

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Mary Margaret Rowland

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

United States District Court Judge for the Northern District of Illinois

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: Everett McKinley Dirksen United States Courthouse
 219 S. Dearborn, Suite 1334
 Chicago, Illinois 60604

Residence: Oak Park, Illinois

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

1961; Akron, Ohio

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.

1985 – 1988, University of Chicago Law School; J.D., 1988

1980 – 1984, University of Michigan; B.A., 1984

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.

2012 – present

United States District Court for the Northern District of Illinois
Everett McKinley Dirksen United States Courthouse

219 South Dearborn, Suite 1334
Chicago, Illinois 60604
United States Magistrate Judge

2000 – 2012
Hughes Socol Piers Resnick & Dym, Ltd.
70 West Madison, Suite 4000
Chicago, Illinois 60602
Income Partner

1990 – 2000
Federal Defender Program
55 East Monroe, Suite 2800
Chicago, Illinois 60605
Assistant Federal Defender (1990 – 1995)
Chief Appellate Attorney (1995 – 2000)

1988 – 1990
United States District Court for the Eastern District of Michigan
231 West Lafayette Street
Detroit, Michigan 48226
Law Clerk to the Honorable Julian Abele Cook, Jr.

1986 – 1988
ACLU of Illinois
150 N. Michigan Ave., Suite 600
Chicago, Illinois 60601
Law Clerk (part-time)

Summer 1987
National Prison Project
915 15th Street Northwest, 7th Floor
Washington, D.C. 20005
Summer Law Clerk

Summer 1986
Business & Professional People for the Public Interest
25 East Washington, Room 1515
Chicago, Illinois 60602
Summer Law Clerk

January 1985 – August 1985
Sport Guides, Inc.
1231 Baldwin Ave.
Ann Arbor, Michigan 48104
Advertising Sales Associate

May 1984 – November 1984
Friends of Carl Levin
477 Michigan Avenue
Detroit, Michigan 48226
Southeast Michigan Field Coordinator

Other Affiliations (uncompensated):

2009 – present
Federal Bar Association, Chicago Chapter
P.O. Box 1200
Chicago, Illinois 60690
Member, Board of Directors

2004 – 2010
Uptown People's Law Center
4413 North Sheridan Road
Chicago, Illinois 60640
Member, Board of Directors

1987 – 1988
Chicago Law Foundation
University of Chicago Law School
1111 East 60th Street
Chicago, Illinois 60637
Member, Board of Directors

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

I have not served in the U.S. military and have not registered for selective service, as I was not required to do so.

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.

Super Lawyers – “Illinois Super Lawyer” (2012).

Chicago Law Foundation – Grant recipient for summer internship at ACLU's National Prison Project Washington, D.C. (1987).

Public Interest Law Initiative (PILI) – Grant recipient for summer internship at Business

& Professional People for the Public Interest (1986).

University of Michigan – Outstanding Student Achievement (1984).

University of Michigan – College Academic Honors (1983).

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 (2014 – 2015)

Chicago Bar Association

Alliance for Women mentoring Circle Speaker (2010 – present)

Federal Bar Association, Chicago Chapter (2009 – present)

Member, Board of Directors (2009 – present)

Illinois State Bar Association (2000 – 2012)

Lesbian and Gay Bar Association of Chicago (2010 – present)

National Association of Criminal Defense Lawyers (1995 – 2000)

Seventh Circuit Bar Association (2010 – present)

Seventh Circuit Electronic Discovery Committee (2009 – present)

Co-Chair, Education Subcommittee (2009 – 2013)

Seventh Circuit Bar Association (2010 – present)

United States District Court for the Northern District of Illinois

Courtroom Deputy Education Committee (2016 – present)

Court Reporter Committee (2015 – present)

Detention Facilities Committee (2017 – present)

Seventh Circuit Pattern Jury Instructions, Subcommittee on Proposed Section 1983 Instructions (2011 – 2016)

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.

Illinois, 1989

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.

Supreme Court of the United States, 2000
United States Court of Appeals for the Seventh Circuit, 1993
United States District Court for the Northern District of Illinois, Trial Bar, 1992
United States District Court for the Northern District of Illinois, 1990
United States District Court for the Western District of Texas, 2011
United States District Court for the Eastern District of Wisconsin, 2012
Supreme Court of Illinois, 1989

There have been no lapses in membership.

11. Memberships:

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

American Constitution Society (2009 – 2011)

Beye Elementary School Parent Teacher Organization (2004 – 2014)

Chicago Law Foundation (1985 – 1988)
Member, Board of Directors (1987 – 1988)

Lambda Legal (1992 – 2010)

National Lawyers Guild (1992 – 1993)
President, Chicago Chapter (1992 – 1993)

Uptown Peoples Law Center (2004 – 2011)
Member, Board of Directors (2004 – 2011)

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

practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

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

12. Published Writings and Public Statements:

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

With Terence F. MacCarthy, *Offense Level: Base Offense Level and Specific Offense Characteristics*, in *Practice Under the Federal Sentencing Guidelines* (Phylis Skloot Bamberger, David J. Gottlieb eds., 3d ed. vol. 1, Supps. 1998 & 1999). I co-authored updates to this chapter in 1995, 1996, 1997, 1998, & 1999. Chapter copies supplied.

With Terence F. MacCarthy, *Pretrial Discovery in Federal Criminal Cases* in *Federal Criminal Practice* (Ill. Inst. for Continuing Legal Educ., 1997 ed. & Supp. 2000). I co-authored updates to this chapter in 1992. Chapter copies supplied.

With Andrew Hartman and Scott Page, *MSA Involvement Urged*, *The Mich. Daily*, Apr. 3, 1984. Copy supplied.

With Jono Soglin, *Rowland, Soglin Endorse IOU Party*, *The Mich. Daily*, Mar. 25, 1984. Copy supplied.

A Call for Non-Discrimination Policy, *The Mich. Daily*, Mar. 1, 1984. Copy supplied.

SAID Party Best for LSA-SG, *The Mich. Daily*, Nov. 13, 1983. Copy supplied.

Volunteer Success, *The Mich. Daily*, Oct. 12, 1983. Copy supplied.

Students Need to Fight Budget Process, *The Mich. Daily*, Sept. 8, 1983. Copy supplied.

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

a summary of its subject matter.

Seventh Circuit Electronic Discovery Pilot Program Committee, *Seventh Circuit Electronic Discovery Pilot Program: Phase One*, October 1, 2009. Copy supplied.

Seventh Circuit Electronic Discovery Pilot Program Committee, *Seventh Circuit Electronic Discovery Pilot Program: Report on Phase One*, May 1, 2010. 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.

None.

- 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.

January 2013 – present (various dates): Speaker, Naturalization Ceremonies, Unites States Courthouse for the Northern District of Illinois, Chicago, Illinois. I administered the oath to new citizens at the Naturalization Ceremony and delivered remarks. I typically use this same set of remarks at all naturalization ceremonies. Remarks supplied.

Chicago, Illinois: May 8, 2018; January 11, 2018; July 6, 2017; February 2, 2017 (press report supplied); August 16, 2016; December 22, 2015; March 19, 2015; October 2, 2014; May 13, 2014; September 5, 2013; January 8, 2013.

Wheaton, Illinois: September 15, 2016, I administered the oath at a special ceremony held at Catigny Park, 1 South 151 Winfield Road, Wheaton, Illinois 60189. I did not deliver any remarks.

June 14, 2018: Speaker, “A Duty Week in the Life of a Magistrate Judge: Initial Appearances, Bond Hearings and Warrants,” Federal Defender Program’s Annual Rockford Criminal Justice Act Seminar for Criminal Defense Attorneys, Radisson Hotel, 200 S. Bell School Road, Rockford, Illinois, 61108. I spoke on the Bail

Reform Act and the probable cause standard for search warrants. Notes supplied. The address of the Federal Defender Program is 55 E. Monroe St., Suite 2800, Chicago, Illinois 60605.

May 18, 2018: Panelist, "Judicial Perspectives: Reasonableness, Proportionality, and Sanctions," ABA's 12th Annual National Institute on E-Discovery, ABA Building, 321 N. Clark St., Chicago, Illinois 60654. I spoke on proportionality and litigation holds under Rule 26. Notes supplied.

April 11, 2018: Speaker, "Meet the Bench," Lesbian & Gay Bar Association of Chicago (LAGBAC), Dirksen Federal Courthouse, 219 S. Dearborn, Chicago, Illinois 60604. I have no notes, transcripts, or recordings. The address for LAGBAC is P.O. Box 64933 Chicago, Illinois 60664.

January 25, 2018: Panelist, "View from the Bench," Federal Bar Association, Chicago Chapter, Employment Law Seminar, Seyfarth Shaw LLP, 233 South Wacker Drive, Chicago, Illinois. I spoke on a panel of judges about discovery disputes that arise in employment cases, the Mandatory Initial Discovery Pilot (MIDP) and effective settlement strategies. I have no notes, transcripts, or recordings. The address for the Federal Bar Association, Chicago Chapter is P.O. Box 1200, Chicago, Illinois 60690.

October 25, 2017: Speaker, "The Value of Volunteering at the Law School Clinic," University of Chicago Law School Clinic, 1111 E. 60th St., Chicago, Illinois 60637. At the opening reception for the academic year, I spoke about the value of volunteering in one of the clinic programs. I have no notes, transcripts, or recordings. The address for the University of Chicago Law School is 1111 E. 60th St., Chicago, Illinois 60637.

August 1, 2017: Panelist, "Increasing Diversity Among Federal Judges," Federal Magistrate Judges Association, Dirksen United States Courthouse, 219 S. Dearborn, Chicago, Illinois 60604. In connection with the Federal Magistrate Judges' annual convention in Chicago, I spoke on ideas to increase diversity in the Magistrate Judge bench. I have no notes, transcripts, or recordings. The address for the Federal Magistrate Judges Association (FMJA) is P.O. Box 249, Stanardsville, Virginia 22973.

June 15, 2017: Speaker and question and answer session, "LGBT Pride Month Guest Speaker," Seyfarth Shaw LLP, 233 South Wacker Drive, Chicago, Illinois. I spoke at a private law firm about my path to the bench as an out lesbian. I have no notes, transcripts, or recordings. The address for Seyfarth Shaw LLP is 233 S. Wacker, Suite 8000, Chicago, Illinois 60606.

May 10, 2017: Panelist, "Conducting the Settlement Conference," Illinois State Bar Association's Federal Civil Practice Section, Settlement in Federal Court Cases, Chicago, Illinois. The Illinois State Bar is at 20 S. Clark St., Chicago,

Illinois 60603. I spoke with a panel of colleagues on best practices for conducting settlement conferences. I have no notes, transcripts, or recordings. The address for the Illinois State Bar is 20 S. Clark St., Chicago, Illinois 60603.

May 8, 2017: Panelist, "Electronic Records Management: The Annual MER Update of the Latest News, Trends & Issues," Management of Electronic Records (MER) Conference, 540 N. Michigan, Chicago, Illinois 60611. I spoke with an ESI expert about the latest case law concerning duties to preserve discovery and sanctions for failure to preserve electronic records to this conference of electronic storage professionals. Audio recording supplied. The address for MER is 505 N. Lake Shore Dr. #3806, Chicago, Illinois 60611.

April 18, 2017: Speaker, "Writing Effective Police Reports," Chicago Police Academy 1300 W. Jackson Blvd, Chicago, Illinois 60607. I spoke to a class of Chicago Police officers about effective report writing. I have no notes, transcripts, or recordings. The address for the Police Academy is 1300 W. Jackson Blvd., Chicago, Illinois 60607.

April 1, 2017: Panelist, "Your Path to the Court," American Constitution Society 2017 Student Convention, Duke University Law School, 210 Science Dr., Durham, North Carolina 27708. I spoke on a panel of judges about the process for becoming a magistrate judge. I have no notes, transcripts, or recordings. The address for ACS is 1333 H Street, Washington, D.C. 20005.

September 17, 2016: Panelist, "Searching for Important Issues in the Record and Writing a Persuasive Federal District Court Brief," Chicago Bar Association's Social Security Disability Law Conference, Chicago Bar Association, 321 S. Plymouth Ct., Chicago, Illinois 60604. A colleague and I spoke on effective brief writing relative to social security appeals. Notes and audio recording supplied.

April 8, 2016: Panelist, "So You Want to Be a Judge: The primary's just over, so now is the time to start planning for 2018," Lesbian & Gay Bar Association of Chicago (LAGBAC), Hinshaw & Culbertson, 151 N. Franklin Street, Suite 2500, Chicago, Illinois 60606. The event was focused on state court judicial vacancies. I spoke on paths to the federal bench. I have no notes, transcripts, or recordings. The address for LAGBAC is P.O. Box 64933 Chicago, Illinois 60664.

March 18, 2016: Panelist, "Trial Practice Series: Trial of a Sexual Harassment Case," Illinois State Bar Association, 20 S. Clark St., Chicago, Illinois 60603. I presided over a voir dire of a venire of jurors in a hypothetical case and then we discussed the "for cause" challenges and my "rulings" for educational purposes. I have no notes, transcripts, or recordings. The address for the Illinois State Bar is 20 S. Clark St., Chicago, Illinois 60603.

March 11, 2016: Moderator, "Writing Winning Briefs and District Court Practice Tips," Federal Bar Association, Chicago Chapter's Younger Lawyers Division,

Dirksen United States Courthouse, 219 S. Dearborn, Chicago, Illinois 60604. I moderated a panel of long-term law clerks speaking on best practices for brief writing. Notes supplied.

September 21, 2015: Panelist, "Welcome to 1L," Sidley Austin, 1 S. Dearborn, Chicago, Illinois. I spoke on a panel to University of Chicago Law School first year students about first year priorities and job search skills. I have no notes, transcripts, or recordings. The address for University of Chicago Law School is at 1111 E. 60th St., Chicago, Illinois 60637.

March 27, 2015: Panelist, "Judicial Perspectives on E-Discovery," 2nd Annual e-Discovery Institute, IIT Chicago Kent Law School, 565 West Adams Street, Chicago, Illinois 60661. I spoke on a panel with several other judges about counsels' e-discovery obligations and what were then proposed amendments to the Federal Rules of Civil Procedure. I have no notes, transcripts, or recordings. The address for Chicago Kent Law School is at 565 W. Adams St., Chicago, Illinois 60661.

January 15, 2015: Panelist, "Judges' Panel: How Best to Present Your Case," Federal Bar Association Employment Law Seminar, Seyfarth Shaw, 233 S. Wacker, Suite 8000, Chicago, Illinois 60606. I spoke on a panel about discovery disputes that arise in employment cases and effective settlement strategies. I have no notes, transcripts, or recordings. The address for the Federal Bar Association, Chicago Chapter is P.O. Box 1200, Chicago, Illinois 60690.

August 19, 2014: Speaker, Summer Session Speaker Series, Office of United States Senator Richard Durbin, 230 S. Dearborn Street, Suite 3892, Chicago, Illinois 60604. I spoke about the role of the United States Magistrate Judge to summer interns. I have no notes, transcripts, or recordings. The address for Senator Durbin's Chicago office is 230 S. Dearborn Street, Suite 3892, Chicago, Illinois 60604.

November 6, 2014: Panelist, "Straight from the Bench: How Judges Approach e-Discovery Disputes and View the Proposed Changes to the FRCP," American Bar Association (ABA) Women in Litigation Conference, Palmer House, 17 E. Monroe St. Chicago, Illinois 60603. I spoke on a panel of judges about electronic discovery. Notes supplied. The address for the ABA's Chicago office is 321 North Clark Street, Chicago, Illinois 60654.

October 9, 2014: Speaker, "A Dinner with Hon. Mary Rowland," Lesbian & Gay Bar Association of Chicago (LAGBAC), Bistronic, 840 N. Wabash, Chicago, Illinois 60611. I spoke about my path to the federal bench. I have no notes, transcripts, or recordings. The address for LAGBAC is P.O. Box 64933, Chicago, Illinois 60664.

June 26, 2014: Panelist, "2014 Judicial Panel on Women in Law," Coalition of

Women's Initiatives in Law, McQuire Woods, 77 W. Wacker, Chicago, Illinois 60601. The panelists, federal and state court judges, spoke about our paths to the bench. I have no notes, transcripts, or recordings. The Coalition of Women's Initiatives does not have a mailing address.

May 7, 2014: Panelist, "Settlement Conferences," Illinois State Bar Association's Federal Civil Practice Seminar, 20 S. Clark St., Chicago, Illinois. I spoke with a panel of colleagues on best practices for conducting settlement conferences. I have no notes, transcripts, or recordings. The address for the Illinois State Bar is 20 S. Clark St., Chicago, Illinois 60603.

April 17, 2014: Panelist, University of Chicago, Law Women's Caucus, University of Chicago Law School, 1111 E. 60th St. Chicago, Illinois 60637. I spoke on work-life balance. I have no notes, transcripts, or recordings. The address for the University of Chicago Law School is 1111 E. 60th St., Chicago, Illinois 60637.

February 12, 2014: Faculty Coach, "Cooperation Training Program," The Sedona Conference, hosted by Perkins Coie, 131 S. Dearborn St., Chicago, Illinois. I was on the faculty that worked with participants on the scope of production, Federal Rule of Civil Procedure 16(b) & (e), the form of production, and privilege. I have no notes, transcripts, or recordings. The address for the Sedona Conference is 301 East Bethany Home Road, Suite C-297, Phoenix, Arizona 85012.

January 10, 2014: Panelist, "Law Women's Leadership Summit," University of Chicago Law School, 1111 E. 60th St., Chicago, Illinois 60637. The panelists spoke of our careers paths and offered tips on using mentors effectively, balancing work and home, and making smart career decisions. I have no notes, transcripts, or recordings. The address for the University of Chicago Law School is 1111 E. 60th St., Chicago, Illinois 60637.

May 8, 2013: Panelist, "Enforcing Settlements in Federal Court," Illinois State Bar Association Federal Civil Practice Section, Settlements in Federal Court, 20 S. Clark St., Chicago, Illinois. I spoke with a panel of colleagues on settlement enforcement. I have no notes, transcripts, or recordings. The address for the Illinois State Bar is 20 S. Clark St., Chicago, Illinois 60603.

March 20, 2013: Panelist, "Responding to the Firm-Wide E-Mail: What Do You Know About Judge X? An Introduction to Five New Federal Judges," Federal Bar Association, hosted at the Chicago Bar Association, 321 S. Plymouth Court, Chicago, Illinois 60604. I spoke as a new judge about my procedures and practices. I have no notes, transcripts, or recordings. The address for the Federal Bar Association, Chicago Chapter is P.O. Box 1200, Chicago, Illinois 60690.

February 20, 2013: Moderator, "Behind Closed Doors: An Inside View of How Juries Deliberate," Federal Bar Association, hosted at the Chicago Bar

Association, 321 S. Plymouth Ct., Chicago, Illinois 60604. I moderated a panel of lawyers who shared their unique experience of having served on a jury. Notes supplied.

November 14, 2012: Speaker, Investiture Ceremony, Dirksen United States Courthouse, 219 S. Dearborn, Chicago, Illinois 60604. Notes supplied.

March 21, 2012: Panelist, "The Future of Class Actions in the Seventh Circuit after *Wal-Mart v. Dukes* and *Concepcion*," Federal Bar Association, Chicago Chapter, hosted at the Chicago Bar Association, 321 S. Plymouth Ct., Chicago, Illinois 60604. The panel discussed then two recent Supreme Court decisions. I have no notes, transcripts, or recordings. The address for the Federal Bar Association, Chicago Chapter is P.O. Box 1200, Chicago, Illinois 60690.

Spring 2011: Panelist, "The Importance of the Rule 16 Conference, Management of Electronic Records (MER) Conference," Dirksen Federal Courthouse, 219 S. Dearborn, Chicago, Illinois 60604. I participated in a mock Rule 16 conference and then answered questions from the audience about the conference and electronic discovery. Audio recording of Q&A panel supplied. The address for MER is 505 N. Lake Shore Dr., Suite 3806, Chicago, Illinois 60611.

October 2003 (approximate): Panelist, "Psychological Testimony on Competency to Waive Miranda Rights and False/Coerced Confessions," American Bar Association/American Psychology Association Joint conference in Chicago. I spoke about the Sixth Amendment in cases where the mental competency of the criminal defendant is at issue. I have no notes, transcripts, or recordings. The ABA's Chicago office is located at 321 North Clark Street, Chicago, Illinois 60654.

Summer 1998 (approximate): Speaker, "Pretrial Discovery in Federal Criminal Cases." The Administrative Office of the United States Courts organized a conference for attorneys taking appointed criminal cases entitled "Winning Strategies for Defending Federal Criminal Cases." The conference was held in Dallas, Texas and Milwaukee, Wisconsin. I spoke in both locations. My lectures concerned discovery in criminal cases. I have no notes, transcript, or recording. The Administrative Office is located at One Columbus Circle, N.E., Washington, D.C., 20544.

June 2, 1998: Speaker, "Appellate Issues Under the United States Sentencing Guidelines." The Seventh Circuit Court of Appeals administrative office organized a conference entitled "Criminal Appellate Practice for Court Appointed Attorneys," hosted by Marquette University law School located at 1103 W. Wisconsin Ave., Room 307, Milwaukee, Wisconsin 53201. I have no notes, transcript, or recording. The Seventh Circuit Court of Appeals administrative office is located at 219 S. Dearborn, Suite 2700, Chicago, Illinois 60604.

May 19, 1998: Speaker, "Appellate Issues Under the United States Sentencing Guidelines." The Seventh Circuit Court of Appeals administrative office organized a conference for pro bono attorneys entitled "Criminal Appellate Practice for Court Appointed Attorneys," hosted by John Marshall Law School, 312 S. Plymouth Court, Room 1200, Chicago, Illinois 60604. Video recording supplied. The Seventh Circuit Court of Appeals administrative office is located at 219 S. Dearborn, Suite 2700, Chicago, Illinois 60604.

Summer 1996: Speaker, "Relevant Conduct and the Federal Sentencing Guidelines," The Administrative Office of the U.S. Courts organized a conference for attorney taking appointed criminal cases entitled "Winning Strategies for Defending Federal Criminal Cases," in Houston, Texas and Milwaukee, Wisconsin. I spoke in both locations on relevant conduct under the Guidelines. I have no notes, transcript, or recording. The Administrative Office is located at One Columbus Circle, N.E., Washington, D.C., 20544.

After an exhaustive search of my records, I believe this represents a complete list of all speeches or talks I have given. I have occasionally been a guest speaker at a law school class. I have also spoken to visitors to the courthouse. I do not keep of record of those and have not listed them here.

- 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.

Jennifer Gonnerman, *How One Woman's Fight to Save Her Family Helped Lead to a Mass Exoneration*, The New Yorker, May 28, 2018. Copy supplied.

Mary Schmich, *This is the Real America. And These are Our New Americans*, Chi. Trib., Feb. 2, 2017. Copy supplied.

Patricia Manson, *Jurists' Courage Sparked Rowland's Interest in the Bench*, Chi. Daily L. Bull., Sept. 16, 2015. Copy supplied.

Just Follow the Rules! FRCP Amendments Could be E-discovery Game Changer, Metropolitan Corp. Couns., July/Aug. 2015. Copy supplied.

Jason Meisner, *Mobile Doctors CEO, Physician Charged with Medicare Fraud*, Chi. Trib., Sept. 5, 2013. Copy supplied.

Patricia Manson, *Judges Provide Insights for Federal Practitioners*, Chi. Daily L. Bull., May 8, 2013. Copy supplied.

Patricia Manson, *Rowland Joins Federal Bench After 'Long Road,'* Chi. Daily L. Bull., Nov. 15, 2012. Copy supplied.

Mary Rowland Sworn in as Federal Magistrate Judge, Windy City Times, Nov. 15, 2012. Copy supplied.

Patricia Manson, *Local Panel Picks 2 for the Bench*, Chi. Daily L. Bull., Jul. 23, 2012. Copy supplied.

Anna Lothson, *Oak Parker Selected as Federal Magistrate Judge*, Wednesday J., Jul. 17, 2012. Copy supplied.

Kate Sosin, *Out Lesbian Selected as Federal Magistrate Judge*, Windy City Times, Jul. 16, 2012. Copy supplied.

Patricia Manson, *Pilot Program Attracts Great Deal of Interest*, Chi. Daily L. Bull., May 16, 2011. Copy supplied.

Bill Dwyer, *Beye Mom a Finalist for Federal Bench*, The Wednesday J., Jan. 20, 2010. Copy supplied.

Wayne Ortman, *Claims Filed in Strip Search Settlement*, Rapid City J., Nov. 22, 2009. Copy supplied.

Bill Dwyer, *Oak Park's Rowland Possible Nominee for Federal Bench*, The Wednesday J., Aug. 26, 2009. Copy supplied.

Matthew Gruchow, *Deal Set in Strip-Search Lawsuit*, Argus Leader, Feb. 6, 2009. Copy supplied.

Patricia Manson, *Juror IDs to be Secret in Federal Trial of Street Gang Members*, Chi. Daily L. Bull., Jan. 17, 2008. Copy supplied.

Mary Owen, *Agent: Terror Probe Lacking; Activist's Testimony was Needed, He Says*, Chi. Trib., Nov. 9, 2007. Copy supplied.

Mary Owen, *Judge Extends Sentencing Hearing in Hamas Funding Trial*, Bristol Herald, Nov. 8, 2007. Copy supplied.

Natasha Korecki and Fran Spielman, *A 'Sad Day' for Alderman After Dad's Arrest in ID Case*, Chi. Sun Times, May 31, 2007. Copy supplied.

Natasha Korecki, *Alderman's Dad Took Photos for Fake IDs: Feds*, Chi. Sun Times, May 30, 2007. Copy supplied.

Chicago Alderman's Father Faces Charges in Fake IDs Case, The Associated Press St. & Loc. Wire, May 30, 2007. Copy supplied.

Nation Briefs, The Miami Herald, Feb. 25, 2007. Copy supplied.

Gary Grado, *Coyotes Use Banks to Funnel Funds: More than \$300K Seized in Valley from Illegal Transactions*, E. Valley Trib., Feb. 24, 2007. Copy supplied.

Matt Wagner, *Local Muslims Disavow Link to Saudi Charity*, Springfield News-Leader, Oct. 3, 2004. Copy supplied.

Les Zaitz, *U.S. Closing Oregon Islamic Charity it Calls Terror Link*, The Oregonian, Sept. 10, 2004. Copy supplied.

Sarah Downey, *Suit over Teen's Death in Israel Tests Antiterror Laws; Parents Target Islamic Groups, Hamas Backers*, The Bos. Globe, May 2, 2004. Copy supplied.

John-John Williams IV, *Strip-Search Suit Might Expand*, Argus Leader, Oct. 4, 2003. Copy supplied.

Strip-Search Case Leads to Class-Action Filing, The Associated Press St. & Loc. Wire, Oct. 4, 2003. Copy supplied.

Cheri Bentrup, *County Launches Registry for Gay, Lesbian Couples*, Oak Leaves, Sept. 24, 2003. Copy supplied.

Treasury Adds Three Charities to List of Suspected Terrorist Financiers, The Associated Press St. & Loc. Wire, Nov. 19, 2002. Copy supplied.

U.S. Takes Another Jab at Charity; After Escaping Perjury, the Islamic Group Faces New Charges, Grand Rapid Press, Sept. 15, 2002. Copy supplied.

Mike Robinson, *Judge Dismisses Perjury Charges Against Islamic Charity*, The Associated Press St. & Loc. Wire, Sept. 14, 2002. Copy supplied.

Mike Robinson, *New Charges for Illinois Islamic Charity*, Associated Press Online, Sept. 14, 2002. Copy supplied.

Mike Robinson, *Charity Accused of bin Laden Ties Escapes Perjury Charge, but Hit with New Allegations*, The Associated Press St. & Loc. Wire, Sept. 14, 2002. Copy supplied.

Mike Robinson, *Charges Against Charity Linked to bin Laden Dismissed*, The Associated Press St. & Loc. Wire, Sept. 13, 2002. Copy supplied.

Don't Brush Off Effect of Teen Strip-Searches, Argus Leader, July 13, 2001. Copy supplied.

Jennifer Gerrietts, *County: Limit Strip-Search Lawsuit*, Argus Leader, July 7, 2001. Copy supplied.

Jennifer Gerrietts, *Strip-Search Lawsuit Could be Class Action*, Argus Leader, June 28, 2001. Copy supplied.

John Lynn Flooney, *Burglary Try Counts as Violent Felony' for Federal Sentence: Court*, Chi. Daily L. Bull., Feb. 11, 1994. Copy supplied.

Guild Coming to Chicago, Chi. Daily L. Bull., Feb. 8, 1993. Copy supplied.

Steve Wise, *Rising Tide of the Right*, The Mich. Daily, Oct. 12, 1984. Copy supplied.

Marcy Fleisher, *MSA Cuts Fee of the Election Chief*, The Mich. Daily, Apr. 4, 1984. Copy supplied.

Students Pick a New MSA, The Mich. Daily, Apr. 1, 1984. Copy supplied.

Marcy Fleisher, *MSA Announces New LSA Representatives*, The Mich. Daily, Mar. 31, 1984. Copy supplied.

Marcy Fleisher, *Smart Wins MSA Elections*, The Mich. Daily, Mar. 30, 1984. Copy supplied.

Marcy Fleisher, *MSA Election Chief's Job in Question*, The Mich. Daily, Mar. 30, 1984. Copy supplied.

Marcy Fleisher, *MSA to Question Students about Code*, The Mich. Daily, Mar. 25, 1984. Copy supplied.

Claudia Green, *MSA Vote Rejects Code of Conduct*, The Mich. Daily, Mar. 21, 1984. Copy supplied.

Claudia Green, *Students May Lose Right to Vote on Code*, The Mich. Daily, Mar. 20, 1984. Copy supplied.

Arrests are Made and Accusations Fly, The Mich. Daily, Mar. 11, 1984. Copy supplied.

Claudia Green, *Code Foes Say Revision Insufficient*, The Mich. Daily, Mar. 8, 1984. Copy supplied.

Robert Schwartz, *State Bill Would End Mandatory Student Fees for Political Groups*, The Mich. Daily, Mar. 6, 1984. Copy supplied.

Susan Maruch, *Proposed Code Takes a Beating*, The Mich. Daily, Mar. 1, 1984. Copy supplied.

Marcy Fleisher, *MSA Letter Calls Student Conduct Code 'Abhorrent,'* The Mich. Daily, Feb. 8, 1984. Copy supplied.

Claudia Green and Bill Spindle, *'U' to Stiffen Student Conduct Policy*, The Mich. Daily, Jan. 19, 1984. Copy supplied.

A Foot in MSA's Door, The Mich. Daily, Jan. 1, 1984. Copy supplied.

Pete Williams, *MSA Errs in Sexual Orientation Proposal*, The Mich. Daily, Dec. 9, 1983. Copy supplied.

Pete Williams, *MSA Passes Sexual Anti-discrimination Proposal*, The Mich. Daily, Dec. 7, 1983. Copy supplied.

George Kovanis, *Protesters Support Laboratory Takeover*, The Mich. Daily, Nov. 8, 1983. Copy supplied.

Karen Tensa, *Tenant Groups Feud Over Who Should Get MSA dollars*, The Mich. Daily, Nov. 5, 1983. Copy supplied.

Pete Williams, *MSA Loan Helps Send Students to D.C. Rally*, The Mich. Daily, Nov. 2, 1983. Copy supplied.

Pete Williams, *MSA Hires First Budget Researcher*, The Mich. Daily, Oct. 12, 1983. Copy supplied.

Christy Riedel, *MSA Hopes Coordinator Will Help Retain Volunteers*, The Mich. Daily, Oct. 6, 1983. Copy supplied.

Thomas Miller, *Student Truancy Plagues Committee Meetings*, The Mich. Daily, Oct. 5, 1983. Copy supplied.

Sharon Silbar, *Union Builds, but so Does Deficit*, The Mich. Daily, Oct. 1, 1983. Copy supplied.

Karen Tensa, *Ailing Tenants Union Opening Delayed*, The Mich. Daily, Oct. 1, 1983. Copy supplied.

Sharon Silbar, *A Day on the Diag: Preachers and Protests*, The Mich. Daily, Sept. 9, 1983. Copy supplied.

Beth Allen, *MSA's Members Often Work Behind the Scenes*, The Mich. Daily, Sept. 8, 1983. Copy supplied.

Halle Czechowski, *MSA Hires Minority Researcher*, The Mich. Daily, July 19, 1983. Copy supplied.

Cheryl Baacke, *Regents Face Research Vote*, The Mich. Daily, June 16, 1983. Copy supplied.

Cheryl Baacke, *'U' Regents to Decide Fate of Non-Classified Research Policy*, The Mich. Daily, May 19, 1983. Copy supplied.

Kristin Stapleton, *Protesters Urge Regents to Divest*, The Mich. Daily, Apr. 14, 1983. Copy supplied.

Laurie Delater, *Rowland, Soglin Win MSA Election*, The Mich. Daily, Apr. 10, 1983. Copy supplied.

Laurie Delater, *MSA Still Waits for Election Results*, The Mich. Daily, Apr. 8, 1983. Copy supplied.

Laurie Delater, *IOU Wants Increase in Student Awareness*, The Mich. Daily, Apr. 2, 1983. Copy supplied.

Amy Peck, *A Call to the Polls*, The Mich. Daily, Nov. 2, 1982. Copy supplied.

Kevin Tottis, *Stills Steals the Show*, The Mich. Daily, Sept. 14, 1982. Copy supplied.

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

Since October 1, 2012, I have served as a United States Magistrate Judge appointed by the United States District Court for the Northern District of Illinois. My authority is defined by 28 U.S.C. § 636. As a magistrate judge, I preside over a wide variety of federal civil and criminal matters. With regard to civil matters, the Northern District of Illinois randomly assigns cases to a district judge and a magistrate judge. The parties then have the option to consent to my jurisdiction in which case I am authorized to preside over the trial, issue opinions on dispositive motions, issue orders on all pre-trial matters and enter final judgment. In non-consent cases, I am referred matters by the designated district court judge to resolve non-dispositive motions, conduct settlement conferences, and issue report and recommendations on dispositive matters. With regard to felony criminal cases, I review and issue search and seizure warrants, conduct initial appearance, detention and preliminary hearings, and conduct arraignments. I handle all aspects of the proceedings of a misdemeanor, including guilty pleas and sentencings. I am authorized to conduct a trial in a misdemeanor but I have not been called upon to do so.

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

I have presided over five trials as a magistrate judge; three of those were jury trials and two of those were bench trials.

- i. Of these, approximately what percent were:

jury trials:	60 %
bench trials:	40 % [total 100%]
civil proceedings:	100 %
criminal proceedings:	0 % [total 100%]

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

See attached list.

- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

1. *Bay Group Health Care, LLC v. Ginsberg Jacobs, LLC*, No. 15-cv-0986, 2015 U.S. Dist. LEXIS 116618 (N.D. Ill. Sept. 2, 2015) (mem. opinion); 2017 U.S. Dist. LEXIS 27423 (N.D. Ill. Feb. 28, 2017) (mem. opinion).

This case presented a novel challenge to a common practice among financial institutions whereby a debtor agrees to a confession of judgment in the event of a default. In this case, counsel for the bank went to state court and entered such a confession of judgment on behalf of the plaintiff-debtor. Plaintiff-debtor then brought this action for legal malpractice against counsel for the bank who agreed to entry of a confession of judgment on its behalf. Counsel had relied only on the loan documents for his authority to represent plaintiff-debtor in the state court. I granted in part defendants' combined motion to dismiss and for summary judgment. After further discovery, defendants again filed for summary judgment and considering full briefing on the merits, I found that no attorney-client relationship existed when counsel for the bank entered the confession of judgment on the part of the plaintiff-debtor, and therefore, no malpractice action could arise.

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Counsel for Defendants

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2. *EEOC v. Rosebud Restaurants, Inc., et al.*, No. 13-cv-6656 (N.D. Ill. May 30, 2017) (consent decree).

This race discrimination case resulted in a consent decree after several in-person mediation sessions. The parties consented to my jurisdiction to monitor the consent decree. It was significant because of the amount of the recovery and the extensive equitable relief agreed to by the defendants.

Counsel for Plaintiff

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Counsel for Defendants

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3. *Fox-Martin v. Tryba*, No. 09-cv-1690, 2013 U.S. Dist. LEXIS 99237 (N.D. Ill. July 16, 2013) (mem. opinion).

Before trial, I granted in part and denied in part plaintiff's motion to introduce evidence of an investigation by the Cook County Sheriff's Department related to one of the defendant Deputy Sheriffs. After a two-day trial, the jury returned a verdict in favor of plaintiff on her false arrest claim against one of the defendants in the amount of \$100,000. The jury split its findings and found in favor of the second defendant Sheriff police officer. The jury also rejected the plaintiff's claim of excessive force against both defendants.

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Counsel for Defendants

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4. *In re Groupon Inc. Sec. Litig.*, No. 12-cv-2450, 2014 U.S. Dist. LEXIS 26212 (N.D. Ill. Feb. 24, 2014) (order); 2014 U.S. Dist. LEXIS 67437 (N.D. Ill. May 16, 2014) (order); 2015 U.S. Dist. LEXIS 27334 (N.D. Ill. Mar. 5, 2015) (mem. opinion).

After hearing testimony from experts in securities class action cases involving “fraud-on-the-market” theory, I issued an opinion denying defendants’ motion to exclude plaintiffs’ expert under the standard set forth in *Daubert v. Merrell Dow Pharms., Inc.*, 509 U.S. 579 (1993). The district court adopted my opinion. This matter was significant because it was one of the first decided following the Supreme Court’s decision in *Halliburton Co. v. Erica P. John Fund, Inc.*, 134 S. Ct. 2398 (2014).

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5. *Leonard v. Sears, Roebuck & Co.*, Nos. 06-cv-7023, 07-cv-412, 08-cv-1832, 115 F. Supp. 3d 934 (N.D. Ill. Jul. 20, 2015) (mem. opinion); *In re Sears, Roebuck & Co. Front-Loading Washer Prods. Liab. Litig.*, 2016 U.S. Dist. LEXIS 25290 (N.D. Ill. Feb. 29, 2016) (mem. opinion); 2016 U.S. Dist. LEXIS 124235 (N.D. Ill. Sep. 13, 2016) (mem. opinion), *rev’d*, 867 F.3d 791 (7th Cir. 2017); 2018 U.S. Dist. LEXIS 33956 (mem. opinion)

Ten years after this product liability case was filed, the parties consented to my

jurisdiction for trial. In February 2015 based on two separate alleged product defects, I certified two separate classes. Both trials settled on the eve of trial. Thereafter, defendants vigorously opposed plaintiffs' fee petition. My ruling on the fees was appealed and reversed, in part.

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6. *Kalechstein v. Abbassian*, No. 15-cv-5929, 2017 U.S. Dist. LEXIS 124911 (N.D. Ill. Aug. 8, 2017) (mem. opinion).

After completing discovery in this employment action, the parties briefed summary judgment. I granted summary judgment in favor of defendants. This case is significant because it upholds the Illinois law prohibiting physicians from sharing fees with a non-physician who did not personally perform patient treatment.

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7. *Lundborg v. Weiss*, No. 13-cv-955, 2015 U.S. Dist. LEXIS 132183 (N.D. Ill. Sept. 29, 2015) (mem. opinion).

The plaintiff alleged negligence on the part of a trucking company and truck driver. The trial lasted seven days and involved several expert witnesses. The jury returned a verdict in plaintiff's favor in the amount of \$962,000.

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8. *Meyer v. Ward et al*, No. 13-cv-03303, 2016 U.S. Dist. LEXIS 132044 (Sept. 27, 2016) (mem. opinion); 2017 U.S. Dist. LEXIS 70431 (N.D. Ill. May 9, 2017) (mem. opinion); 2017 U.S. Dist. LEXIS 207178 (N.D. Ill. Dec. 18, 2017) (mem. opinion).

The parties consented to my jurisdiction in this securities fraud case. After the close of discovery, I entered an order granting summary judgment on several of the claims. I then conducted a bench trial and issued an opinion finding in favor of defendants.

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9. *Pike v. Premier Transportation & Warehousing, Inc. et al.*, No. 13-cv-08835, 2016 U.S. Dist. LEXIS 149828 (N.D. Ill. Oct. 28, 2016) (mem. opinion); 2016 U.S. Dist. LEXIS 155280 (N.D. Ill. Nov. 8, 2016) (mem. opinion); 2017 U.S. Dist. LEXIS 34620 (N.D. Ill. Mar. 10, 2017) (mem. opinion).

After a four-day jury trial, the jury returned a verdict in favor of defense. In this personal injury case, plaintiff alleged over a million dollars in out-of-pocket damages in addition to extensive pain and suffering damages after an accident involving a semi-truck.

Counsel for Plaintiff

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Counsel for Defendants

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10. *Trs. of the Chi. Reg'l Council of Carpenters Welfare Fund v. Norem*, No. 17-cv-4851, 2017 U.S. Dist. LEXIS 170743 (N.D. Ill. Oct. 16, 2017).

Mr. Norem's client, Carlos Pike, had previously reached a confidential settlement in *Pike v. Premier Transportation*. The Plaintiff Fund had paid for much of Mr. Pike's medical care and lodged a lien against the settlement proceeds. I adjudicated the lien in the *Pike v. Premier Transportation* matter pursuant to ERISA. Mr. Norem brought a state court action against the Plaintiff Fund, pursuant to the "common fund doctrine," to recover his fees from the settlement recovery. Plaintiff Fund sought to enjoin the state court action. After full briefing, I issued an opinion finding that the federal Anti-Injunction Act (28 U.S.C. § 2283), which ensures the constitutional independence of the States, applied and the state court proceeding should not be enjoined.

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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. *Charvat v. Valente et al.*, 82 F Supp. 3d 713 (N.D. Ill. 2015).

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2. *Costello v. Poisella*, 291 F.R.D. 224 (N.D. Ill. 2013).

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3. *In re Groupon Inc. Sec. Litig.*, No. 12-cv-2450, 2015 U.S. Dist. LEXIS 27334 (N.D. Ill. Mar. 5, 2015).

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4. *Laborers' Pension Fund v. Sanchez Paving Co.*, No. 10-cv-2401, 2014 U.S. Dist. LEXIS 56222 (N.D. Ill. Apr. 23, 2014).

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5. *Piotrowski v. Menard, Inc.*, No. 13-cv-5572, 2015 U.S. Dist. LEXIS 115175 (N.D. Ill. Aug. 31, 2015), *aff'd*, 842 F.3d 1035 (7th Cir. 2016).

Counsel for Plaintiff

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6. *SRAM, LLC v. Hayes Bicycle Grp., Inc.*, No. 12-cv-3629, 2013 U.S. Dist. LEXIS 173798 (N.D. Ill. Dec. 10, 2013).

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7. *Tamas v. Family Video*, 304 F.R.D. 543 (N.D. Ill. 2015).

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8. *Tamas v. Family Video*, 301 F.R.D. 346 (N.D. Ill. 2014).

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9. *Trs. of the Chi. Reg'l Council of Carpenters Welfare Fund v. Norem*, No. 17-cv-4851, 2017 U.S. Dist. LEXIS 170743 (N.D. Ill. Oct. 16, 2017).

Counsel for Plaintiff

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10. *United States v. Sound Sols. Windows & Doors, Inc.*, No. 09-cv-6948, 2017 U.S. Dist. LEXIS 209595 (N.D. Ill. May 11, 2017) (report and recommendation), *adopted*, 2017 U.S. Dist. LEXIS 208519 (N.D. Ill. Dec. 18, 2017).

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

None.

- f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.

Stahl v. Colvin, No. 13-cv-0752, 2015 U.S. Dist. LEXIS 5841 (N.D. Ill. Jan. 20, 2015), *rev'd*, 632 F. App'x 853 (7th Cir. 2015). In *Stahl*, I found that substantial evidence supported the ALJ's residual functional capacity (RFC) assessment. Reviewing the ALJ's decision *de novo*, the appellate court reversed, holding that the ALJ's adverse credibility determination was not supported by the record.

In re Sears, Roebuck & Co. Front-Loading Washer Prods. Liab. Litig., No. 06-cv-7023, 2016 U.S. Dist. LEXIS 124235 (N.D. Ill. Sept. 13, 2016), *rev'd*, 867 F.3d 791 (7th Cir. 2017). This was a class action product liability action where defendants argued that the court should use the "ratio" method while plaintiffs argued for a lodestar method in determining fees. I applied the lodestar method and included a multiplier. The appellate court affirmed my use of the lodestar method but criticized and reversed my application of a multiplier.

Cullinan v. Colvin, No. 15-cv-11499, 2016 U.S. Dist. LEXIS 171975 (N.D. Ill. Dec. 13, 2016), *rev'd*, *Cullinan v. Berryhill*, 878 F.3d 598 (7th Cir. 2017). I found that the ALJ's credibility determination was not "patently wrong," and that substantial evidence supported the weight the ALJ gave to the treating physicians' opinions. The appellate court reversed, holding that the ALJ's reason for discounting Cullinan's testimony and the opinion of her treating psychologist was not supported by substantial evidence.

- 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.

All of my opinions and reports and recommendations are docketed electronically

on the Northern District of Illinois's public CM/ECF website, the federal court Case Management/Electronic Case Files system. Lexis and Westlaw publish opinions retrieved from the CM/ECF system. To the best of my knowledge, most of my opinions and reports and recommendations are published electronically by Lexis or Westlaw. Only a small percentage of my opinions (approximately 3%) are reported in the Federal Supplement or Federal Rules Decisions series.

- 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.

Trs. of the Chi. Reg'l Council of Carpenters Welfare Fund v. Norem, No. 17-cv-4851, 2017 U.S. Dist. LEXIS 170743 (N.D. Ill. Oct. 16, 2017) (applying the Anti-Injunction Act (28 U.S.C. § 2283), a federal statute which the U.S. Supreme Court has interpreted as helping to ensure the "fundamental constitutional independence of the States" by limiting the power of lower federal courts to enjoin state-court proceedings; in this case, I declined to enjoin the state court proceeding).

Duff v. Grandberry et al., No. 14-cv-8967, 2017 U.S. Dist. LEXIS 85550 (N.D. Ill. June 5, 2017) (granting summary judgment in favor of defendant Village on plaintiff's Fourth Amendment *Monell* claim).

Foodworks USA, Inc. v. Foodworks of Arlington Heights, LLC, No. 10-cv-1020, 2014 U.S. Dist. LEXIS 138572 (N.D. Ill. Sept. 30, 2014) (finding no constitutional right to effective assistance of counsel in civil case).

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

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

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

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;

- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

As a United States Magistrate Judge, I follow the federal recusal statutes and Code of Conduct for United States Judges. I assess recusal concerns in accordance with 28 U.S.C. § 455. Whether specifically addressed by the Code of Conduct for United States Judges, the recusal statutes, or solely based on my interest in maintaining impartiality or the appearance of impartiality, I would disclose any potential conflicts and recuse myself as appropriate. If I see my firm has an appearance on file, I direct the Clerk of the Court to reassign the case at random.

No party, other than a pro se inmate, has requested my recusal. Mr. Jamal Taylor requested the district court judge to reassign his case from me because he was unhappy with several of my discovery rulings. *See Taylor v. Michelak*, No. 16-cv-0629 (N.D. Ill. July 31, 2017). The district court denied Taylor's request because disagreement with a judge's rulings is not a basis to argue bias. *See Taylor v. Michelak*, No. 16-cv-0629 (N.D. Ill. Aug. 31, 2017).

I have a policy of recusing myself in cases in which my former law firm has an appearance. This policy has resulted in my recusing myself, *sua sponte*, in the following cases:

Marquez v. Pauly's Pizzeria Grand, No. 16-cv-7009 (N.D. Ill.).
Thibodeaux v. SCR Medical Transportation, No. 16-cv-8177 (N.D. Ill.).
Cobbler Nevada, LLC v. John Doe 14, et al., 15-cv-7546 (N.D. Ill.).
BKGTH v. John Does 1-60, No. 13-cv-4714 (N.D. Ill.).
BKGTH v. John Does 1-80, No. 13-cv-4711 (N.D. Ill.).

I also recused myself *sua sponte* in *Terry Hoffman v. Northwest Collectors, Inc.*, No. 14-cv-0260 (N.D. Ill.), because one of the parties had been a client of mine several years ago.

15. Public Office, Political Activities and Affiliations:

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

I have not been elected or appointed to public 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.

November 2008, Volunteer, Voter Protection Team, Chesapeake, Virginia, Obama for America (uncompensated). I worked on election-day only as a legal observer at the polls.

Approximately 1984, Field Coordinator for the Southeast Region of Michigan, Friends of Carl Levin (compensated). I was responsible for organizing and attending campaign events, organizing get out the vote canvassing, distributing campaign literature, and coordinating between the Levin campaign and the various County and local democratic party organizations. Senator Levin won re-election.

1983 – 1984, Volunteer, Ann Arbor Democratic Party (uncompensated). I canvassed door-to-door for local democratic candidates.

October 1982 – May 1983, Co-Founder, University of Michigan Chapter, College Democrats (uncompensated). I organized events for students to learn about democratic candidates and organized voter registration drives.

Summer 1982, Summer Intern, Democratic National Committee (uncompensated). I recall attending events and researching various topics.

Fall 1976, Volunteer, Akron Ohio Democratic Party and Jimmy Carter for President (uncompensated). I worked at a telephone bank on five or six occasions.

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 September 1988 to August 1990, I served as a law clerk to the Honorable Julian Abele Cook, Jr. of the United States District Court for the Eastern District of Michigan.

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

I have never practiced alone.

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

1990 – 2000

Federal Defender Program

55 East Monroe, Suite 2800

Chicago, Illinois 60605

Assistant Federal Defender (1990 – 1995)

Chief Appellate Attorney (1995 – 2000)

2000 – 2012

Hughes Socol Piers Resnick & Dym, Ltd.

70 West Madison, Suite 4000

Chicago, Illinois 60602

Partner

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

As a Magistrate Judge, one of my primary responsibilities is to mediate cases. Ten of the most significant cases I have mediated are described below:

1. In an anti-trust case against the NFL that had been argued before the Supreme Court, the parties negotiated an amicable settlement. *Amer. Needle, Inc. v. New Orleans, et al.*, No. 04-cv-7806 (N.D. Ill.).

2. Two women claimed age and gender discrimination against a large medical corporation. The case was resolved through mediation. *Borchers et al. v. Advocate Health Care*, No. 15-cv-2571 (N.D. Ill.).

3. A small business owner alleged several constitutional violations by a local municipality. The dispute was resolved through mediation. *Curtis v. Wilkes et al.*, No. 08-cv-3527 (N.D. Ill.).

4. A race discrimination allegation against a popular Chicago restaurant chain resulted in a consent decree. *EEOC v. Rosebud Restaurants, Inc., et al.*, No. 13-cv-6656 (N.D. Ill.).

5. A breach of contract claim with cross-claims of trade secret violations. The case was resolved through mediation. *Freedman v. American Guardian Holdings, Inc.*, No. 16-cv-11039 (N.D. Ill.).

6. A violation of a previous consent decree arising out of a patent infringement dispute. The case resolved through mediation. *Herman Miller Inc. v. L Cohen Group et al.*, No. 05-cv-4760 (N.D. Ill.).
7. A patent infringement dispute involving several patents. The mediated settlement resulted in several licensing agreements. *Lynk Labs v. Juno Lighting*, No. 15-cv-4833 (N.D. Ill.).
8. A RICO class action alleging that defendants illegally imported low-cost honey from China thereby depressing the prices for U.S. honey producers. The case was resolved through mediation. *Moore et al. v. Groeb et al.*, No. 13-cv-2905 (N.D. Ill.).
9. In a dispute over the proceeds of a previously settled RICO case, I mediated the intervenor action against the previous plaintiffs' counsel and the previous fifteen plaintiffs. *Royce v. Needle*, No. 15-cv-259 (N.D. Ill.).
10. Over forty individual plaintiffs sued a local municipality alleging Fair Housing violations. The settlement required Cook County and FEMA agreeing to assist the Village to purchase the land and relocate over 40 families off the flood plain into more suitable housing. The case was resolved through mediation. *Teran v. Village of Wheeling*, No. 13-cv-6509 (N.D. Ill.).

b. Describe:

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

Following a two-year clerkship for the Honorable Julian Abele Cook, Jr., in the United States District Court for the Eastern District of Michigan, I was hired as an Assistant Federal Defender at the Federal Defender Program in Chicago. Between 1990 and 2000, I represented nearly 300 indigent defendants in every aspect of the judicial process: bond hearings, preliminary hearings, arraignments, suppression hearings, trials, guilty pleas and sentencings. When appropriate, I handled the briefing and argument of issues in the appellate court and filed petitions for writ of certiorari in the Supreme Court of the United States.

From 1995 to 2000, I was promoted to Chief Appellate Attorney for the Federal Defender Program. In that role I was responsible for drafting and arguing the appeals filed by clients of the Federal Defender Program, and supervising staff attorneys in that regard. In addition, I served as resource counsel for the 150 members of the Criminal Justice Act Panel regarding legal issues.

From 2000 to 2012, I was a partner at the firm of Hughes Socol Piers Resnick & Dym, Ltd. My practice, almost exclusively in federal court, was focused on constitutional torts and class actions. Approximately twenty percent of my practice continued to be handling criminal defense matters in federal court.

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

From 1990 to 2000, while I worked at the Federal Defender Program, I represented individuals who were charged with federal felonies and unable to afford private counsel. From 2000 to 2012, I represented individuals, small businesses, and non-profits. At all times, my practice was litigation principally in federal courts.

- 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.

I frequently appeared in court throughout my entire legal career.

- i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 95% |
| 2. state courts of record: | 5% |
| 3. other courts: | % |
| 4. administrative agencies: | % |

While an Assistant Federal Public Defender, I appeared in federal court 100% of the time. While I was in private practice between 2000 and 2012, I appeared in federal courts approximately 80% of the time and state courts approximately 20% of the time, with only occasional appearances before administrative agencies.

- ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 40% |
| 2. criminal proceedings: | 60% |

While an Assistant Federal Public Defender, all of my cases were criminal. While I was in private practice between 2000 and 2012, 80% of my cases were civil and 20% of my cases were criminal.

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

I have tried five federal criminal cases to verdict. I was lead counsel, with one co-

counsel, in two of those cases. I was associate counsel, with one co-counsel, on three of the trials. While Chief Appellate Attorney and as a partner at a law firm, I supervised other lawyers as they briefed and argued motions in preparation for trial, reviewed and drafted proposed jury instructions, assisted in the preparation of experts for depositions, conducted countless depositions, and assisted in preserving the record or purposes of appeal.

i. What percentage of these trials were:

- | | |
|--------------|------|
| 1. jury: | 100% |
| 2. non-jury: | 0 % |

- 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.

While working for the Federal Public Defender Program, I worked on the following petitions for writ of certiorari:

United States v. Isienyi, 207 F.3d 390 (7th Cir.), *cert denied*, 531 U.S. 1035 (2000)

United States v. Williams, 33 F.3d 876 (7th Cir. 1994), *cert. denied*, 514 U.S. 1028 (1995)

United States v. Davis, 16 F.3d 212 (7th Cir. 1994), *cert. denied*, 513 U.S. 945 (1995)

United States v. Dent, 984 F.2d 1453 (7th Cir.), *cert. denied*, 510 U.S. 858 (1993)

In private practice, I worked on petitions for certiorari or responses thereto in:

Smook v. Minnehaha County, 457 F.3d 806, 812 (8th Cir. 2006), *cert. denied*, 549 U.S. 1317 (2007)

Boim v. Salah et al., 549 F.3d 685 (7th Cir. 2008), *cert. denied*, 130 S. Ct. 458 (2009)

Fairley v. Fermaint, 482 F.3d 897 (7th Cir.), *cert. denied*, 128 S. Ct. 181 (2007)

Andrews et al. v. Fairley & Gackowski, 578 F.3d 518 (7th Cir. 2009), *cert. denied*, 560 U.S. 924 (2010)

I have not been granted leave to brief an issue or present oral argument before the Court.

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

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

1. *Boim v. Salah et al.*, 340 F. Supp. 2d 885 (N.D. Ill. 2004), *rev'd*, 511 F.3d 707 (7th Cir. 2007), *rev'd en banc*, 549 F.3d 685 (7th Cir. 2008), *cert. denied*, 130 S. Ct. 458 (2009).

Plaintiffs were the parents of a young man killed by terrorists in Israel who sought to assert vicarious liability against several organizations and individual defendants whom they alleged had illegally provided financial support to the terrorists. My firm represented Muhammad Salah, pro bono, one of the individual defendants named in the suit. This was an early case to test the requirements of 18 U.S.C. § 2333(a). The district court entered summary judgment against Salah. *Boim v. Salah et al.*, 340 F. Supp. 2d 885 (N.D. Ill. 2004). The Seventh Circuit reversed the judgment with a majority opinion that held that the plaintiffs had failed adequately to prove causation in fact. 511 F.3d 707 (7th Cir. 2007). In a subsequent *en banc* decision, the Seventh Circuit entered judgment in favor of Salah. 549 F.3d 685 (7th Cir. 2008), *cert. denied*, 130 S. Ct. 458 (2009). I was second chair on the case from the time I joined the law firm in 2000 through the appellate court decision in 2008.

U.S. District Court for the Northern District of Illinois, Eastern Division: Keys, J.
U.S. Court of Appeals for the Seventh Circuit: Rovner, Wood, & Evans, JJ.

Co-counsel:

Matthew J. Piers
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Opposing counsel:

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Locke Lord
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Chicago, Illinois 60606
(312) 201-2772

2. *Fairley v. Andrews et al.*, 578 F.3d 518 (7th Cir. 2009), *cert. denied*, 560 U.S. 924 (2010).

My firm represented two former correctional officers at the Cook County Department of Corrections who reported the use of excessive force against inmates. The case against several correctional officers alleged that plaintiffs were harassed, physically assaulted, and threatened, in violation of the First Amendment. The appellate court affirmed the district court's denial of qualified immunity in *Fairley v. Fermaint*, 482 F.3d 897 (7th Cir. 2006), *cert. denied*, 128 S. Ct. 181 (2007). The appellate court affirmed the right of plaintiffs to proceed to a jury on a prior restraint theory in *Fairley v. Andrews*, 578 F.3d 518 (7th Cir. 2009), *cert. denied*, 560 U.S. 924 (2010). Although the case was filed in 2003, my firm did not become involved until 2005. I second chaired the case and supervised discovery and all briefing from 2005 through the resolution of the matter in 2010 on the eve of trial.

U.S. District Court for the Northern District of Illinois, Eastern Division: Castillo & St. Eve, JJ.

U.S. Court of Appeals for the Seventh Circuit: Easterbrook, Posner, & Wood, JJ.

Co-counsel:

Matthew J. Piers
Hughes, Socol, Piers, Resnick & Dym
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Chicago, Illinois 60602
(312) 580-0100

Opposing counsel:

Joel Griswold
Baker & Hostetler, LLP
191 North Wacker Drive, Suite 3100
Chicago, Illinois 60601
(312) 416-6238

3. *Lewis v. City of Chic.*, 98 C 5596, 2005 WL 693618 (N.D. Ill. Mar. 22, 2005), *rev'd*, 528 F.3d 488 (7th Cir. 2008), *rev'd*, 130 S. Ct. 2191 (2010).

My firm represented more than 6,000 African Americans who had been denied jobs as entry-level firefighters with the Chicago Fire Department because of their scores on a hiring exam. We challenged the exam on a disparate impact theory under Title VII. After a bench trial the court found that the test disproportionately excluded African Americans while bearing no demonstrable relationship to job performance. The district court's liability decision in plaintiffs' favor is reported at 2005 WL 693618 (N.D. Ill. Mar. 22, 2005). The Seventh Circuit reversed the judgment on statute of limitation grounds, 528 F.3d 488 (7th Cir. 2008), and my firm appealed to the U.S. Supreme Court, which, in turn, reversed the Seventh Circuit, directing reinstatement of the judgment. 130 S. Ct. 2191 (2010). The case resulted in a historic injunction awarding jobs to 111 class members and more

than \$70 million in monetary relief. I assisted in the discovery phases of the case between April 2001 and 2003.

U.S. District Court for the Northern District of Illinois, Eastern Division:
Gottschall, J.

U.S. Court of Appeals for the Seventh Circuit: Easterbrook, Bauer, & Posner, JJ.

Co-counsel:

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Joshua Karsch
Hughes, Socol, Piers, Resnick & Dym
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Chicago, Illinois 60602
(312) 580-0100

Opposing counsel:

Naomi Avendano
City of Chicago Law Dept.
121 N. La Salle St., Room 600
Chicago, Illinois 60602
(312) 744-5128

4. *Robledo v. City of Chic.*, 778 F. Supp. 2d 887 (N.D. Ill. 2011).

My firm filed a class action that challenged the City of Chicago's practice of transferring vehicle titles to a privately-run entity without compensation to the vehicle owner after the vehicle was towed for unpaid parking tickets. The case was filed in 2005, and I became involved in 2007. I second chaired the case after class was certified through discovery and briefing on the merits in 2011. The court disagreed with our due process arguments and granted the City of Chicago's motion for summary judgment at *Robledo v. City of Chic.*, 778 F. Supp. 2d 887 (N.D. Ill. 2011).

U.S. District Court for the Northern District of Illinois, Eastern Division: Bucklo, J.

Co-counsel:

Judson Miner
Miner Barnhill & Galland, P.C.
325 N. LaSalle St. Suite 350
Chicago, Illinois 60654
(312) 751-1170

Opposing counsel:

Andrew S. Mine
City of Chicago Law Department

Commercial & Policy Litigation Division
30 N. LaSalle St., Suite 1230
Chicago, Illinois 60602-2580
(312) 744-7220

5. *Smook v. Minnehaha Cty.*, 340 F. Supp. 2d 1037 (D. S.D. 2004), *rev'd*, 457 F.3d 806 (8th Cir. 2006), *cert denied*, 549 U.S. 1317 (2007).

This class action challenged the Minnehaha County, South Dakota Juvenile Detention Center's policy of strip searching minors brought to the center, regardless of whether there was cause or suspicion to believe that the minor was in possession of contraband. The district court ruled the policy violated the Fourth Amendment. *Smook v. Minnehaha County*, 340 F. Supp. 2d 1037 (D. S.D. 2004). The Court of Appeals for the Eighth Circuit reversed and remanded for consideration of the claims of the minors who were stripped naked. *Smook v. Minnehaha Cty.*, 457 F.3d 806 (8th Cir. 2006), *cert denied*, 549 U.S. 1317 (2007). The matter was resolved through settlement. I second chaired the matter during the district court proceedings and first chaired the matter during the settlement negotiations through the fairness hearings. I was involved in the matter from 2000 through approximately 2006.

U.S. District Court for the District of South Dakota, Southern Division, Piersol, J.
U.S. Court of Appeals for the Eighth Circuit: Melloy, Colloton, & Benton, JJ.

Co-counsel:

Matthew J. Piers
Juliet Berger-White
Hughes, Socol, Piers, Resnick & Dym
70 West Madison, Suite 4000
Chicago, Illinois 60602
(312) 580-0100

Opposing counsel:

Gary Thimsen
Woods Fuller
300 S. Phillips Ave.
Sioux Falls, South Dakota 57104
(605) 336-3890

6. *U.S. v. Benevolence Int'l Found., Inc. and Arnaout*, No. 02-cr-414, 2002 WL 31050156 (N.D. Ill. Sept. 13, 2002).

In December 2001 in the wake of 9/11, the FBI seized all of the business records of Benevolence International Foundation ("BIF"), an Islamic charity headquartered in Illinois, essentially putting it out of business. My firm challenged the legality of that action in court. *See Benevolence Int'l Found., Inc.*

v. Ashcroft, 200 F. Supp. 2d 935 (N.D. Ill. 2002). I was primarily involved in negotiating with the government regarding its criminal investigation. In April 2002, both BIF and its Executive Director were indicted for perjury in violation of 18 U.S.C. § 1623. I was co-lead counsel in defending BIF against those charges. The Executive Director had separate counsel. The district court dismissed the indictment in its entirety pursuant to *U.S. v. Dunn*, 442 U.S. 100 (1979). *U.S. v. BIF*, 2002 WL 31050156 (N.D. Ill. Sept. 13, 2002). The government subsequently indicted the Executive Director only. I provided assistance to his criminal counsel as they prepared for trial, although I did not have an appearance in the case. The Executive Director ultimately pled guilty to fraud and all terrorism charges were dropped.

U.S. District Court for the Northern District of Illinois, Eastern Division:
Gottschall & Alesia, JJ.

Co-counsel:

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Loeb & Loeb
321 North Clark, Suite 2300
Chicago, Illinois 60654
(312) 464-3142

Opposing counsel:

Patrick Fitzgerald
Skadden, Arps, Slate, Meager & Flom LLP
155 N. Wacker Dr.
Chicago, Illinois 60606
(312) 407-0508
[Formerly United States Attorney, Northern District of Illinois]

7. *U.S. v. Delatorre, et al.*, No. 03-cr-90-4 (N.D. Ill.).

In February 2006, I was court appointed to represent a federal capital defendant, Julian Salazar who, along with fifteen other defendants, was charged under the RICO statute for operating the Insane Deuce street gang in Aurora, Illinois. The predicate acts included allegations of violence, including four murders. Pursuant to Department of Justice (DOJ) protocol, my co-counsel and I met with representatives of the U.S. Attorney's office in Chicago and then with members of the DOJ in Washington, D.C. The DOJ ultimately decided not to seek the death penalty. I was second chair at the three-month trial in the spring of 2008 that resulted in a guilty verdict. Salazar was sentenced to life imprisonment.

U.S. District Court for the Northern District of Illinois, Eastern Division: Castillo, J.

Co-counsel:

Scott Frankel
Frankel & Cohen
53 W. Jackson Boulevard, Suite 1615
Chicago, Illinois 60604
(312) 883-9617

Opposing counsel:

Meghan Morrissey
Assistant United States Attorney
219 S. Dearborn, 5th Floor
Chicago, Illinois 60604
(312) 353-5300

8. *U.S. v. McMutuary & Grier*, 176 F.3d 959 (7th Cir. 1999), *reh'g granted*, 200 F.3d 499 (7th Cir. 1999), *rev'd*, 217 F.3d 477 (7th Cir. 2000), *cert. denied*, 531 U.S. 1001 (2000).

I represented McMutuary in the court of appeals from 1998 until 2000. McMutuary received a 16-year sentence while his co-defendant cooperator received a sentence of one year of home confinement. McMutuary challenged this disparity under the then mandatory United States Sentencing Guidelines. The appellate court first reversed based on the unjustified disparity in the defendants' sentences. 176 F.3d 959 (7th Cir. 1999). However, the appellate court granted the government's petition for rehearing and found that a disparity between co-defendants' sentences could only justify a downward departure for McMutuary from his guideline range if the disparity existed with sentences imposed nationwide for the offense at issue. 217 F.3d 477 (7th Cir. 2000).

U.S. Court of Appeals for the Seventh Circuit, Fairchild, Manion, & Kanne, JJ.

Counsel for Co-defendant:

Terence Campbell
Cotsirilos, Tighe & Streicker
33 N. Dearborn, Suite 600
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(312) 263-0345

Opposing counsel:

Joel Bertocchi
Akerman
71 South Wacker Drive, 47th Floor
Chicago, Illinois 60606
(312) 634-5700
[Formerly of the U.S. Attorney's Office, Northern District of Illinois]

9. *U.S. v. Patterson, et al.*, 215 F.3d 776 (7th Cir.), *cert granted in part and*

denied in part, 121 S. Ct. 621 (2000), *on remand*, 241 F.3d 912 (7th Cir. 2001).

The defendants, who were members of the Traveling Vice Lord street gang, were convicted after a five-month trial of drug trafficking and weapons violations. As Chief Appellate Attorney at the Federal Defender Program, I represented these defendants on appeal and argued, based on the then recently decided *Jones v. U.S.*, 119 S. Ct. 1215 (1999), that the type and quantity of the drugs involved were elements of the offense, requiring findings by the jury beyond a reasonable doubt. The Seventh Circuit Court of Appeals rejected our *Jones* argument. The Supreme Court remanded in light of *Apprendi v. New Jersey*, 530 U.S. 446 (2000). I wrote the appellate brief and was involved from 1999 to 2000.

United States Court of Appeals for the Seventh Circuit: Posner, Easterbrook, & Wood, JJ.

Opposing counsel:

David Bindi
United States Attorney's Office
219 S. Dearborn
Chicago, Illinois 60604
(312) 353-5300

10. *United States v. Stanback*, No. 95-cv-7518, 1996 WL 435107 (N.D. Ill. July 31, 1996), *rev'd*, 113 F.3d 651 (7th Cir. 1997).

Mr. Stanback pled guilty to using or carrying a firearm in violation of 18 U.S.C. § 924(c). He filed a motion to vacate the conviction based on *Bailey v. U.S.*, 516 U.S. 137 (1995), which defined "use" of a firearm more narrowly than the Seventh Circuit had previously found. The district court denied the motion to vacate. *U.S. v. Stanback*, 1996 WL 435107 (N.D. Ill. July 31, 1996), *rev'd*, 113 F.3d 651 (7th Cir. 1997). I was lead attorney in the court of appeals and during the resentencing on remand, from February 1997 through September 1997.

U.S. District Court for the Northern District of Illinois, Eastern Division,
Marovich, J.
United States Court of Appeals for the Seventh Circuit, Rovner, Woods, & Evans,
JJ.

Opposing counsel:

Duane Deskins
Chief of Prevention, Intervention and Opportunity for Youth and Young Adults
601 Lakeside Ave.
Cleveland, Ohio 44114
(216) 664-3293
[Formerly of the U.S. Attorney's Office, Northern District of Illinois]

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.)

In the summer of 2015, Chief Judge Castillo requested that I serve on a committee to initiate a pre-trial diversion program in the Northern District. I worked with representatives from the Pretrial Service Office, the U.S. Attorney's Office, the Federal Defender's Office, and a district court judge to establish Sentencing Options that Achieve Results (SOAR). I was involved in drafting the initial documents and establishing the parameters for participation. I have presided over the twice-monthly court sessions since the start of the Program.

I served on the Seventh Circuit Electronic Discovery Committee ("E-Discovery Committee"), from its inception in May 2009 until 2012. The E-Discovery Committee attempted to address the rising cost of discovery due to the use of electronically stored information by bringing together in-house corporate counsel, defense counsel, government lawyers, plaintiffs' lawyers, academics, and litigation support providers. The E-Discovery Committee adopted the Principles Relating to the Discovery of Electronically Stored Information ("the Principles"). The Principles encouraged the "early and informal information exchange on commonly encountered issues relating to evidence preservation and discovery." I served as the co-chairperson of the E-Discovery Committee's Education Subcommittee.

As president of the student government in college, I recall performing some lobbying at the state level on matters of financial aid. I have not performed any lobbying activities as an attorney. I am not and have never been registered as a lobbyist.

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.

None.

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

No.

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.

As a United States Magistrate Judge, I follow the federal recusal statutes and Code of Conduct for United States Judges. I assess recusal concerns in accordance with 28 U.S.C. § 455 and will continue to do so if confirmed to be a district court judge. Cases most likely to present conflict issues would be those related to my prior service as a government lawyer or a private practitioner. If confirmed, I would recuse myself in any matter in which I had participated as counsel, adviser, or material witness or had expressed an opinion concerning the merits. *See* 28 U.S.C. § 455(b)(3). Moreover, I would recuse myself in any matter in which, during my time in private practice, either I or a lawyer with whom I was then practicing had participated. *See* § 455(b)(3). If confirmed to be a district court judge, I will carefully review and address any real or potential conflicts in accordance with the Code of Conduct for United States Judges and all laws, rules, and practices governed by such circumstances.

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

If confirmed, I will continue to carefully review and address any real or potential conflicts by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct for

United States Judges, and any other laws, rules, and practices governing such circumstances. If any issue of potential conflict arises, I would consult the applicable statutes and canons, and seek advice from the Codes of Conduct Committee of the Judicial Conference.

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.

After leaving the Federal Defender Program in 2000, I accepted appointments to serve as pro bono counsel in criminal matters. In March 2008, I accepted an unpaid court appointment in *U.S. v. Huart*, No. 07-cr-47-1 (N.D. Ill. Feb. 12, 2008) to represent a minor who was the victim of a defendant charged with child pornography. My client had lived with the defendant and they had a child together when my client was 14 years old. I represented this young woman through the pre-trial preparation process and represented her interest at the sentencing of her abuser. In February 2006, I accepted an appointment under the Criminal Justice Act to represent Julian Salazar, a person charged in a RICO indictment against who the United States considered seeking the death penalty. The case was tried over a period of three months in the winter of 2008, and I continued to represent him until his sentencing in January 2009. I spent over 1,000 hours on the case. My firm was compensated at the Criminal Justice Act rate.

From 2004 until 2011, I served on the Board of the Uptown People's Law Center. The Law Center provides direct legal services to low-income members of the neighborhood in Chicago known as Uptown. It counsels over 3,000 people a year in matters ranging from disputes between landlords and tenants to representing victims of domestic violence to protecting consumers from predatory lending practices.

I currently serve on the board of the Federal Bar Association, Chicago Chapter and was part of a committee that initiated a program to organize lawyers to participate in civics courses at a charter school in a low-income Chicago neighborhood, Legal Prep Academy.

As a United States Magistrate Judge, I am prohibited from providing legal services, including pro bono services.

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 January 12, 2018, United States Senators Durbin and Duckworth announced a ten-member screening committee for Northern District of Illinois judicial applicants. The screening committee was chaired by the Honorable David J. Coar (Ret.). I was interviewed by the Committee on February 20, 2018. I then met with Senator Duckworth and Senator Durbin and members of their staff in Washington, D.C. on February 27, 2018. On April 4, 2018, I was interviewed by members of the White House Counsel's staff and lawyers from the Department of Justice. I spoke to Senator Durbin and a member of the White House Counsel's staff on April 10, 2018. Since that time I have been in contact with attorneys from the White House Counsel's Office and the Office of Legal Policy at the Department of Justice. On June 18, 2018, the President submitted my nomination to the United States 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.