment on these claims, and remanded the case for further proceedings.

- 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.

As a U.S. District Court judge, I have issued 1,852 opinions. All of my opinions are filed and stored electronically with the Northern District of California case management system. Many of my decisions are available on LexisNexis and Westlaw. Approximately 7% of my decisions have been selected for publication in either the Federal Supplement or Federal Rules Decisions.

As a California Superior Court judge, I issued six written opinions, all of which were unpublished in accordance with Superior Court practice. These opinions are part of the case file that is publicly available in the Superior Court Clerk's Office.

- 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.

Art of Living Found. v. Does 1-10, No. 10-CV-05022-LHK, 2011 WL 5444622 (N.D. Cal. Nov. 9, 2011)

Fraley v. Facebook, Inc., 830 F. Supp. 2d 785 (N.D. Cal. 2011)

In re: Application for Tel. Info. Needed for a Criminal Investigation, — F. Supp. 3d —, No. 15-XR-90304-HRL-1(LHK), 2015 WL 4594558 (N.D. Cal. July 29, 2015)

In re Yahoo Mail Litig., 7 F. Supp. 3d 1016 (N.D. Cal. 2014)

Karl v. City of Mountlake Terrace, 678 F.3d 1062 (9th Cir. 2012)

Katzman v. L.A. Cty. Metro. Transp. Auth., 72 F. Supp. 3d 1091 (N.D. Cal. 2014)

Marks v. Davis, — F. Supp. 3d —, No. CV 11-2458 LHK, 2015 WL 3920073 (N.D. Cal. June 25, 2015)

Parrish v. Solis, No. 11-CV-01438, 2014 WL 1921154 (N.D. Cal. May 13, 2014)

People v. Frost, No. BB834193, slip op. (Cal. Super. Ct. Mar. 27, 2009). Copy supplied.

Steshenko v. Gayrard, 70 F. Supp. 3d 979 (N.D. Cal. 2014)

- 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 sat by designation on the Ninth Circuit in March 2012, with Circuit Judges Ferdinand Fernandez and Richard Paez. I authored the unanimous opinion in *Karl v. City of Mountlake Terrace*, 678 F.3d 1062 (9th Cir. 2012).

In *Karl*, plaintiff sought relief pursuant to 42 U.S.C. § 1983. Plaintiff alleged that he had been subject to First Amendment retaliation on the basis of subpoenaed deposition testimony that he had given as a private citizen in a civil rights lawsuit. The district court denied qualified immunity to defendants, and the panel affirmed. As the panel observed, plaintiff had sufficiently demonstrated a constitutional violation and had sufficiently demonstrated that the relevant legal principles had been clearly established prior to the events in question.

The remaining decisions, listed below, were unanimous memorandum opinions:

Blackburn v. Wash. Dep't of Soc. & Health Servs., 472 F. App'x 569 (9th Cir. 2012)

Locals 302 & 612 Int'l Union of Operating Eng'rs Constr. Indus. Health & Sec. Fund v. Ace Paving Co., 471 F. App'x 796 (9th Cir. 2012)

Nw. Adm'rs, Inc. v. Ace Paving Co., 471 F. App'x 795 (9th Cir. 2012)

Oberg v. Astrue, 472 F. App'x 488 (9th Cir. 2012)

United States v. Vaksman, 472 F. App'x 447 (9th Cir. 2012)

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 judges on the Northern District of California U.S. District Court give the Clerk's Office a list of individuals and entities in whose cases we would recuse. I have provided, and regularly updated, such a list to the Clerk's Office, which generally reassigns cases involving those individuals or entities to other judges. I recused myself *sua sponte* in the following cases involving parties or lawyers that were on my automatic recusal list, but which were nonetheless assigned to me:

Altis Semiconductor, SNC v. Qimonda Licensing, LLC, 12-CV-03227-JST (N.D. Cal.)
Bay Area Surgical Grp. Inc. v. Aetna Life Ins. Co., 13-CV-05430-EJD (N.D. Cal.)
Burgess v. Otto Bock Healthcare, 14-CV-00302-EJD (N.D. Cal.)
Elias v. Hewlett-Packard Co., 12-CV-00421-BLF (N.D. Cal.)
Ferranti v. Hewlett-Packard Co., 13-CV-03847-EJD (N.D. Cal.)
Hewlett-Packard Co. and Consol. Subsidiaries v. United States, 09-CV-02882-JW (N.D. Cal.)
In re Application of Hewlett-Packard Co., 13-MC-80266-RMW (N.D. Cal.)
Johnson v. Colvin, 13-CV-03967-RMW (N.D. Cal.)
Pauly v. Stanford Hosp., 10-CV-05582-SI (N.D. Cal.)
Petroleos Mexicanos v. Hewlett-Packard Co., 14-CV-05292-BLF (N.D. Cal.)
Santa Clara Valley Hous. Grp., Inc. v. United States, 08-CV-05097-WHA (N.D. Cal.)
Sebastian v. Lucile Packard Children's Hosp., 14-CV-01941-BLF (N.D. Cal.)
SoftVault Sys., Inc. v. HP Inc., 16-CV-00379-JSW (N.D. Cal.)
Spancion LLC v. Samsung Elecs. Co. Ltd., 10-CV-03446-JF (N.D. Cal.)
Stanford Hosp. & Clinics v. Hawaii Mgmt. All. Assoc., 12-CV-05273-WHA (N.D. Cal.)
Stanford Hosp. and Clinics v. Premiera Blue Cross, 15-CV-01809-BLF (N.D. Cal.)
Tamara v. Bd. of Dirs. of Stanford Hosp. and Clinics, 15-CV-02158-EJD (N.D. Cal.)
Tricome v. eBay, Inc., 10-CV-03214-JF (N.D. Cal.)
United States v. Breejen, 14-CR-00501-BLF (N.D. Cal.)
United States v. Kalbasi, 15-CR-00365-BLF (N.D. Cal.)
United States v. Masoud, 14-CR-00069-DLJ (N.D. Cal.)
United States v. Pathan, 11-CR-00352-EJD (N.D. Cal.)
United States v. Shaikh, 09-CR-01049-EJD (N.D. Cal.)

United States v. Stringer, 11-CR-00116-EJD (N.D. Cal.)
Webber v. Hewlett-Packard Co., 14-CV-01724-EJD (N.D. Cal.)
Xilinx, Inc. v. Invention Inv. Fund I LP, 11-CV-00671-EJD (N.D. Cal.)
Zepeda v. Paypal, Inc., 10-CV-02500-SBA (N.D. Cal.)

I recused myself *sua sponte* in the following case when the plaintiff informed me that my former law firm had represented a party in a related case:
Dillon v. Cont'l Cas. Co., 10-CV-05238-EJD (N.D. Cal.)

I recused myself *sua sponte* in the following cases where I was a member of an organization that was named as a proposed *cy pres* recipient of class action settlement funds:
C.M.D. v. Facebook, Inc., 12-CV-01216-RS (N.D. Cal.)
Fraley v. Facebook, 11-CV-01726-RS (N.D. Cal.)

I recused myself *sua sponte* in the following cases where the California Superior Court for the County of Santa Clara, its judges with whom I served and/or I was named as a defendant, or where an order I had issued as a Superior Court judge was directly related to the federal case:

Beaujayam v. Manoukian, 11-CV-05710-SI (N.D. Cal.)
Hiramanek v. Clark, 13-CV-00228-RMW (N.D. Cal.)
Marosi v. Rushing, 13-CV-05198-RS (N.D. Cal.)
Merritt v. McKenney, 13-CV-01391-JSW (N.D. Cal.)
Morris v. Koh, 15-CV-01689-JD (N.D. Cal.)
Morris v. Sandoval, 12-CV-06132-JD (N.D. Cal.)
Ou-Young v. Roberts, 14-MC-80017-RMW (N.D. Cal.)
P. v. Terman Apartments, 12-CV-00256-JST (N.D. Cal.)
Sepehry-Fard v. Dep't Stores Nat'l Bank, 13-CV-03131-WHO (N.D. Cal.)
Shao v. Wang, 14-CV-01912-WBS (N.D. Cal.)

I recused myself *sua sponte* in the following cases involving the Internal Revenue Service ("IRS") during the time the IRS examined my husband's and my 2007 mortgage interest expense deduction based on Stanford University's deferred interest program mortgage loan for faculty (my husband was a faculty member):

United States v. Genov, 10-CV-03340-RMW (N.D. Cal.)
United States v. Mahallati, 11-CV-01840-JF (N.D. Cal.)
United States v. Udovich, 10-CV-04094-JW (N.D. Cal.)

I recused myself *sua sponte* in the following cases because I learned sensitive information about the defendants when handling representation issues in the criminal case:

Bridges v. Geringer, 13-CV-01290-EJD (N.D. Cal.)
SEC v. GLR Capital Mgmt., LLC, 12-CV-02663-EJD (N.D. Cal.)
United States v. Geringer, 12-CR-00888-EJD (N.D. Cal.)

I recused myself *sua sponte* in the following case because my husband, as an

Associate Justice of the California Supreme Court, had denied habeas relief:
Perez v. DuCart, 15-CV-02010-JSW (N.D. Cal.)

I recused myself *sua sponte* in the following case because a named party was an employee in our courthouse:

Younger v. Michael & Assocs., P.C., 13-CV-01680-YGR (N.D. Cal.)

I recused myself *sua sponte* in the following case because I had dismissed Mr. Ou-Young's case, for which he then sued me a total of five times in 2013 and 2014. Mr. Ou-Young was deemed a vexatious litigant in the first suit against me in 2013.

In re: Ou-Young, 15-MC-80033-EJD (N.D. Cal.)

I recused myself in advance of a motion for reassignment being heard because the parties and I discussed the substance of the case at a status conference:

United States v. Gomez, 11-CR-00955-DLJ (N.D. Cal.)

In the following cases, a motion for recusal was filed, which I denied upon finding that the motion was frivolous:

Burkhart v. Gonzalez, 10-CV-01967-LHK (N.D. Cal.)

Ciampi v. City of Palo Alto, 09-CV-02655-LHK (N.D. Cal.)

Davis v. United States Olympic Comm., 12-CV-02999-LHK (N.D. Cal.)

In re: High-Tech Emp. Antitrust Litig., 11-CV-02509-LHK (N.D. Cal.)

Ou-Young v. Vasquez, 12-CV-02789-LHK (N.D. Cal.)

Sepehry-Fard v. Select Portfolio Servicing, Inc., 14-CV-05142-LHK (N.D. Cal.)

Shao v. McManis Faulkner, LLP, 14-CV-01137-LHK (N.D. Cal.)

Wilkins v. Picetti, 10-CV-02818-LHK (N.D. Cal.)

As a California Superior Court judge, I recused myself *sua sponte* in the following cases where a party was on my automatic recusal list, where there was an appearance by an attorney who had previously represented a relative of mine, or where an attorney was a close friend:

Bd. of Trustees of Stanford Univ. v. Ham, 1-10-CV-171121 (Cal. Super. Ct.)

People v. Atwal, CC778468 (Cal. Super. Ct.)

People v. Barajas, CC772683 (Cal. Super. Ct.)

People v. Garcia, CC772756 (Cal. Super. Ct.)

People v. Rimola, CC789359 (Cal. Super. Ct.)

Stanford Hosp. & Clinics v. Trevino, 1-10-CH-002878 (Cal. Super. Ct.)

Stanford Hosp. & Clinics v. Trevino, 1-10-CH-002894 (Cal. Super. Ct.)

Stanford Univ. v. Cruz, 1-09-CH-002705 (Cal. Super. Ct.)

Stanford Univ. v. Robert, 1-10-CH-002968 (Cal. Super. Ct.)

Watson Court Holdings v. Hirsch Capital Corp., 1-09-CV-134746 (Cal. Super. Ct.)

Yam v. Robert, 1-10-CH-003075 (Cal. Super. Ct.)

I recused myself *sua sponte* in the following case where one of the parties repeatedly sent me disturbing letters:

E. Side Union High Sch. v. Sendejo, 1-10-CH-002884 (Cal. Super. Ct.)

Having searched my files, as well as the Santa Clara Superior Court's Criminal Justice Information Control Database, I have not identified further specific instances in which I recused myself *sua sponte*. However, I recall *sua sponte* recusing myself in a few additional cases where there was an appearance by an attorney who had previously represented another relative of mine.

In addition to these recusals, California Code of Civil Procedure ("CCCP") 170.6 gives litigants a process by which they may disqualify a state court judge without any showing of cause. Such disqualifications are fairly routine in Santa Clara Superior Court. Defense counsel filed CCCP 170.6 motions in the following cases, which, except for one, were therefore automatically reassigned.

Deutsche Bank Nat'l Trust Co. v. Mesbahi, 1-10-CV-162871 (Cal. Super. Ct.)

Fan v. Arredondo, 1-10-CH-002934 (Cal. Super. Ct.)

Goldberg v. Campbell, 1-10-CH-002923 (Cal. Super. Ct.)

HSBC Bank USA v. Dang, 1-10-CV-164334 (Cal. Super. Ct.)

People v. Duffy, BB940994 (Cal. Super. Ct.) (I denied the 170.6 motion as untimely, and the case was not automatically reassigned.)

People v. Macareno, BB942323 (Cal. Super. Ct.)

People v. McAvoy, CC812306 (Cal. Super. Ct.)

People v. Moreno, BB411706 (Cal. Super. Ct.)

People v. Williams, CC806274 (Cal. Super. Ct.)

People v. Woo, CC817370 (Cal. Super. Ct.)

Pham v. Avila, 1-10-CV-167646 (Cal. Super. Ct.)

Ragonesi v. Abernerthy, 1-10-CV-169449 (Cal. Super. Ct.)

Thrappas v. Taylor, 1-10-CV-169146 (Cal. Super. Ct.)

Tragoutsis v. Castillo, 1-10-CV-166945 (Cal. Super. Ct.)

Wachovia Mortg., FSB v. Guancione, 1-09-CV-157228 (Cal. Super. Ct.)

Weaver Land Corp. v. Rios, 1-10-CV-166451 (Cal. Super. Ct.)

15. Public Office, Political Activities and Affiliations:

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

I have not held any public office other than judicial office. I have had no unsuccessful candidacies for elective office or unsuccessful nominations for appointed office.

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

responsibilities.

Women for Obama, Northern California, Summer and Fall 2007. As a volunteer, I participated in an organizational meeting and some conference calls and helped recruit people to attend a fundraising event.

Kerry-Edwards Presidential Campaign, Las Vegas, Nevada, October 2004. As a volunteer, I walked precincts to hand out literature and canvass potential voters.

John Chiang for California State Controller, March 2006. As a volunteer, I hosted a fundraiser at my home.

Margaret Abe-Koga for City Council of Mountain View, California, Fall 2004. As a volunteer, I hosted a meet and greet/fundraiser at my home.

Democratic National Convention, Los Angeles, August 2000. As a volunteer, I filled convention packets, and I believe I was designated as a driver, but I do not recall driving anyone.

Barbara Boxer Senatorial Re-Election Campaign, Los Angeles, 1998. As a volunteer, I participated in phone banking, mailed solicitations, and attended various campaign events.

Dukakis Presidential Campaign 1987-1988, Boston and New Hampshire. As a volunteer, I helped coordinate campaign efforts at various college campuses across the nation, and I participated in door-to-door canvassing in New Hampshire.

Dukakis Gubernatorial Re-Election Campaign, Cambridge and Boston, 1986. As a volunteer, I distributed leaflets at events and held signs on election day.

James R. Jones Senatorial Campaign, Oklahoma, 1986. As a volunteer, I distributed leaflets at air shows, sheep shows, and other community events.

Cleveland County Democratic Party Headquarters, Norman, Oklahoma 1986. As a volunteer, I participated in phone banking.

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 did not serve as a clerk to a judge.

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

I have never practiced law 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.

1993 – 1994

United States Senate, Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, District of Columbia 20510
Women's Law and Public Policy Fellow

1994 – 1997

United States Department of Justice
950 Pennsylvania Avenue Northwest
Washington, District of Columbia 20530
Special Assistant to the Deputy Attorney General (1996 – 1997)
Special Counsel, Office of Legislative Affairs (1994 – 1996)

1997 – 2000

Office of the United States Attorney, Central District of California
312 North Spring Street, Suite 1200
Los Angeles, California 90012
Assistant United States Attorney

2000 – 2002

Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, California 94304
Senior Associate

2002 – 2008

McDermott Will & Emery LLP
275 Middlefield Road, Suite 100 (Current address)
Menlo Park, California 94025
Partner

- 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 mediated cases outside of my role as a judge.

b. Describe:

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

Following my graduation from law school in 1993 until 1997, I worked on federal legislation and the implementation and enforcement of federal laws on a fellowship with a United States Senate Judiciary Committee

staff and as an attorney with the United States Department of Justice. From 1997 to 2000, I was a federal criminal prosecutor. From 2000 to 2008, I was in private practice as a civil litigator. From 2008 to 2010, I served as a Judge of the Superior Court of California. Since June 2010, I have served as a U.S. District Court Judge.

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

As an Assistant United States Attorney, I represented the United States in criminal trials and appeals involving bank robberies, narcotics trafficking, securities and tax fraud, and immigration. In the private sector, I specialized in intellectual property and business litigation. I represented individuals as well as big and small high technology and biotech companies, as both plaintiffs and defendants.

- 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.

As an Assistant United States Attorney from 1997 through 2000, my practice was exclusively criminal prosecution, and I appeared in court frequently. While in private practice from 2000 through 2008, my practice was exclusively civil litigation, and I appeared in court occasionally.

- i. Indicate the percentage of your practice in:

- 1. federal courts: 90%
- 2. state courts of record: 5%
- 3. other courts: 0%
- 4. administrative agencies: 5%

- ii. Indicate the percentage of your practice in:

- 1. civil proceedings: 66%
- 2. criminal proceedings: 34%

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

I tried seven cases as counsel (three as sole counsel and four as co-counsel).

- i. What percentage of these trials were:

- 1. jury: 43%
- 2. non-jury: 57%

- 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.

Convolve Inc. v. Seagate Tech., LLC, 2008 WL 194293 (opposition to petition for certiorari), *cert. denied*, 552 U.S. 1230 (2008).

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. *Audio MPEG, Inc. v. Creative Labs, Inc.*, No. 05 cv 185 JBF/FBS (E.D. Va.)

Audio MPEG sued my client, Creative, for alleged patent infringement. I managed the litigation team for Creative and drafted a motion to dismiss on grounds that the foreign owners of the patents were not party to the case. The Court ruled that joinder of the patent owners was required. On subsequent reference to a Magistrate Judge for settlement, I prepared Creative's presentation and engaged in several days of negotiations. The parties settled, and the case was dismissed.

I was counsel in this case from 2005 to 2006. The District Judge was Hon. Jerome B. Friedman. The Magistrate Judge was Hon. F. Bradford Stillman.

Co-Counsel:

Terrence P. McMahon (retired)

Dana J. Finberg
Arent Fox LLP
55 Second Street, 21st Floor
San Francisco, California 94105
(415) 757-5897

Opposing Counsel:

Laura P. Masurovsky
Finnegan, Henderson, Farabow, Garrett & Dunner LLP
901 New York Avenue Northwest
Washington, District of Columbia 20001
(202) 408-4043

2. *Creative Technology Ltd. v. Apple Computer, Inc.*, No. C06-03218 SBA (N.D. Cal.)

I represented Creative Technology in this suit against Apple Computer in the Northern District of California (No. C06-03218 SBA). Creative claimed patent infringement in connection with the user interface of the iPod. Apple then sued Creative in three separate cases in the Eastern District of Texas (Nos. 9:06-CV-114, 9:06-CV-149, and 9:06-CV-150) and in one case in the Western District of Wisconsin (No. 06-C-0263-C). I was a managing counsel for these five district court cases and in two related complaints before the United States International Trade Commission. Ultimately, the parties reached a settlement in which Apple agreed to pay Creative \$100 million to license the relevant patent.

I was counsel in these cases in 2006. The District Judges were Hon. Sandra Brown Armstrong (N.D. Cal.), Hon. Barbara B. Crabb (W.D. Wisc.), and Hon. Ron Clark (E.D. Tex.).

Co-Counsel:

Terrence P. McMahon (retired)

Mark Davis
Greenberg Traurig (formerly with McDermott Will & Emery LLP)
300 West Sixth Street, Suite 2050
Austin, Texas 78701
(512) 320-7208

Opposing Counsel:

Robert G. Krupka
Krupka Law Group, PC (formerly with Kirkland & Ellis LLP)
1870 Mango Way
Los Angeles, California 90049
(310) 889-1990

3. *Freedom Wave LLC v. Logitech, Inc.*, No. CV04-9862 JFW (MANx) (C.D. Cal.)

Freedom Wave sued my client, Logitech, for alleged patent infringement. I was primary counsel. At an early stage, I persuaded Freedom Wave to dismiss its complaint against Logitech's parent company. During the litigation, the U.S. Patent and Trademark Office

agreed to reexamine the validity of the contested patent, triggering a second lawsuit against Logitech for alleged infringement of another patent. We settled the case.

I was counsel in this case from 2004 to 2005. The District Judge was Hon. John F. Walter.

Co-Counsel:

Honorable Peter Chen
U.S. Patent and Trademark Office (formerly with McDermott Will & Emery LLP)
26 South Fourth Street
San Jose, California 95112
(408) 918-9900

Opposing Counsel:

Marc A. Fenster
Russ, August & Kabat
12424 Wilshire Boulevard, 12th Floor
Los Angeles, California 90025
(310) 979-8278

4. *Gart v. Micro Innovations Corp.*, No. CV 03-4320 CBM (Mcx) (C.D. Cal.)

Plaintiff Gart sued my client, Micro Innovations, for alleged patent infringement. As primary counsel, I drafted the claim construction briefs. I coordinated litigation strategy with co-defendants International Business Machines Corp. and Microsoft Corp. Plaintiff opposed a *Markman* hearing on the theory that some claims had been construed previously in another case on which I had also worked. I successfully briefed and argued this issue. The parties then settled.

I was counsel in this case from 2003 to 2004. The District Judge was Hon. Consuelo B. Marshall.

Co-Counsel:

Robert Blanch
13th Judicial District Attorney's Office (formerly with McDermott Will & Emery LLP)
515 West High Street
P.O. Box 637
Grants, New Mexico 87020
(505) 285-4627

Opposing Counsel:

John B. Sganga, Jr.

Knobbe, Martens, Olson & Bear, LLP
2040 Main Street, 14th Floor
Irvine, California 92614
(949) 760-0404

Counsel for Co-Defendants:

Robert W. Stone (for co-defendant International Business Machines)
Quinn Emanuel Urquhart & Sullivan, LLP
555 Twin Dolphin Drive, Fifth Floor
Redwood Shores, California 94065
(650) 801-5000

James S. Blackburn (for co-defendant Microsoft)
Arnold & Porter LLP
777 South Figueroa Street, 44th Floor
Los Angeles, California 90017
(213) 243-4000

5. *In re Seagate Technology LLC*

I was a managing counsel for defendant Seagate Technology in this patent infringement case involving disk drive technology. I reviewed and revised pleadings in the case and drafted some summary judgment motions. After discovery, the plaintiffs dropped one of the three asserted patents and ten of the 25 alleged trade secrets. The District Court also granted our summary judgment motion eliminating tort and punitive damages. *Convolve, Inc. v. Compaq Computer Corp.*, No. OOCV5141 (GBD), 2006 U.S. Dist. LEXIS 13848 (S.D.N.Y. Mar. 29, 2006). In 2006, we successfully petitioned the Court of Appeals for the Federal Circuit for a writ of mandamus. The Federal Circuit's landmark *en banc* ruling overturned the 24-year-old standard for willful patent infringement by shifting the burden of proof regarding willful infringement from the defendant back to the patent owner. *In re Seagate Tech., LLC*, 497 F.3d 1360 (Fed. Cir. 2007).

In response to the Federal Circuit's decision, the plaintiffs filed a petition for a writ of certiorari before the U.S. Supreme Court. In our brief in opposition, we argued that the plaintiffs' petition was not ripe for review, that the petition presented questions that were not before the Federal Circuit, and that the petition was unavailing on the merits. In 2008, the U.S. Supreme Court denied the plaintiffs' petition for a writ of certiorari. *Convolve Inc. v. Seagate Tech., LLC*, 552 U.S. 1230 (2008).

I was counsel in this case from May 2003 to January 2008. The Federal Circuit opinion was *en banc*. The District Judge was Hon. George B. Daniels.

Co-Counsel:

Terrence P. McMahon (retired)

Stephen J. Akerley
Dechert LLP
2440 West El Camino Real, Suite 700
Mountain View, California 94040
(650) 813-4800

Opposing Counsel:

Debra Brown Steinberg (retired).

Counsel for Co-Defendant Compaq:

Robert Goldman
Ropes & Gray LLP (formerly Fish & Neave)
1900 University Avenue, Sixth Floor
East Palo Alto, California 94303
(650) 617-4035

6. *United States v. Johnson*, CR96-567-ABC (C.D. Cal. 1997)

I represented the United States in this eight-day criminal jury trial against four defendants charged with conspiracy to distribute cocaine. The jury convicted all four defendants. Defendant R. Johnson was sentenced to 168 months of imprisonment, defendant Cortez was sentenced to 121 months of imprisonment, defendant Whitfield was sentenced to 37 months of imprisonment, and defendant L. Johnson was sentenced to 27 months of imprisonment. Defendant R. Johnson appealed his conviction and sentence, which the Court of Appeals affirmed. 176 F.3d 485 (9th Cir. 1999). Defendant Cortez appealed his conviction and sentence. The Court of Appeals affirmed the conviction, but vacated the sentence, so that the court could make the proper advisement and inquiry regarding the defendant's prior conviction. 17 F. App'x 521 (9th Cir. 2001). Cortez was eventually resentenced to 121 months of imprisonment. My co-counsel and I jointly drafted the appellate briefs for both defendants' appeals.

I was counsel in this case from 1997 to 2000. The District Judge was Hon. Audrey B. Collins. The Court of Appeals panel for defendant R. Johnson was composed of Circuit Judges Nelson, Fernandez, and W. Fletcher. The Court of Appeals panel for defendant Cortez was composed of Circuit Judges O'Scannlain, Silverman, and Gould.

Co-Counsel:

Lee Arian
Wellpoint (formerly with the U.S. Attorney's Office)
21555 Oxnard Street M/S Ac 7a
Woodland Hills, California 91367
(818) 234-8617

Defendants' Counsel:

Judith Rochlin (for defendant R. Johnson)
Law Office of Judith Rochlin
11209 National Boulevard #420
Los Angeles, California 90064
(310) 473-6208

William S. Pitman (for defendant Cortez)
Law Offices of William S. Pitman
624 South Grand Avenue, Suite 2200
Los Angeles, California 90017
(213) 629-0272

Dean Gits (for defendant T. Johnson) (deceased)

Michael J. Treman (for defendant Whitfield)
Solo Practitioner
P.O. Box 4727
Santa Barbara, California 93140
(805) 570-5487

7. *United States v. Mitchell*, CR99-31-RAP (C.D. Cal. 1999)

I represented the United States in this four-day criminal jury trial regarding possession of counterfeit currency with intent to defraud. The defendant represented himself, raising special challenges for me as prosecutor and for the Court to ensure the defendant a full and fair trial. The jury found the defendant guilty. Defendant was sentenced to 21 months of imprisonment.

I was counsel in this case in 1999. The District Judge was Hon. Richard A. Paez. I was the United States' sole trial counsel. Defendant was pro se.

8. *United States v. Mohammad*, CR97-750-R (C.D. Cal. 1997)

I represented the United States in this four-day criminal jury trial against three defendants charged with possession of a methamphetamine precursor. Defendant Mohammad pled guilty prior to trial but appealed his sentence of 70 months of imprisonment, which the Court of Appeals affirmed. 172 F.3d 60 (9th Cir. 1999). Defendant Mustafa pled guilty during trial, but appealed his conviction and sentence of 78 months of imprisonment. On appeal, I conceded that defendant Mustafa's case should be remanded for resentencing. The Court of Appeals affirmed the conviction but vacated his sentence and remanded for him to obtain substitute sentencing counsel. 172 F.3d 60 (9th Cir. 1999). The district court sentenced defendant Mustafa to 78 months of imprisonment at resentencing. After trial, the jury found defendant Talliti guilty as charged, and he was sentenced to 76

months of imprisonment. Defendant Talliti appealed his conviction and sentence, which the Court of Appeals affirmed. 221 F.3d 1349 (9th Cir. 2000). I was the sole prosecutor at trial and on appeal. I wrote all appellate briefs and argued before the Court of Appeals in defendant Talliti's case.

I was counsel in this case from 1997 to 2000. The District Judge was Hon. Manuel L. Real. The Court of Appeals panel for defendants Mohammad and Mustafa was composed of Circuit Judges Brunetti, McKeown, and Magill. The Court of Appeals panel for defendant Talliti was composed of Circuit Judges Fernandez and Wardlaw and District Judge Weiner.

Defendants' Counsel:

Richard M. Steingard (for defendant Mohammad)
Lightfoot Steingard & Sadowsky LLP
800 Wilshire Boulevard, Suite 1050
Los Angeles, California 90017
(213) 260-9449

Alan R. Chappell (for defendant Mustafa)
Helphand & Rich
3648 Foothill Boulevard
Glendale, California 91214
(818) 240-1974

Lawrence R. Young (for defendant Talliti) (current business contact information unknown)

9. *United States v. Stapleton*, SA CR 99-47(A)-GLT (C.D. Cal.)

I represented the United States in a telemarketing fraud case against seven defendants that resulted in a \$5 million loss to victims. Three defendants pled guilty prior to trial. After a 14-day criminal jury trial, the jury found the remaining four defendants guilty as charged. Defendant Stapleton was sentenced to 46 months of imprisonment, defendant Klatter was sentenced to 51 months of imprisonment, defendant Long was sentenced to 37 months of imprisonment, and defendant Perkins was sentenced to 57 months of imprisonment. I drafted the jury instruction for this trial, which was adopted as Ninth Circuit Model Criminal Jury Instruction 8.101A (Scheme to Defraud—Vicarious Liability). Defendant Stapleton appealed his conviction, which the Court of Appeals affirmed. 293 F.3d 1111 (9th Cir. 2002). My co-counsel drafted the appellate brief.

I was counsel in this case in 2000. The District Judge was Hon. Gary L. Taylor.

Co-Counsel:

Ellyn M. Lindsay

U.S. Attorney's Office
9854 National Boulevard #270
Los Angeles, California 90078
(213) 894-2400

Defendants' Counsel:

William G. Morrissey (for defendant Stapleton)
Solo Practitioner
3002 Highland Drive
Russellville, Arkansas 72802
(714) 454-6074

Michael Meza (for defendant Klatter)
Solo Practitioner
333 City Boulevard West, 17th Floor
Orange, California 92868
(714) 564-2501

Donald L. Herzstein (for defendant Long)
Donald L. Hertzstein Law Office
444 West Ocean Boulevard #400
Long Beach, California 90802
(562) 435-7469

Randolph K. Driggs (for defendant Perkins)
Law Office of Randolph K. Driggs
P.O. Box 17069
Anaheim Hills, California 92817
(714) 748-0430

10. *United States v. Zapata*, CR89-107-TJH (C.D. Cal. 1998)

I represented the United States in this one-day criminal bench trial for conspiracy to distribute and possess cocaine. This case was particularly challenging because the evidence was nearly a decade old. The defendant had fled the cocaine bust by seizing the car of an elderly man and had successfully eluded authorities for nine years. The court convicted the defendant, and defendant was sentenced to 168 months of imprisonment. Defendant appealed his sentence. We conceded on appeal that the case should be remanded for resentencing. The Court of Appeals affirmed in part, vacated in part, and remanded for resentencing. 185 F.3d 872 (9th Cir. 1999). The district court sentenced defendant to 126 months of imprisonment at resentencing. My co-counsel and I jointly drafted the appellate brief.

I was counsel in this case from 1998 to 1999. The District Judge was Hon. Terry J. Hatter Jr. The Court of Appeals panel was composed of Circuit Judges O'Scannlain,

Rymer, and Silverman.

Co-Counsel:

Pamela Johnston
Foley & Lardner LLP (formerly with U.S. Attorney's Office)
555 South Flower Street, Suite 3500
Los Angeles, California 90071
(213) 972-4632

Defendant's Counsel:

Joseph F. Walsh
Solo Practitioner
205 South Broadway, Suite 606
Los Angeles, California 90012
(213) 627-1793

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.)

As a Fellow with the United States Senate Judiciary Committee staff, I identified and interviewed hearing witnesses, worked on legislation, and researched nominees referred to the Committee. As an attorney with the United States Department of Justice, I advised and briefed the Attorney General and the Deputy Attorney General. As a federal prosecutor, I worked with federal law enforcement agents in investigating criminal activity. In the private sector, I advised clients on a variety of business and intellectual property matters that did not involve litigation.

As a California Superior Court Judge, I worked with defendants in Drug Court and Domestic Violence Court. As a U.S. District Judge, I have presided successfully over settlement conferences and chaired our district's Patent Pilot Program Committee, which implemented the Patent Cases Pilot Program pursuant to Public Law 111-349.

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 semester or quarter-long courses. I have taught sessions at the Stanford Law School Trial Advocacy Workshop, which are listed above in 12(d).

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

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

My husband is an Associate Justice on the California Supreme Court, and I currently recuse myself, and would continue to recuse myself, in any case in which he was involved. My husband teaches at Stanford Law School and Harvard Law School, and I serve on the Board of Overseers Visiting Committee for Harvard Law School. As a result, I currently recuse myself in any case involving either university and would continue to do so. I would also recuse myself from any case involving companies that manage the diversified mutual funds in which my husband and I invest.

My brother is Vice President and Deputy General Counsel at eBay, Inc., and my

brother-in-law is Vice President for Organization and Strategy at Hewlett Packard Enterprise. I currently recuse myself, and would continue to recuse myself, in any case in which either company is involved. There are three attorneys in the area with whom I have a close relationship that would require me to recuse myself if they appeared before me. Should any other potential conflicts of interest arise, I will adhere to the Code of Conduct for United States Judges and other applicable authority regarding their resolution.

- 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 continue to abide by the Code of Conduct for United States Judges and other applicable authority in resolving any conflicts of interest.

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 consider pro bono activities and mentoring to be an important part of my commitment to the legal profession. Since law school, I have participated in pro bono, mentoring, and community activities in Massachusetts, Washington, D.C., and California. For example, as a law student, I represented Central American asylum seekers and low-income tenants before local housing authorities. Later, while working in Washington, D.C., I was involved in a variety of pro bono activities. I worked with the Korean American Alliance to organize citizenship drives providing assistance to lawful permanent residents completing naturalization applications. I also tutored Vietnamese elementary school students. After moving to Los Angeles, I participated in a local bar association's effort to provide free legal advice for people who could not afford a lawyer.

As a judge, I served on multiple occasions as a volunteer judge for special court sessions organized for the homeless, and specifically for homeless veterans in the East Bay and the South Bay. I also have volunteered with St. Vincent de Paul's Food Pantry and Habitat for Humanity as well as sorted Christmas gifts at the Family Giving Tree warehouse. I have taken my law clerks for several years to volunteer at the Loaves & Fishes Family Kitchen and Martha's Kitchen.

To support the court's continuing community outreach efforts, I have hosted elementary, junior high, and high school students and senior citizens in the Courthouse. In addition, I have mentored high school and college students through local high schools and the Asian Pacific American Leadership Institute. I have frequently volunteered to judge mock trials, moot court competitions, and speech contests, including a 2015 fifth grade mock trial; the 2011 Santa Clara University School of Law Galloway Moot Court Competition; the 2008, 2009, and 2011 Stanford Law School Kirkwood Moot Court Competitions; the 2006, 2008, 2009, and 2010 National Asian Pacific American Bar Association's Regional and/or National Moot Court Competitions; the 2009 Organization of Chinese Americans,

Inc. Speak and Lead with Pride high school speech contest; the 2008 and 2009 Santa Clara County High School Mock Trial Tournaments; and the 2008 and 2009 Santa Clara University Trial Techniques Class.

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.

Senator Dianne Feinstein has established a bipartisan Judicial Advisory Committee for screening, interviewing, and recommending candidates for the federal judiciary throughout the state. On September 28, 2015, I sent a letter expressing my interest in being considered for the opening on the U.S. Court of Appeals for the Ninth Circuit to the State Chair of Senator Feinstein's Judicial Advisory Committee. On October 12, 2015, I completed Senator Feinstein's application form and submitted my application. On October 30, 2015, I interviewed with Senator Feinstein's Judicial Advisory Committee in San Diego, California. On January 6, 2016, an attorney from the White House Counsel's Office notified me that I would be considered for the opening on the Ninth Circuit. Since January 6, 2016, I have been in contact with attorneys from the Office of Legal Policy at the U.S. Department of Justice and Senator Feinstein's Judiciary Committee staff. On February 18, 2016, I met with Senator Feinstein's Judiciary Committee staff and interviewed with attorneys from the White House Counsel's Office and the Department of Justice in Washington, D.C. On February 25, 2016, the President submitted my nomination to the Senate.

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

No.

**FINANCIAL DISCLOSURE REPORT
NOMINATION FILING**

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

1. Person Reporting (last name, first, middle initial) Koh, Lucy H.	2. Court or Organization 9th Circuit	3. Date of Report 03/01/2016
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Circuit Judge	5a. Report Type (check appropriate type) ☒ Nomination Date 2/25/2016 ☐ Initial ☐ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2015 to 02/26/2016
7. Chambers or Office Address 280 South First Street San Jose, California 95113		
IMPORTANT NOTES: <i>The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information.</i>		

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

☒ **NONE** (No reportable positions.)

	<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1.		
2.		
3.		
4.		
5.		

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

☒ **NONE** (No reportable agreements.)

	<u>DATE</u>	<u>PARTIES AND TERMS</u>
1.		
2.		
3.		

FINANCIAL DISCLOSURE REPORT

Page 2 of 6

Name of Person Reporting

Koh, Lucy H.

Date of Report

03/01/2016

III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see pp. 17-24 of filing instructions.)***A. Filer's Non-Investment Income**☒ NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1.		
2.		
3.		
4.		

B. Spouse's Non-Investment Income - *If you were married during any portion of the reporting year, complete this section.**(Dollar amount not required except for honoraria.)*☐ NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>
1. 2015-2016	Stanford University -- salary
2. 2015-2016	State of California -- salary
3. 2015-2016	Thomson West -- book royalty
4. 2016	Harvard University -- salary

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

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

FINANCIAL DISCLOSURE REPORT

Page 3 of 6

Name of Person Reporting

Koh, Lucy H.

Date of Report

03/01/2016

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

	<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
1.	Exempt		
2.			
3.			
4.			
5.			

VI. LIABILITIES. *(Includes those of spouse and dependent children; see pp. 32-33 of filing instructions.)*☒NONE *(No reportable liabilities.)*

	<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1.			
2.			
3.			
4.			
5.			

FINANCIAL DISCLOSURE REPORT

Page 4 of 6

Name of Person Reporting

Koh, Lucy H.

Date of Report

03/01/2016

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

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

A. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. Wells Fargo Accounts	A	Interest	L	T					
2. State of California Savings Plus Program		None	J	T					
3. American Funds Washington Mutual R6		None	L	T					
4. IronBridge Small Cap Fund		None	L	T					
5. Dodge & Cox Balanced		None	L	T					
6. PIMCO Total Return Instl		None	L	T					
7. Vanguard Target Retirement 2035 Inv		None	K	T					
8. Vanguard Target Retirement 2035		None	N	T					
9. Aston Fairpointe Mid Cap	C	Dividend	L	T					
10. AllianceBernstein CollegeBoundfund Moderate Growth 2002-2004		None	K	T					
11. TIAA CREF ScholarShare Active Age- Based Portfolio		None	K	T					
12.									
13.									
14.									
15.									
16.									
17.									

1. Income Gain Codes:
(See Columns B1 and D4)

A = \$1,000 or less
F = \$50,001 - \$100,000

B = \$1,001 - \$2,500
G = \$100,001 - \$1,000,000

C = \$2,501 - \$5,000
H1 = \$1,000,001 - \$5,000,000

D = \$5,001 - \$15,000
H2 = More than \$5,000,000

E = \$15,001 - \$50,000

2. Value Codes
(See Columns C1 and D3)

J = \$15,000 or less
N = \$250,001 - \$500,000
P3 = \$25,000,001 - \$50,000,000

K = \$15,001 - \$50,000
O = \$500,001 - \$1,000,000

L = \$50,001 - \$100,000
P1 = \$1,000,001 - \$5,000,000
P4 = More than \$50,000,000

M = \$100,001 - \$250,000
P2 = \$5,000,001 - \$25,000,000

3. Value Method Codes
(See Column C2)

Q = Appraisal
U = Book Value

R = Cost (Real Estate Only)
V = Other

S = Assessment
W = Estimated

T = Cash Market

FINANCIAL DISCLOSURE REPORT

Page 5 of 6

Name of Person Reporting

Koh, Lucy H.

Date of Report

03/01/2016

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

FINANCIAL DISCLOSURE REPORT

Page 6 of 6

Name of Person Reporting

Koh, Lucy H.

Date of Report

03/01/2016

IX. CERTIFICATION.

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

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

Signature: **s/ Lucy H. Koh**

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

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

FINANCIAL STATEMENT

NET WORTH

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

ASSETS				LIABILITIES			
Cash on hand and in banks		73	101	Notes payable to banks-secured			
U.S. Government securities				Notes payable to banks-unsecured			
Listed securities – see schedule		900	486	Notes payable to relatives			
Unlisted securities – see schedule				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due			
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgages payable – see schedule	1	867	831
Real estate owned-add schedule	3	150	000	Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property		18	000				
Cash value-life insurance							
Other assets itemize:							
				Total liabilities	1	867	831
				Net Worth	2	273	756
Total Assets	4	141	875	Total liabilities and net worth	4	141	587
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?	Yes		
Legal Claims				Have you ever taken bankruptcy?	No		
Provision for Federal Income Tax							
Other special debt							

FINANCIAL STATEMENT

NET WORTH SCHEDULES

Listed Securities

State of California Savings Plus Program	\$ 8,762.91
American Funds Washington Mutual R6	\$ 59,868.67
IronBridge Small Cap Fund	\$ 58,978.65
Dodge & Cox Balanced	\$ 54,529.55
PIMCO Total Return Instl	\$ 58,004.05
Vanguard Target Retirement 2035 Inv	\$ 48,015.75
Vanguard Target Retirement 2035	\$ 428,378.33
Aston Fairpointe Mid Cap	\$ 52,215.81
AllianceBernstein CollegeBoundfund	\$ 39,547.46
TIAA CREF ScholarShare	\$ 15,820.46
Thrift Savings Plan	\$ 76,365.02
Total Listed Securities	\$ 900,486.66

Auto

One Family Car	\$ 18,000
Total Auto	\$ 18,000

Real Estate Owned

Personal Residence	\$ 3,150,000
Total Real Estate Owned	\$ 3,150,000

Real Estate Mortgages Payable

Personal Residence	\$ 1,867,831
Total Real Estate Mortgages Payable	\$ 1,867,831

AFFIDAVIT

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

February 25, 2016
(DATE)

Lucy Haeran Koh
(NAME)

Henry W. Li
(NOTARY)

