

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Dax Eric López

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

United States District Court Judge for the Northern District of Georgia

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.

DeKalb County Courthouse
556 North McDonough Street, Suite 3240
Decatur, Georgia 30030

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

1975; Ponce, Puerto Rico

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.

1998 – 2001, Vanderbilt Law School, J.D., 2001
1994 – 1998, Vanderbilt University, B.S. in Political Science, 1998

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
DeKalb County Courthouse
556 North McDonough Street, Suite 3240
Decatur, Georgia 30030
State Court Judge for DeKalb County

2008 – 2010
Foltz Martin LLC (dissolved in 2014)
Five Piedmont Center
3525 Piedmont Road Northeast, Suite 750
Atlanta, Georgia 30305
Associate Attorney

2005 – 2008
Ashe, Rafuse & Hill, LLP (acquired by Polsinelli in 2014)
1355 Peachtree Street Northeast, Suite 500
Atlanta, Georgia 30309
Associate Attorney

May – July 1999; July – August 2000; 2002 – 2005
Holland & Knight, LLP
1201 West Peachtree Street Northwest, Suite 2000
Atlanta, Georgia 30309
Associate Attorney (2002 – 2005)
Summer Associate (May – July 1999, July – August 2000)

2001 – 2002
United States District Court for the District of Puerto Rico
150 Carlos Chardon Street
San Juan, Puerto Rico 00918
Law Clerk to the Honorable Hector Laffitte, Chief Judge

May – July 2000; May – June 2001
Crowell & Moring
1001 Pennsylvania Avenue Northwest
Washington, District of Columbia 20004
Summer Associate

July – August 1999; August 2000
Maynard, Cooper & Gale
1901 Sixth Avenue North, Suite 2400
Birmingham, Alabama 35203
Summer Associate

June – August 1998
Ramos & Ramos (firm appears to have dissolved)
Nashville, Tennessee
Summer Intern

Other Affiliations (uncompensated):

2006 – present

Georgia Hispanic Bar Association
No physical address
Board of Directors (2008 – present)
President (2006 – 2008)

2004 – 2015
Georgia Association of Latino Elected Officials
1100 Peachtree Street, Northeast, Suite 2800
Atlanta, Georgia 30309
Board of Directors

2014 – 2015
DeKalb Bar Association
755 Commerce Drive
Decatur, Georgia 30030
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 U.S. Military. I have timely 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.

YLD Award of Excellence, Young Lawyers Division, State Bar of Georgia (2015)
Journey Award, Caminar Latino (2013)
Seth Kirschenbaum Diversity Award, Multi-Bar Leadership Council (2012)
2011 40 under 40, *Georgia Trend Magazine* (2011)
2011 Rising Stars, *Fulton Daily Report* (2011)
Distinguished Elected Official Recognition, *Mundo Hispánico* (2010)
Rising Star in Civil Litigation Defense, *SuperLawyer Magazine* (March 2009 & 2010)
Georgia's Legal Elite in Employment Law, *Georgia Trend Magazine* (December 2009)
Top 50 Industry Leaders, *Atlanta Business Chronicle* (2008)
Phillip G. Davidson Memorial Award, Vanderbilt Law School (2001)
Phi Delta Phi, International Legal Fraternity (2000)
Best Oralist Award, Vanderbilt Law School (1999)

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

American Bar Association

Employment Section (2003 – present)
Litigation Section (2003 – present)
Judicial Section (2011 – present)
American Bar Foundation Fellow (2005 – present)
Atlanta Bar Association
Executive Committee of the Judicial Section (2014 – present)
DeKalb Bar Association
Board of Directors (2014 – 2015)
Georgia Hispanic Bar Association
President (2006 – 2008)
Board of Directors (2008 – present)
Georgia State Bar Association
Executive Committee of the Judicial Section (2014 – present)
Member of the Board of Governors (2015 – present)
Hispanic National Bar Association
Moot Court Planning Committee Chair (2013)
Lamar Inn of Court
Executive Committee Member (2013 – present)

10. **Bar and Court Admission:**

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

Georgia, 2002

There has been no lapse in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

United States District Court for the District of Puerto Rico, 2002
United States District Court for the Northern District of Georgia, 2003
United States District Court for the Middle District of Georgia, 2005
Georgia Court of Appeals, 2004
Supreme Court of Georgia, 2007

There have been no lapses in membership. As I am a judge and no longer practice or reside in Puerto Rico, I did not renew my membership in the U.S. District Court for the District of Puerto Rico in 2013.

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.

Anti-Defamation League Glass Leadership Institute (2006)
Caminar Latino Advisory Board (2013 – present)
Coverdell Leadership Institute (2007)
Emory University’s Board of Visitors (2012 – 2015)
Federalist Society, Atlanta Chapter
 Board of Advisors (2011 – present)
Georgia Association of Latino Elected Officials
 Board of Directors (2004 – 2015)
Georgia Commission on Interpreters (2015 – present)
Lawyers Club of Atlanta (2012 – present)
Leadership DeKalb (2011)
Vanderbilt Law School National Council (2005 – 2007)

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

To the best of my knowledge, none of the organizations to which I have belonged have now or in the past invidiously discriminated against anyone based on 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.

A New Era of Civility, Young Lawyers Division Newsletter, Fall 2012. Copy supplied.

Pro and Con; Should Trial Lawyers Jump on the Emerging Technologies Bandwagon to Speak to Juries?, Atlanta-Journal Constitution, August 9, 2009. Copy supplied.

Letter to the Board of Regents Regarding In-State Tuition, May 17, 2007. Copy supplied.

Ongoing Developments in CCA Lawsuits, Deck Builder Magazine, 2004. I have been unable to find a copy of this article either in my files or online.

Not Twice for the Same: How the Dual Sovereignty Doctrine Is Used to Circumvent Non Bis In Idem, 33 Vand. J. Transnat'l Law 1263 (2000). Copy supplied.

During my campaign to retain my judgeship in 2012, I maintained a campaign website at www.dax4dekalb.com, which is currently hosted at www.hegllc.org/judgedax. Much of the content found on the website was created by a webmaster, but I did approve the content of the website and provide biographical information used as part of the "About" section. For the 2012 election, I also maintained a Facebook page, available at www.facebook.com/JudgeDaxLopez, and a Twitter account, available at <http://twitter.com/judgedaxlopez>.

- 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.

Letter to Governor Sonny Perdue Requesting Veto of Senate Bill 350, April 21, 2008. Copy supplied.

Letter to Governor Sonny Perdue Requesting Veto of House Bill 978, April 21, 2008. Copy supplied.

While I was a member of the Georgia Association of Latino Elected Officials, I helped to edit the following two reports: *Immigration: Facts, Myths, and Public Policy*, Volumes I and II, September 29, 2005. Copies supplied.

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

For my judicial retention campaign, I may have submitted a few questionnaires to organizations. I did not retain a copy of these submissions.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered

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

August 5, 2015: Guest Speaker, Professionalism, Georgia Latino Law Foundation, Atlanta, Georgia. I discussed how to succeed in law school and how to be an ethical and professional lawyer. I have no notes, transcript or recording. The Georgia Latino Law Foundation has no mailing address.

August 1, 2015: Guest Speaker, A Judge's Reflections on Professionalism, Auto Torts Conference, Georgia Trial Lawyers Association, Destin, Florida. Notes supplied.

June 15, 2015: Award Recipient, End of the Year Social, Young Lawyers Division of the State Bar of Georgia, Atlanta, Georgia. I thanked the Young Lawyers Division for the award and spoke of the importance of getting involved with the organization. I have no notes, transcript or recording. The address for the Young Lawyers Division of the State Bar of Georgia is 104 Marietta Street Northwest, Suite 100, Atlanta, Georgia 30303.

May 28, 2015: Guest Speaker, Reception Honoring the Appointment of Judge Dean Bucci, Georgia Hispanic Bar Association, Atlanta, Georgia. I discussed the importance of judicial diversity and I applauded the appointment of Judge Bucci. I have no notes, transcript or recording. The address for the Georgia Hispanic Bar Association is Post Office Box 77205, Atlanta, Georgia 31119.

May 16, 2015: Panel Speaker, Exploring a Uniform Standard for Working with Certified Interpreters in Georgia, National Association of Judicial Interpreters and Translators, Atlanta, Georgia. I discussed the need to adopt a uniform standard for the use and regulation of interpreters. I have no notes, transcript or recording. The address for the National Association of Judicial Interpreters and Translators is 1901 Pennsylvania Avenue Northwest, Suite 804, Washington, District of Columbia 20006.

May 13, 2015: Presenter, Language Access Demystified: Beneficial Insight on the Necessity of Qualified Interpreters, Council of State Court Judges, Athens, Georgia. Outline supplied.

April 30, 2015: Keynote Speaker, Awards Gala, Hispanic Organization Promoting Education, Atlanta, Georgia. I discussed my path to the bench and how to overcome obstacles on the way to meeting your goals. I have no notes,

transcript or recording, but press coverage is supplied. The address for the Hispanic Organization Promoting Education is Post Office Box 994, Buford, Georgia 30515.

March 26 – 27, 2015: Panel Speaker, Trial Techniques and Reoccurring Issues in the Courtroom, Toxic Tort and Environmental Law Seminar, Defense Research Institute, Austin, Texas. Notes supplied.

March 21, 2015: Speaker, Laying the Foundation for a Successful Future, Morris Manning & Martin, Atlanta, Georgia. I discussed how to be successful in law school and in the legal profession. I have no notes, transcript or recording. The address for Morris Manning & Martin is 1600 Atlanta Financial Center, 3343 Peachtree Road, Atlanta, Georgia 30326.

February 19, 2015: Guest Speaker, Pre-Trial Brief Writing Class, Emory Law School, Atlanta, Georgia. I discussed general tips on how to improve legal writing so that it is more persuasive. I have no notes, transcript or recording. The address for Emory Law School is 1301 Clifton Road Northeast, Atlanta, Georgia 30322.

January 28, 2015: Panel Speaker, Ethics and the Duty of Candor: Practical Applications and Challenges for the Trial Lawyer, Carlson on Evidence, 2015 Seminar, State Bar of Georgia, Atlanta, Georgia. I discussed ethical considerations related to certain evidentiary matters. I have no notes, transcript or recording. The address for the State Bar of Georgia is 104 Marietta Street Northwest, Atlanta, Georgia 30303.

December 12, 2014: Panel Speaker, Ethics Hour with the Trial Court, Georgia Trial Lawyers Association, Atlanta, Georgia. I discussed ethical dilemmas faced by trial lawyers. I have no notes, transcript or recording. The address for the Georgia Trial Lawyers Association is 101 Marietta Street Northwest # 3350, Atlanta, Georgia 30303.

December 2, 2014: Panel Speaker, CLE by the Hour, Atlanta Bar Association, Atlanta, Georgia. I discussed effective trial techniques to persuade a jury. I have no notes, transcript or recording. The address for the Atlanta Bar Association is 229 Peachtree Street Northeast, Suite 400, Atlanta, Georgia 30303.

November 12, 2014: Panel Speaker, Access to Justice: Perspectives, Best Practices and Challenges for the Court Interpreter, National Association of Judiciary Interpreters & Translators, Lawrenceville, Georgia. I discussed the importance of using qualified interpreters in the courtroom when dealing with limited English proficient individuals and the issues that arise from using non-certified interpreters. I have no notes, transcript or recording. The address for the National Association of Judiciary Interpreters & Translators is 1901 Pennsylvania Avenue Northwest, Suite 804, Washington, District of Columbia 20006.

November 7, 2014: Panel Speaker, As Judges See It: Top Mistakes Lawyers Make in Civil Litigation, National Business Institute, Atlanta, Georgia. I used the same notes that were provided for the seminar conducted in Austin in March 2015.

October 2, 2014: Panel Speaker, How to Raise the Bar on Ethics in DeKalb County, Leadership DeKalb, Atlanta, Georgia. I discussed the need for the creation of safeguards to ensure that elected officials in DeKalb County are abiding by the established ethical rules and regulations. I have no notes, transcript or recording. The address for Leadership DeKalb is 315 West Ponce De Leon Avenue #1069, Decatur, Georgia 30030.

October 2, 2014: Keynote Speaker, 2014 Hispanic Heritage Month Celebration, Food and Drug Administration, Atlanta, Georgia. I discussed my path to the bench and the contributions of Latinos to the United States. I have no notes, transcript or recording. The address for the Food and Drug Administration is 60 Eighth Street Northeast, Atlanta, Georgia 30309.

September 30, 2014: Panel Speaker, New Age Diversity at the Top of the Legal Field, Emory Black Law Student Association Lecture Series, Emory Law School, Atlanta, Georgia. I discussed the importance of diversity in the legal profession. I have no notes, transcript or recording, but press coverage is supplied. The address for Emory Law School is 1301 Clifton Road Northeast, Atlanta, Georgia 30322.

September 24, 2014: Panel Speaker, Identifying and Overcoming Unconscious Bias, Georgia Diversity Program Fall CLE and Luncheon, State Bar of Georgia, Atlanta, Georgia. I discussed some of the unconscious biases that may exist in the legal profession and in the criminal justice system and how to prevent these biases from impacting judicial decisions. I have no notes, transcript or recording, but press coverage is supplied. The address for the State Bar of Georgia is 104 Marietta Street Northwest, Atlanta, Georgia 30303.

September 23, 2014: Panel Speaker, Diversity on the Bench – Why It Matters, Constitution Day, Georgia College, Milledgeville, Georgia. I discussed the importance of increasing diversity in the legal profession and on the bench and the benefits of doing so. I have no notes, transcript or recording. The address for Georgia College is 231 Oconee River Greenway, Milledgeville, Georgia 31061.

September 18, 2014: Keynote Speaker, Ordinary People Doing Extraordinary Things, Todos Somos Heroes Award Luncheon for Hispanic Heritage Month, Telemundo Atlanta, Atlanta, Georgia. Notes supplied.

September 10, 2014: Panel Speaker, Courtroom Etiquette, Top Mistakes Made by Attorneys and Tips to Help New Attorneys, Atlanta Bar Association, Atlanta, Georgia. I discussed the trial techniques that are effective during a jury trial. I have no notes, transcript or recording. The address for the Atlanta Bar Association

is 229 Peachtree Street Northeast, Suite 400, Atlanta, Georgia 30303.

August 21, 2014: Panel Speaker, Specialize to Succeed, State Bar of Georgia, Atlanta, Georgia. I discussed the trial techniques that are effective during a jury trial. I have no notes, transcript or recording. The address for the State Bar of Georgia is 104 Marietta Street Northwest, Atlanta, Georgia 30303.

August 1, 2014: Panel Speaker, Professionalism, Environmental Law Seminar, Environmental Law Section of the State Bar of Georgia, Saint Simons Island, Georgia. I used the same notes that were provided for the conference conducted in Florida in August 2015.

July 24, 2014: Speaker, Untitled Event, Atlanta Young Jewish Attorneys Network, Atlanta, Georgia. I discussed my path to an appointment to the bench and I described the benefits of the DUI Court over which I preside. I have no notes, transcript or recording. The Atlanta Young Jewish Attorneys Network has no mailing address.

June 17, 2014: Panel Speaker, Charla and Challah, Georgia Association of Latino Elected Officials and the American Jewish Committee, Sandy Springs, Georgia. I discussed how being a Puerto Rican and a Jew has enriched my life and the similarities between these two cultures. I have no notes, transcript or recording. The address for the Georgia Association of Latino Elected Officials is 1100 Peachtree Street, Suite 2800, Atlanta, Georgia 30309.

April 17, 2014: Panel Speaker, Diversity in the Legal Profession, Leadership Academy of the Young Lawyers Division of the Georgia State Bar, Atlanta, Georgia. I spoke of the importance of diversity in the legal profession and provided tips for minority lawyers to succeed in a law firm. I have no notes, transcript or recording. The address for the Young Lawyers Division of the State Bar of Georgia is 104 Marietta Street Northwest, Suite 100, Atlanta, Georgia 30303.

March 22, 2014: Judge, Intrastate Moot Court Competition, Young Lawyers Division of the State Bar of Georgia, Atlanta, Georgia. I was one of several judges that presided over the championship round of the competition. I have no notes, transcript or recording. The address for the Young Lawyers Division of the State Bar of Georgia is 104 Marietta Street Northwest, Suite 100, Atlanta, Georgia 30303.

March 6, 2014: Panel Speaker, Handling Fall Cases Professionally, Institute of Continuing Legal Education at the State Bar of Georgia, Atlanta, Georgia. I used the same notes that were provided for the seminar conducted in Austin in March 2015.

March 1, 2014: Panel Speaker, First-Year Law Student Workshop: Paying It

Forward, Morris, Manning and Martin, Atlanta, Georgia. I discussed my path to the bench and how to overcome obstacles. I have no notes, transcript or recording. The address for Morris, Manning and Martin is Atlanta Financial Center, East Tower, 3343 Peachtree Road Northeast, Atlanta, Georgia 30326.

February 21, 2014: Panel Speaker, Trial Judges Talk: What Works and What Irks, Atlanta Bar Association Litigation Section and Atlanta Bar CLE, Atlanta, Georgia. I used the same notes that were provided for the seminar conducted in Austin in March 2015.

February 20, 2014: Panel Speaker, Eliminating Barriers to Justice: Addressing Ethical Obligations, Cultural Competency, and Best Practices for Ensuring Meaningful Language Access in Georgia Courts, John Marshall Law School, Atlanta, Georgia. I discussed the issues facing limited English proficient individuals and how to increase their access to the courts by the use of qualified interpreters. I have no notes, transcript or recording. The address for John Marshall Law School is 1422 West Peachtree Street Northwest, Atlanta, Georgia 30309.

February 18, 2014: Panel Speaker, Presentation on New Evidence Code, Lamar Inn of Court, Atlanta, Georgia. Presentation supplied.

January 17, 2014: Master of Ceremonies, DeKalb County: Celebrating Life, Freedom and Diversity, 30th Annual Martin Luther King Jr. Celebration, Decatur, Georgia. As the master of ceremonies, I gave welcoming remarks and introduced the various speakers at this event. I have no notes, transcript or recording. The address for DeKalb County is 1300 Commerce Drive, Decatur, Georgia 30030.

October 3, 2013: Award Recipient, Gracias Party, Caminar Latino, Atlanta, Georgia. I thanked Caminar Latino for the award and spoke of the importance of working to end domestic violence. I have no notes, transcript or recording. The address for Caminar Latino is Post Office Box 40623, Doraville, Georgia 30362.

October 3, 2013: Panel Speaker, The Importance of Diversity in the Courtroom, 21st Annual State Bar Diversity Program, State Bar of Georgia, Atlanta, Georgia. I discussed the importance of increasing diversity in the legal profession and on the bench and the benefits of doing so. I have no notes, transcript or recording, but press coverage is supplied. The address for the State Bar of Georgia is 104 Marietta Street Northwest, Atlanta, Georgia 30303.

September 6, 2013: Panel Speaker, Secrets to a Successful Plaintiff's Personal Injury Practice, Institute of Continuing Legal Education in Georgia, Atlanta, Georgia. I discussed effective trial techniques to persuade a jury. I have no notes, transcript or recording, but I focused my remarks primarily on general trial techniques. The address for the Institute of Continuing Legal Education in Georgia is 248 Prince Avenue, Athens, Georgia 30601.

August 19, 2013: Speaker, Lawrenceville City Council Races and How to Run for Local Office, Asian American Legal Advocacy Center, Lawrenceville, Georgia. I gave introductory and welcome remarks and spoke briefly about the importance of getting involved in races for local government positions. I have no notes, transcript or recording. The address for the Asian American Legal Advocacy Center (now known as Asian Americans Advancing Justice) is Post Office Box 922021, Norcross, Georgia 30010.

August 16, 2013: Guest Speaker, Professionalism Program, Emory Law School, Atlanta, Georgia. I led a group discussion in which we would read a real life scenario and the students would discuss the ethical implications. I have no notes, transcript or recording. The address for Emory Law School is 1301 Clifton Road Northeast, Atlanta, Georgia 30322.

June 29, 2013: Panel Speaker, How to Campaign for Elected Office, the Georgia Association of Latino Elected Officials, Atlanta, Georgia. I discussed my view of the best techniques and strategies for mounting an effective campaign for elected office. I have no notes, transcript or recording. The address for the Georgia Association of Latino Elected Officials is 1100 Peachtree Street, Suite 2800, Atlanta, Georgia 30309.

June 14, 2013: Guest Speaker, Boy Scouts of America at Chamblee First United Methodist Church, Chamblee, Georgia. I discussed the role of the judiciary in our system of government, and the role of the judge in our justice system. I have no notes, transcript or recording. The address for Chamblee First United Methodist Church is 4147 Chamblee Dunwoody Road, Chamblee, Georgia 30341.

June 11, 2013: Guest Speaker, Importance of Accountability Courts, 42nd Senate District Meeting, DeKalb GOP, Decatur, Georgia. I discussed how the DUI Court of DeKalb County works and the benefit such a program provides to the community as a whole. I have no notes, transcript or recording. The address for the DeKalb GOP is 1532 Dunwoody Village Parkway, Suite 100, Atlanta, Georgia 30338.

May 28, 2013: Guest Speaker, Leadership Academy, Young Lawyers Division of the State Bar of Georgia, Atlanta, Georgia. I discussed my path to an appointment on the DeKalb State Court and how to overcome the obstacles that may arise in one's legal career. I have no notes, transcript or recording. The address for the Young Lawyers Division of the State Bar of Georgia is 104 Marietta Street Northwest, Suite 100, Atlanta, Georgia 30303.

May 16, 2013: Panel Speaker, Car Accident Cases and Evidentiary Issues, Annual Convention, Georgia Trial Lawyers Association, Atlanta, Georgia. I discussed the latest developments in the law relating to common evidentiary issues that arise in automobile negligence cases. I have no notes, transcript or recording. The

address for the Georgia Trial Lawyers Association is 101 Marietta Street Northwest # 3350, Atlanta, Georgia 30303.

May 7, 2013: Career Day Speaker, Lilburn Middle School, Lilburn, Georgia. I described how I became a judge and what a judge's role is in the justice system. I have no notes, transcript or recording. The address for Lilburn Middle School is 4994 Lawrenceville Highway, Lilburn, Georgia 30047.

March 21, 2013: Panel Speaker, The Need for Greater Diversity in the Legal Profession, Leadership Academy, Young Lawyers Division of the State Bar of Georgia, Atlanta, Georgia. I discussed the importance of increasing diversity in the legal profession and on the bench and the benefits of doing so. I have no notes, transcript or recording. The address for the Young Lawyers Division of the State Bar of Georgia is 104 Marietta Street Northwest, Suite 100, Atlanta, Georgia 30303.

March 19, 2013: Panel Speaker, Preserving Objections for Appeal, Lamar Inn of Court, Atlanta, Georgia. I discussed the best methods for preserving objections at trial for potential appellate review. I have no notes, transcript or recording. The address for the Lamar Inn of Court is 1301 Clifton Road Northeast, Atlanta, Georgia 30322.

March 14, 2013: Panel Speaker, Trial Techniques, Midyear Conference, Hispanic National Bar Association, Atlanta, Georgia. I used the same notes that were provided for the seminar conducted in Austin in March 2015.

March 2, 2013: Presided over an auction, Young Lawyers Division of the State Bar of Georgia, Atlanta, Georgia. I served as the auctioneer for a live auction. I have no notes, transcript or recording. The address for the Young Lawyers Division of the State Bar of Georgia is 104 Marietta Street Northwest, Suite 100, Atlanta, Georgia 30303.

February 28, 2013: Panel Speaker, Diversity on the Bench, American Constitution Society, Black Law Students Association and Hispanic Law Students Association, University of Georgia School of Law, Athens, Georgia. I discussed the importance of increasing judicial diversity on state courts. I have no notes, transcript or recording, but representative press coverage is supplied. The address for the University of Georgia School of Law is 225 Herty Drive, Athens, Georgia 30602.

January 15, 2013: Guest Speaker, Trial Techniques, Bankruptcy Section Breakfast, Atlanta Bar Association, Atlanta, Georgia. I discussed effective trial techniques to use in a bench trial. I have no notes, transcript or recording. The address for the Atlanta Bar Association is 229 Peachtree Street Northeast, Suite 400, Atlanta, Georgia 30303.

December 12, 2012: Panel Speaker, Behind the Scenes, Professionalism CLE By the Hour, Atlanta Bar Association, Atlanta, Georgia. I discussed the importance and benefit of being a professional and ethical attorney. I have no notes, transcript or recording. The address for the Atlanta Bar Association is 229 Peachtree Street Northeast, Suite 400, Atlanta, Georgia 30303.

December 6, 2012: Guest Speaker, DUI Bar Seminar, Institute for Continuing Legal Education, Atlanta, Georgia. I discussed ethical considerations that arise in DUI trials. I have no notes, transcript or recording. The address for the Institute of Continuing Legal Education is 248 Prince Avenue, Athens, Georgia 30601.

October 18, 2012: Guest Speaker, Trial Techniques, Small Firms Section of the Atlanta Bar Association, Atlanta, Georgia. I used the same notes that were provided for the seminar conducted in Austin in March 2015.

October 8, 2012: Speaker, Domestic Violence Workshop, Athena's Warehouse, Atlanta, Georgia. I discussed the domestic violence cycle and some ways to avoid it. I have no notes, transcript or recording. The address for Athena's Warehouse is 212 Flora Avenue Northwest, Atlanta, Georgia 30307.

September 28, 2012: Award Recipient, Multi-Bar Leadership Council, Atlanta, Georgia. I thanked the Council for the award and spoke of the importance of mentoring young lawyers. I have no notes, transcript or recording. The address for the Multi-Bar Leadership Council is 229 Peachtree Street Northeast, Suite 400, Atlanta, Georgia 30303.

September 7, 2012: Speaker, Electoral Victory Party, Coco Cabana Restaurant, Tucker, Georgia. I thanked campaign contributors and volunteers for their support and expressed my intent to continue to work to be a fair and impartial judge for the citizens of DeKalb County. I have no notes, transcript, or recording. The address for Coco Cabana is 4073 Lavista Road, Tucker, Georgia 30084.

July 18, 2012: Guest Speaker, Trial Techniques and Trial Preparation, New Lawyers Division of Georgia Trial Lawyers Association, Atlanta, Georgia. I used the same notes that were provided for the seminar conducted in Austin in March 2015.

July 12, 2012: Panel Speaker, Discussion on Latino Candidates in the 2012 Election, National Association of Hispanic Journalists, Atlanta, Georgia. I discussed the importance of having more Latinos in Georgia run for office at all levels and some of the issues one must consider before making the decision to run for office. I have no notes, transcript, or recording. The National Association of Hispanic Journalists has no mailing address.

September 2011 – July 2012: I gave a number of campaign speeches and participated in debates while running to retain my position as a DeKalb County

state court judge. Although I do not recall the specific dates or locations of all these speaking engagements, after a diligent search of my records and the Internet, I have identified the events below. In addition, I spoke to various civic, community, and professional organizations including the DeKalb Bar Association, Ray of Hope Baptist Church, the South DeKalb Business Association, the DeKalb Republican Party, the Stan Watson Community Breakfast, and numerous homeowners' association meetings throughout DeKalb County. I also appeared at various forums. At all events, I generally spoke about my role as a judge, the role of the judiciary in our system of government, the DeKalb County DUI court over which I preside, and issues relating to the judiciary generally. These public speeches were always made extemporaneously. I have no notes, transcripts or recordings.

June 30, 2012: Speaker, Campaign Fundraiser, sponsored by Andy and Mary Beth Oxley, Decatur, Georgia. I thanked the attendees for their contributions and discussed the goals I hoped to achieve as judge if elected. I have no notes, transcript or recording.

June 11, 2012: Guest Speaker, Monthly Meeting, Oakhurst Neighborhood Association, Decatur, Georgia. I discussed the reasons why I should retain my seat as a state court judge and the benefits of the DUI court program to the community. I have no notes, transcript or recording. The Oakhurst Neighborhood Association has no mailing address.

June 9, 2012: Keynote Speaker, Univision's Liga de Campeones Scholarship Ceremony, Univision Atlanta, Atlanta, Georgia. Notes supplied.

June 7, 2012: Campaign Fundraiser, sponsored by Williams and Teusink, LLC, Decatur, Georgia. I thanked the attendees for their contributions and discussed the goals I hoped to achieve as judge if elected. I have no notes, transcript or recording. The address for Williams and Teusink, LLC, is 309 Sycamore Street, Decatur, Georgia 30030.

June 6, 2012: Campaign Fundraiser, sponsored by Rocio Woody and Frank Figueroa, Dunwoody, Georgia. I thanked the attendees for their contributions and discussed the goals I hoped to achieve as judge if elected. I have no notes, transcript or recording.

May 21, 2012: Guest Speaker, Campaign Remarks, Candler Park Neighborhood Organization, Atlanta, Georgia. I discussed the role of the state court and the benefits of the DUI court program to the community. I have no notes, transcript or recording. The Candler Park Neighborhood Organization does not have a physical or mailing address.

May 18, 2012: Guest Speaker, Trial Techniques and Professionalism, Common Mistakes Made by Young Lawyers, The Law Offices of Michael Lawson Neff,

P.C., Decatur, Georgia. I used the same notes that were provided for the seminar conducted in Austin in March 2015.

May 16, 2012: Speaker, Ninth Annual Power Breakfast, Georgia Association of Latino Elected Officials, Stone Mountain, Georgia. I gave a brief welcome to the event and discussed the organization's achievements generally. I have no notes, transcript or recording. The address for the Georgia Association of Latino Elected Officials is 1100 Peachtree Street, Suite 2800, Atlanta, Georgia 30309.

May 8, 2012: Career Day Speaker, Rewriting the Future, Lilburn Middle School, Lilburn, Georgia. I described how I became a judge and what a judge's role is in the justice system. I have no notes, transcript or recording. The address for Lilburn Middle School is 4994 Lawrenceville Highway, Lilburn, Georgia 30047.

April 25, 2012: Speaker, Women Attorneys for Judge Dax Lopez, the Committee to Elect Judge Dax Lopez, Atlanta, Georgia. Video is available at <https://www.youtube.com/watch?v=S9hnJkPNL8E>.

April 18, 2012: Moot Court Judge, Atlanta John Marshall Law School Oral Advocacy Competition, Atlanta, Georgia. I served on a panel of moot court judges during the championship round. I have no notes, transcript or recording. The address for the John Marshall Law School is 1422 West Peachtree Street Northwest, Atlanta, Georgia 30309.

April 12, 2012: Panel Speaker, The Practical Applications of the Law, State Bar of Georgia, Atlanta, Georgia. I discussed which trial techniques are effective in a jury trial. I have no notes, transcript or recording. The address for the State Bar of Georgia is 104 Marietta Street Northwest, Suite 100, Atlanta, Georgia 30303.

March 16, 2012: Panel Speaker (Webcast), Trial and Error: Judicial Perspective on Effective Trial Advocacy, Georgia Public Broadcasting Studios, Atlanta, Georgia. I used the same notes that were provided for the seminar conducted in Austin in March 2015. I have been unable to obtain a recording of the webcast.

March 3, 2012: Guest Speaker, Why Politics are Relevant; What Politics Mean; Why it's Important to Stay Engaged, the Latin American Association, Atlanta, Georgia. I discussed the role of the judiciary in our system of government before a group of high school students. I have no notes, transcript or recording. The address for the Latin American Association is 2750 Buford Highway, Atlanta, Georgia 30324.

March 3, 2012: Speaker, Your DeKalb County Judicial System... A Walk through Our Legal Process, Stan Watson's DeKalb Legislative Committee, Decatur, Georgia. I discussed the benefits of the DUI court program to the community. I have no notes, transcript or recording. The address for Stan Watson's Legislative Committee is 1300 Commerce Drive, Decatur, Georgia

30030.

February 24, 2012: Guest Speaker, How to Succeed in Law School, Atlanta's John Marshall Law School, Atlanta, Georgia. I discussed practical tips on how to be successful in law school. I have no notes, transcript or recording. The address for Atlanta's John Marshall Law School is 1422 West Peachtree Street Northwest, Atlanta, Georgia 30309.

January 25, 2012: Panel Speaker, Opening Statements, Young Lawyers Division of the State Bar of Georgia, Atlanta, Georgia. I discussed effective trial techniques relating to opening statements. I have no notes, transcript or recording. The address for the Young Lawyers Division of the State Bar of Georgia is 104 Marietta Street Northwest, Suite 100, Atlanta, Georgia 30303.

January 20, 2012: Panel Speaker, Trial Techniques, Labor and Employment Section of the State Bar of Georgia, Atlanta, Georgia. I used the same notes that were provided for the seminar conducted in Austin in March 2015.

January 13, 2012: Guest Speaker, Martin Luther King, Jr.'s Impact: the Life and Legacy of Dr. Martin Luther King, Jr., Annual Martin Luther King Celebration, DeKalb County, Decatur, Georgia. Notes supplied.

December 5, 2011: Keynote Speaker, The Importance of Overcoming Obstacles, Institute of Leadership Graduation, Georgia Association of Latino Elected Officials, Atlanta, Georgia. Notes supplied.

November 17, 2011: Panel Speaker, Developments in DUI Laws, DeKalb Bar Association, Decatur, Georgia. I discussed common mistakes made by lawyers defending a charge of DUI at trial. I have no notes, transcript or recording. The address for the DeKalb Bar Association is 755 Commerce Drive, Decatur, Georgia 30030.

November 11, 2011: Speaker, Career Day, Henderson Middle School, Atlanta, Georgia. I described how I became a judge and what a judge's role is in the justice system. I have no notes, transcript or recording. The address for Henderson Middle School is 2830 Henderson Mill Road, Atlanta, Georgia 30341.

October 28, 2011: Panel Speaker, Diversity in the Profession, State Bar of Georgia, Atlanta, Georgia. I discussed the importance of increasing diversity in the legal profession and on the bench and the benefits of doing so. I have no notes, transcript or recording. The address for the State Bar of Georgia is 104 Marietta Street Northwest, Suite 100, Atlanta, Georgia 30303.

October 27, 2011: Panel Speaker, View from the Bench, American Jewish Committee, Atlanta, Georgia. I discussed effective trial techniques to persuade a jury. I have no notes, transcript or recording. The address for the American

Jewish Committee is 3525 Piedmont Road Northeast, Atlanta, Georgia 30305.

October 22, 2011: Keynote Speaker, Contributions of Latinos for Hispanic Heritage Month Celebration, HOLA Augusta Newspaper (now known as Bienvenidos Press), Augusta, Georgia. Video recording available at <https://www.youtube.com/watch?v=bhW94ClK0s8>.

September 28, 2011: Speaker, The Judiciary's Role in Sustaining and Increasing Diversity in the Profession, the State Bar of Georgia, Atlanta, Georgia. I discussed the need for judges to advocate for the increase of diversity in both the profession and on the bench. I have no notes, transcript or recording. The address for the State Bar of Georgia is 104 Marietta Street Northwest, Suite 100, Atlanta, Georgia 30303.

August 24, 2011: Guest Speaker, Language Access and Issues facing Court Interpreters, Atlanta Association of Interpreters and Translators, Atlanta, Georgia. I discussed the importance of using well trained, qualified interpreters in order to provide meaningful language access to limited English proficient individuals. I have no notes, transcript or recording. The address for the Atlanta Association of Interpreters and Translators is Post Office Box 49184, Atlanta, Georgia, 30359.

May 20, 2011: Keynote Speaker, Impact of Judges on Civil Rights, Georgia Association of Latino Elected Officials, Stone Mountain, Georgia. Notes supplied.

Spring 2011: Mock Trial Judge, State Finals, State Bar of Georgia, Lawrenceville, Georgia. I presided over one round of the state finals of the high school mock trial competition. I have no notes, transcript or recording. The address for the State Bar of Georgia is 104 Marietta Street Northwest, Suite 100, Atlanta, Georgia 30303.

October 2, 2010: Mock Trial Judge, Biennial Conference, Just the Beginning Foundation, Atlanta, Georgia. I presided over a mock trial conducted by college students. I have no notes, transcript or recording. The address for the Just the Beginning Foundation is 233 South Wacker Drive, Suite 6600, Chicago, Illinois 60606.

Fall 2010 (date unknown): Mock Trial Judge, Regional Mock Trial, State Bar of Georgia, Decatur, Georgia. I presided over one round of the high school mock trial regional competition. I have no notes, transcript or recording. The address for the State Bar of Georgia is 104 Marietta Street Northwest, Suite 100, Atlanta, Georgia 30303.

September 2010 – present: As an elected judge, I have also made it a practice to speak frequently within the communities I serve. To the best of my recollection, all of these speeches focused on updating my constituents on the effectiveness of

the DUI court, general comments about the jurisdiction of the state courts, issues facing the courts, the division of responsibilities among the judges, or other matters concerning the judiciary. These public speeches were always made extemporaneously. I have no notes, transcripts or recordings.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

I have searched my memory, my files, and available Internet databases to assemble the list of interviews below, but there may be others that I have been unable to remember or identify.

Interview with Luis Estrada, *Primer Juez de Origen Hispano*, Dean Bucci, *para una Corte Superior*, Telemundo Atlanta (January 7, 2015). Video available at http://www.telemundoatlanta.com/3037_videos/2871554_video-primer-juez-de-origen-hispano-dean-bucci-para-una-corte-superior.html.

Lawrence Viele Davidson, *Deal Lauded for DUI and Drug Court Diversion Efforts*, Daily Report (Fulton County, Georgia), June 3, 2014. Copy supplied.

Justice Hugh P. Thompson, *2014 State of the Judiciary Address*, February 5, 2014. Copy supplied.

Interview with Linda Chen, Sagal Radio (December 19, 2012). Video available at <http://www.sagalradio.org/articles/2012/12/19/how-can-immigrants-protect-themselves-georgias-new-immigration-laws-interview-dekalb-county-state-judge-dax-lopez>.

Mario Guevara, *Hispanos en Comicios*, Mundo Hispánico, August 8, 2012. Copy supplied.

Mark Niesse, *Two Runoffs Set in Gwinnett; Flake, Lopez Win DeKalb*, Daily Report (Fulton County, Georgia), August 2, 2012. Copy supplied.

Mario Guevara, *Dax López Gana, Mayoría de Candidatos Hispanos Pierde*, Mundo Hispánico, August 1, 2012. Copy supplied.

Interview with Luis Estrada, *Juez de Origen Puertorriqueño Quiere Reelergirse en DeKalb*, Telemundo Atlanta (July 31, 2012). Video available at <https://www.youtube.com/watch?v=UMzwtY20A98>.

Dax López Busca Continuar Siendo 'Voz' para la Comunidad Latina de Georgia, Univision Atlanta, July 30, 2012. Copy supplied.

Jennifer French-Parker, *López Racks Up Endorsements, Challenger Touts Experience*, Crossroads News, July 27, 2012. Copy supplied.

Rodrigo Cervantes, *Invitan a Alzar la Voz*, Mundo Hispánico, July 19 – 25, 2012. Copy supplied.

DeKalb State Court Judge Race Heats Up, On Common Ground News, July 15, 2012. Copy supplied.

Johanes Roselló, *Contienda por Brookhaven*, Mundo Hispánico, July 5 – 11, 2012. Copy supplied.

Kathleen Baydala Joyner, *Battle Brews for DeKalb State Court*, Fulton Daily Report, June 25, 2012. Copy supplied.

Mario Guevara, *Fiscal Respalda a Juez Hispano*, Mundo Hispánico, June 14 – 20, 2012. Copy supplied.

Willie Hunter, *DeKalb Judge Dax Lopez Promises a Fair Hearing for All*, The Sentinel Newspaper, April 20, 2012. Copy supplied.

Mario Guevara, *'Salvados' por la Corte de DeKalb*, Mundo Hispánico, April 19 – 25, 2012. Copy supplied. Partial video available at <https://www.youtube.com/watch?v=QCPGc2oX55k>.

The Latino American Who's Who Recognizes Judge Dax E. López, Latino Who's Who, March 6, 2012. Copy supplied.

Telephone Interview with Dahna M. Chandler, Georgia Minority Business Magazine (January 2, 2012). Unpublished. Copy supplied as *Making Legal Decisions and Making History: Three Top Minority Jurists Tell How They Have Done Both*.

Interview with Stan Watson, The Stan Watson Television Show (November 8, 2011). I was unable to obtain a copy or a transcript of this interview.

2011 40 Under 40, Georgia Trend, October 2011. Copy supplied.

Meredith Hobbs, *On The Rise: Dax E. López*, Fulton Daily Report, August 22, 2011. Copy supplied.

Gloria Love, *New Judge: Business Law Work a Plus*, DeKalb Neighbor (Decatur, Georgia), August 25, 2010. Copy supplied.

Tom Spigolon, *Governor Appoints Lopez to Replace Carriere as State Court Judge*, DeKalb Neighbor (Decatur, Georgia), August 18, 2010. Copy supplied.

Hispanic Lawyer Named to State Court Vacancy, Crossroads News, August 13, 2010. Copy supplied.

Bill Rankin, *López Named DeKalb County State Court Judge*, Atlanta Journal Constitution, August 11, 2010. Copy supplied.

GALEO Joins Campaign Aimed at CNN's Lou Dobbs Tonight Advertisers, September 17, 2009. Copy supplied.

2008 Hispanic Heritage Month Luncheon to Feature Latina Civil Rights Icon: Sylvia Mendez (Mendez v. Westminster), September 4, 2008. 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.

From September 2010 to the present, I have served as a judge for the State Court of DeKalb County in Decatur, Georgia. I was appointed to this position by then-Governor Sonny Perdue in August 2010. On July 31, 2012, I was elected to retain my position as state court judge for a four-year term. The state court presides over civil matters not exclusively within the superior court's jurisdiction, including cases involving personal injury and contract disputes, as well as criminal misdemeanors. The state court also has appellate jurisdiction over magistrate court actions.

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

I have presided over approximately 220 trials to verdict.

- i. Of these, approximately what percent were:

jury trials:	50%
bench trials:	50%
civil proceedings:	40%
criminal proceedings:	60%

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

As a state court trial judge, I have not drafted any published opinions for any reported cases. All of my decisions are issued as written orders that are filed as part of the public record with the DeKalb County State Court Clerk's Office.

- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name

and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

1. *State of Georgia v. Vaughn*

DeKalb State Docket No.: 10C28517-VI

The defendant in this case was charged with two counts each of reckless conduct, failure to obtain rabies inoculation and violation of Georgia's Vicious Dog Act after her two pitbull mixes escaped from their crates on March 9, 2010 and mauled an eight-year-old girl. The injuries resulted in a partial amputation of the girl's left arm and the severe disfiguring of her right arm. After a five-day trial, the jury found the defendant guilty on all counts. I sentenced her to 16 months in jail and 36 months on probation. I amended the sentence on December 12, 2012, to suspend the defendant's remaining jail time.

Counsel for the State:

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Counsel for Defendant Ms.
Vaughn:

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Gerald A. Griggs, LLC
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Decatur, Georgia 30033
(404) 633-6590

2. *Yearwood v. Club Miami, Inc. and John Doe*

DeKalb State Docket No.: 09A13281-6

Decision supplied.

In this premises liability suit, plaintiff contended that he was struck in the abdomen by a bullet while inside a nightclub after an altercation arose between several individuals. Plaintiff was not a party to the altercation. At trial, the defendant nightclub moved to have the matter dismissed at the end of the plaintiff's case, contending the plaintiff had not proved his case. I withheld my ruling until after the jury reached a verdict. Defendant subsequently presented evidence of numerous security measures taken by the nightclub to prevent such incidents, and plaintiff was unable to show that these measures were inadequate or unreasonable. The jury found in favor of plaintiff, and awarded him \$500,000 in damages. Thereafter, I found that the plaintiff had failed to present any evidence to show that the nightclub's security measures

fell below reasonable security standards. As such, I overturned the jury's award, finding for the defendant nightclub.

On appeal, the Georgia Court of Appeals affirmed my ruling, holding both that it was proper procedure to reserve a ruling on defendant's motion until after the jury verdict, and finding that because the plaintiff presented no evidence that the defendant's security measures were insufficient or negligently performed, I had correctly granted the directed verdict in favor of the defendant nightclub. *Yearwood v. Club Miami, Inc.*, 316 Ga. App. 155, 728 S.E.2d 790 (2012).

Plaintiff's Counsel:	Todd Maziar Morgan & Morgan 191 Peachtree Street Northeast, Suite 4200 Atlanta, Georgia 30303 (404) 965-8811
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Defendant's Counsel:	John D. Hipes Hipes & Belle Isle LLC 178 South Main Street, Suite 250 Alpharetta, Georgia 30009 (770) 664-6699
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3. *Sexton et al. v. DeKalb Medical Center, Inc., Storey, M.D., and Radiology Associates of DeKalb, P.C.*
DeKalb State Docket No. 10A26299-6
Decisions supplied.

This wrongful death matter involved allegations that the deceased had died after suffering blunt force trauma to the head when he fell or was dropped from a radiology procedure table by defendants and hit his head. He died less than a week later. The defendants contended the deceased had arrived at the hospital in very poor health and they had complied with the standard of care during their care and treatment. Before trial, the defendants filed a motion for summary judgment and the plaintiffs filed motions to exclude the testimony of two of defendant DeKalb Medical Center's experts. I granted the defendants' motion in part, dismissing the plaintiffs' professional negligence claims, finding that plaintiffs' claims sounded in simple negligence rather than medical malpractice. Specifically, I found that protecting a patient from falling off an examination table was not a standard of care peculiar to a profession, but a general duty of care. I also denied the plaintiffs' motions to exclude the Medical Center's experts, finding that the doctors in questions had the appropriate credentials pursuant to the statute and had applied reliable methodology in reaching their opinions on causation.

At the trial of this matter, the jury found in favor of the defendants. I subsequently denied plaintiffs' motion for a new trial, finding the verdict was supported by the evidence. After the trial, the defendants filed a joint motion for attorney's fees, contending that because the plaintiffs had rejected a reasonable settlement offer from defendants and the final judgment had been one of no liability, attorney's fees were warranted. I granted defendant DeKalb Medical Center's motion, finding that it had made a settlement offer in good faith, and as such, Georgia law required an award of fees and expenses.

Plaintiffs' Counsel:

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Counsel for Defendant
DeKalb Medical Center:

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Kristen L. Hiscutt
Bendin Sumrall & Ladner LLC
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Counsel for Defendant
Mr. Storey:

Scott Bailey
Huff, Powell & Bailey, LLC
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Atlanta, Georgia 30309
(404) 892-4022

4. *Gonzalez v. Shooter Alley, Inc.*
DeKalb State Docket No.: 11A36341-6
Decisions supplied.

This was a personal injury suit in which plaintiff contended he was struck and injured by defendant Mr. Haley, a bouncer employed by defendant Shooter Alley, while he was a patron of defendant Shooter Alley's strip club. The evidence showed that a verbal argument ensued in the parking lot after

plaintiff was repeatedly asked to leave because he had become disruptive at the club. A video of the incident showed plaintiff leaving the premises, returning shortly thereafter to confront defendant, and being punched in the face by the bouncer. Defendant Mr. Haley was in default and never made an appearance. Prior to trial, defendant Shooter Alley moved to dismiss plaintiff's claims, contending plaintiff had been a willing participant in mutual combat, its employee's action of striking plaintiff was for personal reasons, and the employee's action was outside the scope of his employment. It also moved to dismiss plaintiff's claims for punitive damages. I denied defendant Shooter Alley's motion, finding that the bouncer was acting within the scope of his employment at all times. In regards to the defendant's mutual combat defense, I determined that it was inapplicable in this matter. However, I dismissed the plaintiff's punitive damages claim, finding that the case did not rise to the level required by Georgia law to award such damages.

At the trial of this matter, the jury found for the plaintiff and awarded him \$24,990 for medical expenses, \$275,000 for pain and suffering, and \$40,000 for lost income. Thereafter, upon defendant's motion for directed verdict, I reduced the verdict by the amount awarded in lost income, finding that no evidence had been introduced at trial to support such an award.

Plaintiff's Counsel:	Paul M. Hoffman Deming Parker Hoffman Campbell & Daly LLC 4851 Jimmy Carter Boulevard Norcross, Georgia 30093 (678) 924-4404
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Counsel for Defendant Shooter Alley:	Jason D. Darneille Crim & Bassler, L.L.P. 100 Galleria Parkway, Suite 1510 Atlanta, Georgia 30339 (770) 956-1813
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Edward M. Gilgor Edward Gilgor, LLC 309 Sycamore Street Decatur, Georgia 30030 (404) 483-1300

5. *Bustamante et al. v. Atlanta Neurosurgical Associates, P.A. and Hartman, M.D.*
DeKalb State Docket No.: 11A40016-6

In this wrongful death matter, plaintiffs (the parents and brother of the deceased) alleged that defendants were negligent in their care and treatment of the plaintiffs' deceased, Ms. Bustamante. Defendant Dr. Hartman was her treating neurosurgeon for a congenital condition named Dandy-Walker Syndrome, which required that Ms. Bustamante periodically undergo surgeries to address shunts that had to be placed in her head. Plaintiffs contended that Ms. Bustamante began having seizures, a condition she had not before experienced, shortly after a December 2009 shunt surgery. Defendant Dr. Hartman ordered certain tests when he was informed of the seizures, but Ms. Bustamante sustained irreversible brain damage after a seizure. She was declared dead the following day. Plaintiffs contended defendants were negligent in failing to obtain a neurology consult, in failing to order anti-seizure medications be given, and in failing to order an increase in the level of her care. The initial three-and-a-half-day jury trial resulted in a hung jury. Subsequently, the parties entered into an agreement to have me try the case as a bench trial. At the bench trial, I found for the defendants.

Plaintiffs' Counsel:

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Defendants' Counsel:

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6. *Parks et al. v. Arnold, Atlanta Dealer Trades, Inc., and Accident Insurance Company*
DeKalb State Docket No. 12A43109-6
Decision supplied.

In this personal injury matter, the plaintiffs contended that they were seriously injured when defendant's driver plowed into the back of their vehicle. The evidence showed that plaintiffs had stopped on the interstate, as instructed by an emergency vehicle driver, when they were struck by defendant Atlanta Dealer Trades' tractor trailer. The tractor trailer was found to have had

improper brakes and to have been in violation of numerous federal safety laws and regulations.

After a three-day trial, the jury found for plaintiffs and awarded them \$3,192,000, including \$392,000 in attorney's fees and expenses. I granted plaintiffs' request for prejudgment interest in the amount of \$56,848, for a total judgment of \$3,248,848. I denied the defendants' request for a new trial, as well as their request that I enter a defense verdict in spite of the jury's findings.

Plaintiffs' Counsel:

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Counsel for Defendant
Atlanta Dealer Trades:

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Counsel for Defendant
Mr. Arnold:

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7. *State of Georgia v. Moton*

DeKalb State Docket No.: 13C062438-VI

In this criminal matter, defendant was charged with public indecency by a lewd exposure and by a lewd appearance in a state of partial nudity at a public library. The jury found defendant guilty on all counts. After considering defendant's arguments, I denied the defendant's after-verdict motion that he be sentenced under the first-offender statute. I sentenced defendant to ten days to serve, credit for one day served, 12 months on probation, a \$700 fine, and 120 hours of community service at any organization that did not provide

services to children. Moreover, I ordered that the defendant undergo a psychosexual evaluation and to complete treatment as recommended.

On appeal, the court of appeals affirmed my decisions, finding I did not abuse my discretion in declining defendant's request for first-offender treatment after considering the overwhelming evidence and defendant's arrogance, lack of remorse, and lack of credibility. Moreover, my decision denying defendant's motion for a new trial was also upheld because the record showed that the guilty verdict was unanimous. *Moton v. State*, 332 Ga. App. 303, 772 S.E.2d 396 (May 5, 2015).

Before the close of evidence at the trial of this matter, it was brought to my attention that the defendant's father was intimidating witnesses for the prosecution outside the courtroom. The allegations resulted in my scheduling a hearing for contempt against the father. After the hearing, I found defendant's father had, in fact, attempted to intimidate several witnesses for the prosecution in violation of state statute and I sentenced him to serve one day in jail and pay a fine of \$500. The father appealed and the court of appeals affirmed my rulings related to his finding of contempt. *Moton v. State*, 332 Ga. App. 300, 772 S.E.2d 393 (May 5, 2015).

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Counsel for Mr. Moton: Jule McReynolds
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8. *In re: Plant Scherer and the Vulcan Quarry Litigation*
Some of the docket nos. involved in this mass tort litigation included:
13A45769-6 (Duckworth); 13A45770-6 (Welch); 13A45771-6 (Beckham);
13A45772-6 (Arwood); 13A45773-6 (Drake); 13A45774-6 (Lawing);
13A45775-6 (Jackson); 13A45776-6 (Rollins); 13A45777-6 (Smith);
13A45778-6 (Slaughter); 13A45779-6 (Maddox); 13A45780-6 (Bedenbaugh);
13A45781-6 (Sharp); 13A48791-6 (Amerson); 13A48792-6 (Almon)

Decision supplied.

Plant Scherer is a coal-powered power plant located in Monroe County, Georgia. Plaintiffs were residents of Monroe County. The Plant Scherer Litigation initially involved 13 lawsuits in which different plaintiffs claimed they and their property were exposed to and suffered damage from toxins released to the air, soil, and groundwater as a result of defendants' Plant Scherer operations. Some of the lawsuits included Vulcan Materials Company and Vulcan Construction Materials, LP, as additional defendants ("the Vulcan defendants"). Two more lawsuits, encompassing over 150 plaintiffs, were expected to be filed within a few months of the initial suits. The court proceeded with two master lawsuits for purposes of discovery only. One lawsuit included the Vulcan defendants and the other one did not. The plaintiffs filed voluntary dismissals before the discovery period began in earnest. As a result of the court's hands-on involvement in this complex mass tort matter, the plaintiffs realized before incurring great expense that they were not appropriately prepared to prosecute such a complicated mass tort matter.

In managing what was expected to become two cases of over 150 related cases, the court first had to make a determination as to whether venue was proper in DeKalb County. All of the defendants but one contended venue was proper in DeKalb County. However, all of the defendants argued that the suit should be moved to Monroe County, as it would be a more convenient location, given that the coal plant was located there and all of the plaintiffs resided there. After analyzing the forum non conveniens factors, I determined that the interest of justice and the convenience of the parties and witnesses would not be better served by transfer of the case to Monroe County. Once the litigation was found to be in the appropriate venue, I conducted numerous status conferences with the parties to craft a discovery scheduling order to ensure discovery proceeded smoothly and efficiently. In addition, in an effort to prevent the parties from incurring unnecessary discovery costs, I entered an order directing the plaintiffs to provide defendants a detailed list of the injuries or damages alleged by each individual plaintiff in as much detail as possible, as well as directing plaintiffs' counsel to provide defendants with executed HIPPA releases for all plaintiffs. Defendants were directed to work with plaintiffs in narrowing the scope of document production the parties sought. After realizing that they could not comply with the court's discovery orders, plaintiffs dismissed this action without prejudice. Subsequently, plaintiffs failed to re-file the action within the six-month period allotted by Georgia law.

Counsel for Plaintiffs:

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Counsel for Defendant
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Counsel for Defendant Vulcan
Materials Co. and Vulcan
Construction Materials: Robert D. Mowrey
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9. *State of Georgia v. Croyle*
DeKalb State Docket No.: 13C58262-VI

The defendant was arrested on April 12, 2013, after an officer observed her driving without headlights. As the officer turned to pursue her, the defendant struck another vehicle head on. She was charged with driving under the influence of alcohol, driving with unlawful concentration and driving without proper headlights. After pleading not guilty, the defendant moved to dismiss, contending, among other things, that she had been arrested, taken into custody and required to submit to a State-administered breath test without probable cause. She also moved to suppress all evidence gathered after what she contended was an illegal stop, claiming the police officer impermissibly talked her into taking the breath test. After a hearing on the motions, I found that the officer's testimony regarding her observations of the defendant's performance on the field evaluations, coupled with defendant's driving without headlights, was credible and constituted sufficient probable cause. Moreover, I determined that, as the stop had been lawfully conducted, the results of the physical tests conducted on the scene were also lawfully obtained.

The jury found defendant guilty on all counts and I sentenced her to 12 months' probation and ten days in jail, plus various fines, and ordered her to complete two victim impact panels. The defendant applied for a bond that would suspend the sentence until the appeal process was finished, which I granted with certain conditions, including random screens for alcohol, attendance at Alcoholic Anonymous meetings and the payment of a \$6,500 cash-only bond. The defendant appealed my rulings on the motion to suppress, as well as the conditions set on her appeals bond. The court of appeals affirmed all of my rulings. A copy of the unpublished court of appeals decision, Docket No. A14A0909, is supplied.

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Counsel for Ms. Croyle: William C. Head
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(404) 567-5515

10. *State of Georgia v. Asad*
State of Georgia v. Hanley
State of Georgia v. Harris
State of Georgia v. McCabe
DeKalb State Docket No.: 13C65970 (A through D)

In this criminal matter, defendants were each charged with two counts of criminal trespass and one count of obstruction of an officer. Defendant Mr. Harris was a homeowner whose home had been foreclosed. He remained in the residence for one year without making any payments to his lender, while he tried to renegotiate a loan modification. The lender bank obtained a dispossessory and when the state court marshals came to execute it, Mr. Harris and the other three defendants refused to vacate the premises. The three other defendants were part of a group called "Occupy Our Homes Atlanta" and they were attempting to prevent defendant Mr. Harris from being evicted. The case received significant media attention.

Prior to the trial of this matter, I handled a number of procedural and substantive motions related to the case. Most significantly, the State moved to disqualify defendant Mr. Harris's original defense counsel from representing all the defendants because of the conflict of interests that would arise based on one attorney representing all four co-defendants. Although defendant Mr.

Harris filed an affidavit intended to waive any conflict, I granted the motion, finding this matter fell into the category of cases for which a conflict could not be waived.

Once the defendants had each retained separate counsel, the defendants all filed motions to dismiss the charges alleging a violation of their First and Fourth Amendment rights and vindictive prosecution, contending that they had the right to assemble and protest at defendant Mr. Harris's former home, that their arrest was unlawful because it was vindictive, and that defendants were exercising their right to resist an unlawful arrest when the police went onto the private property to detain them. Finally, defendants filed a motion to dismiss on the grounds that the defendants had a right to "stand their ground" and remain on defendant Mr. Harris' former home in defense of habitation. As such, they contended they were immune from civil and criminal prosecution. I held that immunity could not stand in this case because there was no showing by the defendants that the entry by the officers on the date of the arrest was unlawful, which is a prerequisite under the law. Moreover, finding that there was no evidence on the record that Fannie Mae had sought an unlawful eviction and that there were injunctions that were issued preventing the execution of the dispossession or orders deeming the eviction to be wrongful, I also denied their motion based on the fact that the property rightfully belonged to Fannie Mae and there is no First Amendment right to assemble on private property. After a jury trial, the jury was unable to reach a unanimous verdict and so I declared a mistrial. To date, the solicitor's office has not yet sought to retry the cases.

Counsel for the State:	K. Tyler Edgerton DeKalb County Solicitor General's Office 556 North McDonough Street, Suite 500 Decatur, Georgia 30030 (404) 371-2953
Counsel for Mr. Asad:	A. Dionne McGee McGee Law LLC 315 West Ponce de Leon Avenue, Suite 970 Decatur, Georgia 30030 (404) 458-4245
Counsel for Mr. Hanley:	Shawn B. McCullers Solo Practitioner Building 100, Suite 200 4721 Chamblee Dunwoody Road Atlanta, Georgia 30338 (404) 919-1264
Counsel for Mr. Harris:	Joshua Davis

J.G. Davis & Associates
303 Perimeter Center North, Suite 300
Atlanta, Georgia 30346
(855) 543-2847

Counsel for Mr. McCabe: Mawuli Mel Davis
The Davis Bozeman Law Firm PC
4153 B Flat Shoals Parkway, Suite 204
Decatur, Georgia 30034
(404) 244-2004

- 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. *Yearwood v. Club Miami, Inc. and John Doe*
DeKalb State Docket No. 09A13281-6
Decision previously supplied in response to Q13c.

Order: Defendant Club Miami, Inc.'s Motion for Directed Verdict

Plaintiff's Counsel: Todd Maziar
Morgan & Morgan
191 Peachtree Street Northeast, Suite 4200
Atlanta, Georgia 30303
(404) 965-8811

Defendants' Counsel: John D. Hipes
Hipes & Belle Isle LLC
178 South Main Street, Suite 250
Alpharetta, Georgia 30009
(770) 664-6699

2. *State of Georgia v. Robinson*
DeKalb State Docket No.: 11C33272-VI
Decision supplied.

Order: Defendant's Motion to Dismiss for State's Failure to Comply with Statutory Notice Requirements

Counsel for the State: Lisa Moultrie, ASA
DeKalb County Solicitor General's Office
556 North McDonough Street, Suite 500
Decatur, Georgia 30030
(404) 687-2773

Counsel for Ms. Robinson: Bryan Henderson
DeKalb County Public Defender's Office
120 West Trinity Place
Decatur, Georgia 30030
(404) 371-2222

3. *Dubis et al. v. Lyons, Chestatee Emergency Physicians, LLC, and EdCareManagement, Inc. d/b/a Hospital Physician Partners*
DeKalb State Docket No. 11A37293-6
Decision supplied.

Order: Defendant's Motion for Summary Judgment

Plaintiffs' Counsel: Wayne Grant
Kimberly W. Grant
Grant Law Office
Live Oak Square, Suite 740
3475 Lenox Road Northeast
Atlanta, Georgia 30326
(404) 995-3955

Jonathan A. Parrish
The Parrish Law Firm, LLC
3391 Peachtree Road Northeast, Suite 110
Atlanta, Georgia 30326
(404) 985-9156

Defendants' Counsel: Brynda Rodriguez Insley
Insley & Race LLC
The Mayfair Royal
181 14th Street Northeast, Suite 200
Atlanta, Georgia 30309
(404) 876-9818

4. *Coen v. Aptean, Inc. and CDC Software Corporation*
DeKalb State Docket No. 12A42185
Decisions supplied.
Application for Discretionary Appeal (A15D0065) denied on October 16, 2014.

Orders: Plaintiff's Motion for Partial Summary Judgment and
Defendant's Motion for Partial Summary Judgment
Plaintiff's Motion for Award of Attorney's Fees and Litigation
Expenses Pursuant to O.C.G.A. § 9-15-14

Plaintiffs' Counsel: Edwin J. Schklar
Schklar & Heim, LLC
Resurgens Plaza, Suite 2250
945 East Paces Ferry Road Northeast
Atlanta, Georgia 30326
(404) 888-0100

Gabriel Mendel
United States Attorney's Office
Richard B. Russell Federal Building
75 Spring Street, Suite 600
Atlanta, Georgia 30303
(404) 581-6000

J. Robert Williamson
John Sanders
Scroggins & Williamson
1500 Candler Building
127 Peachtree Street Northeast
Atlanta, Georgia 30303
(404) 893-3880

Defendants' Counsel: Allegra J. Lawrence-Hardy
Kurt E. Lentz
Sutherland Asbill & Brennan LLP
999 Peachtree Street Northeast, Suite 2300
Atlanta, Georgia 30309
(404) 853-8497

5. *Mentor v. Obiago*
DeKalb State Docket No. 13A45552-6
Decision supplied.

Order: Defendant's Motion to Dismiss

Plaintiff's Counsel: Neville T. Francis
NT Francis P.C.
1999 Detroit Avenue Northwest
Atlanta, Georgia 30314
(404) 831-5833

Defendant's Counsel: Cyprian Tee Okonkwo
Law Offices of Tee Okonkwo, P.C.
Suite 202
970 Martin Luther King Jr. Drive
Atlanta, Georgia 30314

(404) 222-0238

6. *Jim Tidwell Ford, Inc. v. Bashuk and Bashuk & Glickman, LLP*
DeKalb State Docket No. 13A45674-6
Decision supplied.

Order: Defendants' Motion for Summary Judgment

Plaintiff's Counsel: John G. Nelson
Weissman, Nowack, Curry & Wilco PC
One Alliance Center, Fourth Floor
3500 Lenox Road
Atlanta, Georgia 30326
(404) 926-4500

Defendants' Counsel: H. Lane Young
M. Elizabeth O'Neill
Hawkins Parnell Thackston & Young LLP
303 Peachtree Street Northeast, Suite 4000
Atlanta, Georgia 30308
(404) 614-7400

7. *Ali v. Lockhart, Barlow Group, LLC d/b/a Barlow's Bar & Grill, John Doe and Jane Doe*
DeKalb State Docket No. 13A47923-6
Decisions supplied.

Orders: Defendant Lockhart's Motion for Summary Judgment
Plaintiff's Motion to Strike Defendant Barlow Group LLC's
Answer for Defendant's Willful Spoliation of Evidence
Defendant Barlow Group's Motion for Summary Judgment

Plaintiff's Counsel: Brian D. Rogers
Fried Rogers Goldberg LLC
Two Alliance Center
3560 Lenox Road Northeast, Suite 1250
Atlanta, Georgia 30326
(404) 591-1800

Thomas J. Ashenden
Ashenden & Associates
Building D
6111 Peachtree Dunwoody Road Northeast
Atlanta, Georgia 30328
(770) 394-8909

Counsel for Defendant Barlow's
Bar and Grill:

Joseph D. Perrotta
Dodson & Associates
Caller Service No. 1808
1000 Windward Concourse, Suite 210
Alpharetta, Georgia 30023
(678) 317-7104

Counsel for Defendant
Ms. Lockhart:

K. Marc Barre, Jr.
Swift Currie McGhee & Hiers LLP
1355 Peachtree Street Northeast, Suite 300
Atlanta, Georgia 30309
(404) 874-8800

8. *Moretz v. Stewart*
DeKalb State Docket No.: 13A49426-6
Decision supplied.

Order: Defendant's Motion for Partial Summary Judgment

Plaintiffs' Counsel:

James M. Poe
James M. Poe, P.C.
400 Interstate North Parkway Southeast
Atlanta, Georgia 30339
(678) 501-6863

P. Charles Scholle
P. Charles Scholle, PC
6340 Sugarloaf Parkway
Suite 200
Duluth, Georgia 30097
(770) 717-5100

Counsel for Defendant Eye First

Vision & Laser and Dr. Matzkin: Frederick N. Gleaton
Owen, Gleaton, Egan, Jones
& Sweeney, LLP
1180 Peachtree Street, Northeast
Suite 3000
Atlanta, Georgia 30309
(404) 688-2600

Counsel for Defendant
Dr. Stewart:

Matthew F. Barr
Hawkins Parnell Thackston & Young, LLP

4000 Suntrust Plaza
303 Peachtree Street Northeast
Atlanta, Georgia 30308
(404) 614-7453

9. *Evans v. Emory Healthcare, Inc. and Emory University d/b/a Emory University Hospital Midtown f/k/a Emory Crawford Long Hospital*
DeKalb State Docket No. 14A53543E6
Decision supplied.

Order: Defendants' Motion to Dismiss with Prejudice and Compel Arbitration

Plaintiff's Counsel: Matthew S. Harman
3414 Peachtree Road Northeast, Suite 1250
Atlanta, Georgia 30326
(404) 554-0777

S.K. Rod Dixon
The Dixon Firm, PC
1349 West Peachtree Street Northwest, Suite
1995
Atlanta, Georgia 30309
(404) 733-1166

Defendants' Counsel: Stephen H. Sparwath
Owen Gleaton Egan Jones & Sweeney LLP
1180 Peachtree Street Northeast, Suite 3000
Atlanta, Georgia 30309
(404) 688-2600

10. *Jordan et al. v. Board of Regents of the University System of Georgia d/b/a Georgia Regents University, et al. & Bradley et al. v. Board of Regents of the University System of Georgia d/b/a Georgia Regents University, et al.*
DeKalb State Docket Nos. 14A53710E6 & 14A53711E6
Decisions Supplied.

Orders: Plaintiffs' Motion for Summary Judgment in Regard to Damage
Caps Defense Raised by Defendant Board of Regents of the
University System of Georgia
Defendants' Motions to Transfer

Plaintiffs' Counsel: Glenn E. Kushel
Moraitakis & Kushel, LLP
3445 Peachtree Road Northeast, Suite 425
Atlanta, Georgia 30326-1009
(404) 261-0016

Counsel for Board of Regents: Claude McLaurin “Mac” Sitton
Georgia Department of Law
40 Capitol Square Southwest
Atlanta, Georgia 30334
(404) 656-3370

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

None.

- 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.

In the five years I have served as a State Court judge, no appellate court has reversed any of my orders or decisions. However, the following two matters may be responsive to this request.

In *Ward v. State* (Ga. App. A13A1735, April 26, 2013), defendant appealed my decision to deny his motion to dismiss based upon the denial of his constitutional right to a speedy trial. The Georgia Court of Appeals disagreed with portions of my analysis of the elements courts are required to consider when weighing whether there has been a denial of a speedy trial. Despite these disagreements in analysis, the Georgia Court of Appeals affirmed my decision. Copies of my decision and the appellate decision have been supplied.

In *Padilla v. Medrano d/b/a Medrano Flooring and General Contractors, Inc.* (Ga. App. A15A0380, May 21, 2015), plaintiff appealed my order granting defendant’s summary judgment motion. In this matter, plaintiff was injured in a car accident while riding in his employer’s work vehicle. The primary issues before the court were whether the plaintiff was an employee or an independent contractor, and whether the worker’s compensation bar limit precluded plaintiff from maintaining a tort action. I found that plaintiff was an employee and that the worker’s compensation bar applied. The Georgia Court of Appeals did not reach these issues, instead opting to remand the matter back to me to issue a ruling on a motion to substitute defendant. The appellate court determined that the motion to substitute must be ruled upon prior to reaching a decision as to the motion for summary judgment. Copies of my decision and the appellate decision have been supplied.

- g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

As a state court judge, I do not issue any published opinions. All of my decisions are issued as written orders that are filed as public records with the DeKalb County State Court Clerk's Office. On average, I issue roughly six to eight orders a month on dispositive motions, and approximately one to three orders per month on motions to suppress in criminal matters.

- 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.

Given my jurisdiction over criminal misdemeanor matters, I do routinely rule on constitutional issues dealing with criminal suspects' Fourth Amendment rights related to search and seizure of dwellings and vehicles, as well as compulsion of breath or blood samples for alcohol and drug testing. I also routinely rule on issues surrounding criminal suspects' Fifth Amendment rights against self-incrimination as related to statements made during criminal investigations. However, I have not written any significant opinions on such issues.

- i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

I have not sat on any such cases.

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.

During the five years that I have served as a state court judge, I have recused myself on the following cases, all of which were in the State Court of DeKalb County, Georgia:

State of Georgia v. Hubbard (12C47763). The defendant in this case was charged with speeding. During the course of this case, the defendant filed a writ of prohibition, *Hubbard v. State Court of DeKalb County and Unknown*, in the Superior Court of DeKalb County (12CV7473-9), naming me as a defendant. After being served a copy of the writ, I filed an order of voluntary recusal in the speeding case and transferred it to Chief Judge Wayne Purdom for reassignment.

Singh v. Michalove (13A47281). This case involved a personal injury and damages action as a result of a car accident. The defendant and cross-claim plaintiff, Michalove, is the DeKalb County DUI court treatment coordinator. As I preside over the DUI court program and work along with Ms. Michalove on a weekly basis, I filed an order of voluntary recusal and transferred the case to Chief Judge Wayne Purdom for reassignment.

State of Georgia v. Sims (14C76033 and 14C77356). The defendant in these matters was charged with several driving-related offenses, including DUI, reckless driving, speeding, and driving with a suspended license. During the course of the case, defendant's attorney filed a motion to recuse, alleging that the administrator of the DeKalb County DUI court engaged in ex parte communications with the defendant. Although the administrator was an employee under my supervision and was not an interested party, I filed an order of voluntary recusal and transferred the case to Chief Judge Wayne Purdom for reassignment out of an abundance of caution.

In 2010 and 2011, I also recused myself from several matters involving Miles Properties, Inc., a former client that I represented in the years preceding my appointment to the bench. I have not kept a record of the specific matters.

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.

None.

- 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.

In the summer of 1994, I was a volunteer on former Congressman Bob Barr's congressional campaign in the Seventh District of Georgia. As an unpaid volunteer, my duties were limited to activities such as assisting with stuffing envelopes and attending events wearing a campaign t-shirt.

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

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

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

I served as a law clerk to the Honorable Hector M. Laffitte, Chief Judge of the United States District Court for the District of Puerto Rico, from August 2001 to October 2002.

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

I have never practiced alone.

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

May – June 2001
Crowell & Moring
1001 Pennsylvania Avenue Northwest
Washington, District of Columbia 20004
Summer Associate

2002 – 2005
Holland & Knight, LLP
1201 West Peachtree Street Northwest, Suite 2000
Atlanta, Georgia 30309
Associate Attorney

2005 – 2008
Ashe, Rafuse & Hill, LLP (acquired by Polsinelli in 2014)
1355 Peachtree Street Northeast, Suite 500
Atlanta, Georgia 30309
Associate Attorney

2008 – 2010

Foltz Martin LLC (dissolved in 2014)
Five Piedmont Center
3525 Piedmont Road Northeast, Suite 750
Atlanta, Georgia 30305

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or as an arbitrator.

b. Describe:

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

For the entire period I practiced law, I focused on both complex commercial litigation and employment litigation in both state and federal courts throughout the United States. In the beginning of my career (2002 – 2005), I spent a significant amount of time representing a large tire manufacturer in numerous product liability suits stemming from a nationwide recall of its original equipment tires. In the couple of years preceding my appointment to the bench, my practice focused on working with clients affected by the economic crisis that began in 2008. At that time, I represented several distressed community banks throughout Georgia dealing with lender liability issues and with suits on promissory notes and guarantees. On the other end of the spectrum, I also represented several real estate developers that had been significantly affected by the collapse of the real estate and credit markets. To that end, I advised and represented clients on issues relating to foreclosures, confirmation hearings, business dissolutions, contract disputes, real estate disputes, and tort matters dealing primarily with fraud allegations. With regard to my employment practice, I handled all aspects of discrimination and harassment law under Title VII, ADEA, ADA, FLSA and FMLA. I also counseled clients with difficult termination and furlough issues.

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

The majority of my legal career was spent as a civil defense lawyer defending primarily corporate clients in complex civil litigation involving business disputes, contract actions, tort actions, products liability, and employment law. I have represented both Fortune 500 companies and small local business in all manner of litigation. The only exception to this occurred in 2007 when the majority of my cases involved more traditional plaintiff-side work representing individuals in cases involving race

discrimination, personal injury, and significant fraud. My litigation practice touched upon a wide array of substantive areas such as condemnation, product liability, government representation, employment, real estate, contract disputes, business/corporate disputes, and tort actions.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

My practice consisted of about 95% litigation and about 5% employment counseling. I appeared regularly in state and federal courts, primarily for motion and evidentiary hearings.

- i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 35% |
| 2. state courts of record: | 65% |
| 3. other courts: | 0% |
| 4. administrative agencies: | 0% |

- ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|------|
| 1. civil proceedings: | 100% |
| 2. criminal proceedings: | 0% |

- 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.

Prior to becoming a judge, I served as second chair in two significant jury trials. I also was involved in several other matters that settled on the eve of trial.

- i. What percentage of these trials were:

- | | |
|--------------|-----|
| 1. jury: | 50% |
| 2. non-jury: | 50% |

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

I have never had any proceedings before the U.S. Supreme Court.

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. *The City of Atlanta v. Daniels, et al.*, Superior Court of Fulton County, 2002CV48736, Judge Constance Russell.

From 2002 to 2005, I (while at Holland & Knight) represented the City of Atlanta in this condemnation case where the City took less than 600 square feet of Mr. Daniels' vacant one acre of undeveloped property in order to place a chlorination station needed to pretreat sewer water. The City's appraiser calculated the value of the taking as being less than \$1,000. Mr. Daniels alleged that he intended to build several townhomes on his vacant property and that the chlorination station impacted his ability to develop the property. His appraiser calculated the alleged loss as being worth \$375,000. In a five-day trial, I served as the second chair and assisted in all aspects of the trial including arguing all motions in limine and examining the City's expert witness. The jury awarded Mr. Daniels \$8,000, substantially less than even the City's last pre-trial settlement offer.

Co-counsel for the City:	Jason Wright (formerly with Holland & Knight) Lewis Brisbois Brisgaard & Smith 1180 Peachtree Street, Suite 2900 Atlanta, Georgia 30309 (404) 991-2172
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Counsel for Mr. Daniels:	Richard N. Hubert (formerly with Chamberlain Hrdlicka) Current business contact is unavailable. (404) 316-4082
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2. *Hooper v. Travis Pruitt & Associates, P.C., et al.*, Superior Court of Gwinnett County, Civ. Action 01-A-04679-2, Judge Debra Turner.

From 2003 to 2005, I (while at Holland & Knight) represented defendant Travis Pruitt & Associates, an employer alleged to have negligently hired and retained an individual who plaintiff alleged sexually harassed her. Upon learning of the alleged harassment, defendant ordered the alleged harasser and plaintiff not to have any further contact with one another even for legitimate work issues. Because plaintiff violated the no contact order, defendant terminated both plaintiff and the alleged

harasser. In response to plaintiff's claims, we asserted that the defendant acted deliberately and appropriately to abate the harassment. Though I was the associate on the file, I was the primary attorney responsible for all aspects of this matter. I handled all motions including several motions to compel, an appeal related to a discovery issue, and the drafting and arguing of the dispositive motion. At the trial level, the court denied defendant's motion for summary judgment, and we appealed. The court of appeals reversed the trial court and held that summary judgment was appropriate and that plaintiff's claims lacked merit. *Travis Pruitt & Associates, P.C., et al. v. Hooper*, 625 S.E.2d 445 (Ga. 2005). Ultimately, a judgment was entered in favor of my client.

Plaintiff's Counsel: Kristine Orr Brown
Orr, Brown & Billips, LLP
950 East Paces Ferry Road, Suite 2110
Atlanta, Georgia 30326
(404) 214-3661

Defense Co-counsel: Mary Ann Oakley (formerly at Holland & Knight)
(retired)

3. *WWPS, Inc. v. City of Newnan, Georgia, et al.*, Superior Court of Fulton County, Civ. Action 2004-CV-83335, Judge Gino Brogdon.

From 2004 to 2005, I (while at Holland & Knight) represented defendant and counterclaim-plaintiff, Newnan Utilities, a waste water treatment plant. In this case, Newnan Utilities had contracted with plaintiff WWPS to repair several water holding tanks at the treatment facility. WWPS was negligent in its repairs of several pressure release valves in the water tanks and as a result the tanks were damaged. WWPS sued for breach of contract as well as for fraud. In this matter, I coordinated voluminous discovery of both paper and electronic construction documents, prepared witnesses for deposition, and drafted a successful motion to dismiss the tort claims based on plaintiff's failure to abide by the notice a government entity is entitled to and required by law. After the court dismissed the tort claims, we were able to negotiate a settlement in terms favorable to my client.

Plaintiff's Counsel: Kamyar Molavi
Molavi Law, P.C.
595 River Valley Road
Atlanta, Georgia 30328
(404) 664-5232

H. Fielder Martin
Baker Donelson Bearman Caldwell & Berkowitz
PC
Monarch Plaza
3414 Peachtree Road Northeast, Suite 1600

Atlanta, Georgia 30326
(678) 406-8708

Gina M. Vitiello
Chamberlain Hrdlicka White Williams & Aughtry
191 Peachtree Street Northeast, 34th Floor
Atlanta, Georgia 30303
(404) 588-3426

Defense Co-counsel:

Keith Wiener
Holland & Knight
1201 West Peachtree Street Northeast, Suite 2000
Atlanta, Georgia 30309
(404) 817-8515
Counsel for Newnan Utilities

John R. Lowery
Mozley Finlayson Loggins LLP
One Premier Plaza
5605 Glenridge Drive, Suite 900
Atlanta, Georgia 30342
(404) 256-0700
Counsel for Wiedeman and Singleton, Inc. and Mr.
Johns

4. *Harris, et al. v. Carriage House Imports, Inc.*, U.S. District Court for the Northern District of Georgia, 03:CV-0106-GET, Judge George Ernest Tidwell.

From 2005 to 2007, I (while at Ashe Rafuse & Hill) was part of the team that represented the two plaintiffs in this race discrimination suit. In this matter, both plaintiffs were car salesmen at a high-end luxury car dealership. They alleged that defendant (their employer) discriminated against them based on their race by only providing the white salesmen with Internet-based leads to potential buyers. One plaintiff also alleged he was terminated in retaliation for complaining about that particular practice. In this matter, I was responsible for developing all of the necessary evidence to prove plaintiffs' claims and researching and drafting all motions. This matter was tried over a five-day period in federal court. I assisted with all aspects of the trial, including examining several key defense witnesses. The jury found in favor of my clients and awarded \$800,000 in damages. The court later awarded our trial team over \$500,000 in attorneys' fees.

Plaintiffs' Co-counsel:

William Hill
Nancy Rafuse
Polsinelli (formerly with Ashe Rafuse & Hill)
1355 Peachtree Street, Suite 500
Atlanta, Georgia 30309

(404) 253-6000

Defense Counsel:

Charles A. Wiley
Wiley & Associates, LLC
100 Glenridge Point Parkway, Suite 570
Atlanta, Georgia 30342
(404) 255-9796

5. Bell, et al. v. Woodward Governor Company, U.S. District Court for the Northern District of Illinois, 03 C 50190, Judge Phillip Reinhold.

From 2005 to 2007, I (while at Ashe, Rafuse & Hill) represented defendant Woodward Governor, a large aircraft engine manufacturer in Rockdale, Illinois, in a class action alleging race and gender discrimination in pay and promotion decisions. This matter was extremely complex given its scale. Indeed, approximately 80% of Woodward Governor's employees at its manufacturing facility were potential class members. I led a small team of associates and paralegals who for approximately two months spent a significant amount of time on-site gathering responsive documents to the voluminous discovery requests. I also conducted approximately a dozen depositions and defended several of the company's management in depositions. I was part of the team that created the defense strategy and ultimately the mediation strategy that was utilized. I participated in over five days of mediation, which led to a settlement of all claims. After settlement, I took the lead in the two-day arbitration to determine attorneys' fees and examined several of the plaintiffs' counsel on the reasonableness of their fees.

Defense Co-counsel:

Dan Turner (formerly with Ashe Rafuse & Hill)
Littler Mendelson, P.C.
3344 Peachtree Road Northeast, Suite 1500
Atlanta, Georgia 30326
(404) 443-3525

Plaintiff's Counsel:

Jennifer K. Soule
James G. Bradtke
Kelly K. Lambert
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6. *National Association for the Advancement of Colored People, et al. v. Waffle House, Inc.* (1:05-CV-0084-WBH), U.S. District Court for the Northern District of Georgia, Atlanta Division, Judge Willis Hunt.

From 2005 to 2007, I (while at Ashe Rafuse & Hill) represented defendant Waffle House in this race discrimination suit that involved 18 unnamed plaintiffs in six separate complaints of discrimination in Waffle House locations throughout Georgia. Plaintiffs' complaints ranged from being seated after white patrons who arrived later to receiving poorer service than that perceived to be given to the white patrons. I was in charge of all day-to-day decisions involving strategy and discovery with regard to three of these complaints. I conducted approximately eight to ten depositions of complainants and fact witnesses, and conducted all on-site interviews of the employees involved. After our team obtained key admissions from all of the complainants through deposition, this matter settled on terms favorable to my client.

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7. *McKenney's, Inc. v. Shumate Mechanical, LLC, et al.* (1:07-CV-1727-BBM), U.S. District Court for the Northern District of Georgia, Atlanta Division, Judge Beverly Martin.

In 2008, I (while at Foltz Martin) represented defendant Shumate in the latter part of this trade secret litigation. In this case, plaintiff and defendant were the top installers of commercial air conditioning and heating units in Georgia. At some point, two technicians employed by McKenney's left and joined Shumate, McKenney's primary rival. McKenney's initiated a suit against Shumate and the two former employees, alleging the theft of McKenney's trade secrets. This matter involved analyzing several terabytes of computer data. Using sophisticated computer software, we were able to prove that no trade secrets had been converted. I was involved in analyzing the data and creating a mediation strategy, which resulted in a reasonable settlement for both parties.

Plaintiff's Counsel: Jeanine G. Garvie (formerly with McKenna Long & Aldridge)
Current business contact information unavailable

Samantha Rein (formerly with McKenna Long & Aldridge)
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8. *SunTrust Bank v. Showcase Real Estate Development, LLC, et al.* (09-1-10885-40), Superior Court of Cobb County, Judge Robert Flournoy.

From 2007 to 2008, I (while at Foltz Martin) represented defendant Mr. Carlson and his real estate company, Showcase Real Estate Development, in a matter where

Suntrust alleged that defendants defaulted on a \$3 million development loan. In essence, defendants borrowed the loan amount to develop a subdivision wherein several high-end homes would be built. The loan term was from September 2007 to September 2009. In September 2008, Suntrust stopped funding the loan in the midst of the national economic crisis, which led defendants to default on the interest payments that were built into the loan. I, on behalf of defendants, filed a counterclaim alleging that Suntrust breached its obligations first by improperly failing to continue funding the loan, and that was the actual cause of defendants' default. I took the lead on all aspects of this matter from strategy, to discovery, to conducting the depositions of several high-level Suntrust executives. I also drafted the response to Suntrust's motion for summary judgment, which the court denied. Shortly after Suntrust failed to obtain summary judgment, a settlement was reached with favorable terms for my client.

Plaintiff's Counsel:

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9. *Park Avenue Bank v. Hosch, XchangeAgent, Inc., and Prozer, III*, Superior Court of Bartow County, Georgia, Civ. Action No. 09CV1378.

From 2009 to 2010, I (while at Foltz Martin) represented plaintiff Park Avenue Bank against counterclaims for fraud filed by defendants. In this matter, defendant Mr. Hosch brokered and guaranteed a \$3 million bridge loan on behalf of defendant Mr. Prozer and his company with Park Avenue. As was later discovered after defendants defaulted on the loan, Mr. Prozer was a con artist who created a fictitious company with fictitious financials to obtain the bridge loan. Mr. Hosch, on the other hand, was a legitimate business man with substantial assets, who guaranteed the loan, but was

also duped by Mr. Prozer. Mr. Hosch defended vigorously and counterclaimed against the bank, claiming that he had relied on the bank's investigation into the validity of what later turned out to be fictitious financial statements. I defended the bank on these counterclaims. I worked alongside counsel from Bodurant Mixson, who were prosecuting the bank's primary claims, to coordinate discovery and conduct at least ten depositions in two different states. I helped draft and edit the dispositive motions on all claims and helped make the bank's case at several hearings. Ultimately, the court granted the bank summary judgment on its claims and against Mr. Hosch's counterclaims. The court's orders were upheld on appeal in an unpublished opinion.

Plaintiff's Co-counsel:

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10. *Henkel Corporation v. Leggett & Platt Incorporated, et al.* (1:09-CV-0463-RLV), U.S. District Court for the Northern District of Georgia, Atlanta Division, Judge Robert Vining, Jr.

From 2009 to 2010, I (while at Foltz Martin) represented the defendant Leggett & Platt (“L&P”) in a dispute arising over an open account. L&P would frequently order certain parts from plaintiff Henkel. Over time, L&P’s balance on its open account grew to approximately \$1 million. At that time, a billing dispute arose between the parties. The parties were not able to resolve their dispute and over a year later Henkel filed suit seeking past due payments. I took lead on all aspects of defending this suit. In reviewing the documents produced by both sides, I noticed a provision on the back of one of the documents L&P would use to order product from Henkel that reduced the statute of limitations to one year. Most of these order sheets were faxed and Henkel claimed it had never seen the provisions on the back of the original order sheets despite the fact that said provisions were clearly referenced on the front of the orders. I drafted a motion to dismiss (that later was converted to a motion for summary judgment) arguing that Henkel’s claims were time-barred, as it filed suit just over one year after the billing dispute arose. After several rounds of briefing, we were able to convince the court to accept the shortened one-year statute of limitations, and our motion for summary judgment was granted.

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Defense Co-counsel: Halsey G. Knapp, Jr.
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18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not

involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

Since April 2011, I have presided over two sessions of the DeKalb County DUI court, an accountability court designed to provide substance abuse treatment for alcohol. I preside over one session in English and the other in Spanish in an effort to increase the number of people we can help overcome their dependence on alcohol. This fifteen-month-long program is designed to help those individuals who have two or more DUI convictions. The program requires that participants provide three random urine screens per week, attend three Alcoholics Anonymous meetings per week, and attend three alcohol counseling sessions three times per week. Twice a month, all of the participants appear before me in order to discuss their progress in the program. Participants may be given an array of sanctions (from minor to severe) for lack of compliance. Those participants that are in full compliance with all program requirements for 120 days become eligible to receive a limited driving permit at my discretion. The program has reduced recidivism among this population of high risk individuals.

In the fall of 2014, I met with several elected officials from the Georgia General Assembly and the DeKalb County Commission to discuss jurisdictional issues related to the ability of the DeKalb County Recorder's Court to handle certain traffic offenses, and the need for a legislative fix to address those issues. Due in some part to my discussions, the Georgia General Assembly passed several pieces of legislation that repealed the Recorder's Court and established a new traffic division of the DeKalb State Court. I have no notes or other documents relating to my conversations. Several other judges from the DeKalb State Court were involved in these discussions.

I have not performed any lobbying activities.

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

None.

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

None.

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

If confirmed, I have no plans, commitments, or plans of this sort.

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

I do not foresee any such conflicts of interests. If any such conflict arose, I would first consult the Code of Conduct for United States Judges to determine whether a conflict actually existed. If so, I would follow the requirements for disqualification.

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

To resolve any potential conflict of interest, I would first consult the Code of Conduct for United States Judges to determine whether a conflict actually existed. If so, I would follow the requirements for disqualification. In a case where the existence of a true conflict is unclear, I would, out of an abundance of caution, disclose the potential conflict and permit the parties an opportunity to be heard. In most cases, I would err on the side of caution and disqualify unless I perceived a party's objection to be frivolous and made with the purpose of thwarting the legal process.

25. **Pro Bono Work:** An ethical consideration under Canon two 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.

Throughout my career as a lawyer, I represented several pro bono clients through the Atlanta Volunteer Lawyers Foundation. Through my representation, I successfully recovered amounts owed to several pro bono clients, ranging from \$600 in security deposit matters, to \$20,000 in a real estate fraud case arising from the sale of a home. I also represented a Chinese national seeking asylum in 2003. In 2004, I represented a Mexican national in a federal court action brought under the Hague Abduction Convention. My client was the victim of domestic abuse at the hands of her husband. She fled to the United States with her daughter in an effort to escape the abuse. Though we were not successful in the action, we were able to help the client obtain legal representation in Mexico to help her adjudicate custody issues in the proper forum. In 2006, I represented a young Mexican high school student in a discrimination matter where a South Georgia school district attempted to expel the student unlawfully without affording proper due process. The school district wrongfully accused the student of being a gang member primarily due to his national origin. As soon as I became involved, the school system backed down and the student graduated high school and received a football scholarship to college.

26. Selection Process:

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

In June 2012, I met with a member of the judicial nominating committee that advises Senator Johnny Isakson while at the State Bar Annual meeting in Savannah, Georgia, to discuss my interest in being considered for a vacancy on the United States District Court for the Northern District of Georgia. In the latter part of the summer of 2012, I met with another member of the Senator Isakson’s committee in Atlanta, Georgia. In the spring of 2015, a member of Senator Perdue’s judicial nominating committee contacted me to gauge whether I still had an interest in the position. After I expressed my interest, Senators Isakson and Perdue submitted my name to the White House Counsel’s office for consideration. Since June 4, 2015, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On July 28, 2015, I interviewed with attorneys from the White House Counsel’s Office and the Department of Justice in Washington, D.C. On July 30, 2015, 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.