

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Jill N. Parrish. Prior to my marriage on October 26, 1988, I went by my maiden name, Jill Annette Niederhauser. I have sometimes been referred to as Jill Annette Parrish or Jill Niederhauser Parrish.

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

United States District Judge for the District of Utah

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

Office: Utah Supreme Court
450 South State Street, Fifth Floor
Salt Lake City, Utah 84114

Residence: Bountiful, Utah

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

1961; Ogden, Utah

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.

1982 – 1985, Yale Law School; J.D., 1985

1979 – 1982, Weber State University; B.A. (*summa cum laude*), 1982

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.

2003 – present
Utah Supreme Court
450 South State Street
Salt Lake City, Utah 84114
Justice

1995 – 2003
U.S. Attorney's Office
District of Utah
185 South State Street, Suite 400
Salt Lake City, Utah 84111
Assistant United States Attorney (1995 – 2003)
Financial Litigation Supervisor (1996 – 2003)

1986 – 1995, Summer 1985, Summer 1983
Parr Brown Gee & Loveless
(Formerly Kimball, Parr, Crockett & Waddoups)
101 South 200 East, Suite 700
Salt Lake City, Utah 84111
Shareholder (1990 – 1995)
Associate (1986 – 1990)
Summer Associate (Summer 1985, Summer 1983)

1985 – 1986
United States District Court for the District of Utah
351 South West Temple
Salt Lake City, Utah 84101
Law Clerk to Judge David K. Winder

July – August 1984
Ray, Quinney & Nebeker
36 South State Street, Suite 1400
Salt Lake City, Utah 84111
Summer Associate

June – July 1984
O'Melveny & Myers
400 South Hope Street
Los Angeles, California 90071
Summer Associate

Summer 1982
United States House of Representatives
200 D Street NW
Washington D.C. 20024
Intern to Representative James V. Hansen

Other affiliations (uncompensated):

1995 – 2008

Federal Bar Association, Utah Chapter
Board Member (1995 – 2008)
President (1999)
President-Elect (1998)
Secretary (1997)

2006 – 2008

Edmund J. Niederhauser Trust
From my private residence
(Trustee for father's trust)

2006 – 2008

Beulah P. Niederhauser Trust
From my private residence
(Trustee for mother's trust)

2006 – 2008

Estate of Edmund J. Niederhauser
From my private residence
(Personal Representative for my father's estate)

2006 – 2008

Estate of Beulah P. Niederhauser
From my private residence
(Personal Representative for my mother's estate)

2003 – 2006

North Canyon Swim & Tennis Club
3052 South Oakwood Drive
Bountiful, Utah 84010
Board Member and Secretary

1996 – 2006

OBS, Inc.
Secretary and Director
(Corporate entity for my husband's business)

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

I have never served in the military. I was not required to register for selective service.

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

Yale Moot Court of Appeals, Member and Director, 1984 – 1985

First Place, Eastern Region, American Bar Association National Appellate Advocacy Competition, 1984 – 1985

Semi-finalist, Thurmon Arnold Oral Argument Competition, Yale Law School, 1983 – 1984

Semi-finalist, Cardozo Brief Writing Competition, Yale Law School, 1983 – 1984

Recipient, Phi Kappa Phi Fellowship for Graduate Study, 1982

Outstanding Graduate Award, Weber State University School of Humanities, 1982

Outstanding Academic Student Award, Weber State University School of Social Science, 1982

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

American Bar Association (1985 – 1994)

American Inns of Court, Sutherland Chapter
Master of the Bench (2002 – present)
Barrister (1989 – 2001)

Federal Bar Association, Utah Chapter (1995 – 2008)
Board Member (1995 – 2008)
State Court Liaison (2003 – 2008)
Government Lawyer Liaison (2000 – 2003)
President (1999)
President-Elect (1998)
Secretary (1997)
Membership Officer (1996)
Special Projects Board Member (1995)

Federalist Society, Utah Lawyers Division (1992)

National Association of Women Judges (Intermittently 2003 – present)

Salt Lake County Bar Association (2003 – present)

Utah State Bar (1985 – present)

Appellate Practice Section (2004 – present)

Unauthorized Practice of Law Committee (1992 – 1994)

Professional Responsibility Committee (1986 – 1987)

Young Lawyers Section Executive Committee (1985 – 1986)

Women Lawyers of Utah (1985 – 1995, 2003 – present)

Utah State Courts (2003 – present)

Board of Appellate Court Judges (2003 – present)

Utah Judicial Council (2010 – present)

Chairperson, Legislative Liaison Committee (2010 – present)

Chairperson, Judicial Council Study Committee on Cameras in the Courtroom
(2011 – 2012)

Chairperson, Utah Supreme Court Professionalism Committee (2006 – 2011)

Chairperson, Utah State Law Library Oversight Committee (2004 – present)

Standing Committee on Court Technology (2005 – 2010)

Chairperson, Utah State Law Library Study Committee (2003 – 2004)

Judicial Performance Evaluation Committee (2003 – 2004)

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.

Utah, 1985

There has been no lapse in membership.

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

United States District Court for the District of Utah, 1985 (inactive)

Utah Supreme Court, 1985

United States Court of Appeals for the Tenth Circuit, 1997

Supreme Court of the United States, 2000

There have been no lapses in membership. Upon my appointment to the Utah Supreme Court in 2003, I elected to take inactive status in the United States District Court for the District of Utah.

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.

Bountiful High School PTA (2007 – 2013)

Boulton Elementary School PTA (1997 – 2011)

Mueller Park Junior High School PTA (2003 – 2009, 2011 – 2014)

North Canyon Swim & Tennis Club, Bountiful, Utah (1996 – present)
Secretary and Board Member (2003 – 2006)

South Davis Junior High School PTA (2009 – 2012)

Woods Cross High School PTA (2012 – 2014)

- 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 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.

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.

Lessons from Kindergarten, UTAH B.J., Jan/Feb 2006. Copy supplied.

During my final year of undergraduate work at Weber State University (fall of

1981 through spring of 1982), I was the News Editor and a contributing reporter for THE SIGNPOST, the Weber State College campus newspaper. In this capacity, I authored a number of articles and editorials about campus events. While not all of these articles are still publically available, I have been able to locate copies of some of them, which are 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.

Final Report: Judicial Council Study Committee on Technology Brought into the Courtroom, April 10, 2012. Copy supplied.

Report and Recommendations, Utah Supreme Court Study Committee – State Law Library, October 8, 2003. Copy supplied.

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

From September 2010 through the present, I have served as the Supreme Court’s representative to the Utah Judicial Council. The Utah Judicial Council is the policy-making body for the Utah judiciary made up of representatives from all of the various court levels who are elected to serve three-year terms. The council has the constitutional authority to adopt uniform rules for the administration of all courts in the state. The council also sets standards for judicial performance, court facilities, support services and judicial and non-judicial staff levels. Council meetings are open to the public and minutes of its meetings are available on the webpage of the Utah State Courts. Minutes available at: <https://www.utcourts.gov/admin/judcncl/minutes.asp>.

February 5, 2010: I testified in a committee hearing before the Utah State Senate Law Enforcement & Criminal Justice Standing Committee with respect to Senate Bill 109, which would have changed the manner in which the Chief Justice of the Utah Supreme Court is selected. Recording supplied.

January 29, 2010: I testified in a committee hearing before the Utah State Senate Law Enforcement & Criminal Justice Standing Committee with respect to Senate Bill 109, which would have changed the manner in which the Chief Justice of the Utah Supreme Court is selected. Recording supplied.

October 24, 2008: I attended the monthly meeting of the Utah State Bar Board of

Bar Commissioners and discussed how the bar could increase the number of potential legislators who are also lawyers. Minutes supplied.

August 24, 2005: I appeared before the Utah Judicial Council in my capacity as Chairperson of the State Law Library Oversight Committee to request an increased budget appropriation for the State Law Library. Notes supplied.

February 26, 2003: I addressed the Utah State Senate following their confirmation of my nomination as a Justice on the Utah Supreme Court. Recording supplied.

February 24, 2003: I appeared before the Judicial Confirmation Committee of the Utah State Senate in connection with their vote on my nomination to the Utah Supreme Court. Recording supplied.

February 18, 2003: I testified before the Judicial Confirmation Committee of the Utah State Senate in connection with my nomination to the Utah Supreme Court. Recording supplied.

February 12, 2003: I appeared before the Judicial Confirmation Committee of the Utah State Senate in connection with my nomination to the Utah Supreme Court. Recording 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.

I have listed all of the speeches and presentations that I can recall after searching through my files and the Internet, although there may be some that I have inadvertently omitted.

March 26, 2014: Speaker, University of Utah Law School Judicial Process Class, Salt Lake City, Utah. I gave a presentation on state constitutional interpretation. I have no notes, transcript or recording, but I would have given substantially the same presentation that I gave to a similar group on March 18, 2013, for which notes are supplied. The address of the S.J. Quinney College of Law at the University of Utah is 352 South 1400 East, Salt Lake City, Utah 84112.

March 24, 2014: Judge, Traynor Moot Court Competition Finals, S.J. Quinney College of Law at the University of Utah (formerly University of Utah College of

Law), Salt Lake City, Utah. I have no notes, transcript or recording. The address of the S.J. Quinney College of Law at the University of Utah is 352 South 1400 East, Salt Lake City, Utah 84112.

February 21, 2014: Speaker, BYU Pre-Law Students, Salt Lake City, Utah. I addressed a group of undergraduate students from Brigham Young University who were visiting the Utah State Capitol Building on the importance of fair and impartial courts. I have no notes, transcript or recording for this particular presentation, but it would have been substantially the same presentation that I gave to the Sugarhouse Rotary Club on February 10, 2011, for which notes are supplied.

January 17, 2014: Speaker, Salt Lake Chamber of Commerce Leadership Utah Program, Salt Lake City, Utah. I gave an overview of the Utah court system to a group of junior high and high school civics teachers. I have no notes, transcript or recording for this presentation, but I would have given substantially the same presentation that I gave to a similar group on February 22, 2013, for which notes are supplied.

July 18, 2013: Speaker, Ray, Quinney & Nebeker, Salt Lake City, Utah. I gave an informal luncheon presentation to the summer law clerks at the firm on professionalism and practice pointers. I have no notes, transcript or recording. The address of Ray, Quinney & Nebeker is 36 South State Street, Suite 1400, Salt Lake City, Utah 84111.

June 18, 2013: Speaker, The Huntsman Institute Seminar in Constitutional Government for Teachers, Salt Lake City, Utah. I gave an overview of the Utah court system to a group of junior high and high school civics teachers. I have no notes, transcript or recording for this particular presentation, but it would have been substantially the same presentation that I gave to a similar group on June 22, 2010, for which notes are supplied.

April 26, 2013: Commencement Speaker, J. Reuben Clark School of Law Graduation Ceremony, Provo, Utah. Remarks supplied.

April 18, 2013: Speaker, Utah State Bar New Lawyer Continuing Legal Education (“CLE”), Salt Lake City, Utah. I spoke on the importance of professionalism and civility for new lawyers. I have no notes, transcript or recording for this particular presentation, but it would have been substantially the same presentation that I gave to a similar group on October 20, 2010, for which notes are supplied.

March 18, 2013: Speaker, University of Utah Law School Judicial Process Class, Salt Lake City, Utah. I gave a presentation on state constitutional interpretation. Notes supplied.

February 22, 2013: Speaker, Salt Lake Chamber of Commerce Leadership Utah Program, Salt Lake City, Utah. I gave an overview of the Utah court system to a group of junior high and high school civics teachers. Notes supplied.

January 15, 2013: Panelist, State Constitutional Law, Utah State Bar Appellate Practice Section Luncheon, Salt Lake City, Utah. Remarks supplied.

December 11, 2012, Panelist, Appealapalooza, Salt Lake County Bar Association, Salt Lake City, Utah. I participated in a panel of appellate judges who discussed appellate practice tips. I have no notes, transcript or recording. The Salt Lake County Bar Association has no physical address.

November 15, 2012, Panelist, Judicial Mentoring Seminar, Women Lawyers of Utah, Salt Lake City, Utah. I described my professional background and the process I went through to become a justice of the Utah Supreme Court and responded to questions from the audience. I have no notes, transcript, or recording. The address for Women Lawyers of Utah is P.O. Box 932, Salt Lake City, Utah 84110.

June 19, 2012: Speaker, The Huntsman Institute Seminar in Constitutional Government for Teachers, Salt Lake City, Utah. I gave an overview of the Utah state court system to a group of junior high and high school civics teachers. I have no notes, transcript or recording for this particular presentation, but it would have been substantially the same presentation that I gave to a similar group on June 22, 2010, for which notes are supplied.

October 26, 2011: Speaker, Utah State Bar Admission Ceremony, Salt Lake City, Utah. I was the speaker at the ceremony where new lawyers are admitted to the bar. Remarks supplied.

October 13, 2011: Speaker, South Davis Junior High School, Bountiful, Utah. I gave a presentation to junior high school students as part of a series of lectures covering various career options. I have no notes, transcript or recording of this presentation, but it would have been similar to the presentation I gave to Mueller Park Junior High Students on February 9, 2005, for which notes are supplied. The address of South Davis Junior High School is 298 West 2600 South, Bountiful, Utah 84010.

April 14, 2011: Speaker, Utah State Bar New Lawyer CLE, Salt Lake City, Utah. I spoke on the importance of professionalism and civility for new lawyers. I have no notes, transcript or recording for this particular presentation, but it would have been substantially the same presentation that I gave to a similar group on October 20, 2010, for which notes are supplied.

March 18, 2011: Speaker, J. Rueben Clark School of Law, Provo Utah. I gave advice to first-year law students on professionalism and civility. I have no notes,

transcript or recording for this particular presentation, but it would have been substantially the same as the presentation I made to a similar group on March 20, 2008 for which the remarks are supplied.

March 10, 2011: Speaker, S.J. Quinney College of Law at the University of Utah Judicial Process Class, Salt Lake City, Utah. I gave a presentation on state constitutional law. Notes supplied.

February 25, 2011: Speaker, Salt Lake Chamber of Commerce Leadership Utah Program, Salt Lake City, Utah. I gave an overview of the Utah court system to a group of junior high and high school civics teachers. I have no notes, transcript or recording of this presentation, but it would have been substantially the same as the presentation I gave to a similar group on February 22, 2013, for which notes are supplied.

February 10, 2011: Speaker, Sugarhouse Rotary Club, Salt Lake City, Utah. I spoke on the importance of fair and impartial courts. Remarks supplied.

October 20, 2010: Speaker, New Lawyer CLE, Salt Lake City, Utah. I spoke on the importance of professionalism and civility for new lawyers. Remarks supplied.

June 22, 2010: Speaker, Huntsman Institute Seminar in Constitutional Government for Teachers, Salt Lake City, Utah. I gave an overview of the Utah court system to a group of junior high and high school civics teachers. Outline supplied.

April 21, 2010: Speaker, Investiture of Judge Stephen Roth to the Utah Court of Appeals, Salt Lake City, Utah. Remarks supplied.

February 12, 2010: Panelist, J. Reuben Clark Law Society Annual Seminar, Salt Lake City, Utah. I participated in a panel discussion regarding professionalism and civility in the practice of law. I have no notes, transcript or recording. The J. Reuben Clark Law Society is an organization comprised primarily of graduates of the J. Reuben Clark Law School with chapters in many states and foreign countries. The address of the J. Reuben Clark Law School is 341 East Campus Drive, Provo, Utah 84602.

November 19, 2009: Speaker, Utah State Bar Appellate Practice Section luncheon, Salt Lake City, Utah. I spoke on the topic of civility and professionalism. Remarks supplied.

October 29, 2009: Speaker, Utah State Bar New Lawyer CLE, Salt Lake City, Utah. I spoke on the importance of professionalism and civility for new lawyers. I have no notes, transcript or recording for this particular presentation, but it would have been substantially the same presentation that I gave to a similar group

on October 20, 2010, for which notes are supplied.

October 15, 2009: Speaker, Following the Organization Rules for Briefs: Gaining Credibility with the Court from the very Beginning, Utah State Bar Legal Writing Seminar, Salt Lake City, Utah. Remarks supplied.

August 4, 2009: Speaker, Huntsman Institute Seminar in Constitutional Government for Teachers, Salt Lake City, Utah. I gave an overview of the Utah state court system to a group of junior high and high school civics teachers. I have no notes, transcript or recording for this presentation, but it would have been substantially the same as the presentation I made to a similar group on June 22, 2010, for which notes are supplied.

March 25, 2009: Judge, Traynor Moot Court Competition Finals, S.J. Quinney College of Law at the University of Utah (formerly University of Utah College of Law), Salt Lake City, Utah. I have no notes, transcript or recording of this event. The address of the S.J. Quinney College of Law at the University of Utah is 352 South 1400 East, Salt Lake City, Utah 84112.

March 19, 2009: Speaker, J. Rueben Clark School of Law, Provo Utah. I gave advice to first-year law students as they headed out for their first jobs in the legal profession. I have no notes, transcript or recording for this presentation, but it would have been substantially the same as the one given to a similar group on March 20, 2008, for which notes are supplied.

March 6, 2009: Speaker, Bountiful Elementary School, Bountiful, Utah. I led a discussion with a group of fourth graders about the rule of law and the purpose of our court system. I have no notes, transcript or recording of this presentation, but it would have been similar to the one given to a group of elementary students on May 16, 2008, for which notes are supplied.

October 27, 2008: Panelist, Appellate Process Class, S.J. Quinney College of Law at the University of Utah School (formerly University of Utah College of Law), Salt Lake City, Utah. I participated on a panel of practitioners and other judges and gave practice tips to law students. I have no notes, transcript or recording of this presentation. The address of the S.J. Quinney College of Law at the University of Utah is 332 South 1400 East, Salt Lake City, Utah 84112.

October 24, 2008: Judge, J. Reuben Clark Law School Moot Court Finals, Provo, Utah. I have no notes, transcripts or recording of this presentation. The address of the J. Reuben Clark Law School is 341 East Campus Drive, Provo, Utah 84602.

June 6, 2008: Speaker, Utah State Bar New Lawyer CLE, Salt Lake City, Utah. I spoke on the importance of professionalism and civility for new lawyers. Remarks supplied.

May 22, 2008: Panelist, Utah District Judges Conference, Midway, Utah. I participated on a panel regarding what trial judges should know about the appellate process. Notes supplied.

May 16, 2008: Speaker, Boulton Elementary School, Bountiful, Utah. I spoke to a fifth grade class regarding the importance of the rule of law and the structure of the Utah state court system. Notes supplied.

April 2, 2008: Speaker, Rex E. Lee American Inn of Court, Brigham City, Utah. I have no notes, transcripts or recording for this presentation. There is no physical address for the Rex E. Lee American Inn of Court.

March 20, 2008: Speaker, J. Rueben Clark School of Law, Provo Utah. I gave advice to first-year law students on professionalism and civility. Remarks supplied.

January 16, 2008: Speaker, Utah State Bar Ethics School, Salt Lake City, Utah. I spoke on the topic of professionalism and civility. Remarks supplied.

December 7, 2007: Panelist, Utah State Bar Lawyers Helping Lawyers CLE Event, Salt Lake City, Utah. I participated in a panel discussion on the topics of professionalism and civility for lawyers. I have no notes, transcript or recording. The address of the Utah State Bar is 645 South 200 East, Salt Lake City, Utah 84111.

November 2, 2007: Speaker, Utah State Bar New Lawyer CLE, Salt Lake City, Utah. I spoke on the importance of professionalism and civility for new lawyers. Remarks supplied.

February 7, 2007: Panelist, Community Peace Initiative, Salt Lake City, Utah. I have no notes, transcript or recording. I cannot recall the sponsor of the event and cannot locate any contact information for the Community Peace Initiative in Utah.

November 10, 2006: Speaker, Utah State Bar New Lawyer CLE, Salt Lake City, Utah. I spoke on the importance of professionalism and civility for new lawyers. Remarks supplied.

November 9, 2006: Panelist, Utah State Bar, "Clarence Darrow: Crimes, Causes and the Courtroom," Salt Lake City, Utah. Notes supplied.

October 26, 2006: Speaker, Utah State Bar Leadership Conference, Salt Lake City, Utah. I spoke on the professionalism and civility initiative being implemented by the Utah Supreme Court. Remarks supplied.

September 14, 2006: Speaker, Utah Judicial Conference, Snowbird, Utah. I

spoke on how Utah judges could help implement the Utah Supreme Court's Standards of professionalism & civility. Remarks supplied.

June 23, 2006: Speaker, Utah State Bar New Lawyer CLE, Salt Lake City, Utah. I spoke on the importance of professionalism and civility for new lawyers. Remarks supplied.

March 24, 2006: Panelist, 11th Annual CLE & Ski, Park City Bar Association, Park City, Utah. Handout and notes supplied.

March 15, 2006: Sutherland Inn of Court, Salt Lake City, Utah. I participated in a mock argument made as part of an educational presentation to an Inn of Court group. Notes supplied.

December 9, 2005: Speaker, conference sponsored by the Association of Trial Lawyers of America, Salt Lake City, Utah. I spoke on the topic of professionalism. Remarks supplied.

November 3, 2005: Remarks on appellate advocacy. I cannot recall the group to which I gave this presentation. Notes supplied.

October 27, 2005: Panelist, J. Reuben Clark Law School, Provo, Utah. I participated in a panel discussion with a group of women judges about their career paths and provided advice to law students interested in pursuing a career as a judge. Notes supplied.

October 12, 2005: Speaker, Utah State Bar Admission Ceremony, Salt Lake City, Utah. I was the speaker at the ceremony where new lawyers are admitted to the bar. Remarks supplied.

September 22, 2005: Speaker, Rex E. Lee Inn of Court, Brigham City, Utah. I provided appellate practice pointers. Remarks supplied.

June 28, 2005: Speaker, Utah Defense Lawyers Association, Salt Lake City, Utah. I made a presentation updating the lawyers on current issues relating to the Utah Supreme Court and providing appellate practice tips. Remarks supplied.

April 8, 2005: Judge, Traynor Moot Court Competition Finals, S.J. Quinney College of Law at the University of Utah (formerly University of Utah College of Law), Salt Lake City, Utah. I have no notes, transcript or recording. The address of the S.J. Quinney College of Law at the University of Utah is 352 South 1400 East, Salt Lake City, Utah 84112.

February 9, 2005: Speaker, Mueller Park Junior High School Career Fair, Bountiful, Utah. I made a presentation to students about the court system and the profession of judging. Notes supplied.

November 17, 2004: Speaker, Federal Bar Association Annual Awards Dinner, Salt Lake City, Utah. I introduced Carlie Christensen who was being recognized by the organization as the government lawyer of the year. Remarks supplied.

May 14, 2004: Speaker, Utah State Bar Family Law Section, Salt Lake City, Utah. I gave a presentation on professionalism and civility. Notes supplied.

April 1, 2004: Judge, Traynor Moot Court Competition Finals, S.J. Quinney College of Law at the University of Utah (formerly University of Utah College of Law), Salt Lake City, Utah. I have no notes, transcript or recording. The address of the S.J. Quinney College of Law at the University of Utah is 352 South 1400 East, Salt Lake City, Utah 84112.

January 30, 2004: Judge, J. Reuben Clark Law School Moot Court Competition Finals, Provo, Utah. I have no notes, transcript or recording. The address of the J. Reuben Clark Law School is 341 East Campus Drive, Provo, Utah 84602.

October 25, 2003: Panelist, Women Lawyers of Utah Annual Retreat, Deer Valley, Utah. I participated in a panel discussion on the topic of how to balance a career and family. I have no notes, transcript or recording. The address of the Women Lawyers of Utah is P.O. Box 932, Salt Lake City, Utah 84110.

August 14, 2003: Panelist, Utah State Courts, Salt Lake City, Utah. I participated in a presentation to a group of visiting Chinese appellate judges regarding the structure and function of the Utah State Court system. Notes supplied.

May 22, 2003: Panelist, Salt Lake City, Utah. I participated in a panel discussion on the topic of the judicial selection process in Utah. I cannot recall the name of the organization that sponsored the event and I have no notes, transcript or recording. However, I generally recall discussing my then recent experience in being nominated and confirmed to the Utah Supreme Court.

May 3, 2003: Presenter, Crystal Crest Awards, Weber State University, Ogden, Utah. I presented awards to students who were being honored. I have no notes, transcript or recording, but press coverage is supplied. The address of Weber State University is 3848 Harrison Boulevard, Ogden, Utah 84408.

April 22, 2003: I gave remarks on the occasion of my investiture ceremony at the Utah Supreme Court, Salt Lake City, Utah. Remarks supplied.

- 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.

October 1, 2010: I was interviewed by a university student whose undergraduate communications class had been given the task of interviewing Utah judges for the purpose of preparing and posting Wikipedia articles about the Utah judiciary. It is my understanding that at least some of what appears in the Wikipedia page on me was the result of that interview. I have no notes or transcript of the interview and do not recall the name of the student, but a copy of my Wikipedia page is supplied.

Dan Weist, *Bill Would Allow Governor to Name Chief Justice of Utah Supreme Court*, OGDEN STANDARD EXAMINER, February 6, 2010. Copy supplied.

Pat Reavy, *Utah Legislature: Supreme Court Justices Fight Bill on Picking Their Chief*, DESERET MORNING NEWS, February 5, 2010. Copy supplied.

Stephen Hunt, *Utah High Court Officials Opposing Bill Take Case To Media*, THE SALT LAKE TRIBUNE, February 3, 2010. Copy supplied.

Pamela Manson, *Respected Utah Federal Judge David Winder Dies*, THE SALT LAKE TRIBUNE, May 20, 2009. Copy supplied.

Jill Schachner Chanen, *Guiding Principals, A Look Inside Some Inspired Mentor Relationship Shows How These Pairings Build Careers and Confidence*, ABA JOURNAL, June 2005. Copy supplied.

Zachary Todd, *Parrish Enjoys Supreme Court Teamwork*, DAVIS COUNTY CLIPPER, March 15, 2005. Copy supplied.

Elizabeth Neff, *New Justices Start Track Record With Tough Decisions*, THE SALT LAKE TRIBUNE, July 18, 2004. Copy supplied.

Steen Ross Thaln, *Senate Confirmed Justices Find Differences In Court Seating Is Not Indicative Of Court Standing*, INTERMOUNTAIN COMMERCIAL RECORD, June 18, 2004. Copy supplied.

Robert O. Rice, *Judicial Profile Justice Jill N. Parrish*, BAR & BENCH, Salt Lake County Bar Association, Winter 2004. Copy supplied.

Renee Turner, *Here Come The Judges, Ronald Nehring and Jill Parrish*, UTAH SPIRIT, May 2003. Copy supplied.

Barbara Bernstein, *Writing A New Chapter In Life*, VISTA, Spring 2003. Copy supplied.

Renee Turner, *Davis Mom, Lawyer Now On Supreme Court*, DAVIS COUNTY CLIPPER, April 24, 2003. Copy supplied.

D. Louise Brown, *WSU Alumna Appointed To Utah State Supreme Court*, THE SIGNPOST, March 26, 2003. Copy supplied.

Renee Turner, *Bountiful Resident To Join Utah's Top Court*, DAVIS COUNTY CLIPPER, February 28, 2003. Copy supplied.

Lisa Riley Roche, *Senate Panel Gives Nods to 2 Justice Choices*, DESERET MORNING NEWS, February 25, 2003. Copy supplied.

Catherine S. Blake, *Ogden Native Nominated For Utah Supreme Court*, ASSOCIATED PRESS, February 22, 2003. Copy supplied.

Norma Harrison, *2 Jurists Praised By Fellow Utahans*, DESERET MORNING NEWS, February 10, 2003. Copy supplied.

January 25, 2003: I gave brief remarks at a press conference conducted by Governor Michael Leavitt on the occasion of my nomination to the Utah Supreme Court. I have no notes, transcript or recording, but representative press coverage is 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.

Since 2003, I have served as a justice of the Utah Supreme Court. After my name was forwarded as a finalist by a nonpartisan nominating commission, Governor Michael Leavitt appointed me to the Utah Supreme Court in January 2003, and I was confirmed by the Utah State Senate in February 2003. In 2006, I was retained for a ten-year term in a required periodic, nonpartisan retention election.

The Utah Supreme Court is comprised of five justices. It is the state's court of last resort. It hears appeals from capital and first degree felony cases and all district court civil cases, other than domestic relations cases. The Supreme Court also has jurisdiction over judgments of the Utah Court of Appeals, appeals from various state agencies, proceedings of the Judicial Conduct Commission, lawyer discipline and constitutional and election questions. The Utah Supreme Court has general administrative authority over all Utah courts, including authority to develop and monitor rules for appellate practice and district court procedures. The court develops and monitors the code of professional responsibility and the canons of judicial ethics and administers discipline to attorneys and judges.

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

Because I have been neither a trial judge nor the Chief Justice of the Utah Supreme Court, I have not presided over any cases. Although I have not presided

over any cases that have gone to verdict, I have heard approximately 900 cases that resulted in a written opinion from the Utah Supreme Court.

i. Of these, approximately what percent were:

jury trials:	0%
bench trials:	0%
civil proceedings:	80%
criminal proceedings:	20%

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

See attached list of cases.

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).

I have not served as the chief justice of the Utah Supreme Court and so have not technically presided over any cases. Following are 10 of the most significant cases in which I authored opinions.

1. *State v. Mooney*, 98 P.3d 420 (Utah 2004)

The State of Utah charged members of the Oklevueha Native American Church with engaging in a criminal enterprise and engaging in a pattern of unlawful activity relating to the possession and distribution of peyote to members for use in religious services. The members moved to dismiss the charges, arguing that a federal exemption allowed the use and distribution of peyote for “bona fide religious ceremonies” and that any prosecution would violate the members’ First Amendment rights to freely exercise their religion. The trial court held that the members were not entitled to the protection of any exemption for the religious use of peyote because they were not members of any federally recognized Native American tribe. The Utah Supreme Court reversed, holding that the federal exemption was not restricted to members of federally recognized tribes and that any other interpretation would run afoul of members’ constitutional rights.

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2. *American Bush v. City of South Salt Lake*, 140 P.3d 1235 (Utah 2006)

Owners of sexually oriented businesses challenged a city ordinance barring any employee of such businesses from appearing “in a state of nudity before a patron.” The ordinance had the effect of eliminating the category of “nude dancing establishments” from the city’s licensing scheme. The business owners moved to enjoin the city’s enforcement of the new ordinance, arguing that article I, section 15 of the Utah Constitution protected nude dancing as a form of expressive speech activity and that the institution of the new ordinance that effectively eliminated the business owners’ licenses constituted a “taking” in violation of article I, section 7 of the Utah Constitution. The Utah Supreme Court held that the Utah Constitution does not provide greater protection for nude dancing than does the U.S. Constitution and upheld the ordinance. The court further held that the ordinance did not constitute a “taking” under the Utah Constitution.

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For Appellee City of South Salt Lake:

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3. *University of Utah v. Shurtleff*, 144 P.3d 1109 (Utah 2006)

The University of Utah had a longstanding policy prohibiting the possession of firearms on campus. In 2004, the Utah Legislature prohibited state and local entities from enacting or enforcing rules or policies that inhibit or restrict the use or possession of firearms on public or private property. The University sought a declaration that article X, section 4 of the Utah Constitution guaranteed it institutional autonomy over firearms regulation, thereby allowing it to continue to enforce its firearms policy in spite of any contrary Utah law. The Utah Supreme Court held that the plain language of article X, section 4, did not grant the University the authority to enact firearms policies in contravention of Utah statutory law. Although article X, section 4 grants the University broad powers, after considering the relevant history, context, and prior case law, the court concluded that the University is not completely autonomous and is subject to legislative oversight.

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4. *Colosimo v. Roman Catholic Bishop of Salt Lake City*, 156 P.3d 806 (Utah 2007)

In 2003, brothers R. and C. Colosimo brought suit against Judge Memorial High School, the Salt Lake Diocese, the Oblates of St. Francis de Sales, the Archdiocese of San Francisco, and Mr. Rapp, a Catholic priest, member of the Oblates and former teacher at the school. The brothers alleged that Mr. Rapp had sexually abused them repeatedly from approximately 1970 to 1975. The defendants brought a motion to dismiss on the grounds that the statute of limitations barred the brothers' claims. The brothers opposed the motion to dismiss, arguing that the discovery rule tolled the statute of limitations. Reviewing Utah's discovery rule, the Utah Supreme Court held that the brothers' claims were barred by the statute of limitations because they had actual knowledge of the abuse and of Mr. Rapp's relationship to the other defendants from the beginning, but nonetheless failed to investigate their claims during the limitations period.

For Plaintiffs:

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(Retired)

Felise L. Thorpe
(Formerly of Cohne, Rappaport & Segal, P.C.)
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For Judge Memorial and Roman Catholic Bishop:

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For Archdiocese of San Francisco:

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5. *Smith v. Price Development Co.*, 125 P.3d 945 (Utah 2005)

The 1989 version of Utah's split recovery statute, Utah Code section 78-18-1(3), gave the State of Utah an interest in certain punitive damage awards. In a case alleging breach of contract, breach of fiduciary duty, and conversion brought against a general partner, limited partners (the Smiths) obtained a substantial punitive damages award. The State claimed a share of the Smiths' award under the split recovery statute. The Smiths brought a constitutional challenge to the split recovery statute, arguing that the statute violated article 1, section 22 of the Utah Constitution and the Fifth and Fourteenth Amendments to the United States Constitution. The district court ruled in favor of the Smiths. On appeal, the Utah Supreme Court held that the 1989 version of the split recovery statute did not give the state a vested interest in the Smiths' punitive damages award and therefore resulted in an unconstitutional taking of the Smiths' property because it permitted the state to appropriate a portion of the punitive damages award without providing just compensation.

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6. *Helf v. Chevron*, 203 P.3d 962 (Utah 2009)

Ms. Helf sustained serious injuries while working at Chevron's Salt Lake City Refinery. Ms. Helf's supervisors directed her to neutralize toxic sludge in an open-air pit through a chemical reaction. Her supervisors had directed another Chevron employee to initiate an identical reaction in the same pit just hours prior to her injury. Although that attempt had resulted in a large purple cloud of toxic gases that set off chemical alarms throughout the facility, Ms. Helf's supervisors neither warned her about the previous incident nor instructed her to don any safety gear. As a result, Ms. Helf suffered a permanent seizure disorder. She sued Chevron for damages, arguing that her injuries fell within the intentional injury exception to the Workers' Compensation Act. The district court disagreed and dismissed her complaint. The Utah Supreme Court reversed. While it reaffirmed the "intent to injure" standard as the test for assessing whether an employee's claims are barred by the Workers' Compensation Act, it clarified that the test does not require that an employer actually have a motive to injure its employee. Rather, it requires only that the employer knew or expected that its actions would cause injury. Because Ms. Helf alleged that her supervisors knew or expected that she would be injured by re-initiating the neutralization process, it reversed the dismissal and remanded her claims to the trial court for further proceedings.

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For Defendant Chevron:

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7. *State ex rel. Z.C.*, 165 P.3d 1206 (Utah 2007)

The State brought delinquency actions for sexual abuse of a child against a 13-year-old girl, Z.C., and a 12-year-old boy who engaged in mutually consensual sexual intercourse. Z.C. brought a motion to dismiss the action, which the juvenile court denied. On appeal, the Utah Supreme Court interpreted the sexual-abuse-of-a-child statute and reasoned that it would be absurd to conclude that the legislature intended to punish both children for child sex abuse because they engaged in consensual sexual activity. Relying on the absurd results doctrine, the court concluded that the legislature could not have intended the statute to be applied in such a context. The court therefore reversed the juvenile court and ordered it to vacate Z.C.'s delinquency adjudication.

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8. *State v. Gurule*, 321 P.3d 1039 (Utah 2013)

After pleading guilty to possession of a controlled substance in a drug-free zone, Mr. Gurule was sentenced to a term of incarceration of five years to life. Mr. Gurule had reserved his right to appeal the district court's denial of his motion to suppress evidence obtained through a search of his vehicle following a traffic stop. Officers stopped Mr. Gurule's vehicle for a minor traffic infraction, asked Mr. Gurule to exit the vehicle, frisked Mr. Gurule, and conducted a plain-view search of the vehicle. Neither the frisk nor the plain-view search revealed any weapons or contraband. Despite their failure to discover anything suspicious during these initial searches, the officers continued to detain Mr. Gurule and called for a canine unit, but none was available. One of the officers then contacted Mr. Gurule's parole officer, who requested that the officers perform a search of the vehicle pursuant to Mr. Gurule's parole agreement. During the subsequent search, the officers discovered methamphetamine and drug paraphernalia inside the driver's side door of the vehicle. The officers arrested Mr. Gurule and again contacted Mr. Gurule's parole agent to inform him of the situation. The parole agent then requested police assistance to conduct a parole search of Mr. Gurule's home. The search revealed digital surveillance equipment, a digital scale, and a small amount of marijuana. Mr. Gurule filed a motion to suppress all evidence obtained in the search of his vehicle and home, which the district court denied. On appeal, the Utah Supreme Court reversed. The court held that, though the officers were justified in initially stopping Mr. Gurule for the traffic infraction and in conducting a protective frisk and plain-view search, they lacked reasonable suspicion to extend the duration of the stop.

For Appellant Gurule:

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For Appellee State of Utah:

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9. *Weber County v. Ogden Trece*, 321 P.3d 1067 (Utah 2013)

Weber County obtained a permanent injunction against Ogden Trece, a street gang, under Utah Code section 76-10-806, which permits a county attorney to take action to abate a public nuisance. The statutory definition of public nuisance includes a criminal street gang. The injunction prohibited Ogden Trece members from associating with one another; confronting, intimidating, annoying, harassing, threatening, challenging, provoking, or assaulting any person known to be a witness to gang activity; possessing a firearm in public or in any publicly accessible place; or violating an 11 p.m. to 5 a.m. curfew. The injunction applied to a 25 square mile safety zone encompassing nearly the entire city of Ogden. Three alleged members of the gang who were served with the injunction brought suit, arguing that the injunction was not properly served on the gang and that the injunction violated the members' procedural and substantive due process rights. The Utah Supreme Court held that service on Ogden Trece, as an unincorporated association, was improper and that the injunction was therefore improperly entered.

For Appellee Weber County:

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For Appellants Parsons, Romez and Rodriguez:

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10. *State v. Hernandez*, 268 P.3d 822 (Utah 2011).

Mr. Hernandez was charged with four class A misdemeanors: negligent homicide, obstruction of justice, unlawful sale/supply of alcohol to minors, and possession of drug paraphernalia. The district court denied his request for a preliminary hearing, concluding that he was not entitled to one. On appeal, Mr. Hernandez argued that article I, section 13 of the Utah Constitution guaranteed him the right to a preliminary hearing for class A misdemeanors. The Utah Supreme Court held that article I, section 13 of the Utah Constitution guarantees the right to a preliminary hearing for all “indictable offenses,” including class A misdemeanors, and remanded for a preliminary hearing.

For Appellant Hernandez:

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For Appellee State of Utah:

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- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

1. *Munson v. Chamberlain*, 173 P.3d 848 (Utah 2007).

For Appellant Munson:

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For Appellee Chamberlain:

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2. *Jensen ex rel. Jensen v. Cunningham*, 250 P.3d 465 (Utah 2011).

For Appellant Jensen:

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For Appellee Cunningham:

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3. *Mecham v. Frazier*, 193 P.3d 630 (Utah 2008).

For Plaintiff Mecham:

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For Defendant Frazier:

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4. *State ex rel. D.A. v. State*, 222 P.3d 1172 (Utah 2009).

For Appellant D.A.:

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For Guardian ad Litem:

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5. *Cabaness v. Thomas*, 232 P.3d 486 (Utah 2010).

For Appellant Cabaness:

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For Appellee Bountiful City:

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6. *In re Adoption of Baby E.Z.*, 266 P.3d 702 (Utah 2011)

For Appellant J.M.W. (biological father):

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7. *Whitney v. Division of Juvenile Justice Services*, 274 P.3d 906 (Utah 2012).

For Plaintiff Whitney:

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8. *In re Reinhart*, 291 P.3d 228 (Utah 2012).

For Appellant Gladwell:

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For Appellee Reinhart:

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9. *LeBeau v. State*, 2014 UT 39, __ P.3d __ (2014).

For Appellant LeBeau:

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10. *State v. Worwood*, 164 P.3d 397 (Utah 2007).

For Appellant Worwood:

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For Appellee State of Utah:

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

Certiorari Granted:

Brigham City v. Stuart, 122 P.3d 506 (Utah 2005), *cert granted*, 546 U.S. 1085.

Certiorari Denied:

Smith v. Fairfax Realty, Inc., 82 P.3d 1064 (Utah 2003), *cert. denied*, 541 U.S. 960.

State Farm Mut. Auto. Ins. Co. v. Campbell, 98 P.3d 409 (Utah 2004), *cert. denied*, 543 U.S. 874.

Bernat v. Allphin, 106 P.3d 707 (Utah 2005), *cert. denied*, 545 U.S. 1104.

State v. Allen, 108 P.3d 730 (Utah 2005), *cert. denied*, 546 U.S. 832.

State v. Graham, 143 P.3d 268 (Utah 2006), *cert. denied*, 549 U.S. 1115.

State v. Holm, 137 P.3d 726 (Utah 2006), *cert. denied*, 549 U.S. 1252.

State v. Haltom, 156 P.3d 792 (Utah 2007), *cert. denied*, 552 U.S. 817.

Utah Dep't of Human Services v. Hughes, 156 P.3d 820 (Utah 2007), *cert. denied*, 552 U.S. 826.

State v. von Ferguson, 169 F.3d 423 (Utah 2007), *cert. denied*, 552 U.S. 940.

State v. Reber, 171 P.3d 406 (Utah 2007), *cert. denied*, 552 U.S. 990.

State v. Barzee, 177 P.3d 48 (Utah 2007), *cert. denied*, 553 U.S. 1056.

Lafferty v. State, 175 P.3d 530 (Utah 2007), *cert. denied*, 555 U.S. 830.

Madsen v. Wash. Mut. Bank FSB, 199 P.3d 898 (Utah 2008), *cert. denied*, 556 U.S. 1282.

State v. Cahoon, 203 P.3d 957 (Utah 2009), *cert. denied*, 558 U.S. 819.

BushCo v. Utah State Tax Comm'n, 225 P.3d 153 (Utah 2009), *cert. denied*, 131 S. Ct. 455.

State v. Gardner, 234 P.3d 1104 (Utah 2010), *cert. denied*, 560 U.S. 981.

Gardner v. State, 234 P.3d 1115 (Utah 2010), *cert. denied*, 560 U.S. 981.

Peak Alarm Co. v. Salt Lake City Corp., 243 P.3d 1221 (Utah 2010), *cert. denied*, 131 S. Ct. 660.

Johnson v. Johnson, 234 P.3d 1100 (Utah 2010), *cert. denied*, 131 S. Ct. 656.

State v. Ott, 247 P.3d 344 (Utah 2010), *cert. denied*, 131 S. Ct. 1472.

In re Adoption of Baby E.Z., 266 P.3d 702 (Utah 2011), *cert. denied*, 132 S. Ct. 1743.

Archuleta v. Galetka, 267 P.3d 232 (Utah 2011), *cert. denied*, 133 S. Ct. 112.

Taylor v. State, 270 P.3d 471 (Utah 2012), *cert. denied*, 133 S. Ct. 181.

State v. Greenwood, 297 P.3d 556 (Utah 2012), *cert. denied*, 133 S. Ct. 1257.

State v. Butt, 284 P.3d 605 (Utah 2012), *cert. denied*, 133 S. Ct. 1456.

State v. Maestas, 299 P.3d 892 (Utah 2012), *cert. denied*, 133 S. Ct. 1634.

Salt Lake City Corp. v. Jordan River Restoration Network, 299 P.3d 990 (Utah 2012), *cert. denied*, 134 S. Ct. 94.

- 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.

Brigham City v. Stuart, 122 P.3d 506 (Utah 2005), *cert. granted*, 546 U.S. 1085 (2006), *rev'd.*, 547 U.S. 398 (2006).

Police responded to complaints of a loud party and observed an ongoing altercation through the window of a home. After unsuccessfully attempting to get the attention of the participants, police entered without a warrant. The participants were subsequently prosecuted. They successfully sought to suppress the evidence obtained as a result of the warrantless entry. The question presented on appeal was whether the ongoing altercation constituted an exigent circumstance that relieved law enforcement from the requirement of obtaining a search warrant. A majority of the Utah Supreme Court held that it did not. Although I was not the author of the majority opinion, I joined it. The United States Supreme Court reversed. It held that the officers were justified in entering the home without a warrant because the situation satisfied the exigent circumstances exception to the warrant requirement.

- 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 justice of the Utah Supreme Court, I have not issued any unpublished opinions. The Utah Supreme Court publishes all of its work.

- 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.

The Utah Supreme Court routinely issues decisions on state and federal constitutional matters, including the right to counsel, the right to be free from unreasonable searches and seizures, the right against self-incrimination, the right to allocution, the right to due process, and the right not to be placed in jeopardy twice for the same crime. The following cases are representative examples of cases I authored that present federal or state constitutional issues, although the list is not exhaustive.

Cases presenting federal constitutional issues:

State v. Green, 99 P.3d 820 (Utah 2004).

Brigham Young Univ. v. Tremco Consultants, Inc., 110 P.3d 678 (Utah 2005).

Smith v. Price Dev. Co., 125 P.3d 945 (Utah 2005).

State v. Worwood, 164 P.3d 397 (Utah 2007).

State v. Gettling, 229 P.3d 647 (Utah 2010).

State v. Baker, 229 P.3d 650 (Utah 2010).

State v. Candedo, 232 P.3d 1008 (Utah 2010).

In re Adoption of Baby E.Z., 266 P.3d 702 (Utah 2011).

Donjuan v. McDermott, 266 P.3d 839 (Utah 2011).

Salt Lake City Corp. v. Jordan River Restoration Network, 299 P.3d 990 (Utah 2012).

Cases presenting state constitutional issues:

Jackson v. Marrs, 100 P.3d 1211 (Utah 2004).

State v. Willis, 100 P.3d 1218 (Utah 2004).

Tindley v. Salt Lake City Sch. Dist., 116 P.3d 295 (Utah 2005).

Houghton v. Dep't of Health, 125 P.3d 860 (Utah 2005).

West. Jordan City v. Goodman, 135 P.3d 874 (Utah 2006).

Salt Lake City v. Newman, 148 P.3d 931 (Utah 2006).

Moss v. Pete Sauzo Utah Athletic Comm'n, 175 P.3d 1042 (Utah 2007).

Medel v. State, 184 P.3d 1226 (Utah 2008).

State v. Low, 192 P.3d 867 (Utah 2008).

Winward v. State, 293 P.3d 259 (Utah 2012).

- 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 never 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.

The Utah Supreme Court employs an automatic recusal system that compares a recusal list provided by each judge to the captions and appearances of counsel on the briefs. If a judge has listed a person or entity involved in the appeal on her recusal list, the clerk of the court automatically eliminates that judge from the panel that will hear the case and obtains a replacement judge to sit by designation.

After automatically recusing any justices who have an apparent conflict, the clerk of the court circulates a preliminary calendar of upcoming cases identifying the parties and counsel for each case. Copies of the briefs for each case are also circulated. Before the cases are set for oral argument, I perform my own review to be certain that I do not have an actual or perceived conflict with any of the persons or entities involved. On a few occasions, I have initiated a sua sponte recusal due to the involvement of a person or entity overlooked by the clerk of the court, not included on my recusal list, or because I had personal knowledge of the case. On a few occasions, I have discovered a ground for recusal after a case has been calendared. When this has occurred, I have notified the clerk of the court who has removed me from the panel and obtained a replacement judge from the court of appeals or the district court to sit in my place by designation. The court does not keep records of our voluntary recusals. During my tenure on the court, I do not recall any party or attorney requesting that I recuse myself.

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 other than judicial office. I have had no unsuccessful candidacies for public office or unsuccessful nominations for appointed office.

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

I have never held an office in or rendered services to any political party or election committee. I have never played a role in a political campaign.

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

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

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

From 1985 to 1986, I served as a law clerk to Judge David K. Winder, United States District Court Judge for the District of Utah.

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

I have never practiced law alone.

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

1986 – 1995

Parr, Brown Gee & Loveless
101 South 200 East, #700
Salt Lake City, Utah 84111
Associate (1986 – 1990)
Shareholder (1990 – 1995)

1995 – 2003

U.S. Attorney's Office for the District of Utah
185 South State Street, Suite 400
Salt Lake City, Utah 84111
Assistant United States Attorney (1995 – 2003)
Financial Litigation Supervisor (1996 – 2003)

- 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 in alternative dispute resolution proceedings.

b. Describe:

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

From 1986 through 1995, I was in private practice at the Salt Lake City law firm of Parr, Brown, Gee & Loveless, where I was a member of the litigation department. During this period, I represented both plaintiffs and defendants in state and federal courts in Utah and other jurisdictions. I also appeared before various administrative agencies. I handled cases in the areas of antitrust, general contract law, real property, insurer liability, mechanics liens, negligence, fraud, fiduciary duty, personal injury, distributorship and franchise agreements, wrongful termination, employment discrimination and other types of commercial litigation.

From 1995 through 2003, I served as an Assistant United States Attorney for the District of Utah. I was assigned to the Civil Division where my time was divided among defending lawsuits on behalf of the United States and its agencies, initiating affirmative civil enforcement actions where the United States was the plaintiff, and supervising cases handled by Special Assistant United States Attorneys. In the vast majority of my cases at the U.S. Attorney's Office, I acted as sole counsel for the United States. I also had the responsibility of supervising the Financial Litigation Unit, a group of paralegals and debt collection agents which handled the collection of all criminal fines and restitution owed to the United States, as well as all civil judgments obtained by the United States. In this capacity, I became familiar with federal collection work, including supplemental proceedings, prejudgment and post-judgment remedies and enforced collection procedures.

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

During my private practice years (1986 through 1995), I represented corporate and industrial clients. Representative clients during this period include the following: Getty Oil Company, Texaco, Inc., Bonneville International Corporation, ALTA Health Strategies, Domino's Pizza, Inc., and Haworth, Inc. In addition, I represented companies involved in real estate development and financing, including The Boyer Company and

Crossroad Mall Associates. I also handled litigation involving real property issues for title insurance companies, including Associated Title and First American Title Insurance Company. Finally, I represented the Colorado River Energy Distributor's Association, a trade group consisting of municipalities that purchase electrical power from the Western Area Power Association, a federal agency.

During my time as an Assistant United States Attorney (1995 through 2003), I exclusively represented the United States of America and its agencies, including the United States Postal Service, the Veterans Administration, the Department of the Interior and the various military branches. My practice during this period was almost exclusively in the federal district court for the District of Utah where I handled a variety of defensive litigation and some affirmative civil enforcement cases.

- 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.

After I finished my judicial clerkship and began private practice, virtually all of my practice was in litigation. I appeared in court frequently. About fifty percent of my practice was in federal court, forty percent was in state court, and about ten percent of my practice was before various state and federal agencies. After joining the U.S. Attorney's Office, I continued to spend virtually all of my time on litigation and I appeared in court even more frequently. At that point, my practice was almost exclusively in federal court. The following estimates as to the nature of my practice are an attempt to combine the experience I had in private practice with that I had while in government service (not including my time on the Utah Supreme Court).

- i. Indicate the percentage of your practice in:

1. federal courts:	75%
2. state courts of record:	20%
3. other courts:	0%
4. administrative agencies:	5%

- ii. Indicate the percentage of your practice in:

1. civil proceedings:	95%
2. criminal proceedings:	5%

- 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.

To the best of my recollection, I have tried eight cases to verdict. I was sole or

lead counsel in three of those cases. In the others, I was either co-counsel or associate counsel.

- i. What percentage of these trials were:
 - 1. jury: 40%
 - 2. non-jury: 60%

- 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.

I do not have access to any of the case files on matters that I handled either during my private practice or during my time at the U.S. Attorney's Office for the District of Utah. My former law firm instituted a document retention policy subsequent to my departure from the firm that has resulted in the loss of my private practice files. Under the policies of the United States Department of Justice, I also no longer have access to the privileged case files for the matters that I handled while I was an AUSA. The following list of litigation matters is based on my best recollection, a search of available databases, and review of what few records I have in my possession. As a result, this list is not exhaustive and some requested information is not available.

- 1. *Dahl v. United States*, Case No. 2:01-cv-00551, United States District Court, District of Utah (Judge Dee Benson).

From 2001 through 2003, I defended the United States in an action involving constitutional and common law tort claims arising from a shooting by law enforcement officers. Mr. Dahl was shot by DEA agents when he drove his

vehicle in the direction of one of the officers. He was later arrested by officers from the Salt Lake City Police Department. Mr. Dahl filed suit against the United States and Salt Lake City, alleging that the shooting was unjustified and that officers used excessive force during the arrest. Shortly before my appointment to the Utah Supreme Court, I filed and argued a motion to dismiss on behalf of the United States, arguing that the court lacked subject matter jurisdiction over the claims. The motion was granted in part. The remainder of the case was subsequently resolved in favor of the United States following a bench trial.

For Plaintiff Dahl:

David S. Pace
Pace Law Firm
6925 Union Park Center, Suite 480
Salt Lake City, Utah 84047
(801) 355-9700

2. *Dallafor v. USA*, 2:97-cv-00180, United States District Court, District of Utah (Judge Dale A. Kimball).

Beginning in 1997, I defended the United States in a wrongful death action arising from a fatal vehicle accident at the Dugway Army base. Plaintiffs asserted that the road where the accident occurred became unreasonably slippery when the Army applied a defective asphalt coating to its surface. The United States asserted cross-claims against the road contractor and the manufacturer of the allegedly hazardous asphalt coating. Following extensive discovery, expert witness disclosures, and the filing of motions to dismiss and for summary judgment, the case was settled.

For Plaintiff Gloria Dallafor:

Richard D. Burbidge
Burbidge, Mitchell & Gross
215 South State Street, Suite 920
Salt Lake City, Utah 84111
(801) 355-6677

For Defendant Asphalt Systems:

Tim Dalton Dunn
Dunn & Dunn, P.C.
505 East 200 South, 2nd Floor
Salt Lake City, Utah 84102
(801) 521-6677

For Defendant Bolinder Companies, Inc.:

S. Baird Morgan
Richards, Brandt, Miller, Nelson
299 South Main Street, 15th Floor
Salt Lake City, Utah 84110
(801) 326-3656

3. *Southern Utah Wilderness Alliance v. Bureau of Land Management*, Case No. 2:96-cv-836, United States District Court, District of Utah (Judge Tena Campbell), 147 F. Supp.2d 1130 (D. Utah 2001).

From 1996 through the time of my appointment to the Utah Supreme Court, I represented the United States in a consolidated action involving environmental and property issues arising under various federal statutes, including claims by several Utah counties to quiet title to various roads under Revised Statute 2477. The United States claimed that the counties had failed to satisfy the requirements for creating a road through use and that they had therefore trespassed on federal property when they graded and widened various roads located in federal wilderness areas. A significant portion of the case was resolved in favor of the United States on summary judgment. An interlocutory appeal as to those issues was pending in the United States Court of Appeals for the Tenth Circuit at the time of my appointment to the Utah Supreme Court.

For Plaintiff Southern Utah Wilderness Alliance:

Heidi J. McIntosh
(Formerly of the Southern Utah Wilderness Alliance)
Earthjustice
1400 Glenarm Place, Suite 300
Denver, Colorado 80202
(303) 623-9466

For Defendant Garfield County:

Stephen H. Urquhart
Stephen H. Urquhart, P.C.
P.O. Box 1510
Saint George, Utah, 84771
(435) 272-4474

Co-Counsel:

Jeannette Swent
U.S. Attorney's Office, District of Utah
185 South State Street, Suite 400

Salt Lake City, Utah 84111
(801) 524-5682

4. *Gull v. Runyon*, Case No. 2:95-cv-00957, United States District Court, District of Utah (Judge Dale A. Kimball).

In 1995, I represented the Postmaster General in an employment discrimination lawsuit filed by Ms. Gull, an employee of the United States Postal Service. Following significant discovery, I filed a motion for summary judgment on behalf of the Postal Service. While the motion was awaiting argument, the parties participated in a mediation arranged pursuant to the court's alternative dispute resolution program and agreed to settle the case. When Ms. Gull later changed her mind and refused to execute the settlement documents, the United States filed a motion to enforce the settlement agreement, which was granted.

For Plaintiff Gull:

David J. Holdsworth
Law Offices of David J. Holdsworth
9125 South Monroe Plaza Way, Suite C
Sandy, Utah 84070
(801) 352-7701

5. *Gadd v. United States*, Case No. 2:94-cv-00527, United States District Court, District of Utah (Judge David Sam).

From 1994 through 1997, I was lead counsel in a personal injury case brought by Ms. Gadd against the United States under the Federal Tort Claims Act. She also asserted claims against the State of Utah Division of Wildlife Resources. The claims arose from injuries she suffered when attacked by a black bear while she was camping in a campground operated by the United States Forest Service. Following extensive discovery and expert witness work, we filed a motion for summary judgment on behalf of the United States, which was granted. The case was thereafter dismissed.

For Plaintiff:

Tad D. Draper
The Law Offices of Tad D. Draper, P.C.
12401 South 450 East, Unit B2
Draper, Utah 84020
(801) 533-1700

For Defendant State of Utah:

Dan R. Larsen
(Formerly of the Utah Attorney General's Office)
Dorsey & Whitney
136 South Main Street, Suite 100
Salt Lake City, Utah 84101
(801) 933-8957

6. *Hammett v. United States*, Case No. 2:94-cv-01192, United States District Court, District of Utah (Judge J. Thomas Greene).

Ms. Hammett fell and hit her head after encountering an allegedly dangerous condition on a construction site at the Veterans Administration Hospital. She suffered serious and permanent brain damage and filed a personal injury action against the United States under the Federal Tort Claims Act. I defended the United States in a lawsuit that was filed in 1994. Following extensive fact and expert discovery, the case was settled.

For Plaintiff:

Erik M. Ward
Gridley Ward & Hamilton
635 25th Street
Ogden, Utah 84401
(801) 621-3317

7. *Beehive Pizza Inc. v. Domino's Pizza, Inc.*, United States District Court, District of Utah, Case No. 2:92-cv-00613 (Judge J. Thomas Greene) and *Domino's Pizza, Inc. v. Beehive Pizza, Inc.*, United States District Court, District of Utah, Case No. 2:94-cv-00650 (Judge J. Thomas Greene).

From 1992 through 1995, I was co-counsel for Domino's Pizza in a lawsuit brought by a Domino's franchisee asserting claims against Domino's for breach of the franchise agreement. I also represented Domino's in a related and subsequently consolidated lawsuit that it brought against its franchisee in 1994. I was involved in these cases from their inception through a two-week bench trial in the first case that took place in September of 1994. The district court ruled in favor of my client as to the issues tried in the first case, but I left private practice to join the U.S. Attorney's Office before both cases were finally concluded.

For Beehive Pizza, Inc.:

Robert D. Moore
(Deceased)

Alan L. Sullivan
Snell & Wilmer
15 West South Temple, #1200
Gateway Tower West
Salt Lake City, Utah 84101
(801) 257-1900

Co-Counsel:

Judge Dale A. Kimball
(Formerly of Parr, Brown, Gee & Loveless)
United States District Court for the District of Utah
351 South West Temple
Salt Lake City, Utah 84101
(801) 425-6100

8. *Beck's Office Furniture & Supplies, Inc., v. Haworth, Inc.*, 2:90-CV-00472 (D. Utah, jury trial 1994) (Judge Thomas Greene), *aff'd in part and rev'd in part*, 94 F.3d 655 (10th Cir. 1996).

I acted as co-counsel in defending Haworth against a complaint filed by Beck's Office Furniture alleging claims of breach of a dealership agreement. I was involved in the case from its inception in 1990 through the initial stages of the appeal. I was second chair for a two-week jury trial that took place in 1994. The jury brought back a verdict against Haworth, and we appealed. I left private practice and joined the U.S. Attorney's Office before the appeal was argued.

For Beck's Office Furniture:

Jeffrey R. Oritt, Esq.
Eisenberg & Gilchrist
215 South State Street, #900
Salt Lake City, Utah 84111
(801) 366-9100

Co-Counsel:

Judge Clark Waddoups
(Formerly of Parr, Brown Gee & Loveless)
United States District Court for the District of Utah
351 South West Temple
Salt Lake City, Utah 84101
(801) 425-6600

Terry E. Welch
Parr, Brown, Gee & Loveless

101 South 200 East, #700
Salt Lake City, Utah
(801) 532-7840

9. *Gold Standard, Inc. v. Getty Oil Co.*, CV-86-374 (3d Dist. Ct., Utah 1994)
(Judge Frank G. Noel), *aff'd*, 915 P.2d 1060 (Utah 1996).

From 1986 through 1995, I was associate defense counsel in a case filed by Gold Standard against American Barrick Resources Corporation and Getty Oil Company. We represented Getty Oil, which had subsequently been acquired by Texaco, Inc. Gold Standard asserted claims against Getty Oil for breach of contract, breach of fiduciary duty and fraud. I was intimately involved in the case from the preparation of the answer to the initial complaint through the writing of the appellate briefs. I prepared pleadings, reviewed documents, interviewed witnesses, conducted and defended depositions, retained and worked with expert witnesses, briefed and argued discovery and dispositive motions, participated in jury selection, prepared jury instructions, and examined witnesses during trial. We were successful in securing the dismissal of the majority of the claims on summary judgment. We tried the remaining claims to a jury over a six-week period of time. Following the close of Gold Standard's case, we filed a motion for a directed verdict, which the trial court took under advisement. At the conclusion of the trial, the jury returned a \$404 million verdict against our client. We moved for judgment notwithstanding the verdict and for a new trial. The trial court subsequently granted our motion for a directed verdict in favor of Getty Oil Company and, alternatively, granted our motion for a new trial. Gold Standard appealed the matter to the Utah Supreme Court, which affirmed the summary judgment and directed verdict in favor of Getty Oil Company.

For Gold Standard:

Judge Deno G. Himonas
(Formerly of Jones, Waldo, Holbrook & McDonough)
Third District Court
450 South Main Street
Salt Lake City, Utah 84111
(801) 238-7501

For American Barrick Resources Corp.:

Francis M. Wikstrom
Parsons, Behle & Latimer
201 South Main Street, Suite 1800
Salt Lake City, Utah 84111
(801) 532-1234

Co-Counsel:

Stephen G. Crockett
(Retired)

Robert S. Clark
Parr, Brown, Gee & Loveless
101 South 200 East, #700
Salt Lake City, Utah
(801) 532-7840

Judge Carolyn B. McHugh
(Formerly of Parr, Brown, Gee & Loveless)
United States Court of Appeals for the Tenth Circuit
125 South State Street
Salt Lake City, Utah 84138
(801) 401-8157

Mark F. James
(Formerly of Parr, Brown, Gee & Loveless)
Hatch, James & Dodge
10 West Broadway, #400
Salt Lake City, Utah 84101
(801) 363-6363

10. *Salt Lake City v. Western Area Power Administration*, United States District Court for the District of Utah, Case Number C86-1000G, Judge J. Thomas Greene, 1988 Westlaw 167244 (D. Utah, 1988) *aff'd*, 926 F.2d 974 (10th Cir. 1991).

Utah Power & Light Company and its subscribers, including Salt Lake City, brought suit against the Western Area Power Administration (WAPA) and the Department of Energy challenging WAPA's refusal to allocate to them electrical power produced by federal hydro-generation facilities on the Colorado River. I was counsel for intervenor Colorado River Energy Distributor's Association (CREDA), a trade group comprised of municipalities that had received allocations of the electrical power at issue. Salt Lake City also brought claims under the National Environmental Policy Act (NEPA), alleging that WAPA's administration of the generation facilities at Flaming Gorge and Glen Canyon violated NEPA. The district court granted summary judgment in favor of the defendants and intervenor on the challenges to WAPA's promulgation of the marketing and allocation criteria, but denied summary judgment on the challenges to WAPA's compliance with NEPA. After that decision was upheld on appeal, the parties settled the remaining claims. I participated in the case from the outset in 1986 through the appeal and the settlement in 1991, including document

review, depositions, briefing and argument at the summary judgment stage and preparation of the appellate briefs.

Counsel for Plaintiffs Salt Lake City and Rocky Mountain Power Association:

William B. Bohling
(Formerly of Jones, Waldo, Holbrook & McDonough)
Bohling Mediation, LLC
953 South 1100 East
Salt Lake City, Utah 84111
(801) 943-3730

For Western Area Power Administration and United States Department of Energy:

Max Vassanelli
(Retired)

Judge Glen Dawson
(Formerly of the U.S. Attorney's Office, District of Utah)
Second District Court
805 South Main Street
Bountiful, Utah 84010
(801) 397-7028

Co-Counsel:

Judge Dale A. Kimball
(Formerly of Parr, Brown Gee & Loveless)
United States District Court for the District of Utah
351 South West Temple
Salt Lake City, Utah 84101
(801) 425-6100

Gary A. Dodge, Esq.
(Formerly of Parr, Brown Gee & Loveless)
Hatch, James & Dodge
10 West Broadway, Suite 400
Salt Lake City, Utah 84101
(801) 363-6363

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.)

While I was in private practice, I was active in bar activities and served as an officer in the Young Lawyers Division of the Utah Bar and on the Committee for the Unauthorized Practice of Law and the Professional Responsibility Committee. After joining the U.S. Attorney's Office, I became involved with the Federal Bar Association. I was an officer of the Utah Chapter of that organization from 1995 through 2004 and served as its President during 1999.

In addition to my case responsibilities while serving on the Utah Supreme Court, I have had the opportunity to become involved in a number of administrative matters, as well as matters relating to court administration and the improvement of our justice system.

In addition to hearing appeals, the Utah Supreme Court has the responsibility for promulgating all of the rules applicable in the Utah courts, including the rules of civil, juvenile and criminal procedure and the rules of evidence. I have had the opportunity to participate in revisions to these rules after considering input from various advisory committees. One significant change recently promulgated by the court was designed to streamline the discovery process in smaller cases by imposing a proportionality standard on discovery.

I also have had the opportunity to work on a number of projects designed to improve the administration of justice. Shortly after my appointment to the court, I undertook the task of heading a study committee charged with the responsibility of examining the Utah State Law Library and making suggestions for its improvement. Once the study was complete, I became Chair of the Utah State Law Library Oversight Committee. For approximately five years, I served as the Chair of the Utah Supreme Court Committee on Civility and Professionalism, where we implemented educational and other initiatives designed to increase the civility and professionalism of Utah lawyers.

Since 2010, I have had the opportunity to serve as the Utah Supreme Court representative on the Utah Judicial Council. The Utah Judicial Council is the policy-making body for the Utah judiciary. Its membership consists of representatives from each of the various court levels who are elected to serve three-year terms. The council has the constitutional authority to adopt uniform rules for the administration of all courts in the state. The council also sets standards for judicial performance, court facilities, support services and judicial and non-judicial staff levels. Since 2010, I have also served as the Chair of the Liaison Committee, a standing committee of the Utah Judicial Council that is responsible for reviewing all bills introduced in the Utah legislature to ascertain whether they affect the courts and/or the administration of justice and to determine whether the Utah courts should take an official position in the legislature on such proposed legislation.

During 2011, I was selected to chair a study committee that was created by the Judicial Council and that was charged with examining the use of technology in Utah courtrooms. This study committee considered whether Utah courts should amend their rules to allow

video cameras in state courts. As a result of the committee's work, the Judicial Council adopted a new rule that, for the first time, allowed the media to bring cameras in Utah courtrooms.

I have never performed any lobbying activities on behalf of clients.

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.

I am not entitled to any deferred income, stock options, uncompleted contracts, or future benefits from previous business arrangements. I became vested in the Utah Judicial Retirement system after six years of judicial service. This entitles me to receive a pension upon reaching retirement age, which will be calculated based on my years of service and the average of my three highest years of salary.

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

I have no such plans, commitment or agreements.

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.

At this time, I do not anticipate any conflicts of interest from family members. Although my husband is an attorney, he does not litigate. His practice is confined to real estate transactions. The only category of litigation that might present a conflict would be habeas cases in which I sat on the Utah Supreme Court, from which I would recuse myself.

- 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 carefully follow 28 U.S. C. 455 and Canon 3 of the code of Conduct for United States Judges. I also would engage in prompt and immediate review of the parties, their affiliates, and the issues presented by any matter assigned to me so that I could make a prompt, informed decision regarding the need for recusal.

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.

While employed at Parr, Brown, Gee & Loveless, I donated my time to several pro bono divorce cases. I also defended a few simple criminal matters on a pro bono basis. When I left private practice to join the U.S. Attorney's Office, Department of Justice policy prohibited me from representing individual clients on a pro bono basis. As a result, I focused my community efforts on the Utah Chapter of the Federal Bar Association. I served as an officer of that chapter for many years, including serving a term as its president.

Since my appointment to the Utah Supreme Court, I have been prohibited by the Utah Code of Judicial Conduct from representing individual clients. As a result, I have focused my efforts on improving the legal system and the administration of justice through my work on court committees, including the Professionalism and Civility Committee and the Utah Judicial Council. In addition, I have served as Chair of the Utah State Law Library Oversight Committee since 2004. During this time, the Utah State Law Library has been active in assisting pro se litigants and others in need of procedural or research help with their legal problems. Finally, I have routinely donated my time to legal education. I have regularly made presentations to law school classes, assisted with

high school mock trials, judged moot court and trial advocacy competitions and provided internship opportunities to at least two externs each semester.

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 November 8, 2013, I submitted a cover letter and resume to Senator Orrin G. Hatch, expressing my interest in one of the two upcoming judicial vacancies for the United States District Court for the District of Utah. Around that same time, I had a telephone conversation with Senator Michael Lee to discuss my interest in the position. Senator Lee followed up on that conversation in another telephone call several months later. On June 6, 2014, I interviewed with Senator Hatch and a member of his staff in Salt Lake City, Utah. On June 27, 2014, I received a telephone call from a member of Senator Hatch's staff to inform me that Senator Hatch and Senator Lee had forwarded my name to the White House for consideration. Since June 30, 2014, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On August 7, 2014, I interviewed with attorneys from the White House Counsel's Office and the Department of Justice in Washington, D.C. On September 18, 2014, 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.

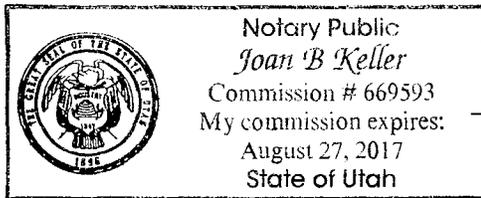
No.

AFFIDAVIT

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

Sept. 23, 2014
(DATE)

Jill N. Parrish
(NAME)



J. Keller
(NOTARY)