

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Nancy Torresen  
Nancy Torresen Hammar

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

United States District Judge for the District of Maine

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.

United States Attorney's Office  
202 Harlow Street, Room 111  
Bangor, Maine 04401

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

1959; Ridgewood, New Jersey

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

1984 – 1987, University of Michigan Law School, J.D. (*cum laude*), 1987  
1977 – 1981, Hope College, B.A. (*cum laude*), 1981

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.

2001 – Present  
United States Attorney's Office for the District of Maine  
202 Harlow Street, Room 111  
Bangor, Maine 04401  
Assistant United States Attorney Assigned to the Criminal Division

1994 – 2001

Maine Department of the Attorney General

State House Station 6

Augusta, Maine 04444

Assistant Attorney General Assigned to the Criminal Division, Appellate Section  
(Assistant United States Attorney Assigned to the Maine Department of the Attorney General)

1990 – 1994

United States Attorney's Office for the District of Maine

99 Franklin Street

Second Floor

Bangor, Maine 04401

Assistant United States Attorney Assigned to the Civil Division  
(After my first child was born in 1991 – prior to passage of the Family Medical Leave Act – I resigned my position for ten months and was rehired in July of 1992.)

1988 – 1990

Williams and Connolly

725 Twelfth Street, NW

Washington, D.C. 20005

Associate

1987 – 1988

Honorable Conrad K. Cyr

202 Harlow Street

Bangor, Maine 04401

Judicial Clerk

Summer 1986

Williams and Connolly

725 Twelfth Street, NW

Washington, D.C. 20005

Summer Associate

Summer 1985

Jaffe, Snider, Raitt & Heuer

1800 First National Building

Detroit, Michigan 48226

Summer Associate

1982 – 1984

Association for Child Development  
139 Lake Lansing Road, Suite 120  
East Lansing, Michigan 48823  
Administrative Assistant

1981 – 1982

Midland Daily News  
124 MacDonald Street  
Midland, Michigan 48640  
Reporter (free lance; part-time)

1981 – 1982

Bay City Foundry  
2611 Center Street  
Bay City, Michigan 48707  
Sales Correspondent

Summer 1981

CoroTech, Incorporated  
17181 Taft Street  
Spring Lake, Michigan 49456  
Office Manager

Other Affiliations

2006 – 2009

Mabel Wadsworth Women's Health Center  
700 Mount Hope Avenue, Suite 420  
Bangor, Maine 04401  
Member, Board of Directors

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

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

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

United States Department of Agriculture, Office of Inspector General, Award of Excellence (2006)  
Executive Editor of the University of Michigan Law Review (1986 – 1987)

Howard B. Coblenz Prize (1986 – 1987)  
Associate Editor of University of Michigan Law Review (1985 – 1986)  
Bodman Longley Award (1985 – 1986)  
Writing and Advocacy Certificate of Merit  
Member of Mortarboard Society at Hope College  
Member of Psi Chi – Psychology Honors Society at Hope College

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.

Advisory Committee on the Maine Rules of Civil Procedure  
Special assistant on the drafting of Rule 66 of the Maine Rules of Civil Procedure  
and Rule 42 of the Maine Rules of Criminal Procedure (1996)  
John Waldo Ballou American Inns of Court  
Maine Bar Association  
National Association of Assistant United States Attorneys  
Delegate from Maine (2007 – 2009)  
Penobscot County Bar Association

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.

Michigan, 1988. I have never practiced in Michigan and my license is inactive there.

District of Columbia, 1989. I resigned this membership after I joined the Maine bar.

Maine, 1993. There have been no lapses in my 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 Court of Appeals for the First Circuit, 1998  
United States District Court for the District of Maine, 1990  
Courts of the State of Maine, 1993  
District of Columbia Court of Appeals, 1989  
Courts of the State of Michigan, 1988

I assume that my admission in the courts of the State of Michigan and the District of Columbia have lapsed since my memberships in their respective bars are now inactive. Otherwise, there have been no lapses in membership.

**11. Memberships:**

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

Bangor Parks and Recreation, Soccer Coach (1997 – 2004)

Bangor Public Schools, Parent Teacher Organization (1996 – 2007)

Lucerne Beach Club (1997 – present)

Mabel Wadsworth Women's Health Center Development Committee (2005)

Penobscot Valley Country Club (2004 & 2006)

Penobscot Theater Company (1987 – 1988)

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

**12. Published Writings and Public Statements:**

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

*Critical of YWCA*, Letter to the Editor in Bangor Daily News, Apr. 27, 1995.  
Copy supplied.

Book Note, 84 U. Mich. L. Rev. 974 (1986). Copy supplied.

*Fixing Old Fashioned Feast Takes Energy, Experience, Organization*, Midland Daily News, Nov. 26, 1981, at 3. Copy supplied.

*Epilepsy Misunderstood*, Midland Daily News, Nov. 25, 1981, at 8. Copy supplied.

*Organists Play Supporting Role*, Midland Daily News, Nov. 21, 1981 at 9. Copy supplied.

*Women Should Review and Update Credit Rating*, Midland Daily News, Nov. 6, 1981, at 6. Copy supplied.

*Multinational Companies Study Results Presented*, Midland Daily News [date unavailable] at 8. Copy supplied.

*Friendliness, Openness Part of the Lifestyle in Beaverton*, Midland Daily News, [date unavailable]. Copy supplied.

*Pianist-Teacher Enjoys her Life*, Midland Daily News, [date unavailable]. Copy supplied.

*New Chaplain Interviewed*, Hope College Anchor, Feb. 8, 1979. I have been unable to obtain a copy of this article.

*Van Heest Gets Committee's Nod*, Hope College Anchor, Dec. 1, 1978, at 1. Copy supplied.

*High Schoolers Simulate Hope United Nations*, Hope College Anchor [date unavailable]. Copy supplied.

*Joffrey Says Yes: Rahn and Riffel Create 'Ritual'*, Hope College Anchor [date unavailable]. Copy supplied.

*Commentary: House Losses Cause of Commotion*, Hope College Anchor [date unavailable]. Copy supplied.

*New PR Film Shows Signs of Hope*, Hope College Anchor [date unavailable]. Partial copy supplied.

*Out and Back Again: Student Treks Evaluated*, Hope College Anchor [date unavailable]. Copy supplied.

*From May to You: Education Abroad*, Hope College Anchor, [date and unavailable]. Copy supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

Juvenile Crime, Drug Abuse, Domestic & Sexual Violence and Hate Crimes in Maine, A Report of the Anti-Crime, Anti-Violence Advisory Committee to Congressman John E. Baldacci, April 1997. Although I was not a member of the Committee, I attended public hearings and private sessions of the Committee and prepared a report which contained summaries of the testimony heard by the committee and recommendations of the committee. A copy of that report is supplied.

Advisory Committee on the Maine Rules of Civil Procedure, Special assistant on the drafting of Rule 66 of the Maine Rules of Civil Procedure and Rule 42 of the Maine Rules of Criminal Procedure, 1996. I have been unable to obtain copies of the drafts of those rules submitted during my tenure on the committee, but have supplied copies of the rules as they exist currently.

- 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.

I have not testified or made any official statements or other communications relating to matters of public policy or legal interpretations to public bodies or public officials.

- 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.

I have not given any speeches or talks.

- 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.

As a general rule, during my career at the United States Attorney's Office, I have not spoken with the press. On a few occasions, I have spoken with a reporter outside the courtroom.

On October 1, 2010, I participated in a press conference with the United States Attorney about a serial bank robber. While I do not have a transcript or recording, I was quoted by some of the media outlets that attended the press conference and others picked up the story. Most of the articles tracked an AP story which quoted me. I have supplied the AP story and any additional articles that I could find which contained a different quote than that used by the AP article. These articles are listed below:

Dawn Gagnon, *'Burly Bandit' Pleads Guilty to 11 Bank Heists*, Bangor Daily News, Oct. 2, 2010. Copy supplied.

David Hensch, *'Burly Bandit' Faces Prison After Plea to 11 Bank Robberies*, Portland Press Herald, Oct. 2, 2010. Copy supplied.

Dan Herbeck, *'Burly Bandit' Pleads Guilty in Maine to 11 Holdups*, Buffalo News, Oct. 2, 2010. Copy supplied.

David Sharp, *'Burly Bandit' Pleads Guilty to 11 Robberies*, Associated Press, Oct. 1, 2010. Copy supplied.

Listed below are additional articles quoting comments that I believe were made outside the courtroom.

Jason Schreiber, *Burly Bandit Gets 10 Years for Multi-State Robbery Spree*, Union Leader, Feb. 25, 2011. Copy supplied.

Eric Russell, *Jonesport Woman Who Embezzled \$30K from Union Sentenced*, Bangor Daily News, Feb. 24, 2011. Copy supplied.

Judy Harrison, *Man Gets Jail in Illegal Aliens Case*, Bangor Daily News, Mar. 3, 2010. Copy supplied.

Judy Harrison, *Hampden Child Pornographer Faces Supervised Release for Life*, Bangor Daily News, Sept. 13, 2006. Copy supplied.

Doug Harlow, *Man Gets 3 Years for Possessing Shotgun*, Morning Sentinel, Mar. 28, 2006. Copy supplied.

Judy Harrison, *Two Indicted in Robbery of Skowhegan Pharmacy*, Bangor Daily News, Aug. 8, 2003. Copy supplied.

Darla L. Pickett, *Pair Indicted in Armed Robbery*, Morning Sentinel, Aug. 8, 2003. Copy supplied.

*Bangor Man in Court on Child Porn Charges*, Bangor Daily News, Jan. 30, 2002. Copy supplied.

Debra Sund, *Court Denies Appeal in Stabbing Death*, Bangor Daily News, Nov. 1, 2000. Copy supplied.

John S. Day, *Jumbled Memories of a Shrinking Male Brain*, Bangor Daily News, Oct. 17, 1996. Copy supplied.

*Patricia Harper's Conviction Upheld; Request for Third Murder Trial Denied*, Bangor Daily News, Feb. 28, 1996. Copy supplied.

Rick Levasseur, *'Guys and Dolls' a Community Affair*, Bangor Daily News, Oct. 23, 1987. Copy available at <http://news.google.com/newspapers?id=aqdJAAAAIBAJ&sjid=DA4NAAAAIBAJ&pg=6551,3382190&dq=nancy+torresen&hl=en>.

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

I have not served as a judge.

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

- i. Of these, approximately what percent were:

jury trials: \_\_\_\_\_%

bench trials: \_\_\_\_\_%

civil proceedings: \_\_\_\_\_%

criminal proceedings: \_\_\_\_\_%

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

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

I have not served as a judge.

- 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.

**15. Public Office, Political Activities and Affiliations:**

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

I have never held public office. I have never run for any elective office. I have never been nominated to any appointed office.

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

I have never held a paid position in a political party or election committee. I served very briefly as a local treasurer for Pamela Chase, a candidate to the Maine House of Representatives in 1992. I resigned the post when I returned to work at the United States Attorney's Office in July of 1992. In 1994, my name appeared in an advertisement along with many others as individuals who supported Joe Brennan for Governor of Maine.

**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;

From 1987 to 1988, I served as a law clerk to the Honorable Conrad K. Cyr who at the time was Chief Judge of the United States District Court for the District of Maine.

- 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.

1988 – 1990  
Williams and Connolly  
725 Twelfth Street, NW  
Washington, D.C. 20005  
Associate

1990 – 1994  
United States Attorney's Office for the District of Maine  
202 Harlow Street, Room 111  
Bangor, Maine 04401  
Assistant United States Attorney Assigned to the Civil Division

1994 – 2001  
Maine Department of the Attorney General  
State House Station 6  
Augusta, Maine 04444  
Assistant Attorney General Assigned to the Criminal Division, Appellate  
Section (Assistant United States Attorney Assigned to the Maine  
Department of the Attorney General)

2001 – present  
United States Attorney's Office for the District of Maine  
202 Harlow Street, Room 111  
Bangor, Maine 04401  
Assistant United States Attorney Assigned to the Criminal Division

- 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 never served as a mediator or arbitrator.

b. Describe:

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

From 1988 to 1990, I worked as an associate with Williams and Connolly. I was responsible for both civil and criminal matters. My civil practice included medical malpractice, libel, and contract dispute cases. My criminal practice involved white collar cases, including government contract fraud, tax evasion, and regulatory fraud.

From 1990 to present, I have been an Assistant United States Attorney. My career over the last twenty years can be divided into three distinct periods – the civil years, the appellate years and the criminal years.

Throughout this time, I have always been involved in litigation, but it has taken place in different courts for different reasons.

In the early 1990s, I was assigned to the civil division of the United States Attorney's Office in Maine litigating civil cases involving federal agencies. I defended the Veteran's Administration in medical malpractice matters and defended other federal agencies in personal injury and employment discrimination cases. I handled affirmative civil actions for regulatory agencies, such as the FDA, and I brought a civil suit against a German citizen for interfering with a flight crew. I also protected federal interests in bankruptcy cases.

From 1994 to 2001, I was designated by the Justice Department to the Maine Department of the Attorney General, Criminal Division, Appellate Section. With the Maine Attorney General's office, I was primarily responsible for representing the State of Maine in appeals of serious violent crime convictions. I wrote the State's briefs in sixteen appeals. I argued nine murder cases and two manslaughter cases before the Maine Supreme Judicial Court sitting as the Law Court. I wrote the State's briefs and argued a successful State's appeal of a gross sexual assault case. I briefed a dozen habeas corpus cases in the United States District Court. Three of the habeas cases were appealed to the United States Court of Appeals, and I argued two of those appeals before the First Circuit. In the lower state courts, I defended the constitutionality of state statutes, including the stalking statute, the protection from abuse statute, and the animal cruelty statute. I handled numerous miscellaneous matters including a juvenile manslaughter adjudication appeal, a termination of parental rights appeal, and I participated at various motions hearings before State judges. I volunteered to work on civil rights cases for the Public Protection Unit of the Department of the Attorney General. In addition, I assisted the Advisory Committee on the Maine Rules of Civil Procedure in drafting new rules on contempt proceedings (Me. R. Civ. P. 66 and Me. R. Crim. P. 42).

From 2001 to present, I have been assigned to the Criminal Division of the United States Attorney's Office in the District of Maine. I am responsible for investigating and prosecuting federal crimes in the northern half of the District of Maine. The United States Attorney in Maine has offices in Bangor and Portland. I operate largely from the Bangor office which has only six attorneys. Because we are a small office, we each manage our own caseloads, which are, for the most part, very diverse. My own caseload has included bank fraud, mortgage fraud, tax evasion, mail and wire fraud, government program fraud, embezzlement from union funds, bank robbery, Hobbs Act cases, firearms and explosives cases, postal crimes, assaults on federal officials, harboring and transporting illegal aliens, entry after deportation cases, fraudulent document cases, visa

fraud, aggravated identity theft, drug cases, cases involving the special aircraft jurisdiction of the United States, cases involving the misconduct or neglect of ships officers, and child pornography cases. My cases range from complex white collar matters to prosecutions of petty offenses occurring in Acadia National Park and the Veteran's Administration hospital.

Typically, cases are referred to me by a federal law enforcement agency – the FBI, ATF, ICE, IRS, USPIS, or an OIG's office from another agency. Often, a state or local law enforcement agency is involved as well. I supervise the investigation and direct the agents as needed. If a search warrant or other investigatory tool requiring court approval is needed, I present the matter to the United States Magistrate or the federal judge. As the evidence is developed, I present the case to the grand jury. Once a case is indicted, I handle the arraignment, preliminary examination and detention hearings. I manage the discovery phase of the litigation and respond to the various motions filed by defendants. If competency, suppression, or other pretrial motions are raised, I craft the Government's response and argue the Government's position at any motion or evidentiary hearings. Like 97% of all federal criminal cases, the vast majority of my cases result in a plea of guilty by the defendant. I typically negotiate the plea and any cooperation agreement with defense counsel. If the defendant does not plead guilty, I prepare and present the Government's case at trial. That process involves interviewing and preparing lay and expert witnesses, gathering documents and other physical evidence, preparing and responding to motions in limine, preparing direct and cross-examination questions and exhibits, and preparing opening and closing statements. Post conviction, I review presentence investigation reports, prepare the Government's case for sentencing, make any additional evidentiary record required to achieve a just sentence, and make the Government's sentencing recommendation. I handle all revocation of supervised release proceedings connected with my cases. I also handle a wide variety of additional matters, such as fugitive warrants and transfers to and from other districts.

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

From 1988 to 1990, when I worked at Williams and Connolly, the firm was not divided into formal departments or practice groups. The primary focus of the firm was litigation, but the cases varied widely. My clients on the civil side included doctors and hospitals being sued for medical malpractice and corporations and individuals involved in various types of civil lawsuits, such as a plaintiff in a libel suit or a corporation being sued for copyright infringement. On the criminal side, my clients were corporations and individuals who were the targets of federal grand jury

investigations or who had been charged with white collar crimes. During the time I was with Williams and Connolly, I had one pro bono client, who was involved in an administrative law issue.

From 1990 to 1994, during my tenure as an Assistant United States Attorney assigned to the Civil Division, my typical clients were federal agencies. For instance, I represented the Department of Commerce, the Department of the Army, and the United States Postal Service in personal injury suits. I represented the Veterans Administration in medical malpractice cases. I represented the Farmers Home Administration and the Department of the Interior in property matters. I represented the Food and Drug Administration in affirmative litigation against a seafood processor for violations of the Food, Drug and Cosmetic Act.

While I was working at the Maine Department of the Attorney General, from 1994 to 2001, I represented the State of Maine in appeals of serious criminal convictions, in actions attacking the constitutionality of State statutes, and in miscellaneous motions practice before State courts. In my capacity as a volunteer with the Public Protection Unit, I represented victims of hate or bias incidents under the Maine Civil Rights Act..

As an Assistant United States Attorney assigned to the criminal division, I represent the United States of America in criminal matters before the United States District Court.

- 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.

Virtually my entire career has been devoted to litigation. As an associate with Williams and Connolly, I was in court occasionally. When I was an Assistant United States Attorney assigned to the civil division from 1990 to 1994, I appeared in court regularly and was solely responsible for two non-jury civil trials. When I was an Assistant Attorney General for Maine from 1994 to 2001, I appeared regularly to argue the State's case in various murder and misdemeanor appeals, and I appeared on a wide variety of matters in various district and superior courts in Maine. I also argued two habeas cases in the First Circuit Court of Appeals. Since 2001, as an Assistant United States Attorney assigned to the criminal division, the frequency of my court appearances has increased. I am routinely in the United States District Court either before the United States District Judges or the United States Magistrate. Although full blown trials are infrequent, I appear frequently for various hearings and sentencings.

i. Indicate the percentage of your practice in:

1. federal courts: 75%
2. state courts of record: 25%
3. other courts:
4. administrative agencies:

ii. Indicate the percentage of your practice in:

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

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

I have tried four criminal cases as sole counsel to verdict. I have tried two civil cases as sole counsel to judgment. I have also tried numerous petty offenses before the United States Magistrate to judgment.

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 not appeared before the Supreme Court of the United States.

17. **Litigation**: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

(1) *United States v. Ferguson*, Nos. 10-130-B-W & 10-156-B-W (D. Me. 2010).

Ferguson, a Greyhound bus driver, robbed a bank in Orono, Maine on July 13, 2010. After a swift but intensive investigation, Ferguson was arrested and brought into federal court. Ferguson was suspected of committing a series of bank robberies that had taken place throughout the Northeast since April of 2010. Ferguson was held on our initial complaint and was indicted by a grand jury in August of 2010. While he was detained pending trial, I supervised and coordinated the efforts of the FBI and about a dozen state and local law enforcement agencies in New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut and New York. On October 4, 2010, Ferguson pleaded guilty to the indictment charging the Maine bank robbery, and he waived venue and indictment and pleaded guilty to an information charging him with ten additional bank and credit union robberies, several of which were armed robberies. As part of his plea agreement, Ferguson agreed not to seek a downward departure of his sentence, and the United States reserved its right to seek an upward departure from the United States Sentencing Guideline range. Ferguson was sentenced to serve 121 months in prison.

- a. The representation was from July 2010 to February 2011.
- b. The case was in the United States District Court for the District of Maine before the Honorable John A. Woodcock.
- c. I was the sole prosecutor assigned to the case.

Defense counsel:

Jon A. Haddow, Esq.  
Farrell, Rosenblatt & Russell  
61 Main Street, Suite 1  
Bangor, ME 04401  
(207) 990-3314

(2) *United States v. Guiliani*, No. 10-06-B-W (D. Me. 2010).

Guiliani came to the attention of United States Customs and Border Protection when a number of illegal aliens were found working in a potato processing plant in Fort Fairfield, Maine. The illegal aliens were prosecuted for having false documents, and they agreed to cooperate against Guiliani, who owned the company that was engaged in providing workers – many of whom were illegal – to American businesses. The investigation broadened and agents from the Immigration and Customs Enforcement, the Social Security Administration Office of the Inspector General, the Department of Education Office of the Inspector General and the Internal Revenue Service came on board. I coordinated the lengthy investigation which involved multiple search warrants, surveillance, and the review of a large number of documents. Guiliani was charged by indictment with harboring and transporting illegal aliens, social security

fraud, tax evasion, failure to file income tax returns, and fraud in connection with student loan applications. Guiliani agreed to plead guilty to all charges and pay restitution totaling over \$230,000 to the Internal Revenue Service and the Department of Education. Guiliani received a sentence of 19 months of imprisonment.

- a. The representation was from 2004 to February 2011.
- b. The case was in the United States District Court for the District of Maine before the Honorable John A. Woodcock.
- c. I was the sole prosecutor assigned to the case.

Defense counsel:

Bruce Merrill, Esq.  
225 Commercial Street, Suite 501  
Portland, ME 04101  
(207) 775-3333

- (3) *United States v. Young*, No. 09-140-B-W (D. Me. 2009)  
*United States v. Young*, 2010 WL 1461558 (D. Me. Apr. 9, 2010) (order on motion in limine)  
*United States v. Young*, 2010 WL 1461574 (D. Me. Apr. 9, 2010) (order on motion in limine)  
*United States v. Young*, 2010 WL 1418744 (D. Me. Apr. 7, 2010) (order on motion in limine)  
*United States v. Young*, 702 F. Supp. 2d 11 (D. Me. Apr. 6, 2010) (order on motion in limine)  
*United States v. Young*, 2010 WL 1418746 (D. Me. Apr. 6, 2010) (order on motion in limine)  
*United States v. Young*, 2010 WL 1418748 (D. Me. Apr. 6, 2010) (order on motion in limine)  
*United States v. Young*, 694 F. Supp. 2d 25 (D. Me. Mar. 15, 2010) (order on motion to dismiss)  
*United States v. Young*, 2010 WL 347878 (D. Me. Jan. 25, 2010) (magistrate's recommended decision on motion to dismiss)

I prosecuted Young for the theft of Office of Personnel Management (OPM) benefits from 1997 to 2005 and for filing false tax returns for 2003, 2004 and 2005. Young stole OPM survivor benefits which were intended for his deceased mother-in-law. Because Young never reported the death of his mother-in-law to OPM, and because OPM missed the woman's death on cross-checks with the Social Security Administration, the theft was not discovered until 2007. I supervised the investigation by the Office of Inspector General for OPM and the Internal Revenue Service. After plea negotiations reached an impasse, I presented the case for

indictment. After extensive motions and briefing, the case went to jury trial. The Defendant was found guilty and was sentenced to 33 months in prison.

- a. The representation was from 2008 to February 2011.
- b. The case was in the United States District Court for the District of Maine before the Honorable John A. Woodcock.
- c. I was the sole prosecutor assigned to the case.

Defense counsel:

Bruce Mallonee, Esq. (now a Maine District Court Judge)  
163 State House Station  
Augusta, ME 04333  
(207) 287-6950

Charles F. Budd, Jr., Esq.  
Rudman & Winchell  
84 Harlow Street  
Bangor, ME 04401  
(207) 947-4501

- (4) *United States v. Riley*, No. 08-157-JAW (D. Me. 2010)  
*United States v. Wickett*, No. 08-018-JAW (D. Me. 2009)  
*United States v. Carey*, 716 F. Supp. 2d 56 (D. Me. 2010) (order finding prior cocaine offense did not count as a conviction for purposes of Armed Career Criminal Act)  
*United States v. Wickett*, 2010 WL 1500880 (D. Me. Apr. 13, 2010) (order denying motion to reduce sentence)  
*United States v. Carey*, 2009 WL 485112 (D. Me. Feb. 26, 2009) (order on motion in limine)  
*United States v. Carey*, 599 F. Supp.2d 50 (D. Me. 2009) (order denying motion to dismiss indictment)  
*United States v. Carey*, 578 F. Supp. 2d 190 (D. Me. 2008) (order on detention)

This case involved the straw purchase of firearms by Wickett, a young Maine woman who was befriended by two Boston drug dealers, Riley and Damon. Riley, Damon and an associate, Carey, all felons, came to Maine to purchase firearms. They convinced Wickett to purchase the firearms for them, since they would not have passed a background check. An astute firearms dealer called the police, and Wickett was arrested. She later confessed to the police and agreed to plead guilty to making a false statement in the acquisition of firearms. She received an 18 month sentence. Riley, Damon and Carey were each charged with possession of a firearm by a felon and a conspiracy to make false statements in the acquisition of firearms. Riley's case was transferred to Boston and combined with another possession of firearm charged there. Riley received a sentence of 92 months in prison. Damon pleaded guilty to

being a felon in possession and was sentenced to 70 months. After extensive pre-trial motions practice, including a motion to dismiss a superseding indictment, Carey proceeded to trial and was found guilty of the felon in possession charge. Carey received a sentence of 90 months in prison.

- a. The representation was from 2007 to December 2010.
- b. The case was in the United States District Court for the District of Maine before the Honorable John A. Woodcock.
- c. I was the sole prosecutor assigned to the case.

Defense Counsel for Riley:  
Jeffrey M. Silverstein, Esq.  
Law Office of Jeffrey M. Silverstein, PA  
9 Central Street, Suite 209  
Bangor, ME 04401  
(207) 992-9158

Defense Counsel for Damon:  
Virginia G. Villa, Esq.  
Federal Defender's Office  
Key Plaza, 2<sup>nd</sup> Floor, Suite 206  
23 Water Street  
Bangor, ME 04401  
(207) 992-4111

Defense Counsel for Carey:  
Leonard I. Sharon, Esq.  
Law Office of Leonard Sharon  
223 Main Street  
Auburn, ME 04210  
(207) 344-6311

Defense Counsel for Wickett:  
Richard L. Hartley, Esq.  
Law Office of Richard Hartley  
15 Columbia Street, Suite 301  
Bangor, ME 04401  
(207) 941-0999

- (5) *United States v. Escalante*, CR-07-45-B-W & CR-07-67-B-W (2007)  
*United States v. Centeno-Perez*, CR-07-65-B-W (2007 – 2010)

The husband and wife team of Escalante and Centeno-Perez operated a labor contracting business which supplied workers, many of whom were illegal aliens, to various

employers in eastern Maine. The defendants were responsible for employing a large portion of the illegal migrant workforce present in Washington County, Maine. In addition to their labor contracting business, they owned a Mexican Store and Restaurant. Although both Escalante and Centeno-Perez had work authorization papers from the Immigration and Naturalization Service, their documents had been procured through fraudulent asylum claims. I worked the investigation with special agents from Immigration and Customs Enforcement (ICE). There were numerous witnesses who were unauthorized workers employed by Escalante and Centeno-Perez who were also prosecuted. We obtained a search warrant for the defendants' residence and found critical evidence of their scheme to harbor, transport and employ illegal workers.

Escalante was charged first by complaint with visa fraud and aggravated identity theft. She agreed to cooperate and plead guilty both to the visa fraud charged in the indictment and to an information charging her with a conspiracy to employ illegal aliens. With Escalante's cooperation, we were able to charge Centeno-Perez with conspiracy to employ illegal aliens, transporting and harboring illegal aliens, and visa fraud. Centeno-Perez fled the country but surfaced about a year later in Canada. Working with the Office of International Affairs, I filed a request for provisional arrest with the Canadian government and then filed for extradition. About a year after the extradition was filed, Centeno-Perez was turned over to ICE agents and appeared to answer the charges in Maine. After discovery and motions practice, Centeno-Perez pleaded guilty and was sentenced to 33 months of imprisonment. After he serves his prison sentence, Centeno-Perez will return to ICE custody for removal proceedings.

- a. The representation was from 2006 to 2010.
- b. The case was in the United States District Court for the District of Maine before the Honorable John A. Woodcock.
- c. I was the sole prosecutor assigned to the case.

Defense Counsel for Escalante:

Jon A. Haddow, Esq.  
Farrell, Rosenblatt & Russell  
61 Main Street, Suite 1  
Bangor, ME 04401  
(207) 990-3314

Defense Counsel for Centeno-Perez:

Ronald W. Bourget, Esq.  
Bourget & Bourget, P.A.  
64 State Street  
Augusta, ME 04330  
(207) 623-3731

(6) *United States v. Winchenbach*, No.-03-0097-JAW-1 (D. Me. 2003)

Winchenbach was the quality assurance manager for Jordan's Meats, a meat processing facility with plants in Augusta and Portland, Maine. Jordan's Meats had its own USDA accredited laboratory to ensure that its products met quality standards set by the USDA regulations. We received information from an insider at Jordan's Meats that lab results for hot dogs were being falsified resulting in a product with more fat and water than allowed by law. I supervised the investigation which was conducted by agents from the USDA Office of the Inspector General. Ultimately, Winchenbach agreed to waive indictment and plead guilty to a felony count of obstructing a proceeding before the Food Safety Inspection Service of the USDA. Based on information provided by Winchenbach and others, an Assistant United States Attorney from the civil division was able to negotiate a \$100,000+ settlement with Jordan's Meats. I received an award of excellence from USDA for my work in connection with this case.

- a. The representation was from 2003 to 2004.
- b. The case was in the United States District Court for the District of Maine before the Honorable John A. Woodcock.
- c. I was the sole prosecutor assigned to the case.

Defense Counsel:  
Thomas E. Dwyer, Jr., Esq.  
Dwyer & Collora  
600 Atlantic Avenue  
12<sup>th</sup> Floor, Federal Reserve Plaza  
Boston, MA 02210  
(617) 371-1000

(7) *United States v. Sanford & Pelotte*, No. 03-53-JAW-2 (2003-04)  
*United States v. Sanford*, 327 F. Supp. 2d 54 (D. Me. 2004)  
*United States v. Sanford*, 301 F. Supp. 2d 36 (D. Me. 2004)

This case involved the theft of a .45 caliber handgun from a blind man and an armed robbery of a supermarket pharmacy in Skowhegan, Maine. We charged the defendants with a Hobbs Act robbery conspiracy, using a firearm during the commission of a federal crime of violence, possession of a stolen firearm, possession of a firearm by an armed career criminal, and possession of a controlled substance with intent to distribute (oxycodone). Pelotte agreed to plead guilty and cooperate. He was sentenced to 13 years in prison. Sanford filed motions to sever and suppress. After briefing and hearing, the Government won both motions. On the eve of trial, Sanford changed his plea to guilty and was sentenced to 20 years imprisonment.

- a. The representation was from 2003 to 2004.
- b. The case was in the United States District Court for the District of Maine before the Honorable John A. Woodcock.
- c. I was the sole prosecutor assigned to the case.

Defense Counsel for Pelotte:  
 Wayne R. Foote, Esq.  
 Law Office of Wayne R. Foote  
 344 Mt. Hope Avenue  
 Bangor, ME 04401  
 (207) 990-5855

Defense Counsel for Sanford:  
 Stephen C. Smith, Esq.  
 Smith Law Offices  
 9 Central Street, Suite 209  
 Bangor, ME 04401  
 (207) 941-2395

(8) *State v. Haque*, 726 A.2d 205 (Me. 1999)

Haque appealed his convictions of the murder of his girlfriend and an assault with a dangerous weapon on her neighbor who attempted to stop the killing. On behalf of the State, I briefed and argued the appeal before the Maine Supreme Judicial Court sitting as the Law Court. The Law Court agreed with the State's argument that the lower court properly excluded the testimony that Haque was in a blind rage because it was an opinion which stated a legal conclusion beyond the specialized knowledge of the expert. The Law Court also agreed that the cultural anthropologist's testimony was not relevant to any state of mind defense, particularly where the defendant had disavowed any reliance on a cultural defense and where the defendant had not introduced evidence sufficient to generate the defense of adequate provocation. Finally, the Law Court agreed with the State that the out of court statements of the victim were not offered for the truth of the matter asserted and were thus admissible. My work on this case involved the preparation of the State's brief and argument before the Law Court.

- a. The representation was in 1999.
- b. The appeal was heard by Chief Justice Wathen, and Justices Clifford, Rudman, Dana, Saufley and Calkins.
- c. I was the sole attorney representing the State on appeal.

Appellate Counsel:  
William Maselli, Esq.  
98 Washington Avenue  
Portland, ME 04101  
(207) 780-8400

- (9) *State v. King*, 708 A.3d 1014 (Me. 1998)  
*State v. Jackson*, 697 A.2d 1328 (Me. 1997)  
*State v. Moore*, 697 A.2d 1328 (Me. 1997)

King and Jackson were convicted of manslaughter and Moore was convicted of the murder of a crack cocaine dealer, in Lewiston, Maine. The appellants raised numerous issues including whether one defendant's Fifth Amendment right to remain silent was violated during a custodial interview; whether there was error in the accomplice liability instruction; whether there was a violation of the sequestration order; whether evidence of an earlier plan to rob a crack cocaine dealer was admissible under Me. R. Evid. 404(b); whether evidence that the prosecution witness had told police that he thought the defendant was innocent was improperly excluded; whether there was sufficient evidence of identity and whether the trial courts properly sentenced the defendants. On behalf of the State, I briefed and argued the appeals before the Maine Supreme Judicial Court sitting as the Law Court. The Court affirmed all of the convictions.

- a. The representation was from 1997 to 1998.
- b. The *King* appeal was heard by Chief Justice Wathen and Justices Roberts, Clifford, Rudman, Dana and Lipez.

The *Jackson* and *Moore* appeals were heard by Chief Justice Wathen and Justices Roberts, Glassman, Rudman and Lipez.

- c. I was the sole attorney representing the State on appeal.

Principal Counsel for King:  
Leonard I. Sharon, Esq.  
223 Main Street  
Auburn, ME 04212  
(207) 344-6311

Counsel for Jackson:  
David L. Brandt, Esq.  
903 Roosevelt Trail  
Windham, ME 04062  
(207) 892-3236

Counsel for Moore:  
Stuart W. Tisdale, Jr., Esq.  
80 Exchange Street  
Portland, ME 04112  
(207) 879-9177

(10) *State v. Craney & Eastman*, 662 A.3d 899 (Me. 1995)

Craney and Eastman were convicted of the robbery and murder of an elderly auctioneer. On appeal they argued that the trial court erred by admitting Craney's redacted confession and that the prosecutor's closing argument deprived them of a fair trial. The State contended that the replacement of Eastman's name with a neutral pronoun in Craney's confession followed the rules set forth in *Richardson v. Marsh*, 481 U.S. 200 (1987) and did not run afoul of *Bruton v. United States*, 391 U.S. 123, 126 (1968). Furthermore, the State contended that the redaction did not so distort the confession so as to violate the rule of completeness under Me. R. Evid. 105. The Law Court agreed with the State's analysis on the *Bruton* issue, found any error in the prosecutor's closing to be harmless and upheld the convictions. I researched and wrote the brief and presented oral argument.

- a. The representation was in 1995.
- b. The appeals were heard by Chief Justice Wathen and Justices Roberts, Glassman, Clifford, Rudman, Dana and Lipez.
- c. I was the sole attorney representing the State on appeal. With me on the State's Brief were the two reviewing attorneys – Assistant Attorneys General Charles K. Leadbetter and Wayne S. Moss.

Counsel for Defendant Craney:  
David L. Brandt, Esq.  
903 Roosevelt Trail  
Windham, ME 04062  
(207) 892-3236

Counsel for Defendant Eastman:  
William B. Cote, Esq.  
Laskoff & Associates  
P.O. Box 7206  
Lewiston, ME 04243  
(207) 786-3173

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.)

Much of the work of a federal prosecutor occurs before a case is ever charged and becomes public. In a small office such as mine, where resources are limited, a federal prosecutor plays a major role in investigating cases. We decide which investigatory steps to take, issue subpoenas, review and analyze documents, interview witnesses and present the case to the grand jury. Particularly in a white collar investigation, investigation activities and grand jury presentations can take months. Once the evidence has been gathered and analyzed, I bear the responsibility of recommending who to charge and what to charge. Occasionally, after investigation, I have made the decision not to charge the case or to refer it to the State for prosecution. The investigatory work and charging decisions are every bit as important as the work of preparing for a trial or trying a case. Ultimately, the primary responsibility of any federal prosecutor is not to win a conviction but to see that justice is done.

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

I have not taught any courses.

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.

Aside from a federal retirement under FERS, I have no deferred income/future benefits.

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

I do not have any plans to pursue outside employment during my service with the court.

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

If confirmed, I would recuse myself from any matter in which a party is represented by McCloskey, Mina & Cunniff, LLC, where my husband is a partner.

At present, my husband and I own stock in a number of public companies. If confirmed, I will follow the guidance of the Administrative Office of U.S. Courts and of the District Court in undertaking any appropriate reinvestment into diversified funds. If I continue to own any individual stocks, I would recuse myself from any cases in which I have investments.

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

If confirmed, I would handle all matters involving potential conflicts of interest through careful adherence to the Code of Conduct for United States Judges as well as other relevant Canons and statutory provisions. I would seek to avoid not only actual conflicts of interest, but any appearance of conflict.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

When I was an associate with Williams and Connolly, I handled a pro bono matter involving the restoration of a pharmaceutical license which had been revoked by the District of Columbia. I would estimate that I devoted 60 hours over the course of about six months to that matter.

During my tenure with the Maine Office of the Attorney General, I volunteered on the Civil Rights Task Force. This was a team of lawyers who were available to respond on short notice to seek temporary protection orders and then permanent injunctions for victims of hate or bias incidents under the provisions of the Maine Civil Rights Act. In

the time that I participated, I sought and received protection orders for a group of pro-life picketers who had been threatened while exercising their First Amendment rights, and a black man who was assaulted and threatened. I also handled a matter involving a gay teenager who had been assaulted and harassed. This type of work required immediate attention. I would assess the facts of the situation, move for a temporary protection order, and then either resolve at hearing or by consent decree the issue of the permanent injunction. I would estimate that I devoted approximately twenty hours for each of the civil rights matters I handled.

During my employment as an Assistant United States Attorney, I have not engaged in any pro bono legal practice. I have continued to volunteer for my community, however. I volunteered with the Bangor Area Homeless Shelter to provide monthly meals to feed thirty people on many occasions. I have raised funds for a new playground for a local school. I spearheaded the planting of the Margaret Chase Smith Federal Building pink tulip garden which raised funds for the Maine Cancer Society. And I have worked on fundraising projects with the Mabel Wadsworth Women's Health Center, which provides health care services to all women regardless of their ability to pay.

**26. Selection Process:**

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

On March 5, 2010, Representatives Chellie Pingree and Michael Michaud announced the formation of a screening panel comprised of ten prominent Maine attorneys to help Representatives Pingree and Michaud make a recommendation to President Obama on the appointment of the next U.S. District Court Judge.

On March 11, 2010, I submitted my application materials. On March 26, 2010, I had an interview with the screening panel. I was told by Representative Michaud's office that my name was one of three or four that were recommended by the screening panel. On November 30, 2010, I learned from Representative Michaud's office that my name was being submitted to the White House for the judgeship. Since December 1, 2010, I have been in contact with pre-nomination officials at the Department of Justice. On January 14, 2011, I interviewed with attorneys from the White House Counsel's Office and the Department of Justice in Washington, D.C. On March 2, 2011, 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.

AFFIDAVIT

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

3/1/2011

(DATE)

Nancy Torresen

(NAME)

Jane E. Deane

(NOTARY)

JANE E. DEANE  
Notary Public, Maine  
My Commission Expires September 20, 2012