

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Roy Bale "Skip" Dalton, Jr.

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

United States District Judge for the Middle District of Florida

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.

Dalton & Carpenter, P.A.
720 Rugby Street, Suite 120
Orlando, Florida 32804

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

1952; Jacksonville, Florida

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.

1975 – 1976, University of Florida Levin College of Law; J.D., 1976
1974 – 1975, Florida State University College of Law; no degree
1970 – 1974, University of Florida, B.A. (High Honors), 1974

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
Dalton & Carpenter, P.A.
720 Rugby Street, Suite 120
Orlando, Florida 32804
Principal

2004 – Present

The Carlyle Appellate Law Firm
20 La Grande Boulevard,
The Villages, Florida 32159
Of Counsel

2005

United States Senate
317 Hart Senate Office Building
Washington, D.C. 20510
Counsel to United States Senator Mel Martinez

2001 – 2003

Dalton & Paul, P.A.
720 Rugby Street, Suite 100
Orlando, Florida 32804
Principal

1999 – 2001

Gray, Harris & Robinson, P.A.
300 East Pine Street, Suite 401
Orlando, Florida 32801
Of Counsel

1999 – 2001

Roy B. Dalton, Jr., P.A. (The Dalton Law Firm)
715 Vassar Street
Orlando, Florida 32804
Principal

1989 – 1998

Martinez, Dalton, Dellecker, Wilson & King, P.A.
(f/k/a Martinez & Dalton, P.A. & Martinez, Dalton & Provencher, P.A.)
719 Vassar Street
Orlando, Florida 32804
Principal

1986 – 1989

Dalton & Provencher, P.A.
17 East Pine Street
Orlando, Florida 32801
Principal

1984 – 1986

Hurt, Parrish & Dalton, P.A.
1000 East Robinson Street
Orlando, Florida 32802
Principal

1982 – 1984

Roy B. Dalton, Jr., P.A.
17 East Pine Street
Orlando, Florida 32802
Principal

1977 – 1982

Dean, Ringers, Morgan & Lawton, P.A.
200 East Robinson Street
Orlando, Florida 32801
Principal (1980 – 1982)
Associate (1977 – 1980)

1977

Miller & Sweat, P.A.
124 Florida Avenue
Lakeland, Florida 33802
Clerk/Associate

Summer 1974

18th Judicial Circuit of Florida
301 North Park Avenue
Sanford, Florida 32771
Research Assistant / Clerk to Judge Dominic J. Salfi

Other Affiliations (uncompensated except as noted)

2006 – Present

Florida Fellowship Foundation
801 North Orange Avenue, Suite 800
Orlando, Florida 32801
Director

1999 – Present

Rugby Property, LLC
1127 Overbrook Drive
Orlando, Florida 32804
Managing Partner (compensated)

2006 – 2010
Seaside National Bank & Trust
201 South Orange Avenue, Suite 1350
Orlando, Florida 32801
Director & Chair, Credit Policy Committee

2000 – 2007
Downtown Orlando 2000, Inc.
720 Rugby Street, Suite 200
Orlando, Florida 32804
President

1999 – 2007
Dalton Hotel, Ltd.
720 Rugby Street, Suite 200
Orlando, Florida 32804
Managing Partner (compensated)

1998 – 2007
Dalton Hotel Corporation
720 Rugby Street, Suite 200
Orlando, Florida 32804
President / Chief Executive Officer (compensated)

1997 – 2007
Cathedral Church of St. Luke
130 North Magnolia Avenue
Orlando, Florida 32801
Chancellor (Attorney)

2003 – 2007
Interlachen Country Club
2245 Interlachen Court
Winter Park, Florida 32792
Director (2003 – 2007)
President (2005 – 2007)
Vice President (2004 – 2005)

2000 – 2002
Central Florida Tourist Development Council
201 South Rosalind Street
Orlando, Florida 32801
Board Member

1998 – 2001

Dalton Investments, L.C.
720 Rugby Street, Suite 200
Orlando, FL 23804
Principal (compensated)

1997 – 2001

University of Florida Law Center Association
Frederick G. Levin College of Law
University Avenue
Gainesville, Florida 32611
Trustee

1993 – 1999

Sports Partners, Inc.
715 Vassar Street
Orlando, Florida 32804
Principal (compensated)

1992 – 1997

University of Florida Gator Boosters, Inc.
Gale Lemerand Drive
Ben Hill Griffin Stadium
Gainesville, Florida 32611
Director

1992 – 1993

College Park Little League
No physical address
Director/Vice President

1985 – 1991

Academy of Florida Trial Lawyers (now known as Florida Justice Association)
218 South Monroe Street
Tallahassee, Florida 32301
Director

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

I have not served in the U.S. military. I registered for selective service upon turning 18.

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.

Lawyer of the Year, *Best Lawyers in America* (2010)
“*Best Lawyers in America*,” Woodward & White (1995 – 2010)
“*Florida’s Top Lawyers*,” Florida Monthly Magazine (2006 – 2010)
“*Florida’s Super Lawyer*,” Law & Politics, Media, Inc. (2006 – 2010)
“*Florida Legal Elite*,” Florida Trend Magazine (2006 – 2009)
“*The Cities Best Lawyers*,” Orlando Magazine (March 2009)
Fellow, American College of Trial Lawyers (since 1997)
Life Fellow, Florida Bar Foundation (since May 21, 1993)
Diplomat, American Board of Trial Advocates (1989 – Present)
Board Certified, Civil Trial Practice, The Florida Bar (1983 – Present)
25th Year Recognition for Board Certification (May 31, 2008)
Board Certified, Civil Trial Practice, National Board of Trial Advocacy (1983 – Present)

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
American Board of Trial Advocates
American Association for Justice (f/k/a American Trial Lawyers Association)
Central Florida Trial Lawyers
The Florida Bar
Fifth District Court of Appeals Judicial Nomination Committee (1987 – 1988)
Member (1987 – 1998) & Chair (1989 – 1990)
Ninth Judicial Circuit Grievance Committee
Member (1990 – 1991) & Chair (1992 – 1993)
Civil Rules Committee
Florida Bar Foundation
Florida Justice Association (f/k/a Academy of Florida Trial Lawyers)
Director (1985 – 1991)
Chair, Committee for Continuing Legal Education (1993 – 1994)
Chair, Lawsuit Liaison Committee (1989 – 1990)
Chair, Public Relations Committee (1988 – 1989)
Chair, Standard Jury Instruction Committee (1987 – 1988)
Chair, Membership Committee (1986 – 1987)
Florida Supreme Court Committee on Civil Jury Instructions (1994 – 1999)
National Board of Trial Advocacy
Orange County Bar Association
Medical / Legal Committee
Judicial Relations Committee
Supreme Court Historical Society
Trial Lawyers for Public Justice

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.

Florida, 1977

There have been no lapses 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, 1980

United States Court of Appeals for the Fifth Circuit, 1978

United States Court of Appeals for the Eleventh Circuit, 1981

United States District Court for the Middle District of Florida, 1977

United States District Court for the Northern District of Florida, 1982

United States District Court for the Southern District of Florida, 1982

United States Court of Federal Claims, 2001

In July 2005, my membership with the United States District Court for the Middle District of Florida lapsed for inadvertently failing to remit my renewal dues. This was brought to my attention in 2008 and I was readmitted September 3, 2008. I am not aware of any other lapse 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.

Alpha Tau Omega Fraternity, University of Florida

Board of Trustees, Alpha Omega Chapter (2004 – 2007)

Airplane Owners and Pilots Association (2009 – Present)

Central Florida Flagship Council, University of Florida

Chairman (2008 – Present)

Central Florida Tourist Development Council

Board of Directors (2000 – 2002)

City of Orlando Municipal Planning Board (1993 – 1998)

Chairman (1996 – 1997)

Vice-Chairman (1995 – 1996)

Florida Fellowship Foundation
Director (2006 – Present)
Martinez Orange County Convention Center Expansion Task Force (1998 – 1999)
Million Dollar Advocates Forum (1993 – Present)
Orange County Library Systems
Board of Trustees (1992 – 1994)
University of Florida Gator Boosters
Board of Directors (1992 – 1997)
University of Florida Law Center Association
Trustee Emeritus (2001 – 2006)
Trustee (1997 – 2001)

Recreational Clubs

Country Club of Orlando (1989 – 1994)
Florida State Golf Association (1998 – Present)
Board of Directors (2004 – 2007)
Interlachen Country Club (1991 – Present)
President (2005 – 2007)
Vice President (2004 – 2005)
Board of Directors (2003 – 2004)
Sage Valley Golf Club (2007 – Present)
The Citrus Club (1980 – 1982)
The Gilchrist Club (2004 – Present)
The University Club (1983 – 1988 and 1999 – 2008)
United States Golf Association (1983 – Present)
Wade Hampton Golf Club (1990 – 2001)

PTAs & Children's Sports

Boy Scouts of America
Committee Member, Troop 200, Chickasaw District (1991 – 2003)
Assistant Scoutmaster, Troop 200 (1994 – 2000)
Co-Den Leader, Webelo Den "Scorpions," Pack 207 (1990)
College Park Little League
Director and Vice-President (1992 – 1993)
Minors Division Coach (1993)
College Park Girls Softball Coach (1989 – 1997)
College Park Youth Soccer League Coach (1985 – 1990)
Edgewater High School Parent Teacher Association (1994 – 2003)
Lake Silver Elementary School Parent Teacher Association (1985 – 1996)
Robert E. Lee Middle School Parent Teacher Association (1991 – 1996)
YMCA Youth Basketball Coach (1993)

- 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.

The Boy Scouts of America is an organization for boys only. College Park Girls Softball team is an organization for girls only. Alpha Tau Omega is a college fraternal organization for men only. In 1989, I joined the Country Club of Orlando which, at that time, had no African American members. The club maintained it had an open admissions policy and I was assured that efforts were being made to diversify the membership, which I strongly encouraged. I was unsatisfied with the club's pace to achieve diversity and resigned my membership in 1994. The club subsequently added a number of African American members, the first of whom was sponsored for membership by my friend and current law partner, Darrell Carpenter. The University Club of Orlando was originally chartered in 1926 as a social club for men only. When I joined in 1983, it was primarily an athletic/lunch facility. I resigned in 1988 as a result of the club's resistance to admitting women to membership. That policy was eliminated in 1992. I rejoined in 1998 and resigned in 2008. I am aware of no other current or former discrimination by the organizations of which I have been a member.

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.

General Counsel to a U.S. Senator, APPELLATE INSIDER (Carlyle Appellate Law Firm, Fl.), Spring 2006. Copy supplied.

Client Comment, Video Law Services, Inc. website, Mar. 31, 2005. Copy supplied.

Testimonial, CFO Strategic Partners website, May 30, 2003. Copy supplied.

Public-Relations Swipe (Editorial), ORLANDO SENTINEL, Jan. 7, 2003, at A12. Copy supplied.

Board of Governors Candidates, THE FLORIDA BAR NEWS, Feb. 15, 1998, at 4. Copy supplied.

Lawyer: If I Were Doctor, I'd Have Shown Compassion (Editorial), ORLANDO SENTINEL, Dec. 6, 1992, at G3. Copy supplied.

Roy Bale Dalton, Jr. & Brian T. Wilson, *Exclusion of Witnesses & Limitations on Testimony*, in FLORIDA CIVIL TRIAL PRACTICE (3rd ed.1984, revised 4th ed.1990). Copies supplied.

Ads Can Bias Juries, Hurt Plaintiffs, ORLANDO BUSINESS JOURNAL, unknown date, approx. 1990. Copy supplied.

Trial Lawyers Have Earned Right to Stand Proud (Editorial), THE ORLANDO SENTINEL, May 4, 1988, at A15. Copy supplied.

I searched my files and publicly available Internet sources to create a response to this question as comprehensive as possible, but there may be other published material I have been unable to recall or identify.

- 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.

I chaired the Martinez Orange County Convention Center Expansion Task Force. In May 1999, the Task Force submitted a report to the Orange County Board of County Commissioners summarizing its findings, including a recommendation that the proposed expansion to the Convention Center was appropriate. The report was drafted through a collaborative effort and not individually authored. Report supplied.

Having searched my records and my memory, I have not identified other responsive reports, memoranda, or policy statements.

- 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.

December 11, 2009: I was a signatory to a Petition for a Rule Establishing an Actual Innocence Commission that was sent to the Supreme Court of Florida. Petition supplied.

November 21, 2006: I addressed the Orange County Municipal Planning Board to express concerns about a re-zoning application. Minutes supplied.

August 18, 2005: As General Counsel to U.S. Senator Mel Martinez, I gave a presentation to statewide office staff entitled, "Ethical Considerations and Senate Ethics Rules." Presentation slides supplied.

August 14, 2001: I presented an overview of the Martinez Convention Center Commission's mission and achievements to the Orange County Board of County Commissioners. Minutes supplied.

October 9, 2000: I offered comments at an Orange County City Council Meeting in support of an amendment to the Community Redevelopment Plan. Minutes supplied.

May 11, 1999: I addressed the Orange County Board of County Commissioners as Chairman of the Martinez Convention Center Commission and gave an overview of the Commission's mission and recommendations. Minutes supplied.

From December 31, 1995 to July 7, 1998, I served as a member of the City of Orlando Municipal Planning Board and may have offered comments and/or questioned presenters to that body. I do not have minutes available.

Having searched my records, memory and publicly available Internet sources, I have not identified any other testimony, official statements, or other communications relating to matters of public policy or legal interpretation.

- 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.

December 9 – 11, 2007: Florida Juvenile Defenders (Barry University School of Law, Orlando, FL). I served as a faculty member for this three-day Trial Skills Training Program. I have no notes, transcripts, or recording.

February 10 – 12, 2006: American College of Trial Lawyers, Criminal Justice Center (Gainesville, Florida). I served as a National Trial Competition Judge. I have no notes, transcripts, or recording.

September 12, 2003: Stetson University College of Law (St. Petersburg, Florida). I gave a presentation entitled, "Understanding Different Roles in Mediation." Presentation slides supplied.

May 8, 1997: Academy of Florida Trial Lawyers (Gainesville, Florida). I gave a presentation entitled, "Demonstrative Evidence." Program materials supplied.

November 18, 1993: Academy of Florida Trial Lawyers (Orlando, Florida). I gave a presentation entitled, "Nuts & Bolts of the Auto Case." Notes supplied.

September 21, 1993: Academy of Florida Trial Lawyers (Orlando, Florida). I gave a presentation entitled, "Dealing with Workers' Compensation Liens and Other Immunities." Notes supplied.

November 11, 1992: Academy of Florida Trial Lawyers (Aventura, Florida). Dr. Amy Singer and I gave a presentation entitled, "Voir Dire." Materials supplied.

November 9, 1990: Academy of Florida Trial Lawyers (Fort Lauderdale, Florida). I gave a presentation entitled, "Jury Selection and the Psychology of a Trial." Materials supplied.

July 1990 (exact date unknown): Orange County Bar Association (Orlando, Florida). I gave a presentation entitled, "Strategy & Timing of Settlement Offers in Personal Injury Cases." I have no notes, transcripts, or recording. The address of the Association is 880 N. Orange Ave., Orlando, FL 32801.

March 1990: (exact date unknown): Academy of Florida Trial Lawyers (Orlando, Florida). I gave a presentation entitled, "Winning the Case in Opening-New Methods, Old Reliabilities." I have no notes, transcripts, or recording. The address of the Academy (now known as Florida Justice Association) is 218 S. Monroe St., Tallahassee, FL 32301.

October 1989 (exact date unknown): Valencia Community College (Orlando, Florida). I gave a presentation entitled, "The People's Law School." I have no notes, transcripts, or recording. The address of the College is P.O. Box 3028, Orlando, FL 32802.

October 1988: (exact date unknown): Academy of Florida Trial Lawyers (Miami, Florida). I moderated a discussion entitled, "Law, Protection for the Citizen." I have no notes, transcripts, or recording. The address of the Academy (now known as Florida Justice Association) is 218 S. Monroe St., Tallahassee, FL 32301.

February 1988: (exact date unknown): Academy of Florida Trial Lawyers (Tampa, Florida). Robert Spohrer, Lewis S. Edison, Jr., and I gave a presentation entitled, "Board Certification Study & Review Course for the Florida Bar Civil Trial Advocacy Board Certification Exam for the National Board of Trial Advocacy." I have no notes, transcripts, or recording. The address of the Academy (now known as Florida Justice Association) is 218 S. Monroe St., Tallahassee, FL 32301.

November 1987: (exact date unknown): Academy of Florida Trial Lawyers (Orlando, Florida). I gave a presentation entitled, "Industrial Site Accidents." I

have no notes, transcripts, or recording. The address of the Academy (now known as Florida Justice Association) is 218 S. Monroe St., Tallahassee, FL 32301.

May 6, 1986: Civil Law Program at Judicial Educational Conference (Orlando, Florida). I gave a presentation entitled, "Equitable Distribution of Tort Claim Proceeds—Workers Compensation Lien." I have no notes, transcripts, or recording. I have no address for the host organization.

At some point in time, I gave a presentation entitled, "Common Elements to All Effective Cross Examination." Materials supplied. I do not recall the date, group or location and after a thorough search of all available records am unable to provide more detail.

At some point in time, I gave a presentation entitled, "Cross Examination of the Accident Reconstruction / Seatbelt Witness from the Plaintiff's Perspective." Materials supplied. I do not recall the date, group or location and after a thorough search of all available records am unable to provide more detail.

- 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.

Bob Mervine, *Eola Lakeside Project Ready To Try, Try Again*, ORLANDO BUSINESS JOURNAL, Dec. 18, 2006. Copy supplied.

William March & Keith Epstein, *Taxpayers Treat Mel Martinez and Staff to Orlando Retreat*, TAMPA TRIBUNE, Aug. 24, 2005, at 1. Copy supplied.

Julie Kay, *A New Try at Bipartisan Cooperation*, DAILY BUSINESS REVIEW, Aug. 22, 2005, at 1. Copy supplied.

Dan Tracy, *Orange County Convention Center: Is Bigger Better?*, ORLANDO SENTINEL, Apr. 17, 2005, at A1. Copy supplied.

Steve Bousquet, *Making History on Their Terms*, ST. PETERSBURG TIMES, Oct. 24, 2004, at 1A. Copy supplied.

Steve Ellman, *This Year's Model: As a Senate Candidate, Mel Martinez Supports Malpractice Damage Caps and Other Lawsuit Restrictions*, DAILY BUSINESS REVIEW, Oct. 18, 2004, at 8. Copy supplied.

Bob Mervine, *Embassy Suites Revamps Lobby, Adds Meeting Space*, ORLANDO BUSINESS JOURNAL, Aug. 13, 2004, at 5. Copy supplied.

Steve Bousquet & Bill Adair, *Martinez: Refugee, Lawyer, Politician*, ST. PETERSBURG TIMES, July 18, 2004, at 1A. Copy supplied.

Steve Bousquet, *Martinez Defends His Past With Exclusive Club*, ST. PETERSBURG TIMES, July 16, 2004, at 1A. Copy supplied.

Chad Watt, *CFO Strategic To Roll Out Franchise Opportunities*, ORLANDO BUSINESS JOURNAL, May 7, 2004, at 5. Copy supplied.

Bob Mervine, *Rivers, Embassy Suites Go Separate Ways*, ORLANDO BUSINESS JOURNAL, Sept. 26, 2003, at 3. Copy supplied.

Todd Pack, *Business Slump Hits Crowded Hotel Market*, ORLANDO SENTINEL, Apr. 29, 2002, at 14. Copy supplied.

Jack Snyder, *CNL Real Estate Empire Built on Careful Choices*, ORLANDO SENTINEL, Feb. 24, 2002, at H1. Copy supplied.

Mark Schlueb & David Damron, *Redoing Arena Doesn't Please All Downtown*, ORLANDO SENTINEL, July 11, 2001, at D1. Copy supplied.

Staff, *Downtown Development, Small Business Style*, FIRST MONDAY (Orlando, FL), Apr. 2001, at 18. Copy supplied.

Scott Maxwell, *Magic Quietly Backtrack on Arena*, ORLANDO SENTINEL, Apr. 13, 2001, at C1. Copy supplied.

Mel Martinez: A Promise Kept, ATO PALM, Spring 2001. Copy supplied.

Rob Gurwitt, *Mel Martinez: Up from Orlando*, GOVERNING, Feb. 2001, at 128. Copy supplied.

Jon Steinman, *Questions Fly Today for Martinez*, ORLANDO SENTINEL, Jan. 17, 2001, at A1. Copy supplied.

Curtis Krueger, *Bush Cabinet: Housing Nominee's Rise Began in Borrowed Home*, ST. PETERSBURG TIMES, Jan. 17, 2001, at 1A. Copy supplied.

Geraldine Baum, *The Presidential Transition: HUD Nominee Martinez Fills Several Bills*, L.A. TIMES, Dec. 21, 2000, at A32. Copy supplied.

Jon Steinman, *Storybook Life Adds Chapter*, ORLANDO SENTINEL, Dec. 20, 2000, at A12 (re-published in CHICAGO TRIBUNE on Dec. 21, 2000 and Ft. LAUDERDALE SUN-SENTINEL on Dec. 20, 2000). Copy supplied.

Dan Tracy, *With New Arena Unlikely, Magic Focus on Old One*, ORLANDO SENTINEL, Dec. 2, 2000, at A1. Copy supplied.

Jerry Jackson, *Popular Restaurateur Brings Island Fare to Downtown Hotel*, ORLANDO SENTINEL, Sept. 4, 2000, at 3. Copy supplied.

Gwyneth Shaw, *Beggar Limits Still Likely As Dreams Crystallize*, ORLANDO SENTINEL, July 19, 2000, at A1. Copy supplied.

Gwyneth Shaw, *Orlando Image Is Put to A Vote*, ORLANDO SENTINEL, July 17, 2000, at B1. Copy supplied.

Dan Tracy, *Downtown Blueprint Dazzles*, ORLANDO SENTINEL, June 16, 2000, at A1. Copy supplied.

Gwyneth Shaw, *Downtown Revival Limping*, ORLANDO SENTINEL, June 15, 2000, at D1. Copy supplied.

Tim Barker, *There's Lots of Room at the Inns*, ORLANDO SENTINEL, Apr. 9, 2000, at A1. Copy supplied.

Dan Tracy, *Gordy, Hood Vie for Power*, ORLANDO SENTINEL, Feb. 20, 2000, at A1. Copy supplied.

Dan Tracy, *Gordy To Run Against Hood*, ORLANDO SENTINEL, Nov. 1, 1999, at C1. Copy supplied.

Staff, *First Democrat Declares Bid for McCollum Seat*, CONGRESSDAILY, June 8, 1999. Copy supplied.

Michael Griffin, *Chapin Will Run For House*, ORLANDO SENTINEL, June 5, 1999, at D1 (quote re-published in ROLL CALL on June 10, 1999). Copy supplied.

Staff, *Back From The Dead?*, ORLANDO SENTINEL, May 10, 1999, at 1. Copy supplied.

Michael Griffin, *2nd Contender for McCollum Seat*, ORLANDO SENTINEL, May 6, 1999, at D3 (quote re-published in BULLETIN'S FRONTRUNNER on May 6, 1999). Copy supplied.

Catherine Hinman, *Convention Center Plan Stalls*, ORLANDO SENTINEL, May 4, 1999, at B1. Copy supplied.

Jack Snyder, *Downtown Orlando to Get Another Hotel*, ORLANDO SENTINEL, Apr. 29, 1999, at B1. Copy supplied.

Catherine Hinman, *Orange Feels Time Crunch on Expo*, ORLANDO SENTINEL, Apr. 20, 1999, at B1. Copy supplied.

Catherine Hinman, *Questions Surround Expo Proposal*, ORLANDO SENTINEL, Apr. 13, 1999, at B1. Copy supplied.

Pat Beall, *Question This*, ORLANDO BUSINESS JOURNAL, Apr. 1999. Copy supplied.

Tim Barker, *2003 Space Deadline Looms Over Expansion Committee*, ORLANDO SENTINEL, Mar. 29, 1999, at 10. Copy supplied.

Tim Barker, *Martinez Group Turns Eyes to Convention Center Plans*, ORLANDO SENTINEL, Feb. 20, 1999, at C9. Copy supplied.

Sherri Owens, *Billboard Companies Look for Signs of Compromise*, ORLANDO SENTINEL, May 3, 1998, at K1. Copy supplied.

Scott Newman, *Johnson Goes Out on Top*, TIMES UNION (Albany, NY), Nov. 6, 1997, at C1. Copy supplied.

David Ginsburg, *Angelos Apparently Close to Decision on Johnson*, ASSOCIATED PRESS, Nov. 4, 1997. Copy supplied.

Joe Strauss, *No Angelos Tip in O's 'Jump Ball,'* BALTIMORE SUN, Nov. 2, 1997, at 1C. Copy supplied.

Joe Strauss, *Gillick Tries To Close Gap in O's Rift*, BALTIMORE SUN, Oct. 31, 1997, at 1D. Copy supplied.

Mark Maske, *Johnson, Angelos Talk*, WASHINGTON POST, Oct. 31, 1997, at D01. Copy supplied.

Kevin Seifert, *Angelos, Johnson Talk by Phone*, WASHINGTON TIMES, Oct. 31, 1997, at B2. Copy supplied.

Joe Strauss, *Johnson: 'I'm Not a Quitter,'* BALTIMORE SUN, Oct. 30, 1997, at 1D (quote re-published by ASSOCIATED PRESS on Oct. 30, 1997). Copy supplied.

Mark Maske, *Johnson Likely to Resign or Be Fired*, WASHINGTON POST, Oct. 30, 1997, at B1. Copy supplied.

Kevin Seifert, *Angelos Still Undecided About Johnson*, WASHINGTON TIMES, Oct. 30, 1997, at B1. Copy supplied.

Thom Loverro, *Angelos Needs to Face Facts*, WASHINGTON TIMES, Oct. 30, 1997, at B6. Copy supplied.

Murray Chass, *Johnson Again Jousts With Orioles*, N.Y. TIMES, Oct. 29, 1997, at C8 (quote re-published by ASSOCIATED PRESS on Oct. 29, 1997). Copy supplied.

Mark Maske, *Angelos Might Fire Johnson Over Fine of Alomar*, WASHINGTON POST, Oct. 29, 1997, at C1. Copy supplied.

Kevin Seifert, *Johnson Asks O's for Contract Extension or Buyout*, WASHINGTON TIMES, Oct. 29, 1997, at B1. Copy supplied.

Staff, *Johnson Seeking New Deal or Buyout*, STAR LEDGER (NEWARK, NJ), Oct. 29, 1997, at 54. Copy supplied.

Staff, *Johnson's Demands*, ORLANDO SENTINEL, Oct. 29, 1997, at C8. Copy supplied.

Staff, *Orioles' Johnson Wants New Deal*, ASSOCIATED PRESS, Oct. 28, 1997. Copy supplied.

Joe Strauss, *Johnson: Extension or Buyout*, BALTIMORE SUN, Oct. 28, 1997, at 1D (quote re-published by ASSOCIATED PRESS and CAPITAL (Annapolis, MD) on Oct. 28, 1997). Copy supplied.

Joe Kilsheimer, *Teenagers Spin Web Into Cash, Business*, ORLANDO SENTINEL, Sept. 18, 1996, at B1. Copy supplied.

Paul Dillon, *Pixelstorm Brews at Edgewater High School*, ORLANDO BUSINESS JOURNAL, June 7, 1996, at 4. Copy supplied.

William Jordan, *Manufacturer of Auto Lift Kit Found Liable for Wrongful Death of 16 Year Old*, VERDICTS, SETTLEMENTS & TACTICS, June 1996, at 265. Copy supplied.

Alex Finkelstein, *Local Firm Wins \$3 Million Award in Suit Alleging Defective Truck Lift*, ORLANDO BUSINESS JOURNAL, May 3, 1996, at 5. Copy supplied.

Diane Rodgers, *2 Families Each Win \$1.5 Million*, Palatka Daily News, Mar. 29, 1996, at 1A. Copy supplied.

Mary Hladky, *The Art of the Argument*, Broward DAILY BUSINESS REVIEW, Feb. 23, 1996, at A10. Copy supplied.

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Debbie Salamone, *Victim or Predator? – Zink Jury Now Chooses*, ORLANDO SENTINEL, July 26, 1994, at C1. Copy supplied.

Tom Leithauser, *State Drops 2 Sex Charges Against Doctor*, ORLANDO SENTINEL, June 10, 1994, at A1. Copy supplied.

Debbie Salamone, *Doctor Accused of Misconduct Rebuked*, ORLANDO SENTINEL, Feb. 6, 1994, at B1. Copy supplied.

Tom Leithauser, *Deal Would End State's Case Against Doctor*, ORLANDO SENTINEL, Feb. 3, 1994, at A1. Copy supplied.

Editor, *Pit Embankment Collapses: Attractive Nuisance: Failure to Fence, Post Warnings: Wrongful Death: Postverdict Settlement*, ATLA LAW REPORTER, Sept. 1993. Copy supplied.

Derek Catron, *Burnell, Klusman Eyeing Stetson Job*, ORLANDO SENTINEL, Mar. 4, 1993, at D4. Copy supplied.

Derek Catron, *Job-Seekers Flood Hatters*, ORLANDO SENTINEL, Mar. 9, 1993, at C3. Copy supplied.

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Jerry Crasnick, *Cincinnati Reds*, SPORTING NEWS (Baltimore, MD), Nov. 2, 1992, at 22. Copy supplied.

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John Erardi, *Reds May Add 7th Candidate*, CINCINNATI ENQUIRER, Oct. 23, 1992. Copy supplied.

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John Fay, *Davey Johnson On Call—Waiting for Reds*, CINCINNATI ENQUIRER, Oct. 11, 1992. Copy supplied.

Janet Graham, *The Manager's Special: Ex-Met Johnson Contacts Reds*, CINCINNATI POST, Oct. 9, 1992, at 1C. Copy supplied.

Jill J. Spitz, *Family May Never See Payment in Boy's Death*, ORLANDO SENTINEL, Sept. 20, 1992, at 1. Copy supplied.

Jill J. Spitz, *\$1.25 Million Awarded in Boy's Death*, ORLANDO SENTINEL, Sept. 4, 1992, at 1. Copy supplied.

Beth Levenson, *Jury Finds City at Fault for Death*, DAILY COMMERCIAL (Lake County), Sept. 4, 1992, at A1. Copy supplied.

Beth Levenson, *Trial Opens With Fingers Pointing*, DAILY COMMERCIAL (Lake County), Aug. 28, 1992, at B1. Copy supplied.

Allen Bartlett, *Trial Begins in Boy's Death at Borrow Pit*, ORLANDO SENTINEL, Aug. 28, 1992, at 1. Copy supplied.

Jim Runnels, *Parents Sue City in Pit Death*, ORLANDO SENTINEL, Feb. 20, 1991, at 1. Copy supplied.

Adam Yeomans, *Next Witness: Computer Animation*, ORLANDO SENTINEL, Jul 1, 1990, at D1. Copy supplied.

Michael Griffin, *Orange Will Write Rule on Car Rentals*, ORLANDO SENTINEL, May 22, 1990, at B1. Copy supplied.

Mike Oliver, *6 Remain in the Running for Spot on Appeal Court*, ORLANDO SENTINEL, Oct. 12, 1989, at C4. Copy supplied.

Susan Beck, *Disney's In-House Team: Flexing Mickey's Muscle*, THE AMERICAN LAWYER, Sept. 1989, at 7. Copy supplied.

Shirish Date, *New Judges Will Help Ease Heavy Appeal Caseload*, ORLANDO SENTINEL, Sept. 18, 1989, at B3. Copy supplied.

Harry Straight, *Judge Cuts Award in Lawsuit; Case Stems from 2 Ironworkers Injured in 1985*, ORLANDO SENTINEL, Aug. 7, 1989, at 13. Copy supplied.

Lynne Bumpus-Hooper, *Panel Nominates 3 to Fill New Slot on Appeal Court*, ORLANDO SENTINEL, Oct. 1, 1998, at D8. Copy supplied.

Lynne Bumpus-Hooper, *Judgeship Attracts 10 Candidates*, Orlando Sentinel, Sept. 17, 1988, at B1. Copy supplied.

Shanna Flowers, *Jury Decides on \$1.5 Million Award*, ORLANDO SENTINEL, June 11, 1988, at D3. Copy supplied.

Shanna Flowers, *Trial to Find Role of Officer*, ORLANDO SENTINEL, May 31, 1988, at 1. Copy supplied.

Editor, *Mining Accident: Negligence in Testing Equipment: Failure to Warn, Install Warning Device: Finger Amputation: Jury Verdict*, ATLA LAW REPORTER, Oct. 1987. Copy supplied.

Terry Osinski, *2-Year-Old's Spirit Heals Fire's Wounds*, ORLANDO SENTINEL, Jan. 23, 1987, at C1. Copy supplied.

Editor, *Truck Owner, Driver Liability: Negligent Maintenance: Stretch Trailer Closes and Traps Man Beneath Frame: Head Injuries*, ATLA LAW REPORTER, Nov. 1986. Copy supplied.

Editor, *Truck Rollover: Front Wheel Falls Off Truck: Owner Liability: Tire Repair Company Liability: Passenger's Quadriplegia: Settlement*, ATLA Law Reporter, Oct. 1986. Copy supplied

Dan Tracy, *Trial Blitz Helps But Backlog of Federal Cases Still Growing*, ORLANDO SENTINEL, July 30, 1986, at D3. Copy supplied.

Dan Tracy, *Jurors Give \$1 Million to Trailer Victim*, ORLANDO SENTINEL, July, 26, 1986, at D1. Copy supplied.

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

I have not held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment?
- i. Of these, approximately what percent were:

jury trials:	_____ %
bench trials:	_____ %

civil proceedings: _____ %
criminal proceedings: _____ %

- b. Provide citations for all opinions you have written, including concurrences and dissents.
 - c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
 - d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.
 - e. Provide a list of all cases in which certiorari was requested or granted.
 - f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.
 - g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.
 - h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
 - i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.
14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not served as a judge.

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

15. Public Office, Political Activities and Affiliations:

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

In 1992, I was appointed by Orlando Mayor Glenda Hood to serve as a member of Orange County Library System Board of Trustees, on which I served until 1994.

On December 31, 1993, I was appointed by Orlando Mayor Glenda Hood to the City of Orlando Municipal Planning Board. I served from December 31, 1993 until July 7, 1998, during which time I was Vice Chair from August 15, 1995 until July 16, 1996 and Chairman from August 20, 1996 until September 16, 1997.

In 1998, I was appointed to serve as Chairman of the Orange County Convention Center Expansion Task Force by Orange County Chairman Mel Martinez. I served until 1999.

In 2000, I was appointed to serve as a member of the Central Florida Tourist Development Council by Orange County Mayor Richard Crotty. I served until 2002.

I have not held any elected public office. I have had no unsuccessful candidacies for elective 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 a paid position with any political campaign organization or political entity. Over the past 20 years, I have volunteered for various activities and fund-raising events on behalf of candidates for elected office. I served as Central Florida Finance Chair for the Bill McBride for Governor Campaign in 2002; Co-Finance Chair for the Campaign of Richard Crotty for Re-election as Orange County Mayor; Campaign Finance Committee Member for Linda Chapin for Congress in 2000; Campaign Finance Committee Member for my former law partner, Mel Martinez in his campaign for U.S. Senate in 2004; Campaign Finance Committee Member for Buddy Dyer, Candidate for Mayor of Orlando in 2008; Campaign Finance Committee Member for Bill Nelson for U.S. Senate in 2000 and 2006; and Central Florida Finance Committee Member for Obama for America/Obama Victory Fund in 2007 and 2008.

After a careful search of my records and publicly available Internet sources, I am unable to locate any other information which might be responsive. I have from time to time made political contributions or attended fundraising functions for various candidates for political office and may have been considered a member of a "finance committee", but I cannot recall any other than those listed here.

I have not served in any elected or appointed positions with any political party.

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

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

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

I did not serve as a clerk to a judge upon graduation from law school.

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

I practiced law alone from 1982 to 1985 as Roy B. Dalton, Jr., P.A., located at 17 East Pine Street, Orlando, Florida 32804.

From 1999 until 2001, I again practiced law alone as the Dalton Law Firm, located at 715 Vassar Street, Orlando, Florida 32804.

- 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.

1977 – 1982

Dean, Ringers, Morgan & Lawton, P.A.

200 East Robinson Street

Orlando, Florida 32801

Associate (1977 – 1980)

Principal (1980 – 1982)

1982 – 1984

Roy B. Dalton, Jr., P.A.

17 East Pine Street

Orlando, Florida 32802

Principal

1984 – 1987

Hurt, Parrish & Dalton, P.A.

1000 East Robinson Street

Orlando, Florida 32802

Principal

1987 – 1989

Dalton & Provencher, P.A.

17 East Pine Street

Orlando, Florida 32801

Principal

1989 – 1998

Martinez, Dalton, Dellecker, Wilson & King, P.A.

(f/k/a Martinez & Dalton, P.A. & Martinez, Dalton & Provencher, P.A.)

719 Vassar Street

Orlando, Florida 32804

Principal

1999 – 2001

Roy B. Dalton, Jr., P.A. (Dalton Law Firm)

715 Vassar Street

Orlando, Florida 32804

Principal

1999 – 2001

Gray, Harris & Robinson, P.A.

300 East Pine Street, Suite 401

Orlando, Florida 32801

Of Counsel

2001 – 2003
Dalton & Paul, P.A.
720 Rugby Street, Suite 100
Orlando, Florida 32804
Partner

2003 – Present
Dalton & Carpenter, P.A.
720 Rugby Street, Suite 120
Orlando, Florida 32804

2004 – Present
The Carlyle Appellate Law Firm
20 La Grande Boulevard
The Villages, Florida 32159
Of Counsel

2005 – 2006
United States Senate
317 Hart Senate Office Building
Washington, D.C. 20510
Counsel to United States Senator Mel Martinez

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

I have not served as a mediator or arbitrator.

b. Describe:

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

During my first five years of practice (1977 to 1982), I worked almost exclusively in the area of insurance defense trial practice. I represented various insurance companies in the defense of claims for personal injury and wrongful death. From 1982 until 1998 my primary area of practice was the representation of plaintiffs with claims for personal injury and/or wrongful death. From 1999 to present, my practice has been slightly more diverse, including civil litigation, governmental relations, appellate practice, and business practice primarily representing individuals. From time to time, I have served as counsel to professionals such as physicians, attorneys, professional athletes, and members of the clergy who required professional legal advice on various matters. For the past seven years I

have been associated in the practice of law with my close friend Darrell Carpenter.

In 1999, I reduced the scope of my trial practice to pursue a real estate opportunity and developed a 167-room Embassy Suites Hotel in downtown Orlando. That project was completed in October of 2000 and was operated by a real estate management company that I formed. The hotel project was sold in February 2007. I have also developed two smaller commercial office projects as an adjunct to my law practice.

In addition to my Orlando trial practice, in 2004 I became Of Counsel with The Carlyle Appellate Law Firm located in Lake County, Florida, where I handle appellate matters.

From May 2005 until January 2006, I served as counsel to United States Senator Mel Martinez in his Washington, D.C. office. In that capacity, I was responsible for a wide range of duties including overseeing personnel, reviewing substantive correspondence, composing military bereavement letters, drafting and reviewing proposed legislation, ensuring office compliance with Senate Ethics Rules, preparing briefings on various nominations and committee hearings, and the preparation of a Strategic Plan.

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

My typical clients include individuals or families who have suffered a loss due to the negligence of others, as well as professionals, individuals, and businesses who are engaged in litigation and require personal counsel to represent their interests when there may be questions regarding the availability or adequacy of insurance proceeds. I have also represented from time to time professionals and individuals who are, or may be, involved in litigation or who have business disputes or potential claims which arise as a result of their practice or business operations. My appellate practice clients are varied as are the types of issues and areas of law, ranging from inverse condemnation proceedings to constitutional issues to real estate boundary disputes.

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

My practice has been almost entirely litigation. I have appeared in court frequently throughout my practice.

i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 15% |
| 2. state courts of record: | 80% |
| 3. other courts: | 2% |
| 4. administrative agencies: | 3% |

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.

Over the course of my career, I have tried to verdict approximately 75 cases in which I was sole counsel. There are a number of cases early in my career that I tried as associate counsel or second chair, but I have no accurate records to ascribe a particular number.

i. What percentage of these trials were:

- | | |
|--------------|-----|
| 1. jury: | 95% |
| 2. non-jury: | 5% |

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:

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

1. St. John v. American Motors Corp., Ninth Judicial Circuit Court of Florida (Hon. Cecil Brown (deceased))

This matter involved two young men who were horribly burned when the 1974 AMC Ambassador in which they were riding was struck from behind by a tractor-trailer on Interstate 4 in Orlando, Florida. The victims sued both AMC raising product liability claims, and the driver of the tractor-trailer and his employer, raising negligence claims. I assisted in the defense of both the driver of the tractor-trailer and his employer. This case was very significant at the time it was tried because of the complexity of the product liability claims and the issues regarding contribution and indemnity among the various parties. In early 1981, the matter proceeded to trial. My clients' claims were ultimately settled during jury deliberations and a verdict was rendered against AMC in favor of both plaintiffs.

Co-counsel: Goble D. Dean (deceased).

Opposing counsel: David King, Esq., P.O. Box 1631, Orlando, Florida 32802, Tel. (407) 422-2472; Fred Peed, Esq., 836 South Lake Adair Boulevard, Orlando, Florida 32804 (407-425-5653); Alan Grant (deceased); and Monroe McDonald (deceased).

2. Florida v. Zink, Case No. 94-1913; Ninth Judicial Circuit Court of Florida (Hon. Alice Blackwell White)

This well-publicized case involved an Orlando pediatric orthopedic surgeon who was alleged to have taken inappropriate clinical photographs of his young male patients. I served as co-counsel, representing Dr. Zink during the trial in 1994. I handled the examination and cross-examination of all medical witnesses and conducted the closing arguments. At the conclusion of a five-week trial, the jury returned a verdict acquitting my client on all charges.

Co-counsel: James Russ, 18 West Pine Street, Orlando, Florida 32801, Tel. (407) 849-6050; Kirk Kirkconnell, P.O. Box 2728, Winter Park, Florida 32790, Tel. (407) 644-7600.

Opposing counsel: Robin Wilkerson, last known address, c/o Orange County State Attorney's Office 250 North Orange Avenue, Orlando, Florida 32802, Tel. (407) 836-2400; Willie G. May, 627 Plumwood Drive, Altamonte Springs, Florida 32714, Tel. (407) 774-3305.

3. Fitzgerald v. City of Mount Dora, Case No. 91-391-CA-01, Fifth Judicial Circuit Court of Florida (Hon. Jerry Lockwood.)

This case involved the wrongful death of an 11-year-old boy, Troy Fitzgerald, who suffocated when the bank of a sand retention pit behind his home collapsed as he was playing with his younger sister. I represented the parents, as lead counsel, in an action against the City of Mount Dora, the owner of the pit, the construction company who built

the pit, and the engineers who had designed it. There were complex legal issues involved in this case regarding liability and sovereign immunity. At trial in 1992, a jury returned a verdict in favor of our clients in the amount of approximately \$1.3 million dollars, which was reported to be the largest jury verdict for the death of a child in Lake County, Florida. The jury also rejected the defense of comparative fault on the part of the parents based on a claim of negligent supervision of their child. The summation that I delivered in this case was later included in a Continuing Legal Education audio series entitled, "The Masters Series."

Co-Counsel: Mel R. Martinez, 450 South Orange Avenue, Suite 250, Orlando, Florida 32801, Tel. (407) 718-8168

Opposing Counsel: Yates Rumbley, 2627 Rose Isle Circle, Orlando, Florida 32803, Tel. (407) 463-3866; David Corso, P.O. Box 712, Orlando, Florida 32802, Tel. (407) 843-2111; Jon Derrevere, 2005 Vista Parkway, Suite 210, West Palm Beach, Florida 33411, Tel. (561) 684-3222; Bob Jack, 201 East Pine Street, Suite 1500, Orlando, Florida 32801, Tel. (407) 839-0120.

4. Judy v. Tri-State Motor Transit Co., Case No. 84-588-CIV-ORL, United States District Court for the Middle District of Florida (Hon. Patricia Fawsett), reported at 844 F.2d 1496 (11th Cir. 1988).

This case involved a trucker who suffered massive head injuries when he stopped to help another driver. There was a significant legal issue as to whether plaintiff was a co-employee of the other driver, as they were both under contract to the same trucking company. I was lead counsel for the plaintiff. After trial in July 1986, the jury returned a verdict in favor of my client in the amount of \$1.8 million dollars, reduced to \$1.134 million for comparative fault. Despite having previously denied a motion for summary judgment, the trial court entered judgment notwithstanding the verdict because the plaintiff was deemed to be a co-worker of the other driver, as they were both under contract to the same trucking company. In addition to being trial counsel, I also briefed and argued the case on appeal before the Eleventh Circuit Court of Appeals. This case was significant in that it raised complex federal issues related to choice of laws and immunity from tort claims arising in the context of an employment relationship.

Opposing counsel: Yates Rumbley, 2627 Rose Isle Circle, Orlando, Florida 32803, Tel. (407) 463-3866.

5. Faulk v. Superior Industries, Case No. 94-5013-CA 53, Seventh Judicial Circuit Court of Florida (Hon. Stephan L. Boyles), reported at Superior Industries v. Faulk, 695 So.2d 376 (Fla. Dist. Ct. App. 1997).

In this case, 16-year-old Bucky Faulk purchased and installed an after-market automotive product manufactured by Superior Industries, Inc. to convert his truck into a high rider. Investigation and discovery revealed that the lift blocks were made from a cheap pop metal that was prone to fail when stressed. When the left front lift block fractured on the

evening of April 28, 1993, Faulk lost control of his vehicle and died in the ensuing accident. His friend, Michael Hopper, suffered life-changing injuries. I served as lead counsel for the plaintiffs.

Combined claims for death and personal injury were brought against the manufacturer and retailer. Numerous procedural complexities developed during the course of the trial in this multi-party products litigation, not the least of which was an irregularity involving a juror who saw portions of a televised special showcasing these products the night before closing arguments. After a lengthy trial in February 1996, a jury returned a verdict favorable to the plaintiffs. The action was subsequently settled after the Court of Appeals remanded for a new trial.

Co-counsel: Yvonne Yegge, 1101 Wilkinson Street, Orlando, Florida 32803, Tel. (407) 592-0179.

Opposing counsel: Robert Bonner, 260 Wekiva Springs Road, Suite 2000, Longwood, Florida 32779, Tel. (407) 872-7774.

6. Byrd v. Lohr, Case No. 83-2376-CA-10-P, Seventh Judicial Circuit Court of Florida (Hon. Joseph Davis, Jr.), reported at 488 So. 2d 138 (Fla. Dist. Ct. App. 1986); Lohr v. Byrd, 522 So. 2d 845 (Fla. 1988).

This case involved a claim for personal injury arising from an automobile accident in which the defendant driver was intoxicated and died as a consequence of injuries sustained in the crash. I served as lead counsel for the plaintiff for trial and on appeal. After trial in November 1984, the jury awarded both compensatory damages and punitive damages against the estate of the defendant driver. After a remittitur by the trial court, the Fifth District Court of Appeals affirmed the award of punitive damages against the estate. The Florida Supreme Court reversed, ruling that punitive damages are not permitted against the estate of a deceased tortfeasor. This was an issue of statewide application and was of significance to both the plaintiff and defense bar.

Opposing counsel. Stephan W. Carter, c/o Orange County Civil Courts Building, Room 330, Orlando, Florida 32801, Tel. (407) 836-2087.

Richard A. Sherman, 1777 South Andrews Avenue, Suite 302, Ft. Lauderdale, Florida 33316, Tel. (954) 525-5885.

7. Allen v. Haines City, Case No. 86-1356, Tenth Judicial Circuit Court of Florida (Hon. Dennis P. Maloney), reported at City of Haines City v. Allen, 509 So. 2d 982 (Fla. Dist. Ct. App. 1987).

This matter arose out of a high-speed pursuit by a police officer resulting in a collision that killed 3 innocent bystanders and seriously injured a fourth. I was lead counsel for the plaintiff. After a two-week trial in June 1988, the jury returned a verdict in favor of all plaintiffs. Subsequent to the verdict, we successfully lobbied the Florida Legislature

for the passage of a claims bill to provide compensation to my client and his family and the estates of the three victims who died. Claims bills are rarely successful and this was a significant victory on behalf of these families.

Co-Counsel: Henry Valenzuela, 100 North Tampa Street, Suite 1825, Tampa, Florida 33602, Tel. (813) 272-1000.

Opposing counsel: Sid Crawford, P.O. Box 5947, Lakeland, Florida 33807, Tel. (863) 644-8929; Louis Williams, P.O. Box 2836, Lakeland, Florida 33806, Tel. (813) 682-8492.

8. Schmidt v. Builder's Shoring & Scaffolding Equip. Co., Ninth Judicial Circuit Court of Florida (Hon. Cecil Brown (deceased)), reported at Builder's Shoring & Scaffolding Equip. Co. v. Schmidt, 411 So. 2d 1004 (Fla. Dist. Ct. App. 1982).

I served as counsel for the defendant scaffolding company in this case, which involved personal injury from scaffolding collapse. The case involved fairly complicated issues relating to product liability law, proximate causation, contribution and indemnity. After trial in November 1980, the jury returned a verdict in favor of the plaintiff. On appeal, the Court of Appeals reversed the verdict on the grounds that the evidence was insufficient, as a matter of law, to sustain a verdict based on strict liability and that the verdict as rendered was inconsistent.

Opposing counsel: James C. Fisher, 658 Glades Circle, Apartment 112, Altamonte Springs, Florida 32714, Tel. (407) 869-9389.

9. Lunsford v. W.R. Grace, Case No. GCG 85-3347, Tenth Judicial Circuit Court of Florida (Hon. John Dewell).

I represented the plaintiff in this case, who was a millwright who lost most of the fingers on his dominant hand in an industrial accident at a phosphate mine. After trial in June 1987, the jury returned a verdict of \$1.01 million dollars. Although the trial court later reduced the verdict to approximately \$500,000, the case was significant because it demonstrated the need for certain changes in the mining workplace which, if implemented, would result in a much safer work environment for all employees. These safety features (including better visibility for placement of rail car on/off switches) were later instituted.

Opposing Counsel: Don Jacobsen, who has since been appointed to the Circuit bench in Polk County. P.O. Box 9000, Bartow, Florida 33831, Tel. (863) 534-4649.

10. Fallen v. Black, Case No. 87-896-CIV-ORL-19, United States District Court for the Middle District of Florida; (Hon. Robert Mehri (visiting)), reported at Black v. Fallen, 920 F.2d 778 (11th Cir. 1991).

This case involved two young ironworkers, one of whom lost an arm and the other suffered back injuries in an industrial accident that occurred during the erection of a power plant in Orlando. I served as lead counsel for both plaintiffs, both at trial and subsequently on appeal. After trial in June 1989, the jury found in favor of the plaintiffs on liability and awarded damages of \$2.75 million dollars, reduced by 50% for comparative fault. The Eleventh Circuit Court of Appeals later affirmed.

Opposing counsel: Lora Dunlap (deceased); John Briggs (trial), 600 Highland Avenue, Windermere, Florida 34786, Tel. (407) 876-1708; John Fisher (appeal), 20 North Orange Avenue Suite 1500, Orlando, Florida 32802 Tel. (407) 843-2111.

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.)

The most significant legal activity I have pursued in the commercial business arena included resolving major business and estate issues among the survivors of a large multi-million-dollar closely-held Florida corporation. Following the death of the founder, a series of disputes arose amongst the surviving family members over the control of day-to-day operations of one of the largest closely-held retail distributors of alcoholic beverages in the nation. I represented the controlling family interest and ultimately prevailed in developing a resolution that allowed them to continue to operate the statewide business of the company and to subsequently set aside provisions of a trust agreement which provided that operations be conducted by an unwieldy three-party group of trustees. This representation was significant because it involved resolution of a business dispute among family members that had the potential to destroy an extremely successful business, together with family relationships, if not settled in an amicable way. The stakes were high in both monetary and emotional terms. The legal issues were complex, ranging from planning for estate taxes, gifting issues, probate and trusts and claims of breach of fiduciary duty among corporate officers and directors. My responsibility as lead counsel included negotiation, identification of significant legal and business issues, assembling a team of professionals including tax and estate specialists, business valuation experts and providing overall coordination of the work product and input of each.

In the product liability arena, I represented two young children who suffered serious brain injuries when their rear seat belts malfunctioned in an automobile accident which also killed their father. A product liability action was instituted against Chrysler for deficiencies in the design of the rear seat restraint mechanism of the 1986 Jeep Cherokee. This was product liability litigation at its most intense level. The defendants were represented by excellent lawyers with significant experience in the defense of automotive design defect cases. After significant discovery and expenditure of time and money we reached a multimillion dollar settlement of the claims due in no small measure to the

enormous amount of investigative and pretrial preparation. Shortly after this case was resolved, the children's mother was diagnosed with a malignant brain tumor. Without these funds, the long-term fate of these children would be in serious jeopardy.

From May of 2005 to January 2006, I took a leave of absence from my law practice to work in the United States Senate as counsel to United States Senator Mel Martinez. Sen. Martinez had been my law partner for 10 years before he entered public service. During my tenure in the Senate my duties were wide ranging. I worked closely with the Chief of Staff, Senior Director, and all of the legislative assistants and correspondents. I reviewed all requests for co-sponsorship of legislation, drafted and reviewed proposed legislation, drafted all military bereavement correspondence and provided advice and direction on compliance with Senate Ethics Rules. I also prepared the briefing packages and background research for the Senator on the nomination of John Roberts to be Chief Justice of the United States and Samuel Alito to be Associate Justice of the Supreme Court of the United States. I prepared the Senator for his personal interview with these nominees and participated in both interviews.

Beginning in 1993, I represented Major League Baseball manager Davey Johnson in a series of contract negotiations with the Cincinnati Reds, the Baltimore Orioles, and the Los Angeles Dodgers (and in related media contracts). Johnson had led the New York Mets to a World Series victory over the Boston Red Sox in 1986.

Lobbying Activities

In 2000, I represented Highwood Properties, a real estate investment trust, in connection with its effort to secure an agreement with the Orange County government to develop a high-rise office building in downtown Orlando. I met with staff members of the Orange County government to assess the space needs of county administration and their current office space/facility location and leasing expense. I also met with various county commissioners to explore their views on the need for consolidating government office space.

In 2009, I represented Schuff Steel International in connection with its interest in a competitive bid for the steel contract associated with the construction of the new arena in downtown Orlando for the Orlando Magic. I had numerous contacts with the project manager for the Orlando Magic. Schuff was ultimately awarded the contract.

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.

I have no plans, commitments, or agreements to pursue outside employment, with or without compensation during my service with the court if confirmed.

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.

In confirmed, I would initially be conflicted from any case in which my current law partner appears. Because he practices almost entirely in state court, a conflict for this reason will be extremely rare. While I would carefully review each case for a conflict or appearance of a conflict of interest, I do not anticipate any other conflicts upon becoming a judge.

- 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 handle all matters involving actual or potential conflicts through the careful and diligent application of the Code of Conduct for United States Judges as well as other relevant Canons and statutory provisions.

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.

At the request of the Association of Trial Lawyers, beginning in March 2003, I represented a local Orlando woman before the Victims Compensation Fund and Special Master in connection with the loss of her daughter in the collapse of the World Trade Center. This case required a significant commitment of time.

From 1998 to 2007, I served pro bono as Chancellor of the Cathedral Church of St. Luke and represented the Church as its general counsel in all types of legal matters including the acquisition of two large parcels of real estate adjacent to the church property. Time expended in connection with this representation averaged 10 to 15 hours per month for a period of ten years.

For the first 20 years of my practice, I accepted two pro bono cases per year as part of the Orange County Bar Legal Aid Offices. I served primarily as guardian ad litem to children in the juvenile justice system who were victims of abuse or neglect or otherwise in need of counsel. These cases were varied in terms of time and effort required.

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.

I met with White House Counsel Gregory Craig on May 5, 2009, in follow-up to an application I had submitted in October 2007 to the Florida Federal Judicial Nominating Commission.

On May 20, 2009, I submitted an application to the 55 members of a newly constituted Florida Federal Judicial Nominating Commission, commissioned by Senator Nelson in connection with this vacancy. On July 21, 2009, I interviewed with the Middle District Conference of the Judicial Nominating Commission in Orlando. On July 23, 2009, I was notified by the Judicial Nominating Commission that my name, along with two others, was being submitted to Senators Nelson and Martinez. On August 1, 2009, I interviewed with Senator Nelson and Senator Martinez at Senator Nelson's Orlando office. Subsequently,

Senator Nelson notified me that he was submitting my name, along with two others, to the White House for consideration in connection with the nomination.

On April 2, 2010, I received a call from Senator Nelson's office and was told to expect a call from the Department of Justice. Since April 6, 2010, I have been in contact with pre-nomination officials at the Department of Justice. I interviewed in Washington, D.C., with attorneys from the White House Counsel's Office and the Department of Justice on May 13, 2010. The President submitted my nomination to the Senate on November 17, 2010.

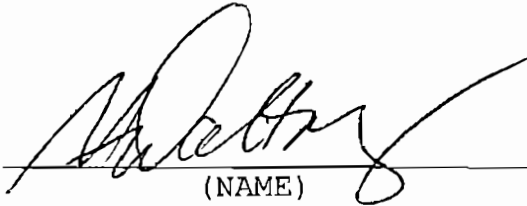
- b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

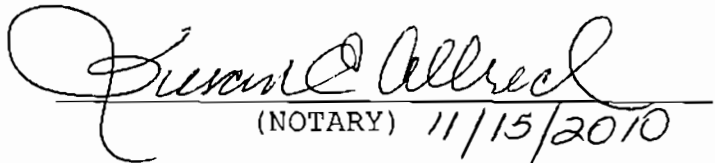
No.

AFFIDAVIT

I, **ROY BALE DALTON, JR.**, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

Nov 15, 2010
(DATE)


(NAME)


(NOTARY) 11/15/2010



DALTON & CARPENTER, P.A.

A PROFESSIONAL ASSOCIATION OF LAWYERS

DARRELL F. CARPENTER

TRIAL PRACTICE, PERSONAL INJURY, WRONGFUL DEATH

ROY B. DALTON, JR.

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REPLY TO:

POST OFFICE BOX 540116

ORLANDO, FLORIDA 32854-0116

January 5, 2011

The Honorable Patrick J. Leahy
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

I have reviewed the Senate Questionnaire I previously filed in connection with my nomination on November 17, 2010 to be United States District Judge for the Middle District of Florida. Incorporating the information listed below, I certify that the information contained in my prior submissions, is to the best of my knowledge, true and accurate.

- Membership in Florida Justice Association (formerly Academy of Florida Trial Lawyers) ended 10/14/09 (Question 9).
- I resigned from membership at Sage Valley Golf Club effective 01/01/11 (Question 11).

I am also forwarding an updated Net Worth Statement and Financial Disclosure Report as requested in the Questionnaire. I thank the Committee for its consideration of my nomination.

Sincerely,


ROY BALE DALTON, JR.

RBD/sa
Enclosures

cc: The Honorable Charles E. Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510