

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Jacqueline Hong-Ngoc Nguyen
Hong-Ngoc Thi Nguyen, 1965 – 1984 (birth name)

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

United States Circuit Judge for the Ninth Circuit

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

United States District Court
Central District of California
Roybal Federal Building
255 East Temple Street, Suite 7100
Los Angeles, California 90012

Residence: South Pasadena, California

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

1965; Dalat, Vietnam

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.

1988 – 1991, UCLA School of Law; J.D., 1991

1983 – 1987, Occidental College; A.B., 1987

1985 – 1986, Waseda University (Tokyo, Japan); No degree (study abroad program)

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation

from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

2009 – present

United States District Court
Central District of California
Roybal Federal Building
255 East Temple Street, Suite 7100
Los Angeles, California 90012
United States District Judge

2002 – 2009

State of California, Superior Court of the County of Los Angeles
Alhambra Courthouse
150 West Commonwealth Avenue
Alhambra, California 91801
Judge of the Superior Court
Site (supervising) Judge, Alhambra Courthouse (2008 – 2009)

1995 – 2002

United States Attorney's Office
312 North Spring Street
Los Angeles, California 90012
Deputy Chief, General Crimes Section (2000 – 2002)
Assistant United States Attorney, Organized Crime Strike Force (1999 – 2000)
Assistant United States Attorney, Public Corruption & Government Fraud
Section (1996 – 1999)
Assistant United States Attorney, General Crimes Section (1995 – 1996)

1991 – 1994

Musick, Peeler & Garrett
One Wilshire Boulevard
Los Angeles, California 90017
Associate Attorney

Summer 1990

Rosen, Wachtell & Gilbert
[now defunct]
Century City, California
Summer Associate

Fall 1990

Public Advocates
131 Steuart Street, Suite 300
San Francisco, California 94105
Intern

Summer 1989

The Honorable Richard A. Gadbois, Jr. (deceased)
United States District Court, Central District of California
312 North Spring Street
Los Angeles, California 90012
Extern

1987 – 1988

Los Angeles Unified School District
333 South Beaudry Avenue
Los Angeles, California 90017
Substitute Teacher

Other Affiliations (uncompensated):

Asian Pacific American Bar Association of Los Angeles County
c/o Asian Pacific American Legal Center
1145 Wilshire Boulevard, 2nd Floor
Los Angeles, California 90017
President-Elect (1998 – 1999)
President (1999 – 2000)
Board Member (2000 – 2001)
Advisory Board Member (2000 – present)

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 was not required to register for selective service.

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

“Dream of Los Angeles” Award from Los Angeles Mayor Villaraigosa, 2011
Women’s Leadership Award, National Asian Pacific American Bar Association, 2010
Distinguished Jurist Award, Philippine American Bar Association, 2010
Trailblazer Award, National Conference of Vietnamese American Attorneys, 2009
Occidental College, Alumni Award, 2007
Trailblazer Award, National Asian Pacific American Bar Association, 2006
Various state and U.S. congressional certificates and recognitions as the first Vietnamese American woman judge in the State of California, 2002
Special Recognition Award, Asian Pacific American Legal Center, 2002
“Best Lawyer Under 40,” National Asian Pacific American Bar Association, 2002

Award from the Federal Law Enforcement Officers Association for outstanding contribution in the field of law enforcement, 2002
 Certificates of Appreciation, Public Counsel, Children's Rights Project, 2000 and 2001
 Director's Award from the Department of Justice for "Superior Performance as an Assistant United States Attorney," 2000
 Special Award in the prosecution of Operation Permit to Smuggle, the "largest commercial smuggling case in the history of the U.S. Customs Service," 2000
 Commendation from U.S. Attorney Alejandro N. Mayorkas for Efforts in Prosecution of Health Care Fraud, 2000
 Award from the U.S. Department of State, Bureau of Diplomatic Security for the prosecution of Operation Eastern Approach, 2000
 Special Commendation from FBI Director Louis J. Freeh for securing first conviction ever in the U.S. for providing support to a designated foreign terrorist organization, 2000
 Award from the Asian Pacific American Bar Association in recognition of leadership as President, 2000
 Special Achievement Award for Sustained Superior Performance as an Assistant United States Attorney, 1996 and 1997
 United States Attorney's Office "On-the-Spot" Award, 1997
 Commendation from United States Attorney, assistance in Out of District Prosecution of Corrupt Customs Employee, 1996

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 Inn of Court, Criminal Justice (2011 – present)
 Asian Concerns Committee
 Co-Chair (1994 – 1995)
 Asian Pacific American Bar Association
 Advisory Board Member (2000 – present)
 Board Member (2000 – 2001)
 President (1999 – 2000)
 President-Elect (1998 – 1999)
 Founding Member (1998)
 California Judges Association (2002 – 2009)
 Japanese American Bar Association
 Board of Governors (1995 – 1997)
 Korean American Bar Association (approx. mid-1990s)
 Los Angeles County Bar Association (on and off throughout early to mid-1990s)
 National Asian Pacific American Bar Association (approx. 1990s)
 National Association of Women Judges (2010 – present)
 Southern California Chinese Lawyers Association (early to mid-1990s)
 United States District Court for the Central District of California
 Court Services Committee (2009 – present)
 Vietnamese American Bar Association of Orange County (periodically in the 1990s)

Women Lawyers Association of Los Angeles County
Board of Governors (2001 – 2002; 2010 – present)
Co-Chair, Criminal Justice Section (2001 – 2002)
Co-Chair, Appointive Office Committee (2000 – 2001)

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.

State of California, 1991

There has been no lapse in membership from the date I was admitted to the date I was appointed as a judge to the Superior Court of Los Angeles County. Under the Constitution of California, a person serving as a judge of a court of record is not considered to be a member of the State Bar while in office. See California Constitution Article 6, § 9.

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

United States Court of Appeals for the Ninth Circuit, 1995
United States District Court for the Central District of California, 1991
All state courts in the State of California, 1991

There has been no lapse in membership from the date I was admitted to the date I was appointed as a judge to the Superior Court of Los Angeles County. Under the Constitution of California, a person serving as a judge of a court of record is not considered to be a member of the State Bar while in office. See California Constitution Article 6, § 9.

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.

Art Docent Program, Co-Chair (approx. 2006 – 2007)

Parent Teacher Association (approx. 2005 – present)

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

To the best of my knowledge, none of the organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, religion or national origin.

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 Flight from Saigon to America, Gavel to Gavel, a Magazine of the Los Angeles Superior Court, Spring 2006. Copy supplied.

Sidebar, APABA Reporter, Oct./Nov. 2000 (Volume II, Issue 4). Copy supplied.

As President of the Asian Pacific American Bar Association ("APABA") from 1999-2000, I wrote short summaries of the organization's activities for APABA's newsletter, the APABA Reporter. I was unable to locate my articles other than the Oct./Nov. article supplied. I have no recollection of the content of the other articles that I may have written for the newsletter.

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

None.

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

On September 23, 2009, I testified before the United States Senate Committee on the Judiciary, in connection with my nomination to be a United States District Judge for the Central District of California. Transcript supplied.

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

The following list represents my best efforts, through searches of my own records and publicly available databases, to identify speeches that I have delivered and panel discussions in which I participated. In connection with bar association activities throughout my career, I have frequently spoken to young attorneys and law students in organized but informal settings. I have also participated in many panel discussions or “question and answer” sessions on issues such as work/life balance and my experiences as a Vietnamese American attorney and judge. It is likely that I have given other remarks that I have been unable to recall or identify.

August 30, 2011: I spoke at a mentoring brunch hosted by the Asian Pacific American Women Lawyers Alliance. The topic was women in the law and the difficulties of career advancement and work/life balance. I have no notes, transcript or recording. The address of APAWLA is 655 South Flower Street, Los Angeles, CA 90017.

August 24, 2011: I spoke at the New Judges Orientation program sponsored by the Federal Judicial Center. Outline supplied.

June 4, 2011: I was a panel speaker at a seminar hosted by the Los Angeles County Bar Association on summary judgment practice. The seminar was on effective summary judgment practice. I have no notes, transcript or recording. The address of the Los Angeles County Bar Association is 1055 West Seventh Street, Suite 2700, Los Angeles, CA 90017.

May 31, 2011: I was a panel speaker at a “How to Have a Career and a Life” event hosted by the South Asian Bar Association of Southern California. The topic was generally about work/life balance. I have no notes, transcript or recording. The address of SABA-SC is P.O. Box 4587, Cerritos, CA 90703.

May 20, 2011: I was a speaker at the Asian American Pacific Islander Heritage Month celebration organized by the Federal Public Defender’s Office, the U.S.

Attorney's Office, the United States District Court, and the United States Bankruptcy Court. Notes and Powerpoint supplied.

May 13, 2011: I delivered brief remarks while accepting the "Dream of Los Angeles" award from Mayor Antonio Villaraigosa at the City of Los Angeles Asian American Pacific Islander Heritage Month celebration. Notes and press coverage supplied.

April 28, 2011: I spoke at a Law Day event at the United States District Court, Central District of California. I spoke about my career path to the bench and took questions concerning the role of a judge in the legal system. I have no notes, transcript or recording. The court's address is 312 North Spring Street, Los Angeles, CA 90012.

March 9, 2011: I spoke at the New Judges Orientation program sponsored by the Federal Judicial Center. I used the same materials supplied in response to the Aug. 24, 2011 event.

February 9, 2011: I spoke informally to a group of students at Loyola Law School at the invitation of the Asian Pacific American Law Students Association. I spoke about my own experiences and how I became a judge, the types of cases on the federal docket, and what judges look for in a law clerk. I have no notes, transcript or recording. The address of Loyola Law School is 919 Albany Street, Los Angeles, CA 90015.

February 8, 2011: I was one of the speakers at a "Meet the Newest Federal Judges" event hosted by the Association of Business Trial Lawyers. The speakers answered the moderator's questions on various issues concerning federal court practice and how they preferred to run their dockets. I have no notes, transcript or recording. The address of ABTL is 8502 East Chapman Avenue, Suite 443, Orange, CA 92869.

January 20, 2011: I spoke to a group of elementary school children at a Kids in Court program at the United States District Court for the Central District of California. I spoke on my own life experiences and journey to the federal bench, and I encouraged the children to pursue their own dreams no matter the obstacle. I have no notes, transcript or recording. The court's address is 312 North Spring Street, Los Angeles, CA 90012.

December 9, 2010: I made introductory remarks at a holiday reception sponsored by the Women Lawyers Association of Los Angeles County. I congratulated newly appointed judges and thanked WLALA for its support of women in the law. I have no notes, transcript or recording. The address of WLALA is 634 South Spring Street, Suite 617, Los Angeles, CA 90014.

November 20, 2010: I spoke at a “Convincing the Judge: Best Practices” seminar hosted by the National Asian Pacific American Bar Association during its annual convention. I spoke on effective motion practice and took questions from the audience. I have no notes, transcript or recording. NAPABA’s address is 1612 K Street NW, Suite 1400, Washington, DC 20006.

October 7, 2010: I spoke at a brown bag lunch organized by the Vietnamese American Bar Association of Southern California. I spoke mainly about my own experiences and journey to the bench. I have no notes, transcript or recording. The court address is 255 East Temple Street, Los Angeles, CA 90012.

September 21, 2010: I spoke at an event hosted by the Oregon Asian Pacific American Bar Association. My remarks congratulated OAPABA and encouraged its members to continue to engage in community service. I have no notes, transcript or recording. The address of OAPABA is P.O. Box 1728, Portland, Oregon, OR 97207.

July 30, 2010: I was a panel speaker at a “Women in Power” luncheon hosted by the Center for Asian Americans United for Self Empowerment (CAUSE). The panel was conducted in a “question and answer” format and I have no recollection of the topics discussed. I have no notes, transcript or recording. CAUSE’s address is 260 South Los Robles Avenue, #118, Pasadena, CA 91101.

July 22, 2010: I co-hosted a brown bag lunch on federal court practice for the Young Lawyers Division of the Federal Bar Association. The topic was effective federal court practice and I took questions from the attendees. I have no notes, transcript or recording. The court address is 255 East Temple Street, Los Angeles, CA 90012.

June 5, 2010: I spoke at a mentoring lunch hosted by the Asian Pacific American Women Lawyers Alliance. The topic was my personal career path to the bench. I have no notes, transcript or recording. The address of APAWLA is 655 South Flower Street, Los Angeles, CA 90017.

April 15, 2010: I spoke at the annual installation dinner of the Philippine American Bar Association of Los Angeles. Notes supplied.

March 18, 2010: I delivered the keynote address during the annual installation dinner of the Vietnamese American Bar Association of DC. Notes and press coverage supplied.

March 12, 2010: I spoke at my investiture ceremony. Notes supplied.

January 27, 2010: I spoke at a reception honoring my appointment to the United States District Court, hosted by the Asian Pacific American Bar Association and other bar organizations. Notes supplied.

October 16, 2009: Recipient of Trailblazer Award, National Conference of Vietnamese American Attorneys. I may have given remarks as the recipient of this award, but I do not specifically recall. I have no notes, transcript or recording. The organization has no address that I was able to locate.

February 2009: I delivered the keynote address at the Annual Dinner of the Vietnamese American Employees Association of Los Angeles County. Notes supplied.

January 2009: I spoke at an event hosted by the Asian Pacific Islander Law Students Association of Southwestern Law School. Notes supplied.

July 24, 2008: I spoke at the annual installation dinner of the Vietnamese American Bar Association of Southern California. To the best of my recollection, I spoke about my experiences as a Vietnamese American woman in the legal profession and on the bench. I have no notes, transcript or recording. The association's address is 10517 Garden Grove Boulevard, Garden Grove, CA 92843.

2008: I was a panel speaker at the Annual National Conference of Vietnamese American Attorneys. The panel discussion concerned advice from judges regarding effective courtroom practice. I have no notes, transcript or recording. The organization has no address that I was able to locate.

October 12, 2007: I spoke at the annual installation dinner of the Vietnamese American Bar Association of Northern California. My remarks congratulated VABA-NC and shared my own personal experiences. I have no notes, transcript or recording. The address of VABA-NC is 1570 The Alameda, Suite 121, San Jose, CA 95126.

2007: I delivered remarks on the State of the Courts in Los Angeles County at Occidental College. Powerpoint slides supplied.

October 28-29, 2006: I may have participated in the "Virtual Reality" Trial Skills Workshop, Southern California Chinese Lawyers Association. I do not specifically recall this event or the substance of any remarks. I have no notes, transcript or recording. The address of the SCCLA is P.O. Box 861959, Terminal Annex, Los Angeles, CA 90086.

September 30, 2006: I was a panel speaker at the Annual National Conference of Vietnamese American Attorneys. The panel discussion concerned advice from judges regarding effective courtroom practice. I have no notes, transcript or recording. The organization has no address that I was able to locate.

February 21-22, 2004: I may have participated in the "Virtual Reality" Trial Skills Workshop, Southern California Chinese Lawyers Association. I do not specifically recall this event or the substance of any remarks. I have no notes, transcript or recording. The address of the SCCLA is P.O. Box 861959, Terminal Annex, Los Angeles, CA 90086.

2004: I spoke at the annual installation dinner of the UCLA Asian Pacific Islander Law Students Association. Notes supplied.

August 16, 2003: Afternoon Tea with the Judges, Asian Pacific American Women Lawyers Alliance. I do not specifically recall this event or the substance of any remarks. I have no notes, transcript or recording. The address of APAWLA is 655 South Flower Street, Los Angeles, CA 90017.

August 2003: I spoke at the annual Vietnamese American Youth Excellence Award Luncheon sponsored by the Vietnamese Culture and Science Association. The purpose of the luncheon was to honor Vietnamese American students who graduated as valedictorians of their high schools. My remarks celebrated the students' achievements and encouraged them to pursue their dreams regardless of the barriers they may face. I have no notes, transcript or recording. The organization's address is 4615 Belle Park Drive, Houston, TX 77072.

2003: I spoke at the annual installation dinner of the Vietnamese American Bar Association of Southern California. Partial notes supplied.

September 19, 2002: Reception honoring my appointment to the Los Angeles Superior Court, Asian Pacific American Bar Association. I have no notes, transcript or recording. The address of APABA is c/o Asian Pacific American Legal Center, 1145 Wilshire Boulevard, 2nd Floor, Los Angeles, CA 90017.

- 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 generally not given interviews as a United States District Judge. The list below represents my best efforts, through searches of the Internet and my records, to identify articles in which I was quoted or a remark was attributed to me. I do not believe that I gave direct interviews to all of these publications, and perhaps some of these articles lifted materials from other published articles. After my appointment to the Los Angeles County Superior Court in 2002, I gave several interviews to the Vietnamese language media and to other papers in the Asian Pacific American community. I am aware that there are a number of articles in the Vietnamese language newspapers about me, but other than what has already been provided, I do not have any other materials.

Ruth D. Kahn, *Women Lawyers Association of Los Angeles to Honor New Judicial Officers and Life Members at This Year's WLALA Holiday Reception*, Women Lawyers Association of Los Angeles Newsletter, Nov. 2010. Copy supplied.

Jackie Bong-Wright, *Judge Jacqueline Nguyen: A Milestone Appointment*, Asian Fortune, May 2, 2010. Copy supplied.

Megan O'Neil, *Her Passion Continues*, Glendale News-Press, Dec. 10, 2009. Copy supplied.

Jacqueline Nguyen '87 Appointed to Federal Bench, Occidental Magazine, Dec. 1, 2009. Copy supplied.

Kenneth Ofgang, *Obama Nominates Nguyen to U.S. District Court*, Metropolitan News-Enterprise, Aug. 3, 2009. Copy supplied.

Claran McEvoy, *Superior Court Judge Is Obama's First Pick for Federal Bench in California*, Los Angeles Daily Journal, Aug. 3, 2009. Copy supplied.

Sarah Garvey, *Former Refugee Helps Immigrants Understand Laws*, Daily Journal, Dec. 9, 2003. Copy supplied.

Andy Faught, *Justice is Served*, Occidental Magazine, Winter 2003. Copy supplied.

Nguyen Trung Tin, *Tan Chanh An Jacqueline H. Nguyen Ra Mat Dong Huong Quan Cam*, Dia Phuong, Oct. 7, 2002. Copy supplied.

Sam Chu Lin, *First Vietnamese American and Korean American Women Seated on State Judiciary*, Asian Week, Aug. 23-29, 2002. Copy supplied.

Sam Chu Lin, *First Vietnamese Am. Woman Named to California Bench*, The Rafu Shimpō, Aug. 23, 2002. Copy supplied.

Jean Guccione, *2 Asian American Women Named as Judges*, Los Angeles Times, Aug. 18, 2002. Copy supplied.

Robert Greene, *Davis Names Assistant U.S. Attorney Jacqueline Nguyen to Fill Vacancy on Los Angeles Superior Court*, Metropolitan News-Enterprise, Aug. 14, 2002. Copy supplied.

Kickback Scheme, City News Service, Feb. 4, 2002. Copy supplied.

Medicare Fraud, City News Service, Aug. 29, 2001. Copy supplied.

Ray Seo, *APABA's President Jacqueline Nguyen*, The APABA Reporter, Aug. 2000. Copy supplied.

Garlic, City News Service, Nov. 17, 1997. Copy supplied.

Greg Hardesty, *Four Charged with Fraud in Sales of Electronic Part to NASA*, Military, Orange County Register, Oct. 9, 1997. Copy supplied.

Rape Extradition, City News Service, July 15, 1996. Copy supplied.

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

I was appointed by former California Governor Gray Davis to serve as a Superior Court Judge, State of California, in August 2002. As a Superior Court judge, I had the authority to preside over all lawsuits filed in the County of Los Angeles. I was assigned to hear primarily criminal law matters. As such, I presided over matters, including trials, filed and prosecuted by the District Attorney's Office in Los Angeles County.

I was appointed to serve as a United States District Judge for the Central District of California by President Obama on December 4, 2009, after unanimous confirmation by the United States Senate. As a United States District Judge, I have the authority to preside over civil and criminal matters filed in or removed to the Central District of California.

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

In the past nine years as a state and federal judge, I have presided over thousands of cases, including over 75 jury trials and over 12 bench trials.

- i. Of these, approximately what percent were:

jury trials:	90%
bench trials:	10%
civil proceedings:	40%
criminal proceedings:	60%

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

See attached list.

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

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

1. *Atlantic Inertial Systems, Inc. v. Condor Pacific Industries of California, Inc., et al.*, Case No. 2:08-cv-02947-JHN-PJWx; United States District Court, Central District of California. Order Granting in Part and Denying in Part Plaintiff's Motion for Terminating and Monetary Sanctions supplied.

This case arose from purported trademark infringement and misappropriation of trade secrets. Defendant Meltzner owned a gyroscope manufacturing company, Condor Pacific Industries, Inc. ("Condor I") which he founded and built into a \$57 million dollar business. Condor I supplied the gyroscopes to commercial businesses as well as the United States military for use on aircrafts and missiles. In 2002, Meltzner sold the company to BAE Systems Inertial Products. The sale included all of Condor I's intellectual property, including the name, designs and drawings. BAE was acquired by Plaintiff Atlantic Inertial Systems, Inc. in 2007. After the four-year non-compete clause expired, Meltzner formed Condor Pacific Industries of California, Inc. ("Condor II"), hired Condor I's former employees, operated out of the same location as Condor I, and began to conduct business with Condor I's old customers. Atlantic Inertial Systems sued Meltzner and Condor II, alleging that Defendants misappropriated trade secrets and intellectual property by using the same design drawings that were sold to Condor I. The case was hotly contested at every phase of the litigation and included numerous rounds of motions. Prior to trial, the Court granted termination sanctions on two claims against Defendants due to egregious discovery abuse by Meltzner. A jury trial was conducted in February 2011, and the jury returned a verdict on the remaining claims in favor of Defendants. Plaintiff moved for permanent injunction as to the claims on which they prevailed prior to trial, which the court denied.

Plaintiff's lead counsel: George B. Newhouse, Jr.
Brown, White & Newhouse
333 South Hope Street, 40th Floor
Los Angeles, CA 90071
(213) 613-9474

Defense lead counsel: Susan K. Leader and Edward Woods
Brown, Woods & George LLP
2121 Avenue of the Stars, 24th Floor
Los Angeles, CA 90067
(310) 274-7100

2. *United States v. Barajas, et al.*, Case No. 2:10-cr-00351-JHN; United States District Court, Central District of California.

This case involves the indictment of 50 Defendants who are alleged members and associates of the Black Angels gang. They are charged with Racketeer Influenced and Corrupt Organizations (“RICO”) conspiracy, drug distribution conspiracy, and numerous other criminal charges. The Black Angels gang is a multi-generational street gang that is alleged to be closely aligned with an organization known as the “Mexican Mafia” or “La Eme.” The indictment alleges that members and associates of the Black Angels gang are continuously engaged in criminal activity, including the distribution of narcotics, throughout the city of Ontario, California, and the collection of “taxes” from others distributing narcotics in their area. The gang allegedly uses firearms to enforce their activities, maintains close communication with members who are incarcerated, and distributes narcotics in the prison system. The case is related to another indictment in which 12 individuals were charged. All of the Defendants in the 12-person indictment have pleaded guilty and have been sentenced. Numerous Defendants in this case have pleaded guilty; some have been sentenced, and others await sentencing. Numerous motions, including motions to dismiss, were heard in September 2011. Trial in this matter is set for January 2012.

Government counsel: Reema M. El-Amamy
Justin R. Rhoades
United States Attorney’s Office
312 North Spring Street
Los Angeles, CA 90012
(213) 894-0552

Defense counsel:
(partial list) William S. Harris
William S. Harris Law Offices
1499 Huntington Drive, Suite 403
South Pasadena, CA 91030
(626) 441-9300
(for defendant Barajas)

Alan Eisner
Kestenbaum, Eisner & Groin LLP
14401 Sylvan Street, Suite 12
Van Nuys, CA 91401
(818) 781-1570
(for defendant Gil)

Antonio Yoon
Antonio Yoon Law Offices
14241 East Firestone Boulevard, Suite 400
La Mirada, CA 90638
(213) 749-9882
(for defendant Navarro)

Joel A. Thvedt
Bensinger, Ritt, Tai & Thvedt
65 North Raymond Avenue, Suite 320
Pasadena, CA 91103
(626) 685-2550
(for defendant Hurtado)

Richard M. Callahan, Jr.
Richard M. Callahan Law Offices
225 South Lake Avenue, Suite 300
Pasadena, CA 91101
(626) 202-4060
(for defendant Jimenez)

Richard S. Kim
Richard S. Kim Law Offices
21515 Hawthorne Boulevard, Suite 200
Torrance, CA 90503
(310) 406-3714
(for defendant Diaz)

Lindsey Burcham
1254 South Waterman, Suite 50
San Bernardino, CA 92408
(951) 333-8279
(for defendant Moraga)

Michael Mayock
W. Michael Mayock Law Offices
65 North Raymond Avenue, Suite 235
Pasadena, CA 91103
(626) 405-1465
(for defendant Espinoza)

John D. Robertson
John D. Robertson Law Offices
1055 Wilshire Boulevard, Suite 1702
Los Angeles, CA 90017
(213) 482-8893
(for defendant Quiroz)

Yolanda Barrera
Yolanda Barrera Law Offices
421 East Huntington Drive
Monrovia, CA 91016
(626) 574-1053
(for defendant Castro)

3. *Smartmetric, Inc. v. MasterCard International Incorporated, et al.*, 2:10-cv-1864-JHN-FMO; United States District Court, Central District of California. Order re *Markman* Claim Construction Hearing supplied.

This action arose out of alleged infringement by Defendants MasterCard Incorporated (“MasterCard”) and Visa, Inc. (“Visa”) of a patent owned by Plaintiff. After two rounds of motions to dismiss, the Court ordered briefing and held a *Markman* hearing on claim construction. After the Court issued a 19-page claim construction order interpreting disputed terms in the patent, the parties stipulated to dismiss the case, reserving their right to appeal to the Court of Appeals for the Federal Circuit.

Plaintiff’s counsel: Patrick F. Bright
Wagner, Anderson & Bright LLP
3541 Ocean View Boulevard
Glendale, CA 91208
(818) 249-9300

Defense counsel: Gary Alan Clark
Darren M. Franklin
Dennis J. Smith
Sheppard, Mullin, Richter & Hampton LLP
333 South Hope Street, 48th Floor
Los Angeles, CA 90071
(213) 620-1780

Brent D. Sokol
Steven John Corr
Jones Day
555 South Flower Street, 50th Floor
Los Angeles, CA 90071
(213) 489-3939

Joseph Melnick
Jones Day
1755 Embarcadero Road
Palo Alto, CA 94304
(650) 739-3939

4. *Dees v. City of Los Angeles, et al.*, 2:08-cv-05786-JHN-AGRx; United States District Court, Central District of California. Order Granting in Part and Denying in Part Defendant City's Motion for Summary Judgment and Granting Defendant County's Motion for Summary Judgment supplied.

This case arose out of Plaintiff's arrest, incarceration pending trial, and prosecution for first degree murder of a victim who was killed in May 2004. Plaintiff was incarcerated for three years pending trial until the charges against him were completely dismissed in 2007. During that time, he was housed with a violent inmate who allegedly beat and stabbed Plaintiff in the eye. Plaintiff filed suit against the City and individual police officers, alleging that he was harassed, arrested without probable cause, deceived and coerced into confessing to a crime he did not commit, and placed in a "high risk" cell. After extensive summary judgment briefing, which the court granted in part and denied in part, the matter was settled out of court.

Plaintiff's counsel: C. Lisa Schafer
John McRae Walker
John M. Walker Law Offices
5850 Canoga Avenue, 4th Floor
Woodland Hills, CA 91367
(818) 719-9181

Defendant's counsel: Geoffrey R. Plowden
Kelly N. Kades
Los Angeles City Attorney's Office
City Hall East
200 North Main Street, 6th Floor
Los Angeles, CA 90012
(213) 978-7038
(213) 978-7034

5. *United States v. Adzhemyan, et al.*, Case No. 2:09-cr-00783-JHN; United States District Court, Central District of California.

Defendants were indicted for conspiring to kidnap victim S.K. The parties contested the purpose of the kidnapping, and the court made key pretrial rulings regarding the relevancy of certain defenses and evidence. It was undisputed that during the kidnapping, the victim suffered a gunshot wound

that had punctured his bowel. During the five days that the victim was held, his condition worsened such that the wound became life-threatening. The victim was rescued by the Los Angeles Police Department SWAT team and required immediate surgery and hospitalization in the intensive care unit. One Defendant entered a guilty plea prior to trial and has been sentenced to 210 months of imprisonment. The first trial as to the remaining Defendants, which occurred in January 2010, resulted in a mistrial when the jury hung. The case was retried in May 2010 and resulted in the convictions of both remaining Defendants. Due to issues pertaining to discovery that arose following the verdict, the matter is pending for hearing on motions for a new trial and sentencing.

Government counsel: Robert E. Dugdale
 Chief, Criminal Division
 E. Martin Estrada
 Christina M. Moreno
 Assistant United States Attorneys
 United States Attorney's Office
 312 North Spring Street
 Los Angeles, CA 90012
 (213) 894-4685

Brian R. Michael (lead counsel during the first trial)
Wilmer, Cutler, Pickering, Hale & Dorr LLP
350 South Grand Avenue, Suite 2100
Los Angeles, CA 90071
(213) 443-5300

Defense counsel: Harland W. Braun (for defendant Adzhemyan)
 Harland W. Braun Law Offices
 1880 Century Park East, Suite 710
 Los Angeles, CA 90067
 (310) 277-4777

Irwin Mark Bledstein (for defendant Garjbyan)
Mark Bledstein Law Offices
15915 Ventura Boulevard, Suite 203
Encino, CA 91436
(818) 995-0801

Barry B. Smith (for defendant Gibson)
Barry B. Smith Law Offices
2 Red Plum Circle
Monterey Park, CA 91755
(323) 722-4880

6. *Wilson v. Farmers Group, Inc. Employees Profit Sharing Savings Plan Trust, et al.*, Case No. 2:10-cv-05089-JHN-AJW
Related cases: *Folck v. Farmers Group, Inc. Employees Profit Sharing Savings Plan Trust, et al.*, Case No. 2:09-cv-02116-JHN-AJW and *Smith v. Farmers Group, Inc. Employees Profit Sharing Savings Plan Trust, et al.*, Case No. 2:09-cv-08288-JHN-AJW; United States District Court, Central District of California. Order Granting Plaintiff's Motion for Class Certification supplied.

This action stems from a state class action lawsuit brought by a group of employees of Farmers Insurance Exchange ("FIE") who sought overtime pay under California law on the ground that they were improperly classified as exempt. A jury trial in state court resulted in a multi-million dollar verdict in favor of Plaintiffs that led to various appellate challenges and modifications. The primary issue in these federal cases concerns the interaction between the overtime payments in the state court actions and how they affect the Employees' Profit Sharing Savings Plan Trust. FIE deposited monies into the individual accounts of employees based on compensation. However, FIE changed the definition of compensation to exclude overtime and made the change retroactive to January 1, 2004. Because the class members in the underlying state lawsuit were awarded retroactive overtime compensation to the time period prior to 2004, Plaintiffs now assert in these federal cases that the Plan should be adjusted to reflect the overtime payments prior to 2004. The court certified the *Wilson* case as a class action in February 2011, and the litigation is still pending.

Plaintiff's counsel: Ronald Dean
Ronald G. Dean Law Offices
1155 Via de la Paz
Pacific Palisades, CA 90272
(310) 459-1626

Defense counsel: Mark A. Casciari
Seyfarth Shaw LLP
131 South Dearborn Street, Suite 2400
Chicago, IL 60603
(312) 460-5855

Sheryl L. Skibbe
Seyfarth Shaw LLP
2029 Century Park East, Suite 3500
Los Angeles, CA 90067
(310) 277-7200

7. *Barnes, et al. v. City of Pasadena, et al.*, Case No. 2:10-cv-00470-JHN-PJW; United States District Court, Central District of California. Order Granting Defendants' Motion for Summary Judgment supplied.

This lawsuit arose from the shooting and death of Barnes by City of Pasadena Officers Reep and Alvarado. The shooting occurred during a traffic stop of a car in which Barnes was a passenger. Plaintiffs are Barnes' children and his estate. The Officers contend that Barnes pulled a gun on them as they tried to remove him from the car, and they shot him in self-defense. A loaded gun was found near Barnes' body after the shooting. Plaintiffs contend that the gun was planted, and that the Officers used excessive force. On May 5, 2011, the Court granted Defendants' motion for summary judgment. The matter has been appealed to the Court of Appeals for the Ninth Circuit.

Plaintiffs' counsel: Edirissa Mohammad Omar Faal
 Law Offices of Edi M. O Faal
 1055 West Seventh Street, Suite 2140
 Los Angeles, CA 90017
 (213) 534-0344

Defendants' counsel: Hugh Halford
 Michele Christine Beal
 Pasadena City Attorney's Office
 101 North Garfield Avenue
 P.O. Box 7115
 Pasadena, CA 91109
 (626) 744-4141

 Kimberly E. Colwell
 Kevin E. Gilbert
 Meyers, Nave, Riback, Silver & Wilson
 555 12th Street, Suite 1500
 Oakland, CA 94607
 (510) 808-2000

8. *In re Freemont General Corporation Litigation*, Case No. 2:07-cv-02693-JHN-FFM; United States District Court, Central District of California. Order Granting Motion for Class Certification supplied.

This action was filed in April 2007 and was related to numerous other potential class actions. The matters were consolidated. Plaintiffs were employees or participants in the Freemont General Corporation's 401(k) and employee stock ownership plans. Defendants were the plans' fiduciaries. Plaintiffs claim Defendants breached their fiduciary duties to protect the plans under the Employee Retirement Income Security Act of 1974. Plaintiffs' primary allegation is that Freemont stock was an imprudent investment for the

plans' assets during the class period. After extensive litigation, the Court granted Plaintiffs motion for class certification in April 2010. In September 2010, the Court granted in part and denied in part Plaintiffs' motion for partial summary judgment on one of Defendants' affirmative defenses. The parties subsequently agreed to settle the matter for \$21 million. The Court approved the settlement and awarded class counsel 30% of the fund in attorney's fees due to the extensive nature of the litigation and the result that was achieved for the class plaintiffs.

Plaintiff's counsel: Lynn Lincoln Sarko
Derek W. Loeser
Sarah H. Kimberly
Keller Rohrback
1201 Third Avenue, Suite 3200
Seattle, WA 98101
(206) 623-1900

David Chen
Jones Day
1755 Embarcadero Road
Palo Alto, CA 94303
(650) 739-3902

Defense counsel: Michael C. Lieb
Leemore Kushner
Willenken, Wilson, Loh & Lieb LLP
707 Wilshire Boulevard, Suite 3850
Los Angeles, CA 90017
(213) 955-9240

9. *People v. Young*, Case No. GA070636; Trial: October 2 to 29, 2008; Superior Court of California, County of Los Angeles.

Defendant was charged with multiple counts of oral copulation and sodomy on a child under 10 years old and lewd acts with a child under 14 years old. The victim was Defendant's stepdaughter. The evidence showed that Defendant repeatedly sexually abused his stepdaughter, including sodomizing her when she was only eight years old. He was eventually apprehended after percipient witnesses observed the child being forced to engage in a sex act with Defendant in a vehicle. Following a lengthy trial, Defendant was convicted of all counts. Due to Defendant's prior criminal history, on January 6, 2009, he was sentenced under the Three Strikes Law to a term of 250 years to life.

People's counsel: Ana Lopez
Deputy District Attorney
District Attorney's Office
300 East Walnut Avenue
Pasadena, CA 91101
(616) 356-5610

Defense counsel: Geoffrey Pope
1375 Elma Court
Ontario, CA 91764
(909) 983-3917

10. *People v. Carpenter*, GA066584; Trial: October 22-November 6, 2007;
Superior Court of California, County of Los Angeles.

Defendant was charged with attempted murder arising out of an incident in a local motel room in which Defendant stabbed a paraplegic victim multiple times. Defendant fled the scene while the victim lay bleeding. The evidence showed that the victim may have been invited to Defendant's motel room by other people in order to do drugs, although the victim denied that he used any drugs. The victim described the attack as unprovoked and rage-induced. Defendant, however, described the victim as the aggressor and testified that he vigorously defended himself after the victim attempted to slash his throat in order to rob him. Defendant testified that he fled from the scene because of his criminal history and the fear that the police would discount his version of events. Despite the severity of the victim's injuries, the victim's version was rife with inconsistencies, and the jury found Defendant not guilty.

People's counsel: Donna Hollingsworth
Deputy District Attorney
District Attorney's Office
210 West Temple Street, 18th Floor
Los Angeles, CA 90012
(213) 202-7777

Defense counsel: Eric Stanford
Deputy Public Defender
Public Defender's Office
150 North Commonwealth Avenue
Alhambra, CA 91801
(626) 308-5571

- 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. *Dees v. City of Los Angeles, et al.*, 2:08-cv-05786-JHN-AGR; United States District Court, Central District of California. (Order Granting in Part and Denying in Part Defendant City's Motion for Summary Judgment and Granting Defendant County's Motion for Summary Judgment; copy supplied in response to 13c.)

Plaintiff's counsel: C. Lisa Schafter
John McRae Walker
John M. Walker Law Offices
5850 Canoga Avenue, 4th Floor
Woodland Hills, CA 91367
(818) 719-9181

Defendant's counsel: Geoffrey R. Plowden
Kelly N. Kades
Los Angeles City Attorney's Office
City Hall East
200 North Main Street, 6th Floor
Los Angeles, CA 90012
(213) 978-7038
(213) 978-7034

2. *Atlantic Inertial Systems, Inc. v. Condor Pacific Industries of California, Inc., et al.*, Case No. 2:08-cv-02947-JHN-PJW; United States District Court, Central District of California. (Order Granting in Part and Denying in Part Plaintiff's Motion for Terminating and Monetary Sanctions; copy supplied in response to 13c.)

Plaintiff's lead counsel: George B. Newhouse, Jr.
Brown, White & Newhouse
333 South Hope Street, 40th Floor
Los Angeles, CA 90071
(213) 613-9474

Defense lead counsel: Susan K. Leader and Edward Woods
Brown, Woods & George LLP
2121 Avenue of the Stars, 24th Floor
Los Angeles, CA 90067
(310) 274-7100

3. *Barnes, et al. v. City of Pasadena, et al.*, Case No. 2:10-cv-00470-JHN-PJW; United States District Court, Central District of California. (Order Granting Defendants' Motion for Summary Judgment; copy supplied in response to 13c.)

Plaintiffs' counsel: Edirissa Mohammad Omar Faal
Law Offices of Edi M. O Faal
1055 West Seventh Street, Suite 2140
Los Angeles, CA 90017
(213) 534-0344

Defendants' counsel: Hugh Halford
Michele Christine Beal
Pasadena City Attorney's Office
101 North Garfield Avenue
P.O. Box 7115
Pasadena, CA 91109
(626) 744-4141

Kimberly E. Colwell
Kevin E. Gilbert
Meyers, Nave, Riback, Silver & Wilson
555 12th Street, Suite 1500
Oakland, CA 94607
(510) 808-2000

4. *Wilson v. Farmers Group, Inc. Employees Profit Sharing Savings Plan Trust, et al.*, Case No. 2:10-cv-05089-JHN-AJW; United States District Court, Central District of California. (Order Granting Plaintiff's Motion for Class Certification; copy supplied in response to 13c.)

Plaintiff's counsel: Ronald Dean
Ronald G. Dean Law Offices
1155 Via de la Paz
Pacific Palisades, CA 90272
(310) 459-1626

Defense counsel: Mark A. Casciari
Seyfarth Shaw LLP
131 South Dearborn Street, Suite 2400
Chicago, IL 60603
(312) 460-5855

Sheryl L. Skibbe
Seyfarth Shaw LLP
2029 Century Park East, Suite 3500
Los Angeles, CA 90067
(310) 277-7200

5. *Guengerich, et al. v. Baron, et al.*, Case No. 2:10-cv-01045-JHN-PLAx; United States District Court, Central District of California. (Order Granting Defendants' Motion for Summary Judgment and Denying Plaintiffs' Motion for Summary Adjudication; copy supplied.)

Plaintiffs' counsel: Allison Kristine Aranda
Catherine W. Short
Life Legal Defense Foundation
P.O. Box 890685
Temecula, CA 92589
(951) 541-9327

Defense counsel: Raymond Mulligan
Sharon Ormond
Atkinson, Andelson, Loya, Ruud & Romo
12800 Center Court Drive, Suite 300
Cerritos, CA 90703
(562) 653-3200

Jennifer Lehman
Los Angeles County Counsel
651 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012
(213) 974-1908

6. *Smartmetric, Inc. v. MasterCard International Incorporated, et al.*, 2:10-cv-1864-JHN-FMO; United States District Court, Central District of California. (Order re *Markman* Claim Construction Hearing; copy supplied in response to 13c.)

Plaintiff's counsel: Patrick F. Bright
Wagner, Anderson & Bright LLP
3541 Ocean View Boulevard
Glendale, CA 91208
(818) 249-9300

Defense counsel: Gary Alan Clark
Darren M. Franklin
Dennis J. Smith
Sheppard, Mullin, Richter & Hampton LLP
333 South Hope Street, 48th Floor
Los Angeles, CA 90071
(213) 620-1780

Brent D. Sokol
Steven John Corr
Jones Day
555 South Flower Street, 50th Floor
Los Angeles, CA 90071
(213) 489-3939

Joseph Melnick
Jones Day
1755 Embarcadero Road
Palo Alto, CA 94304
(650) 739-3939

7. *Spainhower v. U.S. Bank National Association, et al.*, Case No. 2:08-cv-00137-JHN-PJW; United States District Court, Central District of California. (Order Denying Motion for Class Certification; copy supplied.)

Plaintiff's counsel: Arin Norijanian
Matthew A. Kaufman
Harris & Kaufman
15260 Ventura Boulevard, Suite 2250
Sherman Oaks, CA 91403
(818) 990-1999

Defense counsel: Emilie Consuelo Woodhead
Winston & Strawn LLP
333 South Grand Avenue, 38th Floor
Los Angeles, CA 90071
(213) 615-1873

8. *United States v. Wycoff, et al.*, Case No. 2:10-cv-05856-JHN-PLAx; United States District Court, Central District of California. (Order Granting Motion for Preliminary Injunction; copy supplied.)

Plaintiff's counsel: Brian Corcoran
U.S. Department of Justice
Tax Division
P.O. Box 7238
Washington, DC 20044
(202) 353-7421

Darwin Thomas
Office of United States Attorney
300 North Los Angeles Street, Room 7211
Los Angeles, CA 90012
(213) 894-0115

Defendants are in pro per 2801 Ocean Park Boulevard, #296
Santa Monica, CA 90064
(310) 398-6370

9. *Perrin, et al. v. Southwest Water Company, et al.*, Case No. 2:08-cv-07833-JHN-AGR; United States District Court, Central District of California. (Order Granting Defendants' Motion to Dismiss Second Consolidated Amended Complaint; copy supplied.)

Plaintiffs' counsel: Joon M. Khang
Khang & Khang LLP
1901 Avenue of the Stars, 2nd Floor
Los Angeles, CA 90067
(310) 461-1342

Lionel Zevi Glancy
Michael Marc Goldberg
Glancy, Binkow & Goldberg, LLP
1801 Avenue of the Stars, Suite 311
Los Angeles, CA 90067
(310) 201-9150

Defense lead counsel: Jennifer Marie Feldman
Robert Brownlie
DLA Piper LLP
401 B Street, Suite 1700
San Diego, CA 92101
(619) 699-2700

Robert Meyer
Saul Brenner
Loeb & Loeb
10100 Santa Monica Boulevard, Suite 2200
Los Angeles, CA 90067
(310) 282-2000

10. *Kratos Defense & Security, Inc. v. Federal Insurance Company, et al.*, Case No. 2:09-cv-03462-JHN-PJW; United States District Court, Central District of California. (Order Granting Defendant's Motion for Judgment on the Pleadings as to Plaintiff's Third Cause of Action for Breach of Implied Warranty; copy supplied.)

Plaintiff's lead counsel: Daniel Marino
Luque Marino LLP
910 17th Street NW, Suite 800
Washington, DC 90006
(202) 223-8888

Mark J. Geragos
Geragos & Geragos
644 South Figueroa Street
Los Angeles, CA 90017
(213) 625-3900

Defense counsel: David Zubkoff
Gerald L. McMahon
Seltzer, Caplan, McMahon & Vitek
750 B Street, Suite 2100
San Diego, CA 92101
(619) 685-3003

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

I am not aware of any case of mine 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.

People v. Dorsey, 2009 WL 3208687 (Cal. App. 2 Dist. 2009). The Defendant was convicted of being a felon in possession of a firearm. I granted the Defendant's *Romero* motion, and sentenced him as a second "strike" offender to 7 years under the California Three Strikes Law rather than as a third "strike"

offender, under which the sentence was 26 years to life. The California Court of Appeal reversed and found that, under the particular facts of this case, it was an abuse of discretion to grant the Defendant's *Romero* motion.

Other than the above case, to my knowledge, I have not been reversed either by the California Court of Appeal or the Court of Appeals for the Ninth Circuit. Some of my decisions were affirmed with minor modifications by the California Court of Appeal.

- 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 district judge, I have filed all my decisions with the federal judiciary's CM/ECF system, which makes all written decisions available to the public and attorneys online. Some of my decisions have been published electronically by Westlaw or Lexis. As a state court judge, I issued very few written decisions. The written decisions were unpublished and stored in the original court files.

- 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.

Guengerich, et al. v. Baron, et al., Case No. 2:10-cv-01045-JHN-PLAx; United States District Court, Central District of California. Copy supplied in response to Question 13d.

Barnes, et al. v. City of Pasadena, et al., Case No. 2:10-cv-00470-JHN-PJW; United States District Court, Central District of California. Copy supplied in response to Question 13c.

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

I have not sat by designation on a federal court of appeals.

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

As a state court judge, I reviewed each case to determine whether there was a basis for recusal or disclosure. To the best of my recollection, I was never asked to recuse on any case nor did I ever recuse sua sponte.

The District Court court has an automated conflict check system. I list in that system the names of persons who cannot appear before me due to close personal relationships and financial interests which would preclude me from presiding over those matters. The system automatically flags any conflict so that the case may be reassigned. In addition, my clerks and I review each case for potential conflict of interest. I have not recused myself in any case. In one criminal case, counsel for one of the defendants moved for my recusal on the ground that my husband is an Assistant United States Attorney and his Office was prosecuting the case. My court automatically referred the motion to another judge, as it does whenever a recusal motion is made. After the motion to recuse was heard and denied by another district judge, I continued to handle the matter. The case was *United States v. Adzhemyan, et al.*, Case No. 2:09-cr-00783-JHN.

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.

None.

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

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

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

I did not serve as a clerk to a judge.

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

I have not 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.

1991 – 1994
Musick, Peeler & Garrett
One Wilshire Blvd.
Los Angeles, CA 90017
Associate Attorney

1995 – 2002
United States Attorney's Office
312 North Spring Street
Los Angeles, CA 90012
Deputy Chief, General Crimes Section (2000 – 2002)
Assistant United States Attorney, Organized Crime Strike Force (1999 – 2000)
Assistant United States Attorney, Public Corruption & Government Fraud Section (1996 – 1999)
Assistant United States Attorney, General Crimes Section (1995 – 1996)

- 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 arbitrator in alternative dispute resolutions proceedings.

b. Describe:

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

Following graduation from law school in 1991, I worked as an associate attorney in the Litigation Department of Musick, Peeler & Garrett. I practiced civil litigation in various areas, including commercial disputes, intellectual property, and construction defect.

From 1995 to August 2002, I served as an Assistant United States Attorney in the United States Attorney's Office for the Central District of California. I served in various sections in the Criminal Division, including the Public Corruption and Government Fraud Section for approximately five years. I specialized in the prosecution of complex fraud matters involving smuggling offenses, immigration fraud, mail fraud and tax fraud. I handled all phases of the prosecution, including leading extensive grand jury investigations, complaints and arrests, indictments, trials, sentencings, appeals before the Ninth Circuit, and post-trial habeas corpus litigation. I prosecuted numerous significant matters, including a case that was described by the U.S. Customs Service as its largest commercial smuggling case. I was also the lead attorney in a multi-agency investigation that resulted in the first ever conviction in the United States for providing material support and resources to a designated terrorist organization.

I also served as the Department of Defense ("DOD") Fraud Coordinator, responsible for oversight of all DOD fraud prosecutions in the Central District of California. I met regularly with the managers of all federal agencies responsible for the investigation of DOD fraud, including the FBI, the Defense Criminal Investigative Service, the NASA Office of the Inspector General, and the Office of Investigations for the Air Force and Navy, in order to plan new prosecution initiatives and coordinate significant investigations and prosecutions. I provided training to agents from various federal agencies on various topics, including how to handle grand jury investigations.

In 2000, I served for six months in the Organized Crime Strike Force Section, handling organized crime cases including a Title III wiretap investigation of a Russian organized crime group responsible for the smuggling of sex slaves into the United States from the Ukraine. I left that section in order to accept a promotion to be a Deputy Chief with the General Crimes Section where I was responsible for the training and supervision of new AUSAs in the prosecution of a wide variety of cases, including violent crimes, narcotics trafficking, gun cases, and all types of fraud. In addition to supervision responsibilities, I frequently served as a

“moot court” judge to prepare AUSAs in the office for oral argument before the Court of Appeals for the Ninth Circuit.

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

In private practice, I represented organizations and individuals involved in commercial disputes, intellectual property, and construction defect matters.

As an Assistant United States Attorney, my client was the United States. I specialized in the prosecution of violent crimes, organized crime, narcotics trafficking, gun cases, and complex fraud matters.

- 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.

All of my practice as an attorney has been in litigation. In private practice, I appeared in court occasionally. As an Assistant United States Attorney, I appeared in court frequently.

i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 70% |
| 2. state courts of record: | 30% |
| 3. other courts: | 0% |
| 4. administrative agencies: | 0% |

ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 33% |
| 2. criminal proceedings: | 67% |

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

I tried 10 cases to verdict as an attorney prior to becoming a judge. I was sole counsel representing the United States in seven trials, and co-lead counsel in three long trials.

i. What percentage of these trials were:

- | | |
|--------------|-----|
| 1. jury: | 80% |
| 2. non-jury: | 20% |

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

I have not practiced before the Supreme Court of the United States.

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

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

1. *United States v. Nunez*, CR 01-145-NM; United States District Court, Central District of California; Honorable Nora M. Manella; 2001

This was a complex health care fraud prosecution resulting from an extensive grand jury investigation. Defendant, a registered nurse, was the owner of a home health agency. From approximately 1995 to 1998, Defendant also owned or controlled several board and care facilities for primarily Medicare patients. Defendant orchestrated a scheme to defraud Medicare, resulting in a loss of millions of dollars. Defendant created numerous shell companies and false books in order to conceal illegal kick-backs and claims for non-existent services. I led the grand jury investigation which resulted in sufficient evidence to secure Defendant's guilty plea on February 26, 2001 to health care fraud and tax charges as well as her cooperation in connection with health care fraud perpetrated by other individuals.

Defense Counsel: Richard Steingard
Lightfoot Steingard & Sadowsky LLP
800 Wilshire Boulevard, Suite 1050
Los Angeles, CA 90017
(213) 260-9449

2. *United States v. Dev*, CR 01-224-RSWL; Related cases: *United States v. Yekrang*, CR 01-225-CBM, *United States v. Tabatabai*, CR 01-663-RSWL; United States District Court, Central District of California; Honorable Ronald

S.W. Lew (CR 01-224 and CR 01-663); Honorable Consuelo B. Marshall (CR 01-225); 2000 – 2001

This case involved acceptance of illegal kick-back payments by Defendants Yekrang and Tabatabai, employees at Allied Signal, Inc. (now Honeywell, Inc.), a government contractor. Defendant Dev was the owner of Object Foundry, Inc., a software company providing software-related consulting services to Allied Signal on a subcontract basis. Dev gave Yekrang and Tabatabai illegal kickback payments in exchange for subcontract awards, contract extensions, and for the approval of inflated labor claims submitted by Dev to Allied Signal. Defendants disguised the illegal payments, about \$250,000 in less than two years, by funneling the money through various corporate bank accounts and falsely reporting the nature of the payments to the IRS. I secured guilty pleas from all Defendants on kick-back and tax charges in 2001 after a one-year grand jury investigation. I was sole counsel for the United States.

Defense Counsel: Michael Artan (for defendant Dev)
One Wilshire Boulevard, Suite 2200
Los Angeles, CA 90017
(213) 688-0370

Martin Bakst (for defendant Yekrang)
15760 Ventura Boulevard, Floor 16
Encino, CA 91436
(818) 981-1400

David Conn (for defendant Tabatabai)
(deceased)

3. *United States v. Tabatabai, et al.*, CR 99-225-CAS; United States District Court, Central District of California; Honorable Christina A. Snyder; 1999

I led a team of agents from the FBI, State Department, INS, and LAPD during this complex, 2 ½-year investigation that led to the arrest of 35 individuals in several countries in 1999. The investigation targeted an international criminal network that spanned six states and four countries. Individuals in the network filed on behalf of their clients false applications for U.S. entry visas and asylum status in the United States, supporting the applications with false documents created by numerous independent document producers. These false documents, including identity cards, passports, bank and employment records, were also submitted at various U.S. Embassies or Consulates in numerous countries. Significantly, the targets of the investigation were able to change their clients' identities during the asylum process by changing their names, dates of birth, and if necessary, creating false fingerprint cards. These individuals' identities were changed if they had an arrest record, were

previously denied asylum under their true names, or were affiliated with a terrorist or subversive organization. In March of 1999, I coordinated over 40 searches, arrests and interview teams consisting of more than 250 law enforcement agents. Agents seized more than \$2 million in property and cash and confiscated weapons, narcotics, and hundreds of counterfeit identity documents. As a result of this investigation, four additional suspects were arrested in Turkey, Cyprus, and the Netherlands. On October 25, 1999, Tabatabai became the first individual ever in the United States to be convicted of providing material support and resources to a designated foreign terrorist organization in violation of Title 18, United States Code, Section 2339B. He also pleaded guilty to conspiracy to commit visa and asylum fraud. Further, 16 other individuals eventually pleaded guilty to various fraud and immigration-related offenses. I was lead counsel for the United States.

Co-counsel: Kenneth P. White
Brown & White
333 South Hope Street, 36th Floor
Los Angeles, CA 90071
(213) 613-9446

Defense counsel: Jerry Caplan (for defendant Tabatabai)
P.O. Box 7018
Santa Monica, CA 90406
(phone number not available)

Philip Deitch (for defendant Karimian)
Law Offices of Philip Deitch
1717 Fourth Street
Santa Monica, CA 90401
(310) 899-9600

John Yzurdiaga (for defendant Mohabber)
800 Wilshire Boulevard, Suite 1510
Los Angeles, CA 90017
(213) 622-9262

Thomas S. Byrnes (for defendant Gabaizadeh)
8447 Wilshire Boulevard, Suite 204
Beverly Hills, CA 90211
(310) 729-0995

David Chesnoff (for defendant Arefe)
520 South Fourth Street
Las Vegas, Nevada 89101
(702) 577-3997

T. Louis Palazzo (for defendant Arefe)
520 South Fourth Street
Las Vegas, Nevada 89101
(702) 577-3997

Alex R. Kessel (for defendant Veiseli)
Law Offices of Alex R. Kessel
16542 Ventura Boulevard, Suite 305
Encino, CA 91436
(818) 995-1422

Laura C. Crawford (for defendant Noori)
Law Offices of Laura C. Crawford
10821 Wilkins Avenue
Los Angeles, CA 90024
(310) 560-4528

Ron Kaye (for defendant Haghighatgoo)
Kaye, McLane & Bednarski LLP
234 East Colorado Boulevard
Pasadena, CA 91101
(626) 844-7660

4. *United States v. Dennis, et al.*, CR 98-556-MMM; United States District Court, Central District of California; Honorable Margaret M. Morrow; 1998

In April and May of 1998, Defendants committed two armed, take-over style robberies of a Bank of America in Duarte, California. In the first robbery, Defendant Hunter guarded the door with a gun while Defendant Dennis vaulted over the counter and robbed the merchant teller of approximately \$13,000. One month later, Defendants returned to the same bank, joined by a third robber. Defendants were more violent during this robbery, forcing a guard and customers to the floor at gunpoint. Defendant Hunter jumped over the counter and robbed all of the tellers. The third robber pleaded guilty prior to trial. During the jury trial, I handled half of the witnesses, including the main victim teller, and the closing and rebuttal arguments. Defendants were convicted of conspiracy, armed bank robberies, and using and carrying a firearm during crimes of violence.

Co-counsel: Anthony Pacheco
Proskauer Rose
2049 Century Park East, Suite 3200
Los Angeles, CA 90067
(310) 284-5647

Defense counsel: Humberto Diaz (for defendant Hunter)
Deputy Federal Public Defender
Federal Public Defender's Office
321 East Second Street
Los Angeles, CA 90012
(213) 894-2854

Cornell Price (for defendant Dennis)
445 South Figueroa Street, # 2640
Los Angeles, CA 90071
(213) 489-6835

Marcia Brewer (for defendant Cotton)
400 Corporate Pointe, Suite 800
Culver City, CA 90230
(310) 670-5325

5. *United States v. Wang, et al.*, CR 98-455-RAP; United States District Court, Central District of California; Honorable Richard A. Paez; 1997 – 1999

This case, described by the U.S. Customs Service as the largest commercial smuggling case in the history of the Customs Service, involved the smuggling of goods from China and Hong Kong into the United States. The scheme was masterminded by Defendant Juang, who operated a Customs-bonded container freight station under various legal entities from approximately 1995 to 1997. Juang used the container freight station to smuggle goods such as apparel and luggage, subject to quota restrictions and high duty rates, as well as prohibited Asian medicines, into the United States. Juang successfully evaded detection by manipulating the Customs entry process and filing multiple false documents. The nature of the goods and the identities of the actual importers were concealed, and Juang or his co-conspirators falsely listed "shell" corporations he controlled as the importers in order to maintain control over the shipments. Juang was paid millions of dollars for his services by dozens of importers. The paper trail on the individual importers other than Juang was extremely thin because Juang and his employees controlled all the documentation submitted to Customs. Thus, the cases against these individual importers were built mainly on Juang's cooperation. I was co-lead counsel for the government during the jury trial, handling the opening statement, the examination of Juang, and numerous other witnesses.

Co-counsel: William Carter
Los Angeles City Attorney's Office
800 City Hall East
200 North Main Street
Los Angeles, CA 90012
(213) 978-8347

Defense counsel: Michael Abzug (for defendant Juang)
Judge, Los Angeles County Superior Court
Metropolitan Courthouse
1945 South Hill Street
Los Angeles, CA 90007
(213) 744-4073

Alex R. Kessel (for defendant Wang)
16542 Ventura Boulevard, Suite 305
Encino, CA 91436
(818) 995-1422

Ed Robinson (for defendant Lu)
21515 Hawthorne Boulevard, Suite 665
Torrance, CA 90503
(310) 316-9333

David Reed (for defendant Chen)
3699 Wilshire Boulevard, Suite 850
Los Angeles, CA 90010
(310) 854-5246

6. *United States v. Lam*, CR 99-454-RAP; United States District Court, Central District of California; Honorable Richard A. Paez; 1999

This was a spin-off investigation of the prosecution described above. Defendant, a large New York-based importer of apparel manufactured in China, conspired with Juang to smuggle defendant's goods into the United States. Defendant paid Juang a set fee per container to handle the importation and transportation of about 52 shipments and to file fraudulent documents with the Customs Service. In a two-year period, Defendant avoided paying over \$2 million in duties and saved millions more in quota fees. Following a 13-day jury trial, Defendant was convicted on all counts. I was co-lead counsel for the United States.

Co-counsel: William Carter
Los Angeles City Attorney's Office
800 City Hall East
200 North Main Street
Los Angeles, CA 90012
(213) 978-8347

Defense counsel: Joseph Vodnoy
643 South Olive Street, Suite 600
Los Angeles, CA 90014
(213) 893-7500

7. *United States v. Glushankoff*, CR 99-109-SVW; United States District Court, Central District of California; Honorable Stephen V. Wilson; 1995 – 1999

This investigation focused on the Foreign Trade Zone (“FTZ”) set up to facilitate international commerce. Defendant and numerous co-conspirators smuggled millions of dollars of textiles from China into the United States through the port of entry in Long Beach and Los Angeles. Defendant transported the goods to Laredo, Texas and filed false documents with the U.S. Customs Service showing that the shipments were purportedly exported to Mexico. (There is no duty assessed, and no quota restrictions apply, to goods that merely transit through the United States.) Once the goods were inspected at the Texas-Mexico border, the goods were diverted back to Los Angeles. The fraud was difficult to detect because the Customs documents appeared legitimate. However, through the use of undercover agents and extensive surveillance for nine months, agents tracked the connection to the border in Laredo. Nevertheless, it was difficult to connect Defendant to the fraud. As a result, I spent considerable effort securing the cooperation of Defendant’s co-conspirators in Laredo in order to build a case against Defendant. Defendant eventually pleaded guilty to smuggling and tax charges. I also prosecuted two co-conspirators in Laredo for their participation in the scheme. They pleaded guilty and were sentenced in Texas. I was sole counsel for the United States.

Defense counsel: Thomas Campbell
(currently inactive)
c/o Farmer & Ridley LLP
444 South Flower Street
Los Angeles, CA 90071
(213) 542-7026

8. *United States v. Osakue*, CR 96-431-R; United States District Court, Central District of California; Honorable Manuel L. Real; 1996

Defendant, a law student at Hastings Law School in San Francisco, fraudulently obtained a United States passport in 1989 by submitting a fraudulent birth certificate. Four years later, an investigation of Defendant’s brother, who was the main suspect in a major Nigerian credit card fraud ring, led to a search of the home Defendant shared with his brother. Defendant presented the passport as proof of his identity. The evidence seized from Defendant’s home also connected him to other illegal activities. I took the case to a jury trial and, through circumstantial evidence, including

inconsistencies between Defendant's passport application, his school records, and his brother's records, proved that Defendant applied for a passport in a false identity. Defendant was convicted by the jury and became a fugitive while his appeal was pending in the Ninth Circuit Court of Appeals. I was sole counsel for the United States.

Defense counsel: Derek Li
Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, CA 90012
(213) 894-1077

9. *United States v. Orjuela, et al.*, CR 95-11-WJR; United States District Court, Central District of California; Honorable William J. Rea; 1995

This investigation focused on a cocaine trafficking organization headed by three individuals and numerous accomplices. The investigation relied heavily on wiretap interception of telephones and paging devices connected to Defendants' organization and extensive surveillance of Defendants' activities. Defendants were planning to distribute multiple shipments of cocaine to wholesale distributors throughout Los Angeles and other areas. Defendants were arrested when the organization received a shipment of approximately 50 kilograms of cocaine and attempted to deliver it to a distributor. After extensive pre-trial preparation, Defendants pleaded guilty in 1995 to conspiracy and drug trafficking charges on the eve of trial. I was co-counsel for the United States.

Co-counsel: Larry Cho
Judge, Los Angeles Superior Court
1725 Main Street
Santa Monica, CA 90401
(310) 260-1854

Defense counsel: Richard Callahan (for defendant Orjuela)
225 South Lake Avenue, Suite 300
Pasadena, CA 91101
(626) 202-4060

Robin R. Scroggie (for defendant Posso)
865 South Figueroa Street
Los Angeles, CA 90017
(213) 620-9576

John Yzurdiaga (for defendant Silva)
800 Wilshire Boulevard, Suite 1510
Los Angeles, CA 90017
(213) 622-9262

Gregory Nicolaysen (for defendant Calle)
27240 Turnberry Lane, Suite 200
Valencia, CA 91355
(818) 970-7247

Phillip Trevino (for defendant Bedoya)
137 North Larchmont Boulevard, #801
Los Angeles, CA 90004
(213) 949-8000

Nadine Hettle (for defendant Quintero)
Office of the Federal Public Defender
321 East Second Street
Los Angeles, CA 90012
(213) 894-2854

W. Michael Mayock (for defendant Longoria)
65 North Raymond Avenue, # 235
Pasadena, CA 91103
(626) 405-1465

10. *In re Extradition of Vachon*, SACV 96-672-GLT (BE); United States District Court, Central District of California; Honorable Elgin Edwards, United States Magistrate Judge; 1996 – 1997

Defendant fled to the United States in 1994 after kidnapping and torturing two female victims in Australia. Defendant lured the victims to a remote cabin where he and an accomplice hung the victims up by their hands and repeatedly tortured and assaulted them. I filed an extradition arrest warrant and litigated Defendant's extradition proceedings. Defendant vigorously fought extradition, challenging every stage of the proceedings, including his detention based on several serious medical conditions and the probable cause for each charge against him. I extensively researched California law in order to prepare the government's response. After a contested hearing, the court certified that Defendant was extraditable. Defendant then challenged the court's findings. When he lost, Defendant filed a petition for writ of habeas corpus, and subsequently, a motion for stay pending appeal in the Ninth Circuit Court of Appeals. After his remedies were exhausted, Defendant was extradited nearly a year after he was arrested. I served as sole counsel for the United States.

Defense Counsel: Neison Marks
Federal Public Defender's Office
1 East Broward Boulevard, Suite 1100
Fort Lauderdale, FL 33301
(954) 356-7436

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.)

Throughout my legal career, I have been involved in numerous bar associations, including the Asian Pacific American Bar Association and the Women Lawyers' Association of Los Angeles County. My activities have included serving as a board or committee member, planning and organizing events, and attending meetings and functions hosted by the association. I also have frequently served as a mentor to many young lawyers through these organizations, both formally and informally. I frequently speak to young students and lawyers concerning issues ranging from balancing family and work to the importance of community involvement.

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.

None.

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement

24. **Potential Conflicts of Interest:**

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

My husband is employed as an Assistant United States Attorney in the Major Frauds Section, Criminal Division of the United States Attorney's Office, and this presents a potential conflict of interest in cases prosecuted by the United States Attorney's Office, particularly by the Criminal Division.

Currently, I do preside over matters, civil and criminal, from the United States Attorney's Office, although not cases in which my husband has had any involvement, no matter how minor. Criminal matters comprise a small percentage of my overall docket. I have been assured by the current United States Attorney for the Central District of California that there is an ethical wall set up in his office to ensure that no information is communicated to my husband regarding any matters from that office that are assigned to me. To reinforce this wall, I do not discuss matters from that office pending before me with my husband. He also does not discuss with me matters in which he is involved, even though they will not come before me. Similar precautions will ensure no conflict of interest if I am confirmed to the position for which I have been nominated.

I have no financial arrangements that will likely present any potential conflict of interest. I have served in the public sector for most of my professional life, and neither my husband nor I have any business interests or arrangements that may pose a conflict of interest.

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

To the extent that any potential conflict issue arises, my practice has always been to analyze each situation to determine whether the issue calls for disclosure or recusal. In all cases, I will follow the Code of Conduct for United States Judges.

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.

In law school, I volunteered at the Asian Pacific American Legal Center in Los Angeles. I met with indigent clients of APALC in order to conduct intake interviews. After I began practicing law, I consistently made time to provide free legal services. While in private practice, I asked my firm to authorize me to handle pro bono matters in the wake of the 1992 riots in Los Angeles, representing indigent Vietnamese speaking clients in small business disputes. As an attorney, I was always active in various Asian American bar associations, including the Asian Pacific American Bar Association, the Japanese American Bar Association and the Southern California Chinese Lawyers Association. These organizations have annual Law Days in their respective communities and I frequently participated in these events by meeting with indigent clients and giving them free legal advice on immigration, landlord-tenant and business disputes. From approximately 1997 to 2002, after I joined the U.S. Attorney's Office, I handled adoption cases through Public Counsel's Adoptions Program, representing foster parents in adoption proceedings to adopt their foster children. I handled the filings and appear in court on behalf of these parents. I also frequently volunteered to speak at various community and student-sponsored forums on issues of concern to the Asian Pacific American communities.

As a judge, I can no longer provide free legal services. However, I am still active in bar associations, particularly in the Asian Pacific American community. I attend their events and make myself available as a panel speaker and a mentor. I spend a substantial amount of time mentoring minority attorneys, both through formal bar association channels as well as on my own. I frequently meet with young attorneys in small groups or one-on-one to provide guidance and support.

26. **Selection Process:**

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

Senator Feinstein has established bipartisan Judicial Advisory Committees, which are overseen by her statewide Chair, David Casey. On June 17, 2011, I met with David Casey, Holly Fujie, chair of the committee for the Central District of California, and Louise Renne, chair of the committee for the Northern District of California. In early July, 2011, I met with Senator Feinstein. In August 2011, I was contacted by the White House Counsel's Office. Since August 5, 2011, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On August 23, 2011, I met with officials from the White House Counsel's Office and the Department of Justice in Washington, D.C. On September 22, 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.