

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Ronald George Russell

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

United States District Judge for the District of Utah

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

Parr Brown Gee & Loveless
101 South 200 East, Suite 700
Salt Lake City, Utah 84111

Residence: Centerville, Utah

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

1957; Ogden, Utah

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

1980 – 1983, University of Utah School of Law; J.D. (*Order of the Coif*), 1983

1975 – 1976, 1979 – 1980, Weber State College; B.A. (*cum laude*), 1980

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.

1983; 1984 – present
Parr Brown Gee & Loveless
101 South 200 East, Suite 700

Salt Lake City, Utah 84111
President (2009 – 2010)
Shareholder (1988 – present)
Associate (1984 – 1988)
Law Clerk (1983)

1998 – 2001; 2006 – 2013
Centerville City, Utah
250 North Main Street
Centerville, Utah 84014
City Council Member (1998 – 2001)
Mayor (2006 – 2013)

1984
United States District Court for the District of Utah
351 South West Temple
Salt Lake City, Utah 84101
Law Clerk for United States District Judge David K. Winder

1982 – 1983
University of Utah School of Law
383 South University Street
Salt Lake City, Utah 84112
Research Assistant to Law Professors Donald Zimmerman and Edwin Firmage

Summer 1982
Van Cott Bagley Cornwall & McCarthy
Now defunct
Salt Lake City, Utah
Law Clerk

Summer 1981
Cook United, Inc.
Now defunct
Cleveland Heights, Ohio
Hardware Distribution Warehouseman

Summer 1980
Ogden City Corp.
2549 Washington Boulevard
Ogden, Utah 84401
Administrative Assistant

Other Affiliations (uncompensated):

2009 – present

CenterPoint Legacy Theatre
525 North 400 West
Centerville, Utah 84014
Board Member (2009 – present)
Board Chair (2013 – present)

2009 – 2013
Davis Center for the Performing Arts Administrative Control Board
250 North Main Street
Centerville, Utah 84014
Board Chair

2006 – 2013
Davis County Utah Council of Governments
61 South Main Street, Room 304
Farmington, Utah 84025
Board Member

2006 – 2013
South Davis Metro Fire Agency
255 South 100 West
Bountiful, Utah 84010
Board Member (2006 – 2013)
Board Chair (2007)
Board Vice-Chair (2006)

2006 – 2013
South Davis Recreation District
550 North 200 West
Bountiful, Utah 84010
Board Member (2006 – 2013)
Board Chair (2010)
Board Vice-Chair (2009)

2006 – 2010
Wasatch Integrated Waste Management District
1997 East 3500 North
Layton, Utah 84041
Control Board Member

2000 – 2005
Salt Lake Family Support Center
1760 West 4805 South
Taylorsville, Utah 84129
Board Member

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 did not serve in the U.S. Military and did not register for selective service as registration was not required.

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.

Named Best Lawyers' Salt Lake City Litigation – Construction “Lawyer of the Year” (2015)

Named Best Lawyers' Salt Lake City Insurance “Lawyer of the Year” (2015)

Recognized by Benchmark Litigation in the areas of Commercial Litigation and Real Estate Law (2012 – 2015)

Listed in Best Lawyers in America editions (2008 – 2015)

Mountain States Super Lawyers (2007 – 2015)

Recognized as one of Utah's “Legal Elite” in business litigation, Utah Business Magazine (2006 – 2015)

Best Lawyers, “Lawyer of the Year” in Litigation – Land Use & Zoning (2013)

Martindale-Hubbell AV Rating (1998 – present)

Order of the Coif (1983)

William H. Leary Scholar, University of Utah (1982 – 1983)

Marriner S. Eccles Graduate Fellowship (1982 – 1983)

Utah Law Review

Managing Editor (1982 – 1983)

Staff Member (1981 – 1983)

American Jurisprudence Award – Administrative Law, University of Utah (1983)

American Jurisprudence Award – Constitutional Law, University of Utah (1982)

Phi Kappa Phi Honor Society, Weber State College (1979 – 1980)

Big Sky Conference First Team, Track and Field (1980)

Big Sky Conference Scholar/Athlete Award (1980)

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 (1983 – present)

Real Property, Trust and Estate Law Section (1998 – present)

Real Property Litigation and Alternative Dispute Resolution Committee (1998 – approximately 2005)

Litigation Sub-Committee Chair (1998 – approximately 2005)

American Inns of Court, Aldon J. Anderson Chapter (2003 – present)

Master of the Bar (2007 – present)

Barrister (2003 – 2007)

American Trial Lawyers Association (now the American Association for Justice) (1983 – 2004)

Salt Lake County Bar Association (1983 – present)

Utah Judicial Conduct Commission (2004 – 2012)

Member (2004 – 2012)

Chair (2009 – 2012)

Utah State Bar Association (1983 – present)

Real Property Section (1990 – present)

Litigation Section (1995 – present)

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

Utah, 1983

There has been no lapse in membership.

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

United States Court of Appeals for the Tenth Circuit, 2010
United States District Court for the District of Utah, 1983
Utah Supreme Court, 1983

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.

CenterPoint Legacy Theatre
Board Member (2009 – present)
Board Chair (2013 – present)

Davis County Utah Council of Governments
Board Member (2006 – 2013)

Envision Utah, Steering Committee Member (2006 – 2012)

Rodgers Memorial Theatre
Performer and Volunteer (2001 – 2006)

Salt Lake Family Support Center
Board Member (2000 – 2005)

Salt Lake Winter Olympic Games
Men's Downhill Course Crew (2002)

South Davis Metro Fire Agency
Board Member (2006 – 2013)
Board Chair (2010)
Board Vice-Chair (2006)

South Davis Recreation District
Board Member (2006 – 2013)
Board Chair (2010)
Board Vice-Chair (2009)

Utah League of Cities and Towns Delegate (2006 – 2013)
Legislative Policy Committee (2006 – 2012)

Viewmont High School Hockey Club
Volunteer (2006 – 2011)

Wasatch Front Regional Council (2006 – 2010)
Davis County Delegate (2006 – 2010)
TransCom Committee (2009 – 2010)

Wasatch Integrated Waste Management District Control Board
Board Member (2006 – 2010)

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

To the best of my knowledge, none of the organizations listed above 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.

As Mayor of Centerville City from 2006 to 2013, I wrote the "Mayor's Message" that appeared in each issue of the Centerville City Newsletter. Copies are available at <http://www.centervilleut.net/administration.newsletters.html>.

Endorsement Message for Paul Cutler for Mayor of Centerville (2013). Copy supplied.

Letter to the Residents of Centerville Endorsing Paul Cutler for Mayor (October 10, 2013). Copy supplied.

With Mayors Steve Curtis, Dennis Fife, Roger Fridal, and Jerry Nelson, *Letter to the Editor: The Responsible Way Forward for UTOPIA*, Ogden Standard-Examiner (April 23, 2010). Copy supplied.

Campaign Statement and Biography for Centerville City Website and Newsletter

(2009). Copy supplied.

Letter to the Residents of Centerville in Mayoral Re-Election Campaign (October 19, 2009). Copy supplied.

Recognizing Defects and Examining Difficulties and Insuring Construction Loans, in *In-Depth Title Insurance Principles*, National Business Institute (November 3, 2008). Copy supplied.

Letter to the Editor: Help Plan Rather Than Complain, Davis County Clipper, December 6, 2006. Copy supplied.

Poster for 2005 Mayoral Campaign, paid for by Ron Russell for Mayor (Fall 2005). Copy supplied.

Understanding the Title Insurance Policy, Vol. 21 No. 3 *Practical Real Estate Lawyer* 17 (May 2005). Copy supplied.

Ethical Considerations and Curing Title Problems, in *Utah Real Estate Title Law: Solutions to the Most Common Problems*, National Business Institute (December 10, 2003). Copy supplied.

Ethical Considerations and Overview of Title Insurance Claims and Litigation, in *Mastering Real Estate Titles and Title Insurance in Utah*, National Business Institute (March 13, 2002). Copy supplied.

Transaction Considerations, Methods of Private Road Creation and Ethical Considerations, in *Road and Access Law in Utah: How to Avoid and Resolve Access Disputes*, National Business Institute (November 13, 2001). Copy supplied.

Transaction Considerations, Methods of Private Road Creation and Ethical Considerations, in *Road and Access Law in Utah: How to Avoid and Resolve Access Disputes*, National Business Institute (November 17, 2000). I was unable to locate a copy, but the materials would be substantially the same as the November 13, 2001 seminar booklet, a copy of which is supplied.

Ethical Considerations and Overview of Title Insurance Claims and Litigation, in *Mastering Real Estate Titles and Title Insurance in Utah*, National Business Institute (February 2, 2000). I was unable to locate a copy, but the materials would be substantially the same as the March 13, 2002 seminar booklet, a copy of which is supplied.

Methods of Private Road Creation, Ethical Considerations and Transaction Considerations, in *Road and Access Law in Utah: How to Avoid and Resolve Access Disputes*, National Business Institute (May 13, 1999). Copy supplied.

Methods of Private Road Creation, Ethical Considerations and Transaction Considerations, in *Road and Access Law in Utah: How to Avoid and Resolve Access Disputes*, National Business Institute (May 12, 1998). I was unable to locate a copy, but the materials would be substantially the same as the May 13, 1999 seminar booklet, a copy of which is supplied.

Title Insurance Policies and Commitments, Insuring Construction Loans, and Ethical Considerations, in *Advanced Principles of Title Insurance in Utah*, National Business Institute (November 5, 1997). Copy supplied.

Insuring Construction Loans, Homestead/Purchase Money Mortgages and Recent Statutory Developments, in *Advanced Principles of Title Insurance in Utah*, National Business Institute (April 9, 1996). Copy supplied.

Ethical Considerations and Overview of Title Insurance Claims and Litigation, in *Mastering Real Estate Title and Title Insurance in Utah*, National Business Institute (December 8, 1995). Copy supplied.

Overview of Title Insurance Claims and Litigation and Ethical Considerations, in *Mastering Real Estate Title and Title Insurance in Utah*, National Business Institute (July 13, 1995). Copy supplied.

Mine to Market: The Legal Issues, Rocky Mountain Mineral Law Special Institute, March 1985. Copy supplied.

Denial of Millions in Costs and Attorney's Fees as a Discovery Sanction: Litton v. AT&T Co., 1982 Utah L. Rev. 445. Copy supplied.

Manufacturing and Agricultural Nuisances, Utah Legislative Survey – 1981, 1982 Utah L. Rev. 186. 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.

None.

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

Email testimony to the Centerville City Council and Planning Commission, "Let's Not Turn Our Back to Main Street" (June 17, 2015). Copy supplied.

Letter to the Honorable Senators Orrin Hatch and Mike Lee (June 3, 2013), which I signed along with 18 other Utah mayors. Copy supplied.

As Centerville Mayor from 2006 to 2013, I met with the City Council at least twice monthly in a public meeting. Minutes are available at <http://www.centervilleut.net/agendasminutes.citycouncil.html>. In addition, the press sometimes covered my statements from council meetings not otherwise reported in the minutes. Copies supplied.

As Centerville Mayor from 2006 to 2013, I corresponded with public officials and citizens on a number of issues. Most of this correspondence involved routine matters, such as city appointments and internal correspondence on administrative matters in the Mayor's office. This correspondence is voluminous and is maintained at the Centerville City Recorder's office in hard copy format only.

As Centerville Mayor from 2006 to 2013 and City Council member from 1998 to 2001, I was a member of the Centerville Redevelopment Agency Board, which met periodically. Minutes are available at <http://www.centervilleut.net/agendasminutes.redevelopment.html>. In addition, the press sometimes covered my statements from council meetings not otherwise reported in the minutes. Copies supplied.

As Centerville Mayor from 2006 to 2013 and City Council member from 1998 to 2001, I was on the Centerville Municipal Building Authority Board, which met periodically. Minutes are available at <http://www.centervilleut.net/agendasminutes.municipalbuilding.html>.

As a member of the South Davis Recreation District Board from 2006 to 2013, I met at least monthly with the board. Copies of minutes from 2013 are supplied. The remaining minutes are voluminous and are maintained by the South Davis Recreation District in hard copy format only.

As a member of the South Davis Metro Fire Agency Board from 2006 to 2013, I met at least monthly with the board. Minutes of board meetings are voluminous and are maintained by the Fire Agency in hard copy format only.

As a member of the Wasatch Integrated Waste District Board from 2006 to 2013, I attended monthly board meetings. Copies of minutes that I was able to locate are supplied. The remaining minutes are voluminous and are maintained by the Wasatch Integrated Waste District in hard copy format only.

When I served on the Davis County Council of Governments from 2006 to 2013, I attended monthly meetings. Minutes of the meetings are voluminous and are

maintained at the Davis County Administrative Building in hard copy format only.

Testimony before the State of Utah Revenue and Taxation Interim Committee (September 19, 2012). Minutes supplied.

Testimony before the Audit Subcommittee of the Legislative Management Committee, Utah State Senate and House of Representatives (August 1, 2012). Minutes supplied.

Testimony before the Davis County Commission between 2008 and 2011. Minutes for a January 13, 2009 meeting are supplied. I was unable to locate minutes from other meetings, but press coverage is supplied where available.

Letter to U.S. Senator Orrin G. Hatch (February 28, 2011). Copy supplied.

Testimony before the Bountiful City Council (January 11, 2011). Minutes supplied.

When I served on the Wasatch Front Regional Council from 2006 to 2010, I attended monthly meetings. Copies of minutes that I was able to locate are supplied. The remaining minutes are voluminous and are maintained by Wasatch Front Regional Council in hard copy format only.

Letter to the Utah Transit Authority from the Centerville City Council (March 22, 2010). Copy supplied.

Testimony before the Utah House of Representatives Revenue and Taxation Committee (February 11, 2010). Minutes supplied.

Letter to Sheryl Parker (February 3, 2010). Copy supplied.

Letter to U.S. Senator Robert F. Bennett (November 12, 2009). Copy supplied.

Letter to Jeffery S. Paniati, Acting Deputy Administrator Executive Director of the Federal Highway Administration (March 6, 2009). Copy supplied.

Letter to the Davis County Tourism Tax Advisory Board (December 3, 2008). Copy supplied.

Letter to the U.S. Secretary of Transportation (November 10, 2008). Copy supplied.

Letter to Davis County Commissioners Louenda H. Downs, P. Bret Millburn, and Alan Hansen (June 20, 2008). Copy supplied.

Letters to U.S. Senator Orrin Hatch, U.S. Representative Rob Bishop, and Utah Senator William Bennett (May 6, 2008). Copies supplied.

Letter to James Andrew, Administrator for the Rural Utilities Service at the U.S. Department of Agriculture (May 6, 2008). Copy supplied.

Letter to Davis County Commissioners Louenda H. Downs, P. Bret Millburn, and Alan Hansen (April 7, 2008). Copy supplied.

Letter to Mayor Joe Johnson of Bountiful City, Utah (February 21, 2008). Copy supplied.

Letter to Jacki Ponti, Assistant Administrator of the Rural Utilities Service at the U.S. Department of Agriculture (December 11, 2007). Copy supplied.

Letter to Mayors Joe Johnson, James Behunin, Kent Parry, and the South Davis County Cultural Arts Association (September 18, 2007). Copy supplied.

Email correspondence to the Wasatch Waste Management District (August or September 2007). I have been unable to locate a copy of the email, but a copy of the September 5, 2007 meeting minutes, in which my email was cited, is supplied.

Letters to Jacki Ponti, Assistant Administrator of the Rural Utilities Service at the U.S. Department of Agriculture, and U.S. Senator Robert Bennett (August 7, 2007). Copies supplied.

Testimony before the Farmington City Council (August 7, 2007). Minutes supplied.

Testimony before the Woods Cross City Council (July 17, 2007). Minutes supplied.

Letter to Mayors James Behunin, Joe Johnson, Kent Perry, and Shana Schafermeyer (February 12, 2007). Copy supplied.

Letters to John Njord and Carlos Bracerros at the Utah Department of Transportation; Utah Governor Jon Huntsman; and Douglas A. Clark, at the Governor's Office of Economic Development (February 7, 2007). Copies supplied.

Letter to Legacy Parkway Project Director John Thomas (December 5, 2006). Copy supplied.

Letter to Davis County Commissioners Carol Page, Dannie McConkie, and Alan Hansen, and Steve Rawlings (August 22, 2006). Copy supplied.

Letter to Davis County Commissioners Dannie McConkie and Carol Page (July 31, 2006). Copy supplied.

Letter to Legacy Parkway Project Director John Thomas (March 1, 2006). Copy supplied.

Testimony before the Utah Judicial Council (September 7, 2004). Minutes supplied.

As a Centerville City Council member from 1998 to 2001, I met with the Council in a public meeting at least twice monthly. Minutes are available at <http://www.centervilleut.net/agendasminutes.archive.html>. In addition, the press sometimes covered my statements from council meetings not otherwise reported in the minutes. Copies supplied.

Testimony before the Centerville City Council on behalf of Citizens for a Course Correction (June 17, 1997). I have no notes, transcript or recording, but press coverage is supplied.

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

August 20, 2015: Speaker, "Understanding the Title Insurance Policy," Education Week, Brigham Young University, Provo, Utah. Notes supplied.

May 27, 2015: Speaker, "Escrow Liability," Agent's Meeting, First American Title Insurance Company, Salt Lake City, Utah. Notes supplied.

February 6, 2015: Speaker, "Escrow Liability," Mid-Winter Meeting, Utah Land Title Association, Salt Lake City, Utah. Notes and PowerPoint supplied.

January 7, 2014: Speaker, Swearing-In Ceremony, Centerville City Council, Centerville, Utah. I made brief remarks as the out-going mayor at the swearing-in of newly elected city officials. I have no notes, transcript, or recording. The address of the Centerville City Council is Centerville City Hall, 250 North Main Street, Centerville, Utah 84014.

October 12, 2013: Speaker, Opening of Segment of the Denver and Rio Grande Western Trail, Utah Transit Authority, Farmington, Utah. My remarks were brief

and extemporaneous concerning the new trail and the benefits the trail would provide to the community. I have no notes, transcript or recording, but press coverage is supplied. The address of the Utah Transit Authority is 3600 South 700 West, Salt Lake City, Utah 84119.

Spring 2006 to 2013: Speaker, Graduation Ceremony, Drug Abuse Awareness and Resistance Education (D.A.R.E.) program, Centerville, Utah. As Mayor, I spoke at the D.A.R.E. graduation programs at each of the four Centerville elementary schools annually. My remarks included congratulatory comments to the children who were graduating from the program and highlighted for the children and their parents some of the drug resistance and decision-making skills taught by the D.A.R.E program. Notes from 2006 are supplied. I have no notes, transcripts, or recordings for the other years. The address of the Centerville City Hall is 250 North Main Street, Centerville, Utah 84014.

February 4, 2013: Speaker, "Claims and Escrow Liability," Mid-Winter Meeting, Utah Land Title Association, Salt Lake City, Utah. Notes and PowerPoint supplied.

September 27, 2012: Speaker, Mayor's Update, Davis County Chamber of Commerce, Bountiful, Utah. I spoke regarding recent developments and other local events in Centerville, Utah. I have no notes, transcript or recording, but press coverage is supplied. The address for the Davis County Chamber of Commerce is 450 Simmons Way # 220, Kaysville, Utah 84037.

June 20, 2012: Speaker, Mayor's Business Luncheon Series, Centerville City Hall, Centerville, Utah. I spoke to business owners regarding recent happenings in the city, including changes to the city's sign ordinance. I have no notes, transcript or recording. The address of the Centerville City Hall is 250 North Main Street, Centerville, Utah 84014.

January 3, 2012: Speaker, Swearing-In Ceremony for Newly-Elected Centerville City Officials, Centerville City Hall, Centerville, Utah. Minutes supplied.

October 2011: Speaker, Annual Mayors' Luncheon, Davis Chamber of Commerce, Bountiful, Utah. I and other mayors from Davis County summarized comments made by guests seated at our respective tables about how our communities would hypothetically handle "Occupy Wall Street" style protestors. I have no notes, transcript or recording, but press coverage is supplied. The address for the Davis County Chamber of Commerce is 450 Simmons Way # 220, Kaysville, Utah 84037.

October 13, 2011: Speaker, Ribbon-Cutting Ceremony, Megaplex Theater, Centerville, Utah. I congratulated the theater owners and developer for completing the project, Centerville City's role in creating an Economic Development Area and the significance of the movie theaters to Centerville's plan

for the development of the area. I have no notes, transcript or recording, but press coverage is supplied. The address of the Megaplex Theater is 1075 Legacy Crossing Boulevard, Centerville, Utah 84014.

September 20, 2011: Panelist, "Judicial Conduct and Ethics," Utah Valley University, Orem, Utah. I and other members of the Utah Judicial Conduct Commission spoke about judicial ethics. I have no notes, transcript or recording. The address of Utah Valley University is 800 West University Parkway, Orem, Utah 84058.

July 3, 2011: Speaker, July Fourth Event with Utah Governor Gary Herbert, Centerville City Council, Centerville, Utah. Notes supplied.

June 29, 2011: Speaker, Mayor's Business Luncheon Series, Centerville City Hall, Centerville, Utah. I spoke to business owners regarding an update on UTOPIA's Centerville buildout and other city projects. I have no notes, transcript or recording. The address of the Centerville City Hall is 250 North Main Street, Centerville, Utah 84014.

February 16, 2011: Speaker, Grand Opening Gala for the Davis Center for the Performing Arts, Centerville City and CenterPoint Legacy Theatre, Centerville, Utah. Notes supplied.

October 4, 2010: Speaker, Thank You Dinner for Centerville City Volunteers, Centerville City Council, Centerville, Utah. I expressed my thanks for the countless hours volunteers spent on the City's behalf. I have no notes, transcript or recording, but press coverage is supplied. The address of the Centerville City Council is Centerville City Hall, 250 North Main Street, Centerville, Utah 84014.

September 23, 2010: Speaker, Ground Breaking Ceremony, Megaplex Theater, Centerville, Utah. I spoke concerning the importance of this new development to the west side of Centerville, Utah. I have no notes, transcript or recording, but press coverage is supplied. The address of the Megaplex Theater is 1075 West Legacy Crossing Boulevard, Centerville, Utah 84014.

September 23, 2010: Speaker, Mayor's Update, Davis County Chamber of Commerce, Bountiful, Utah. I spoke regarding recent developments and other local events in Centerville, Utah. I have no notes, transcript or recording, but press coverage is supplied. The address for the Davis County Chamber of Commerce is 450 Simmons Way # 220, Kaysville, Utah 84037.

July 9, 2010: Speaker, "Proud to Be an American" Celebration, Bountiful Historical Commission and the FIRM Foundation (Foundation for Indigenous Research and Mormonism), Woods Cross, Utah. I gave opening remarks at a celebration to raise funds for the construction of the South Davis Historical Museum. I have no notes, transcript or recording. The address of the Bountiful

Historic Museum is 305 North Main Street, Bountiful, Utah 84010.

May 14, 2010: Speaker, Mother's Day Event Honoring the Centerville Mother of the Year, Davis County Clipper, Bountiful, Utah. I spoke regarding the nomination I made for Centerville's mother of the year. I have no notes, transcript or recording, but press coverage is supplied. The address of the Davis County Clipper is 1370 South 500 West, Bountiful, Utah 84011.

March 4, 2010: Speaker, Mayor's Business Luncheon Series, Centerville City Hall, Centerville, Utah. I spoke to business owners regarding a proposed mixed-use development proposed for the west side of Centerville. I have no notes, transcript or recording. The address of the Centerville City Hall is 250 North Main Street, Centerville, Utah 84014.

February 17, 2010: Speaker, Event Announcing UTOPIA Bid to Seek Participation in Google's Fiber Communities Program, West Valley City, Utah. In my capacity as Centerville's Mayor, I spoke along with other mayors to express our city's support for UTOPIA's bid to be a Google Fiber community. I have no notes, transcript or recording, but press coverage is supplied. The address of the West Valley City Hall is 3600 Constitution Boulevard, West Valley City, Utah 84119.

October 21, 2009: Speaker, Meet the Candidates Night, Utah League of Women Voters, Centerville, Utah. Notes supplied.

August – November 2009: In the process of campaigning to be re-elected for a second term as Mayor of Centerville City and assisting other candidates who were running for City Council positions, I gave stump speeches before the Centerville Rotary Club, citizens gathered in private homes, and possibly before other community groups. I do not recall the specific dates or locations of these events. These remarks were brief and extemporaneous. Typically, I spoke about my qualifications and accomplishments, expressed my endorsement of City Council candidates running for re-election, and answered questions. I have no notes, transcripts or recordings from these informal events.

May 28, 2009: Speaker, Ground Breaking Ceremony, Davis Cultural Arts Center, Centerville, Utah. Notes supplied.

May 8, 2009: Speaker, Mother's Day Event Honoring the Centerville Mother of the Year, Davis County Clipper, Bountiful, Utah. I spoke regarding the nomination I made for Centerville's mother of the year. I have no notes, transcript or recording, but press coverage is supplied. This event is sponsored by Davis County Clipper. The address for the Davis County Clipper is 1370 South 500 West, Bountiful, Utah 84011.

April 21, 2009: Speaker, Governor's Quality Growth Award Acceptance

Ceremony, Utah Quality Growth Commission, Salt Lake City, Utah. In a ceremony at the Governor's Mansion, I and Community Development Director Cory Snyder gave brief remarks accepting this award on behalf of Centerville City from Commission Chairman Jaren Davis and Utah Governor Jon Huntsman. I have no notes, transcript or recording. The address of Utah Quality Growth Commission is the Governor's Office of Management and Budget, Utah State Capitol, Suite 150, Salt Lake City, Utah 84114.

December 2008: Speaker, Recognition of Scott and Robert Maybee, Centerville City Council, Centerville, Utah. I recognized the Maybees for their remodel of the Ford Canyon Trail. I have no notes, transcript or recording, but press coverage is supplied. The address of the Centerville City Council is Centerville City Hall, 250 North Main Street, Centerville, Utah 84014.

November 3, 2008: Speaker, "In-Depth Title Insurance Principles," National Business Institute, Salt Lake City, Utah. I gave remarks about title insurance policies and claims and related matters. I have no notes, transcript or recording, but a copy of the paper on which the discussion was based is supplied in response to Question 12a (*Recognizing Defects and Examining Difficulties and Insuring Construction Loans*, in *In-Depth Title Insurance Principles*, National Business Institute (November 3, 2008).) The address of the National Business Institute is 1218 McCann Drive, Altoona, Wisconsin 54720.

Approximately May 2008: Panelist, Seventh Annual Legal Roundtable, Utah Business Magazine, Salt Lake City, Utah. Partial transcript supplied.

May 1, 2008: Speaker, Ribbon-Cutting Ceremony at Porter-Walton Park, Centerville City Council, Centerville, Utah. I gave brief, extemporaneous remarks about what a great asset the new park would be for the community. I have no notes, transcript or recording. The address of the Centerville City Council is Centerville City Hall, 250 North Main Street, Centerville, Utah 84014.

April 2008: Speaker, Presentation of Funding from Centerville City to Davis School District at School Board meeting, Farmington, Utah. I spoke about the life and achievements of a former student and football player and presented a \$25,000 check in his name from Centerville City to the Davis School District. I have no notes, transcript or recording, but press coverage is supplied. The address of the Davis School District is 70 East 100 North, Farmington, Utah 84025.

February 2008: Speaker, Chevron Presentation of \$5,000, South Davis Metro Fire Agency, Bountiful, Utah. I thanked Chevron for the donation and gave brief remarks about the importance of the donation to the work of the fire agency. I have no notes, transcript or recording. The address of the South Davis Metro Fire Agency is 255 South 100 West, Bountiful, Utah 84010.

December 3, 2007: Speaker, Centerville Festival of Lights Celebration,

Centerville City Council and the Thomas Whitaker Museum, Centerville, Utah. I gave welcoming remarks at the celebration. I have no notes, transcript or recording, but press coverage is supplied. The address of the Centerville City Council is Centerville City Hall, 250 North Main Street, Centerville, Utah 84014.

November 14, 2007: Speaker, Mayor's Business Luncheon Series, Centerville City Hall, Centerville, Utah. I spoke to business owners regarding a proposed land use plan for Centerville's Main Street. I have no notes, transcript or recording. The address of the Centerville City Hall is 250 North Main Street, Centerville, Utah 84014.

October 12, 2007: Speaker, "Escrow Fraud," Manager's Retreat, First American Title Insurance Company, Midway, Utah. I spoke regarding escrow fraud, including ways that escrow officers could protect themselves from fraudulent schemes. I have no notes, transcript or recording. The address of the First American Title Insurance Company is 215 South State Street #280, Salt Lake City, Utah 84111.

September 29, 2007: Speaker, RAP Kickoff Event, South Davis Cultural Arts Association, Centerville, Utah. I spoke about the proposed use of the Recreation Arts and Parks Tax to finance construction of a new community theater. I have no notes, transcript or recording. The address of the South Davis Cultural Arts Association is 1375 East Northridge Drive, Bountiful, Utah 84010.

September 11, 2007: Speaker, Mayor's Remarks, Freedom Hills Park Open House, Centerville, Utah. Notes supplied.

September 11, 2007: Speaker, Mayor's Remarks, Centerville-Farmington Rotary's Freedom Memorial Dedication, Centerville, Utah. Notes supplied.

August 25, 2007: Speaker, Dedication of Station 85, South Davis Metro Fire Association, North Salt Lake, Utah. I spoke about the need for a new fire station and my hope that Station 85 would better protect the community by improving response time. I have no notes, transcript or recording, but press coverage is supplied. The address of the South Davis Metro Fire Association is 255 South 100 West, Bountiful, Utah 84010.

July 6, 2007: Speaker, "Escrow Fraud or 'The Vultures Are Circling'," Annual Convention, Utah Land Title Association, Sun Valley, Idaho. Notes supplied.

June 6, 2007: Speaker, Mayor's Business Luncheon Series, Centerville City Hall, Centerville, Utah. I spoke to business owners regarding Centerville's temporary sign regulations. I have no notes, transcript or recording. The address of the Centerville City Hall is 250 North Main Street, Centerville, Utah 84014.

June 4, 2007: Speaker, Swearing-In of Chief Jim Rampton, South Davis Metro

Fire Association, Bountiful, Utah. I spoke about Chief Rampton's prior years of service to the fire agency and the SDMFA Board's confidence in his selection as the new chief. I have no notes, transcript or recording, but press coverage is supplied. The address of the South Davis Metro Fire Association is 255 South 100 West, Bountiful, Utah 84010.

April 19, 2007: Speaker, Mayor's Update, Davis County Chamber of Commerce, Bountiful, Utah. I gave remarks concerning new development and current events in Centerville, Utah. I have no notes, transcript or recording, but press coverage is supplied. The address of the Davis County Chamber of Commerce is 450 Simmons Way # 220, Kaysville, Utah 84037.

March 23, 2007: Speaker, "Town Hall by the Pool," South Davis Recreation Center, Bountiful, Utah. I spoke informally with residents who attended Centerville City Day at the new recreation center. I have no notes, transcript or recording. The address of the South Davis Recreation Center is 550 North 200 West, Bountiful, Utah 84010.

October 2006: Speaker, Presentation of the Centerville Mayor's Award in Humanities to William J. Davies, Utah Humanities Council, Centerville, Utah. I spoke about Mr. Davies' community service and congratulated him for receiving this honor. I have no notes, transcript or recording, but press coverage is supplied. The address of the Utah Humanities Council is 202 West 300 North, Salt Lake City, Utah 84103.

July 26, 2006: Speaker, Presentation of Retirement Gift to Recreation Supervisor Richard Hunt, Centerville City Hall, Centerville, Utah. I spoke about Mr. Hunt's dedicated service to Centerville City. I have no notes, transcript or recording. The address of the Centerville City Hall is 250 North Main Street, Centerville, Utah 84014.

June 23 – 24, 2006: Referee, Relay for Life Events, American Cancer Society, Bountiful, Utah. Along with mayors from neighboring communities, I served as a referee in various events held to raise donations for the American Cancer Society. I have no notes, transcript or recording. The address of the American Cancer Society is 250 Williams Street Northwest, Atlanta, Georgia 30303.

May 25, 2006: Speaker, Freedom Shrine Dedication, Centerville Junior High School, Centerville, Utah. Notes supplied.

March 11, 2006: Speaker, Opening Ceremony, Centerville Branch Library, Centerville, Utah. I spoke about the development and planning of the library. I have no notes, transcript or recording, but press coverage is supplied. The address of the Centerville Branch Library is 45 South 400 West, Centerville, Utah 84014.

January 3, 2006: Speaker, Swearing-In as Mayor of Centerville, Centerville, Utah.

Minutes supplied.

Fall 2005: Speaker, Meet the Candidates Night, Utah League of Women Voters, Centerville, Utah. I gave remarks on my qualifications and background as a mayoral candidate and responded to questions from the moderator. I have no notes, transcript or recording. The address of the Utah League of Women Voters is 3804 East Highland Drive, Salt Lake City, Utah 84106.

August – November 2005: In the process of campaigning to be elected Mayor of Centerville City, I gave stump speeches before the Centerville Rotary Club, citizens gathered in private homes, and possibly before other community groups. I do not recall the specific dates or locations of these events. These remarks were brief and extemporaneous. Typically, I spoke about my qualifications and goals I would have as Mayor and answered questions. I have no notes, transcripts or recordings from these informal events.

Spring 2004: Speaker, “Understanding the Title Insurance Policy,” ABA Real Property Symposium, ABA Section of Real Property, Probate and Trust Law, Seattle, Washington. I gave remarks about title insurance policies and claims. I have no notes, transcript or recording, but a copy of the paper on which the discussion was based is supplied in response to Question 12a. (Understanding the Title Insurance Policy, Vol. 21 No. 3 Practical Real Estate Lawyer 17 (May 2005).) The address of the ABA Section of Real Property, Probate and Trust Law is 321 North Clark Street, Chicago, Illinois 60654.

December 10, 2003: Speaker, “Utah Real Estate Law: Solutions to the Most Common Problems,” National Business Institute, Salt Lake City, Utah. I gave remarks about title insurance policies and claims and solutions to real estate problems. I have no notes, transcript or recording, but a copy of the paper on which the discussion was based is supplied in response to Question 12a. (*Ethical Considerations and Curing Title Problems*, in Utah Real Estate Law: Solutions to the Most Common Problems, National Business Institute (December 10, 2003).) The address of the National Business Institute is 1218 McCann Drive, Altoona, Wisconsin 54720.

March 13, 2002: Speaker, “Mastering Real Estate Titles and Title Insurance in Utah, National Business Institute, Salt Lake City, Utah. I gave remarks about title insurance policies and claims and related matters. I have no notes, transcript or recording, but a copy of the paper on which the discussion was based is supplied in response to Question 12a. (*Ethical Considerations and Overview of Title Insurance Claims and Litigation*, in Mastering Real Estate Titles and Title Insurance in Utah, National Business Institute (March 13, 2002).) The address of the National Business Institute is 1218 McCann Drive, Altoona, Wisconsin 54720.

November 13, 2001: Speaker, “Road and Access Law in Utah,” National Business

Institute, Salt Lake City, Utah. I gave remarks about road and access issues. I have no notes, transcript or recording, but a copy of the paper on which the discussion was based is supplied in response to Question 12a. (*Transaction Considerations, Methods of Private Road Creation and Ethical Considerations*, in *Road and Access Law in Utah: How to Avoid and Resolve Access Disputes*, National Business Institute (November 13, 2001).) The address of the National Business Institute is 1218 McCann Drive, Altoona, Wisconsin 54720.

Fall 2001: Speaker, Meet the Candidates Night, Utah League of Women Voters, Centerville, Utah. I gave remarks on my qualifications and background as a mayoral candidate. I have no notes, transcript or recording. The address of the Utah League of Women Voters is 3804 East Highland Drive, Salt Lake City, Utah 84106.

August – November 2001: In the process of campaigning to be elected Mayor of Centerville City, I gave stump speeches before the Centerville Rotary Club, citizens gathered in private homes, and possibly before other community groups. I do not recall the specific dates or locations of these events. I do not recall the specific dates or locations of these events. These remarks were brief and extemporaneous. Typically, I spoke about my qualifications and goals I would have as Mayor and answered questions. I have no notes, transcripts or recordings from these informal events.

April 27, 2001: Panelist, “Pulling It All Together – Title Insurance Issues in a Multi-State, Multi-National Transaction,” ABA Real Property Symposium, ABA Section of Real Property, Probate and Trust Law, Arlington, Virginia. I spoke on a panel discussing multi-state real estate transactions and addressed alternative dispute resolution of disputes. I have no notes, transcript or recording. The address of the ABA Section of Real Property, Probate and Trust Law is 321 North Clark Street, Chicago, Illinois 60654.

March 16, 2001: Speaker, “Real Estate Litigation and Title Insurance: An Ounce of Prevention,” Mid-Year Convention, Utah State Bar, Saint George, Utah. I spoke about practical aspects of real estate litigation, the role of title insurance in transactions and advice that could assist clients to avoid litigation of real estate issues. I have no notes, transcript or recording. The address of the Utah State Bar is 645 South 200 East, Salt Lake City, Utah 84111.

November 17, 2000: Speaker, “Road and Access Law in Utah,” National Business Institute, Salt Lake City, Utah. I gave remarks about road and access issues and claims and related matters. I have no notes, transcript or recording, and I could not locate the exact paper on which the discussion was based. A copy of the paper on the same seminar presented one year later, which contains substantially the same materials used, is supplied in response to Question 12a. (*Transaction Considerations, Methods of Private Road Creation and Ethical Considerations*, in *Road and Access Law in Utah: How to Avoid and Resolve Access Disputes*,

National Business Institute (November 1, 2001).) The address of the National Business Institute is 1218 McCann Drive, Altoona, Wisconsin 54720.

February 2, 2000: Speaker, "Mastering Real Estate Title's and Real Estate in Utah," National Business Institute, Salt Lake City, Utah. I gave remarks about title insurance policies and related matters. I have no notes, transcript or recording, and I could not locate the exact paper on which the discussion was based. A copy of the paper on the same seminar presented two years later, which contains substantially the same materials used, is supplied in response to Question 12a. (*Ethical Considerations and Overview of Title Insurance Claims and Litigation*, in *Mastering Real Estate Titles and Title Insurance in Utah*, National Business Institute (March 13, 2002).) The address of the National Business Institute is 1218 McCann Drive, Altoona, Wisconsin 54720.

May 13, 1999: Speaker, "Road and Access Law in Utah: How to Research and Resolve Access Disputes," National Business Institute, Salt Lake City, Utah. I gave remarks about road and access issues and related matters. I have no notes, transcript or recording, but a copy of the paper on which the discussion was based is supplied in response to Question 12a. (*Methods of Private Road Creation, Ethical Considerations and Transaction Considerations*, in *Road and Access Law in Utah: How to Avoid and Resolve Access Disputes*, National Business Institute (May 13, 1999).) The address of the National Business Institute is 1218 McCann Drive, Altoona, Wisconsin 54720.

February 25, 1999: Speaker, "New Lawyer's CLE: Real Property Law Mechanic's Liens and Materialmen's Liens," Utah Bar Association, Salt Lake City, Utah. Notes supplied.

May 12, 1998: Speaker, "Road and Access Law in Utah: How to Research and Resolve Access Disputes," National Business Institute, Salt Lake City, Utah. I gave remarks about resolving access disputes and related matters. I have no notes, transcript or recording, and I could not locate the exact paper on which the discussion was based. A copy of the paper on the same seminar presented a year later, which contains the same materials used, is supplied in response to Question 12a. (*Methods of Private Road Creation, Ethical Considerations and Transaction Considerations*, in *Road and Access Law in Utah: How to Avoid and Resolve Access Disputes*, National Business Institute (May 13, 1999).) The address of the National Business Institute is 1218 McCann Drive, Altoona, Wisconsin 54720.

November 5, 1997: Speaker, "Advanced Principles of Title Insurance in Utah," National Business Institute, Salt Lake City, Utah. Materials supplied. I gave remarks about title insurance policies and claims and related matters. I have no notes, transcript or recording, but a copy of the paper on which the discussion was based is supplied in response to Question 12a. (*Title Insurance Policies and Commitments, Insuring Construction Loans, and Ethical Considerations*, in *Advanced Principles of Title Insurance in Utah*, National Business Institute

(November 5, 1997).) The address of the National Business Institute is 1218 McCann Drive, Altoona, Wisconsin 54720.

Fall 1997: Speaker, Meet the Candidates Night, Utah League of Women Voters, Centerville, Utah. I gave remarks on my qualifications and background as a candidate for city council. I have no notes, transcript, or recording. The address of the Utah League of Women Voters is 3804 East Highland Drive, Salt Lake City, Utah 84106.

August – November 1997: In the process of campaigning to be elected as a Centerville City Council member, I gave numerous stump speeches before the Centerville Rotary Club, citizens gathered in private homes and possibly other community groups. I do not recall the specific dates or locations of these events. These remarks were brief and extemporaneous. Typically, I spoke about my qualifications and goals and answered questions. I have no notes, transcripts or recordings from these informal events.

April 9, 1996: Speaker, “Advanced Principles of Title Insurance,” National Business Institute, Salt Lake City, Utah. I gave remarks about title insurance policies and claims and related matters. I have no notes, transcript or recording, but a copy of the paper on which the discussion was based is supplied in response to Question 12a. (*Insuring Construction Loans, Homestead/Purchase Money Mortgages and Recent Statutory Developments*, in *Advanced Principles of Title Insurance in Utah*, National Business Institute (April 9, 1996).) The address of the National Business Institute is 1218 McCann Drive, Altoona, Wisconsin 54720.

January 19, 1996: Speaker, “Escrow and Claims Issues,” Mid-Winter Convention, Utah Land Title Association, St. George, Utah. Notes supplied.

December 8, 1995: Speaker, “Mastering Real Estate Titles and Real Estate in Utah,” National Business Institute, Salt Lake City, Utah. I gave remarks about title insurance policies and claims and related matters. I have no notes, transcript or recording, but a copy of the paper on which the discussion was based is supplied in response to Question 12a. (*Ethical Considerations and Overview of Title Insurance Claims and Litigation*, in *Mastering Real Estate Title and Title Insurance in Utah*, National Business Institute (December 8, 1995).) The address of the National Business Institute is 1218 McCann Drive, Altoona, Wisconsin 54720.

July 13, 1995: Speaker, “Mastering Real Estate Titles and Real Estate in Utah,” National Business Institute, Salt Lake City, Utah. I gave remarks about title insurance policies and claims and related matters. I have no notes, transcript or recording, but a copy of the paper on which the discussion was based is supplied in response to Question 12a. (*Overview of Title Insurance Claims and Litigation and Ethical Considerations*, in *Mastering Real Estate Title and Title Insurance in*

Utah, National Business Institute (July 13, 1995).) The address of the National Business Institute is 1218 McCann Drive, Altoona, Wisconsin 54720.

- 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.

Antone Clark, *Group Pays Off Commitment to CenterPoint Theatre*, Ogden Standard-Examiner, January 10, 2015. Copy supplied.

Antone Clark, *Legacy Theatre Officials Push Cities for RAP Tax Renewal*, Ogden Standard-Examiner, September 3, 2014. Copy supplied.

Bryon Saxton, *Final Leg of 25-Mile D&RG Trail to Open Saturday in Farmington*, Ogden Standard-Examiner, October 9, 2013. Copy supplied.

Antone Clark, *Mayors to Feds: Step Up Action on Immigration*, Ogden Standard-Examiner, June 4, 2013. Copy supplied.

Jenniffer Wardell, *Centerville Considers Property Tax Hike to Improve Roads*, Davis County Clipper, May 17, 2013. Copy supplied.

Press Release, "UTOPIA in Centerville," UTOPIAnet.org, November 16, 2012. Copy supplied (quote reprinted in multiple outlets).

Antone Clark, *State Audit: UTOPIA Plagued by Poor Management, Planning*, Ogden Standard-Examiner, August 1, 2012. Copy supplied.

Davis County Cities Set Fireworks Rules, Ogden Standard-Examiner, July 1, 2012. Copy supplied.

Christopher Smart, *Cyber Centerville Gets a High-Speed Boost*, Salt Lake Tribune, February 26, 2012. Copy supplied.

Christopher Smart, *Centerville Weighing Hunting Ban*, Salt Lake Tribune, February 17, 2012. Copy supplied.

Jared Page, *Centerville Seeks to Ban Hunting in City Limits*, Deseret News, February 6, 2012. Copy supplied.

Bryon Saxton and Loretta Park, *Top of Utah Storm Bill Soars*, Ogden Standard-Examiner, December 13, 2011. Copy supplied.

Wind Storm Clean Up, Television Interview, December 7, 2011. Video supplied.

Loretta Park, *Devastation in Davis*, Ogden Standard-Examiner, December 2, 2011. Copy supplied.

Bountiful/Davis Art Center Launches Fall Membership Drive – 2011, Utah Cultural Alliance, November 21, 2011. Copy supplied.

Bryon Saxton, *Centerville Theater Ready to Open*, Ogden Standard-Examiner, October 13, 2011. Copy supplied.

Firefighters Battle Wildfire Near Centerville, Associated Press, September 19, 2011. Copy supplied (reprinted in multiple outlets).

Sheena McFarland and Janelle Stecklien, *Large Grass Fire Burning in Hills Above Centerville*, Salt Lake Tribune, September 15, 2011. Copy supplied.

Cathy McKittrick, *Centerville Considers Hiking Park Impact Fee*, Salt Lake Tribune, August 17, 2011. Copy supplied.

Grant Smith, *CenterPoint Legacy Theatre*, UtahTheaters.info, May 6, 2011. Copy supplied.

Loretta Park, *South Davis Firefighters Say Upgrades Are Needed*, Ogden Standard-Examiner, May 4, 2011. Copy supplied.

Bryon Saxton, *CenterPoint Legacy Theater Doing Its Job*, Ogden Standard-Examiner, April 6, 2011. Copy supplied.

Jenniffer Wardell, *Stars Shine at the DCPA Grand Opening*, Davis County Clipper, February 16, 2011. Copy supplied.

Erica Hansen, *Performing Arts Center Opens in Davis*, Deseret News, February 12, 2011. Copy supplied.

Bryon Saxton, *Welcome to CenterPoint*, Ogden Standard-Examiner, January 18, 2011. Copy supplied.

Bryon Saxton, *New Davis Theater Offers Tours Before Grand Opening*, Ogden Standard-Examiner, January 17, 2011. Copy supplied.

Jenniffer Wardell, *Changes Leave Divide Down Centerville's Main Street*, Davis County Clipper, November 21, 2010. Copy supplied.

Jenniffer Wardell, *Density Protest Extends Main Street Hearing in Centerville*, Davis County Clipper, November 11, 2010. Copy supplied.

Cathy McKittrick, *Debate Continues Over Centerville's Future*, Salt Lake Tribune, November 10, 2010. Copy supplied.

Stephen Oberbeck, *UTOPIA's Future Hinges on Key Report*, Salt Lake Tribune, October 19, 2010. Copy supplied.

Pamela Manson and Donald W. Meyers, *Four Cities Back Plan to Support UTOPIA Network*, Salt Lake Tribune, October 19, 2010. Copy supplied.

Steven Oberbeck, *Votes on Utah's Utopia Await Crucial Report*, Salt Lake Tribune, October 18, 2010. Copy supplied.

Gendry Reinhart, *Centerville to Hold Disaster Drill*, Ogden Standard-Examiner, September 22, 2010. Copy supplied.

Jenniffer Wardell, *Kickoff Set for Centerville Megaplex Development*, Davis County Clipper, September 22, 2010. Copy supplied.

Cathy McKittrick, *Davis County to Use Federal Stimulus Funds to Build Cineplex*, Salt Lake Tribune, August 4, 2010. Copy supplied (quote reprinted in multiple outlets).

Brice Wallace, *Davis School Board to Spend More Time Considering Legacy Crossing Tax Proposal*, Deseret News, July 14, 2010. Copy supplied.

Cathy McKittrick, *Renovation of Centerville Pioneer Home Under Way*, Salt Lake Tribune, July 8, 2010. Copy supplied.

Jenniffer Wardell, *Sign-Ups Still Open for Green Waste Program*, Davis County Clipper, June 10, 2010. Copy supplied.

Short video for Centerville City's response to Google's "Fiber for Communities" application. Video is available at <https://www.youtube.com/watch?v=2eNWXgcckp0>.

Joseph M. Dougherty, *Southern Davis County Residents Voice Opposition to Streetcars*, Deseret News, March 7, 2010. Copy supplied.

Jenniffer Wardell, *UTOPIA Sees New Hope for Network Via Google*, Davis County Clipper, February 25, 2010. Copy supplied.

Dan Weist, *Tax on Restaurant Food Measure Fails*, Ogden Standard-Examiner, February 12, 2010. Copy supplied.

Tom Busselberg, *Planned Centerville Megaplex Project Continues to Move Forward*, Davis County Clipper, February 11, 2010. Copy supplied.

Joseph M. Dougherty, *Centerville May Get Theaters*, Deseret News, January 10,

2010. Copy supplied.

Tom Busselberg, *14-Screen Megaplex Bound for Centerville*, Davis County Clipper, December 12, 2009. Copy supplied.

Joseph M. Dougherty, *Election 2009: Incumbent Mayors Rule the Day in Davis*, Deseret News, November 4, 2009. Copy supplied.

Jenniffer Wardell, *Arts Center: Bigger, Better, Slightly Cheaper*, Davis County Clipper, September 8, 2009. Copy supplied.

Jenniffer Wardell, *Russell Ready for Next Round as Mayor*, Davis County Clipper, July 7, 2009. Copy supplied.

Press Release, *Announcement of Re-Election Bid*, printed in Davis County Clipper, June 29, 2009. Copy supplied.

Joseph M. Dougherty, *Construction 'Kickoff' Held for Davis Cultural Arts Center*, Deseret News, May 30, 2009. Copy supplied.

Gentry Reinhart, *Mayors Make the Dirt Fly*, Ogden Standard-Examiner, May 29, 2009. Copy supplied.

Jenniffer Wardell, *Curtain Rises on New Cultural Arts Center*, Davis County Clipper, May 28, 2009. Copy supplied.

María Villaseñor, *Museum Faces Cash Quandary*, Salt Lake Tribune, May 18, 2008. Copy supplied.

María Villaseñor, *Centerville to Issue Bonds for Regional Arts Center*, Salt Lake Tribune, May 14, 2009. Copy supplied.

Jenniffer Wardell, *Arts Center Groundbreaking Scheduled*, Davis County Clipper, May 8, 2009. Copy supplied.

Joseph M. Dougherty, *Centerville Secures Bonds for Arts Center*, Deseret News, May 6, 2009. Copy supplied.

María Villaseñor, *Centerville Concerned Over Foothill Development*, Salt Lake Tribune, April 30, 2009. Copy supplied.

Antone Clark, *Centerville Clears Last Hurdle for Bonding for Davis Cultural Arts Center*, Ogden Standard-Examiner, April 29, 2009. Copy supplied.

Antone Clark, *Developer Wants New Rules for Island*, Ogden Standard-Examiner, April 29, 2009. Copy supplied.

María Villaseñor, *Centerville OKs Recycling*, Salt Lake Tribune, April 16, 2009. Copy supplied.

Jenniffer Wardell, *Price Set for Centerville Recycling*, Davis County Clipper, April 15, 2009. Copy supplied.

Joseph M. Dougherty, *Future Davis Arts Center Plans to Seek Private Funding*, Deseret News, April 10, 2009. Copy supplied.

Centerville Opts for Electronic Voting, Ogden Standard-Examiner, April 10, 2009. Copy supplied.

Antone Clark, *Ramped Up for Recycling / Centerville Officials Provide Opt-Out Option for Residents*, Ogden Standard-Examiner, April 9, 2009. Copy supplied.

María Villaseñor, *Economy Hurts Art Center's Plans*, Salt Lake Tribune, April 9, 2009. Copy supplied.

Antone Clark, *Davis Theater Project to Be Bid in Three Phases*, Ogden Standard-Examiner, April 8, 2009. Copy supplied.

Antone Clark, *Museum Board Asks for City Help in Demolition Effort*, Ogden Standard-Examiner, March 23, 2009. Copy supplied.

Joseph W. Dougherty, *Davis County to Help Build Arts Center*, Deseret News, March 21, 2009. Copy supplied.

Antone Clark, *Public Speaks Out on Recycling at Public Hearing in Centerville*, Ogden Standard-Examiner, March 20, 2009. Copy supplied.

María Villaseñor, *Davis County OKs \$2M for Regional Arts Center*, Salt Lake Tribune, March 19, 2009. Copy supplied.

Tom Busselberg, *Arts Center Clears Funds Hurdle*, Davis County Clipper, March 19, 2009. Copy supplied.

Bryon Saxton, *Davis Commission Dedicates \$2M to Davis Cultural Arts Center - County Tourism Tax Revenues to Support \$14 Million Project*, Ogden Standard-Examiner, March 18, 2009. Copy supplied.

Shain Gillet, *Trinity Steel Still Battling Orange Film*, Davis County Clipper, March 17, 2009. Copy supplied.

Christopher Smart, *Centerville Readies for City Hall Expansion*, Salt Lake Tribune, March 12, 2009. Copy supplied.

Joseph M. Dougherty, *Davis Arts Center May Include a 'Black Box' Theater*, Deseret News, February 27, 2009. Copy supplied.

María Villaseñor, *Arts Center Design Hinges on Money Matters*, Salt Lake Tribune, February 26, 2009. Copy supplied.

Joseph M. Dougherty, *Centerville Moving Toward Bonding for Arts Center*, Deseret News, February 18, 2009. Copy supplied.

Jenniffer Wardell, *Centerville Moves Ahead on Recycling*, Davis County Clipper, February 12, 2009. Copy supplied.

Antone Clark, *City Hall Expansion Plans Moving Forward in Centerville*, Ogden Standard-Examiner, January 26, 2009. Copy supplied.

Antone Clark, *South Davis Arts Center Burden Increased*, Ogden Standard-Examiner, January 23, 2009. Copy supplied.

Tom Busselberg, *Arts Center Funding Gets Closer*, Davis County Clipper, January 15, 2009. Copy supplied.

María Villaseñor, *Arts Center Poised to Receive County Funds*, Salt Lake Tribune, January 15, 2009. Copy supplied.

Jenniffer Wardell, *Thumbs Up Raises Arts Center Priority*, Davis County Clipper, January 13, 2009. Copy supplied.

Joseph M. Dougherty, *Davis May Fund \$2 Million of Center for Arts*, Deseret News, January 8, 2009. Copy supplied.

Jenniffer Wardell, *Centerville Seeks to Improve Website*, Davis County Clipper, December 2, 2008. Copy supplied.

Shain Gillet, *DAQ: Mystery Orange Film Must Stop*, Davis County Clipper, November 28, 2008. Copy supplied.

Loretta Park, *South Davis Ready to Fight for More Tourism Tax Dollars*, Ogden Standard-Examiner, November 2, 2008. Copy supplied.

Antone Clark, *Space Crunch Has Centerville Officials Talking City Hall Expansion*, Ogden Standard-Examiner, October 28, 2008. Copy supplied.

Antone Clark, *Collateral Interest - Bond Expert: No Easy Way to Finance Theater Project*, Ogden Standard-Examiner, October 26, 2008. Copy supplied.

Joseph M. Dougherty, *Centerville Pushes for Mandatory Recycling*, Deseret News, October 26, 2008. Copy supplied.

Recycling Plan Gets Closer, Associated Press State & Local Wire, October 26, 2008. Copy supplied.

Antone Clark, *City Won't Delay Recycling*, Ogden Standard-Examiner, October 23, 2008. Copy supplied.

Antone Clark, *UTOPIA a Promise or Two Shy of Perfect as Fiber Goes Unseen*, Ogden Standard-Examiner, October 15, 2008. Copy supplied.

Antone Clark, *Centerville Moving Slowly on Emergency Management Job*, Ogden Standard-Examiner, October 14, 2008. Copy supplied.

Jenniffer Wardell, *Opinions Mixed on Centerville Recycling*, Davis County Clipper, October 14, 2008. Copy supplied.

Antone Clark, *Recycling Clears Another Hurdle*, Ogden Standard-Examiner, October 10, 2008. Copy supplied (quote reprinted in multiple outlets).

Joseph M. Dougherty, *Centerville Residents Offer Differing Views on Curbside Recycling*, Deseret News, October 10, 2008. Copy supplied.

Joseph M. Dougherty, *Centerville Exploring Curbside Recycling Proposals*, Deseret News, October 9, 2008. Copy supplied.

Five-City Merger? Don't Hold Your Breath, Davis County Clipper, October 7, 2008. Copy supplied.

Editorial: South Davis City: Merging Five Cities Is Worth a Good, Hard Look, Salt Lake Tribune, October 6, 2008. Copy supplied.

María Villaseñor, *No Joke: Mayors Mull Five-City Merger*, Salt Lake Tribune, October 6, 2008. Copy supplied.

Five Davis County Cities May Look at Merging, Associated Press, October 5, 2008. Copy supplied.

Antone Clark, *'E. Pluribus Unum' Sounding Good to South Davis*, Ogden Standard-Examiner, September 29, 2009. Copy supplied.

Antone Clark, *Recycling and Waste Contracts May Be Bundled in Centerville*, Ogden Standard-Examiner, September 23, 2008. Copy supplied.

Jenniffer Wardell, *Theater Moving Slowly, Steadily Ahead*, Davis County Clipper,

September 9, 2008. Copy supplied.

Antone Clark, *Arts Center Rezone Means Size Limitation*, Ogden Standard-Examiner, September 9, 2008. Copy supplied.

Antone Clark, *Centerville Ready to Talk Recycling*, Ogden Standard-Examiner, September 8, 2008. Copy supplied.

Centerville Finance Department Recognized, Ogden Standard-Examiner, September 6, 2008. Copy supplied.

Stephen Hunt and Brett Prettyman, *Court: Streams Are Fair Game*, Salt Lake Tribune, September 5, 2008. Copy supplied.

Antone Clark, *Centerville to Establish Citizen Corps*, Ogden Standard-Examiner, September 4, 2008. Copy supplied.

Tree Roots Linked to Drainage Problems, Ogden Standard-Examiner, August 23, 2008. Copy supplied.

Antone Clark, *Centerville Mayor: City Didn't Raise Your Taxes This Year*, Ogden Standard-Examiner, August 17, 2008. Copy supplied.

Antone Clark, *Centerville Still Waiting to Discuss Recycling*, Ogden Standard-Examiner, August 9, 2008. Copy supplied.

Antone Clark, *Loss of Impact Fee Revenue Could Hurt Fire Department*, Ogden Standard-Examiner, August 2, 2008. Copy supplied.

Antone Clark, *CDBG Funds to Pay for Renovation Work*, Ogden Standard-Examiner, July 29, 2008. Copy supplied.

Utah Court: Stepping Foot in Rivers, Streams Legal, Associated Press, July 19, 2008. Copy supplied.

Antone Clark, *Centerville Approves Contract*, Ogden Standard-Examiner, July 19, 2008. Copy supplied.

María Villaseñor, *Arts Center Contract Raises Ethics Issue*, Salt Lake Tribune, July 18, 2008. Copy supplied.

Commissioners Not Ready to Part with Cash for Performing Arts Center, Salt Lake Tribune, July 10, 2008. Copy supplied.

Antone Clark, *Ethics Leader Apologizes for Allegation About Arts Center*, Ogden Standard-Examiner, July 10, 2008. Copy supplied.

Jenniffer Wardell, *City Cemetery Faces Money, Space Issues*, Davis County Clipper, July 7, 2008. Copy supplied.

Antone Clark, *Centerville Explores Citywide Recycling*, Ogden Standard-Examiner, July 7, 2008. Copy supplied.

María Villaseñor, *Davis Commission Won't Yet Commit Money to Performing Arts Center*, Salt Lake Tribune, July 1, 2008. Copy supplied.

On the Prowl for Davis Taxes, Ogden Standard-Examiner, June 27, 2008. Copy supplied.

Antone Clark, *Candidates Differ on Project Funding*, Ogden Standard-Examiner, June 24, 2008. Copy supplied.

Jenniffer Wardell, *South Davis Not Giving Up on Theater*, Davis County Clipper, June 16, 2008. Copy supplied.

Antone Clark, *Centerville Budget Draws No Public Response*, Ogden Standard-Examiner, June 12, 2008. Copy supplied.

Antone Clark, *UTOPIA Oversight Group in Centerville*, Ogden Standard-Examiner, June 5, 2008. Copy supplied.

María Villaseñor, *Museum Faces Cash Quandary*, Salt Lake Tribune, May 18, 2008. Copy supplied.

María Villaseñor, *West Bountiful Goes Back to RAP*, Salt Lake Tribune, May 16, 2008. Copy supplied.

Antone Clark, *Hopes Still High for Center Partnership*, Ogden Standard-Examiner, May 13, 2008. Copy supplied.

Joseph M. Dougherty, *Centerville to Stick with UTOPIA*, Deseret News, May 1, 2008. Copy supplied.

Jenniffer Wardell, *CDBG to Help Centerville's Cedar Springs*, Davis County Clipper, April 21, 2008. Copy supplied.

M. Royce Van Tassell, *UTOPIA Unwilling to Fix Its Problems*, Deseret News, April 18, 2008. Copy supplied.

Antone Clark, *Centerville Closer to CDBG Funds*, Ogden Standard-Examiner, April 18, 2008. Copy supplied.

Jenniffer Wardell, *Funding No Impediment to Theater*, Davis County Clipper, April 14, 2008. Copy supplied.

Antone Clark, *Arts Center Plans Picking Up Steam*, Ogden Standard-Examiner, April 12, 2008. Copy supplied.

María Villaseñor, *Theater Plans Move Forward*, Salt Lake Tribune, April 10, 2008. Copy supplied.

Pamela Manson, *Utah High Court Weighs River Rights*, Salt Lake Tribune, April 4, 2008. Copy supplied.

María Villaseñor, *South Davis Theater Plans Unveiled*, Salt Lake Tribune, April 4, 2008. Copy supplied.

Antone Clark, *Sales Tax Takes Effect Today in Centerville, Bountiful*, Ogden Standard-Examiner, April 2, 2008. Copy supplied.

Jenniffer Wardell, *Davis Beat – Centerville Leery of UTOPIA Plan*, Davis County Clipper, April 2, 2008. Copy supplied.

Tad Walch and Joseph M. Dougherty, *Cities Asked to Boost Money for UTOPIA*, Deseret News, April 1, 2008. Copy supplied.

Loretta Park, *Legacy North Parkway Leads Funding Priority for Davis*, Ogden Standard-Examiner, March 21, 2008. Copy supplied.

Antone Clark, *Centerville, Bountiful Pursuing \$5 Million in County Aid for Arts Center*, Ogden Standard-Examiner, March 9, 2008. Copy supplied.

Rosemary Winters, *After a Two-Decade Struggle to Save Home, Pearl Meibos Finally Gives In*, Associated Press State & Local Wire, February 23, 2008. Copy supplied.

Jenniffer Wardell, *Romantic Gifts: In the Eye of the Beholder*, Davis County Clipper, February 14, 2008. Copy supplied.

Jenniffer Wardell, *Survey: Apartments No, Sewers Yes, Trails Maybe*, Davis County Clipper, February 11, 2008. Copy supplied.

Shain Gillet, *Mayors Work Together on Orange Film Dilemma*, Davis County Clipper, February 11, 2008. Copy supplied.

Shain Gillet, *Cities Struggle Over 'Orange Film' Dilemma*, Davis County Clipper, January 29, 2008. Copy supplied.

Melinda Williams, *President Hinckley's Kindness, Humor Touches Davis*, Davis County Clipper, January 28, 2008. Copy supplied.

Loretta Park, *A Capitol Idea: After Four Years and \$226 Million, Utah Rededicates a Landmark with Panache*, Ogden Standard-Examiner, January 4, 2008. Copy supplied.

Katie Drake, *Leaders Share Their Goals for the City, Selves in the New Year*, Salt Lake Tribune, January 3, 2008. Copy supplied.

Jenniffer Wardell, *Russell: Solving Problems in City or Court*, Davis County Clipper, January 2, 2008. Copy supplied.

Jenniffer Wardell, *Centerville: Ads to Show City Improves Life*, Davis County Clipper, December 31, 2007. Copy supplied.

Jenniffer Wardell, *No Fee Break for Centerville West Side*, Davis County Clipper, December 26, 2007. Copy supplied.

Jenniffer Wardell, *Centerville to Increase Military Utility Waiver*, Davis County Clipper, December 19, 2007. Copy supplied.

Joseph M. Dougherty, *No Recount for West Bountiful RAP Tax*, Deseret News, December 10, 2007. Copy supplied.

Cathy McKittrick, *Water Rate Vote Set Aside, For Now*, Salt Lake Tribune, December 6, 2007. Copy supplied.

Cathy McKittrick, *West Bountiful Won't Recount RAP Tax Vote*, Salt Lake Tribune, November 29, 2007. Copy supplied.

Jenniffer Wardell, *Regional Theater Starts Gathering Start-Up Money*, Davis County Clipper, November 27, 2007. Copy supplied.

Joseph M. Dougherty, *West Bountiful to Recount RAP-Tax Vote*, Deseret News, November 22, 2007. Copy supplied.

Nicole Warburton, *Davis Family Shuns Cars, Takes the Bus*, Deseret News, November 21, 2007. Copy supplied.

Jenniffer Wardell, *City: Main Street Plan Requires Public Transit*, Davis County Clipper, November 11, 2007. Copy supplied.

Cathy McKittrick, *Centerville, Bountiful Vote for RAP Tax*, Salt Lake Tribune, November 8, 2007. Copy supplied.

Antone Clark, *That's a RAP: Davis OKs New Sales Tax*, Ogden Standard-Examiner, November 8, 2007. Copy supplied.

Joseph M. Dougherty and Lynn Arave, *Arts, Parks Tax is OK'd in South Davis*, Deseret News, November 7, 2007. Copy supplied.

Sean Moran, *City Water Bills to Go Up 16 Percent? Centerville Public Works Projects Could Hit Residents' Pocketbooks Somewhat*, Ogden Standard-Examiner, October 15, 2007. Copy supplied.

Jenniffer Wardell, *Plans Focus on Main Street as Heart of Centerville*, Davis County Clipper, October 3, 2007. Copy supplied.

Cathy McKittrick, *RAP Tax Would Help Finance Arts Center*, Salt Lake Tribune, September 28, 2007. Copy supplied.

Bryon Saxton, *RAP Tax Initiative Kicks Off with Gala*, Ogden Standard-Examiner, September 28, 2007. Copy supplied.

Michele Howey, *Davis Theater Hinges on RAP*, Ogden Standard-Examiner, August 30, 2007. Copy supplied.

Jenniffer Wardell, *Group Gets Ready to Help RAP*, Davis County Clipper, August 29, 2007. Copy supplied.

Cathy McKittrick, *Funding for Arts Center in Question*, Salt Lake Tribune, August 23, 2007. Copy supplied.

Jenniffer Wardell, *New Wal-Mart Managers Gear Up*, Davis County Clipper, August 22, 2007. Copy supplied.

Jenniffer Wardell, *Regional Theater Gets Bad RAP in NSL*, Davis County Clipper, August 8, 2007. Copy supplied.

Melinda Williams, *Woods Cross Asked to Support RAP Tax*, Davis County Clipper, July 18, 2007. Copy supplied.

Jenniffer Wardell, *Regional Theater May Spell End of BPAC*, Davis County Clipper, July 12, 2007. Copy supplied.

Cathy McKittrick, *Centerville Weighs Outdoor Ad Rules*, Salt Lake Tribune, June 7, 2007. Copy supplied.

Jenniffer Wardell, *Two New Bike Trails Priority for Centerville*, Davis County Clipper, June 4, 2007. Copy supplied.

Nicole Warburton, *New Legacy Land Plan Drawing Fire*, Deseret News, May 18, 2007. Copy supplied.

Cathy McKittrick, *Centerville Discusses Main Street Plans*, Salt Lake Tribune, May 10, 2007. Copy supplied.

Tom Busselberg, *Mayors: Regional Projects, New Growth*, Davis County Clipper, April 23, 2007. Copy supplied.

Jenniffer Wardell, *Development Gets Tuscan Facelift*, Davis County Clipper, April 18, 2007. Copy supplied.

Noel Case, *Council Awards Bid for Freedom Hills Park - Despite Contractor Snafu, Fourth Phase Will Begin*, Ogden Standard-Examiner, April 8, 2007. Copy supplied.

Jenniffer Wardell, *RMT's Photographic Mayor*, Davis County Clipper, April 4, 2007. Copy supplied.

Jenniffer Wardell, *Centerville Streets and Neighborhoods Get Facelift*, Davis County Clipper, March 21, 2007. Copy supplied.

Shane Farver, *Sierra Club Raises Issues with Road, Wetlands - Latest Block Comes After Centerville, UDOT Finally Agree*, Ogden Standard-Examiner, March 20, 2007. Copy supplied.

Jenniffer Wardell, *Sierra Club Cries Fowl, Promises Fight*, Davis County Clipper, March 19, 2007. Copy supplied.

Nicole Warburton, *City Plan for Frontage Road Next to Legacy Draws Fire*, Deseret News, March 17, 2007. Copy supplied.

Natalie Clemens, *Shape Up! South Davis Rec Center Brings New Life to Area*, Deseret News, March 16, 2007. Copy supplied.

Noel Case, *Centerville Approves UDOT Nature Preserve Land Purchase*, Ogden Standard-Examiner, March 12, 2007. Copy supplied.

Noel Case, *City Looks to Build a Performing Arts Facility*, Ogden Standard-Examiner, March 11, 2007. Copy supplied.

Jenniffer Wardell, *Board to Decide Museum's Fate*, Davis County Clipper, March 7, 2007. Copy supplied.

Jenniffer Wardell, *Centerville \$1.5 Million Richer Thanks to UDOT*, Davis County Clipper, March 7, 2007. Copy supplied.

Noel Case, *UDOT Signs On to Centerville Frontage Road*, Ogden Standard-Examiner, February 25, 2007. Copy supplied.

Cathy McKittrick, *Frontage Road Gets OK in Centerville*, Salt Lake Tribune, February 23, 2007. Copy supplied.

Cathy McKittrick, *Centerville Theater Considering a Move*, Salt Lake Tribune, February 23, 2007. Copy supplied.

Christopher Smart, *Serious Play*, Salt Lake Tribune, February 22, 2007. Copy supplied.

Cathy McKittrick, *Centerville Eyes RAP Tax to Transform Rodgers Theater into Performing Arts Center*, Salt Lake Tribune, February 22, 2007. Copy supplied.

Jennifer Wardell, *Centerville Wins Space, No Plans for Road*, Davis County Clipper, February 21, 2007. Copy supplied.

Jennifer Wardell, *Centerville Raises Park Fees*, Davis County Clipper, February 21, 2007. Copy supplied.

Press Release, Centerville City (February 20, 2007). Copy supplied.

Jennifer Wardell, *Museum Fix 'Costly, Dangerous'*, Davis County Clipper, February 12, 2007. Copy supplied.

Jennifer Wardell, *No Room for Centerville Road*, Davis County Clipper, February 12, 2007. Copy supplied.

Jennifer Wardell, *Centerville Seeks to Manage City's Future, Pipeline Deal*, Davis County Clipper, February 7, 2007. Copy supplied.

Summer Clarke, *Centerville Clears Up Main Street Confusion*, Davis County Clipper, December 21, 2006. Copy supplied.

Summer Clarke, *City Leaders Seek Community Theater via RAP Tax*, Davis County Clipper, November 29, 2006. Copy supplied.

Noel Case, *Centerville Park Gets Going*, Ogden Standard-Examiner, November 27, 2006. Copy supplied.

Noel Case, *Devotion to Community Theater Hailed*, Ogden Standard-Examiner, October 12, 2006. Copy supplied.

Nicole Warburton and Joseph M. Dougherty, *Centerville Leaders Voice Concern*

Over Conference Center Expansion, Deseret News, August 3, 2006. Copy supplied.

Summer Clarke, *Centerville Opposes Center Expansion*, Davis County Clipper, August 2, 2006. Copy supplied.

Summer Clarke, *Museum to Get Hotly Debated Study*, Davis County Clipper, April 19, 2006. Copy supplied.

Summer Clarke, *Centerville Rejects Parrish Lane Moratorium*, Davis County Clipper, April 5, 2006. Copy supplied.

Derek P. Jensen, *Family Presses Property Battle*, Associated Press, March 30, 2006. Copy supplied.

Homeowner Seeks to Recoup Big Legal Bill, Salt Lake Tribune, March 30, 2006. Copy supplied.

Summer Clarke, *Centerville Scores Legacy Overpass Victory*, Davis County Clipper, March 3, 2006. Copy supplied.

Summer Clarke, *Centerville to Decide on Interchange*, Davis County Clipper, February 1, 2006. Copy supplied.

Summer Clarke, *Residents Fight to Keep Cemetery Space*, Davis County Clipper, January 9, 2006. Copy supplied.

Summer Clarke, *New Centerville Mayor Sets Priorities for City*, Davis County Clipper, January 4, 2006. Copy supplied.

Dani Woodland, *Student Runs for Mayor*, Digital Universe, October 17, 2005. Copy supplied.

Summer Clarke, *Centerville Candidates: Youth or Wisdom*, Davis County Clipper, October 12, 2005. Copy supplied.

Alan Edwards, *Family Euphoric Over Midvale Wall Ruling*, Deseret News, April 5, 2004. Copy supplied.

Linda Thomson and Doug Smeath, *Family Wins Round Against Center*, Deseret News, March 30, 2004. Copy supplied.

Jenifer K. Nii, *S.L. Medical Center Closes*, Deseret News, June 12, 2002. Copy supplied.

Stephen Hunt, *Chalk One Up for Homeowner in Backyard Battle - Developer*

Crossed the Line, Legally and Geographically; Homeowner Wins Ruling by Supreme Court, Salt Lake Tribune, December 21, 2001. Copy supplied.

Linda Tobler, *High-Density Housing or Not*, Ogden Standard-Examiner, November 3, 2001. Copy supplied.

Elizabeth White, *Is Centerville Fluoride Vote Moot?*, Deseret News, July 11, 2001. Copy supplied.

Elyse Hayes, *Centerville Buries Plan for Rock Pit*, Deseret News, June 21, 2001. Copy supplied.

Thomas Burr, *Council Embraces an 'Urban Village' in Centerville, But Some Beg to Differ*, Salt Lake Tribune, June 7, 2001. Copy supplied.

Council Moves Forward on Fluoridating, Associated Press, November 30, 2000. Copy supplied.

Elyse Hayes, *Centerville OKs \$1-a-Month Tax on Cell Phones*, Deseret News, November 22, 2000. Copy supplied.

Elyse Hayes, *Centerville Proposal for Business Complex Encounters Setbacks*, Deseret News, May 2, 2000. Copy supplied.

Kristen Moulton, *Centerville Residents Send MTC Back to the Drawing Board – Building Plan Gets Opposition in Centerville*, Salt Lake Tribune, April 28, 2000. Copy supplied.

Kristen Moulton, *New Fire District, With Tax Authority, Sought in Davis County*, Salt Lake Tribune, March 9, 2000. Copy supplied.

Lynn Arave, *Ball Fields in Bottom of Ninth – Centerville Says Company to Build Headquarters There*, Deseret News, February 16, 2000. Copy supplied.

State of the State – Davis, Salt Lake Tribune, January 28, 2000. Copy supplied.

Jose Luis Sanchez, Jr., *Centerville Passes on ATV Ban Saying It's for Davis Co. to Decide*, Deseret News, April 21, 1999. Copy supplied.

Jose Luis Sanchez, Jr., *Plans Unveiled for Centerville's New Gateway Project Includes Diners, Offices, Shopping Center*, Deseret News, February 2, 1999. Copy supplied.

Brandon Loomis, *Critics: Centerville Development May Threaten Housing*, Salt Lake Tribune, November 27, 1998. Copy supplied (reprinted in multiple outlets).

Josh Loftin, *New Storm-Drain Fee Proposed*, Deseret News, September 3, 1998. Copy supplied.

Josh Loftin, *Centerville Striving for Agreement on New Sign Law*, Deseret News, July 3, 1998. Copy supplied.

Don Rosebrock, *A Sure Election Bet in Centerville: New Faces*, Deseret News, October 30, 1997. Copy supplied.

Steven Oberbeck, *Holder of Mortgage Tries to Foreclose On...*, Salt Lake Tribune, August 19, 1992. Copy supplied.

Foothill Village May Go on the Auction Block, Deseret News, August 18, 1992. 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, but in 2004 I was appointed by the Utah Supreme Court to serve on the Utah Judicial Conduct Commission (JCC). The JCC's role is to investigate and conduct hearings on ethical complaints against Utah judges and make disciplinary recommendations to the Utah Supreme Court. During the eight years I was a member of the JCC, we reviewed over 100 complaints annually. The majority of such complaints were dismissed by the JCC after an initial investigation. In 2009, I was elected to be the commission chair and served in that capacity until my term ended in 2012. As chair, I act in a judicial capacity, conducting contested evidentiary hearings with witnesses and exhibits. I ruled on objections, received evidence and drafted findings and conclusions, and recommendations to implement the commission's decisions.

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

While on the JCC, I presided over 12 cases to verdict or judgment.

- i. Of these, approximately what percent were:

jury trials:	0%
bench trials:	100%
civil proceedings:	100%
criminal proceedings:	0%

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

In re: Stoney, Case No. 11-3JC-007

In re: Sampson, Case No. 09-4JC-075

In re: Ridge, Case No. 09-4JC-062

In re: Adams, Case No. 09-5JC-082

- 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. *In re: Stoney*, Case No. 11-3JC-007. Decision supplied.

The judge was accused of issuing a \$10,000 cash-only warrant to an individual cited for an expired car registration and lack of proof of insurance. The individual had been rude to court personnel. After hearing the evidence, the JCC found that the judge had engaged in conduct which brings a judicial office into disrepute and concluded that a reprimand was appropriate. Upon review, the Utah Supreme Court determined not to issue a reprimand.

Examiners for the JCC:

Colin R. Winchester
Susan Hunt
Utah Judicial Conduct Commission
2540 Washington Boulevard, Suite 703
Ogden, UT 84401
(801) 626-3369

The judge was not represented by counsel.

2. *In re: Steed*, Case No. 04-5JC-039. Decision supplied.

The judge was openly engaging in bigamy in violation of Utah law, which the judge claimed was protected by his religious beliefs. The JCC concluded that by engaging in bigamy, the judge failed to respect and comply with the law and had engaged in conduct prejudicial to the administration of justice which brings a judicial office into disrepute. The JCC recommended that the judge be removed from office. The Utah Supreme Court implemented the JCC's recommendation and ordered the judge's removal. *See In Re Inquiry of a Judge, The Honorable Walter K. Steed*, 2006 UT 10.

Examiner for the JCC:

Colin R. Winchester
Utah Judicial Conduct Commission
2540 Washington Boulevard, Suite 703
Ogden, UT 84401
(801) 626-3369

Counsel for the judge:

Rodney R. Parker
Snow Christensen & Martineau
Ten Exchange Place, 11th Floor
Salt Lake City, UT 84111
(801) 521-9000

3. *In re: Serassio*, Case No. 07-3JC-081. Decision supplied.

The judge was engaging in on-line gambling. In doing so, the judge used a court fax machine. The JCC concluded that the judge's conduct violated Utah law. Prior to the JCC's hearing, the judge resigned from office. The JCC concluded that the judge's conduct was prejudicial to the administration of justice which brings a judicial office into disrepute and ordered a reprimand. The reprimand was implemented by the Utah Supreme Court.

Examiner for the JCC:

Colin R. Winchester
Utah Judicial Conduct Commission
2540 Washington Boulevard, Suite 703
Ogden, UT 84401
(801) 626-3369

The judge was not represented by counsel.

4. *In re: Sampson*, Case No. 09-4JC-075. Decision supplied.

The judge pointed a firearm at a courtroom bailiff in a joking manner. The conduct was witnessed by other court personnel. The JCC concluded that the conduct was prejudicial to the administration of justice which brings a judicial office into disrepute and ordered a reprimand. The reprimand was implemented by the Utah Supreme Court.

Examiner for the JCC:

Colin R. Winchester
Utah Judicial Conduct Commission
2540 Washington Boulevard, Suite 703

Ogden, UT 84401
(801) 626-3369

The judge was not represented by counsel.

5. *In re: Ridge*, Case No. 09-4JC-062. Decision supplied.

A justice court judge found a defendant guilty of a traffic violation and announced a verbal sentence of an \$82 fine. Under Utah law, the defendant could pay the fine or request a trial *de novo* in the district court. After the defendant stated that he intended to seek a trial *de novo*, the justice court judge then changed the sentence to the maximum sentence of 90 days in jail and a fine of \$1,388, but stayed the sentence pending the appeal to the district court, which was the justice court judge's standard practice. The judge's rationale for doing so was to give the district court more flexibility. The JCC concluded that the judge's conduct gave the appearance that he was punishing the defendant for exercising his right to seek a trial *de novo*, and ordered a reprimand. The reprimand was implemented by the Utah Supreme Court.

Examiner for the JCC:

Colin R. Winchester
Utah Judicial Conduct Commission
2540 Washington Boulevard, Suite 703
Ogden, UT 84401
(801) 626-3369

Counsel for the judge:

Corbin B. Gordon
Solo Practitioner
345 West 600 South #108
Heber, UT 84032
(435) 657-0984

6. *In re: Lewis*, Case No. 06-3D-069. Decision supplied.

A defendant appeared in the judge's courtroom on felony charges for poaching a deer. The judge recused herself based on a bias against hunting and stated the reasons on the record. Someone in the courtroom sighed loudly, coughed and began to leave. The judge instructed the bailiff to bring the man back into the courtroom. The judge began to question the man, but interrupted him before he could answer and ordered the bailiff to take him into custody. The incident was recorded by the court's video system. The video clip was posted on the internet and was broadcast by local media. While the matter was pending, the judge lost her retention election. The JCC concluded that the judge had engaged in

misconduct and ordered a reprimand. The reprimand was implemented by the Utah Supreme Court.

Examiner for the JCC:

Colin R. Winchester
Utah Judicial Conduct Commission
2540 Washington Boulevard, Suite 703
Ogden, UT 84401
(801) 626-3369

Counsel for the judge:

Edward Brass
Elizabeth Hunt
Brass & Cordova
175 East 400 South, Suite 400
Salt Lake City, UT 84111
(801) 322-5678

7. *In re: Kwan*, Case No. 05-3JC-082. Decision supplied.

The judge was presiding over a motion to suppress evidence. In commenting on the defense's position, the judge made an offensive statement with sexual references. The JCC concluded that the judge had engaged in misconduct and ordered a reprimand. The reprimand was implemented by the Utah Supreme Court.

Examiner for the JCC:

Colin R. Winchester
Utah Judicial Conduct Commission
2540 Washington Boulevard, Suite 703
Ogden, UT 84401
(801) 626-3369

Counsel for the judge:

Walter W. Bugden
Bugden & Isaacson
445 East 200 South #150
Salt Lake City, UT 84111
(801) 467-1700

8. *In re: Halliday*, Case No. 05-7D-096. Decision supplied.

The judge engaged in *ex parte* contacts with a criminal defendant. After a full evidentiary hearing, the JCC concluded that the judge had engaged in misconduct and ordered a reprimand. The reprimand was implemented by the Utah Supreme Court.

Examiners for the JCC:

Colin R. Winchester
Susan Hunt
Utah Judicial Conduct Commission
2540 Washington Boulevard, Suite 703
Ogden, UT 84401
(801) 626-3369

Counsel for the judge:

Ronald J. Yengich
Peter D. Goodall
Yengich, Rich & Xaiz
175 East 400 South #400
Salt Lake City, UT 84111
(801) 355-0320

9. *In re: Cox*, Case Nos. 06-7JC-049, 06-7JC-076, 07-7JC-048. Decision supplied.

The judge failed to complete the required number of hours of continuing legal education and made false statements in reporting his hours. He also failed to make unemployment insurance payments required by law for a certain period, resulting in judgments against him. The JCC found misconduct and ordered a censure. The censure was implemented by the Utah Supreme Court.

Examiner for the JCC:

Colin R. Winchester
Utah Judicial Conduct Commission
2540 Washington Boulevard, Suite 703
Ogden, UT 84401
(801) 626-3369

The judge was not represented by counsel.

10. *In re: Adams*, Case No. 09-5JC-082. Decision supplied.

The judge's son-in-law was the chief of police in the small town where the judge served in the justice court. Over a period of several years, the judge failed to

recuse himself and heard numerous cases in which his son-in-law was the arresting officer. The JCC concluded that the judge's conduct created the appearance of impropriety and was conduct prejudicial to the administration of justice which brought a judicial office into disrepute. The JCC ordered a reprimand, which was implemented by the Utah Supreme Court.

Examiner for the JCC:

Colin R. Winchester
Utah Judicial Conduct Commission
2540 Washington Boulevard, Suite 703
Ogden, UT 84401
(801) 626-3369

Counsel for the judge:

Corbin B. Gordon
Solo Practitioner
345 West 600 South #108
Heber, UT 94032
(435) 657-0984

- 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. *In re: Stoney*, Case No. 11-3JC-007. Decision supplied.

Examiners for the JCC:

Colin R. Winchester
Susan Hunt
Utah Judicial Conduct Commission
2540 Washington Boulevard, Suite 703
Ogden, UT 84401
(801) 626-3369

The judge was not represented by counsel.

2. *In re: Sampson*, Case No. 09-4JC-075. Decision supplied.

Examiner for the JCC:

Colin R. Winchester
Utah Judicial Conduct Commission

2540 Washington Boulevard, Suite 703
Ogden, UT 84401
(801) 626-3369

The judge was not represented by counsel.

3. *In re: Ridge*, Case No. 09-4JC-062. Decision supplied.

Examiner for the JCC:

Colin R. Winchester
Utah Judicial Conduct Commission
2540 Washington Boulevard, Suite 703
Ogden, UT 84401
(801) 626-3369

Counsel for the judge:

Corbin B. Gordon
Solo Practitioner
345 West 600 South #108
Heber, UT 84032
(435) 657-0984

4. *In re: Adams*, Case No. 09-5JC-082. Decision supplied.

Examiner for the JCC:

Colin R. Winchester
Utah Judicial Conduct Commission
2540 Washington Boulevard, Suite 703
Ogden, UT 84401
(801) 626-3369

Counsel for the judge:

Corbin B. Gordon
Solo Practitioner
345 West 600 South #108
Heber, UT 94032
(435) 657-0984

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.

In *In re: Stoney*, 2014 UT 64, the Utah Supreme Court determined not to implement the sanction ordered by the JCC. The court concluded that the evidence in the record did not support the JCC's conclusion of judicial misconduct.

- 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.

About 95% of JCC complaints are dismissed or resolved without a published decision. All records regarding such cases are confidential and not publically available. All published records are available at <http://jcc.utah.gov/dispositions/index.html>.

- 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.

None.

- 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.

None.

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.

I have not held judicial office. As a member of the Utah Judicial Conduct Commission, I recall having recused myself in at least one case where I had personal knowledge of the facts and matters at issue. By law, the records of that case are confidential and not available to the public.

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.

Centerville City Utah, City Council Member, elected (1998 – 2001)

Centerville City Utah, unsuccessful candidate for Mayor (2001)

Centerville City Utah, Mayor, elected (2006 – 2013)

Davis County Utah Council of Governments Member, appointed by the Centerville City Council (2006 – 2013)

Utah League of Cities and Towns Delegate, appointed by the Centerville City Council (2006 – 2013)

Member, Legislative Policy Committee (2006 – 2012)

Davis Center for the Performing Arts Administrative Control Board Member, appointed by the Centerville City Council (2009 – 2013)

Board Chair (2009 – 2013)

South Davis Metro Fire Agency Board Member, appointed by the Centerville City Council (2006 – 2013)

Board Chair (2007)

Board Vice-Chair (2006)

Wasatch Integrated Waste Management District Administrative, Control Board Member, appointed by the Centerville City Council (2006 – 2010)

South Davis Recreation District Board Member, appointed by the Centerville City Council (2006 – 2013)

Board Chair (2010)

Board Vice-Chair (2009)

Wasatch Front Regional Council, appointed by the Davis County Council of Governments (2006 – 2010)

Davis County Delegate (2006 – 2010)

TransCom Committee (2009 – 2010)

- 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.

In 2015, I helped organize a political issues committee called “RAP for a Better Centerville” to provide public education and encourage voter support for renewal of Centerville City’s recreation, arts and parks (RAP) tax. I served as chair of the committee and distributed flyers supporting renewal of the tax.

In addition to my own campaigns for City Council and Mayor of Centerville City, I assisted other candidates for non-partisan Centerville City elections, including the 2012 campaigns of the current Mayor Paul Cutler, City Council members John Higginson and Ken Averett, and City Council candidate Jack Dellastacous. My participation included public endorsements, holding an open house in my home, writing a letter of endorsement, and distributing flyers.

In 1997, I participated in a local non-partisan political committee to identify candidates for Centerville City elections.

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;

In 1984, I served as a law clerk to Judge David K. Winder, United States District Court Judge for the District of Utah.

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

I have never practiced law alone.

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

1984 – present
Parr Brown Gee & Loveless
101 South 200 East, Suite 700
Salt Lake City, Utah 84111
Associate (1984 – 1988)
Shareholder (1988 – present)

1998 – 2001; 2006 – 2013
Centerville City, Utah
250 North Main Street
Centerville, Utah 84014
City Council Member (1998 – 2001)
Mayor (2006 – 2013)

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

I have not served as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:

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

I have been in private practice at Parr Brown Gee & Loveless since completing my judicial clerkship in December 1984. My practice has focused on litigation during my entire career. I have represented both plaintiffs and defendants in a variety of different cases before both state and federal courts, and state and local administrative agencies and local governments.

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

I have represented a variety of clients, including individuals, businesses (both large and small), insurance companies, banks and other institutional lenders, and real estate developers. I have a general litigation practice, but have specialized in commercial litigation, real estate law, title insurance and escrow claims, zoning and land use law, construction law and lender enforcement.

- 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 is devoted almost 100% to litigation. As a new attorney after finishing my judicial clerkship, about half of my cases were in federal court and about half in state court. Since about 1990, a larger percentage of my cases have been in state court. Throughout my practice, I have appeared frequently in court. The following estimates are an attempt to provide an average of my experience over a 32-year career in private practice.

i. Indicate the percentage of your practice in:

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

ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 97% |
| 2. criminal proceedings: | 3% |

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 appeared in court hundreds of times arguing motions and other matters. I have tried some 50 cases, acting as sole or chief counsel in approximately 40 of the trials and associate counsel in approximately ten.

i. What percentage of these trials were:

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

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

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

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

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

1. *Castleglen, Inc. v. Commonwealth Sav. Ass'n*, 728 F. Supp. 656 (D. Utah 1989) (Judge David K. Winder), *aff'd*, 984 F.2d 1571 (10th Cir. 1993) (Judges Wade Brorby, William J. Holloway and David M. Ebel).

From 1987 to 1993, I was co-counsel for the Commonwealth Savings Association (Commonwealth), and subsequently for the Resolution Trust Corporation (RTC), as conservator for Commonwealth. The case concerned Commonwealth's sale of apartments in Salt Lake City to plaintiff Castleglen, Inc. Castleglen filed suit, claiming that Commonwealth misrepresented the financial condition of the apartments, and asserting claims for fraud, misrepresentation, negligent misrepresentation, negligence, breach of fiduciary duty, and breach of the implied covenant of good faith and fair dealing. We successfully pursued a motion for summary judgment in the trial court based on Section 2[13](e) of the Financial Institutions Reform, Recovery, and Enforcement Act, 12 U.S.C. §1823(e) and the *D'Oench* doctrine before Judge David K. Winder. The summary judgment was affirmed by the Tenth Circuit. I took depositions, drafted discovery responses and motions, presented argument on motions to the trial court, and wrote the summary judgment and appellate briefs.

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Co-Counsel:

Judge Clark Waddoups
(formerly of Parr Brown Gee & Loveless)

United States District Court for the District of Utah
351 South Temple
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Patricia W. Christensen
Heidi E.C. Leithead
Parr Brown Gee & Loveless
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2. *Culbertson v. Board of Commissioners of Salt Lake County*, Case Nos. 2001 981279 & 981659 (Third Dist. Ct. for Salt Lake Cty.) (Judges Homer Wilkinson, Glenn Iwasaki and Tyrone E. Medley), *rev'd*, 44 P.3d 642 (Utah 2001); *aff'd after remand*, *Johnson v. Hermes Assoc.*, 128 P.3d 1151 (Utah 2005) & *Culbertson v. Board of Commissioners of Salt Lake County*, Case No. 950905166AA, 2006 WL 5702974 (Third Dist. Ct. for Salt Lake Cty.) (Judge Anthony B. Quinn), *rev'd*, 177 P.3d 621 (Ct. App. Utah 2008).

From 1998 to 2008, I acted as lead counsel in two related actions concerning a shopping center expansion by Hermes Associates that encroached on adjacent streets and property owned by my clients, the Croxford family. We pursued an action seeking affirmative injunctive relief to require that the shopping center buildings be removed to the setbacks required by county zoning ordinances and that access roads be restored. We also pursued an action against Salt Lake County to require enforcement of its ordinances and to pay the attorney fees incurred by our clients. Judges Homer Wilkinson and Glenn Iwasaki of the Third District Court for Salt Lake County dismissed the cases. The Utah Supreme Court reversed the dismissals in a consolidated appeal. On remand, Judge Tyrone Medley of the Third District Court for Salt Lake County granted injunctive relief after a hearing on the merits, requiring the demolition of the shopping center buildings. That decision was affirmed by the Utah Supreme Court. Just before the scheduled demolition, we successfully settled the case through mediation. We also pursued the claim for attorney fees successfully against Salt Lake County, establishing new Utah law for the application of the private attorney general doctrine. I handled all aspects of the cases, including depositions, discovery, motions, trial court hearings, appeal briefs and appellate arguments.

Counsel for Hermes Associates:

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(801) 257-1900

Nick J. Colessides
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3. *Young v. Olsen*, No. Case No. 940600742 (Sixth Dist. Ct. for Sanpete Cty.) (Judge David Mower), *aff'd*, No. 990343-CA, 2000 WL 33250584 (Utah Ct. App. June 29, 2000) (Judges Norman H. Jackson, Russell W. Bench, and Gregory K. Orme).

I was lead counsel in this action, which I tried in 1999 in the Sixth District Court for Sanpete County Utah before Judge David Mower. The case concerned an ownership dispute over a farm located in Sterling, Utah. My client, Patterson Construction, purchased a farm from Mr. Olsen. Plaintiffs R. and W. Young claimed that they had a prior agreement to purchase the farm and that Patterson Construction had notice of the prior agreement. The complaint sought to enforce the alleged prior agreement and included tort claims for intentional interference with contract and damages. We prevailed at trial and the district court entered judgment in favor of my client dismissing all of the plaintiffs' claims. The Utah

Court of Appeals affirmed the judgment. I handled all aspects of the case, including pleadings, motions, discovery, depositions, the three-day trial, and the appeal.

Plaintiffs' Counsel:

Douglas L. Neeley
Solo Practitioner
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4. *In re Real Property Located at [Redacted] Jupiter Drive, Salt Lake City, Utah*, Case No. 2:05-cv-1013-DB (D. Utah) (Judge Dee V. Benson).

From 2006 to 2007, I acted as lead counsel representing Washington Mutual Bank in this receivership action in federal district court. An individual named Mr. Stevens had committed fraud on several lenders by forging releases of trust deeds from property he owned so that he could obtain multiple loans secured by the properties. Mr. Stevens owed Washington Mutual approximately \$1.5 million, secured by a first-position trust deed that had purportedly been released by a forged reconveyance. The receiver pressed for a sale of the property free and clear of liens, with liens attaching to the proceeds. The receiver also argued that the proceeds of the sale should be distributed pro rata to all creditors, rather than to Washington Mutual as the first-position lien holder. We filed a motion for summary judgment, which I argued to Judge Dee V. Benson. The court referred the case to a Special Master, Michael Zimmerman, to consider whether an equitable pro rata distribution should be made. After an evidentiary hearing, he made a report and recommendation that the proceeds should go to Washington Mutual, which Judge Benson adopted. There was no appeal. I handled all hearings, argued motions, presented evidence to the Special Master at the hearing, conducted discovery and assisted in drafting motions and memoranda.

Special Master:

Michael Zimmerman
Zimmerman Jones Booher
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(801) 924-0200

Receiver:

Matthew C. Barneck
Richards Brandt Miller & Nelson
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Co-Counsel:

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Counsel for Other Defendants:

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Thomas J. Erbin
Prince Yeates
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Salt Lake City, Utah 84101
(801) 524-1000

Judge Robert Dale
(formerly of Fabian & Clendenin law firm)
Second Judicial District Court for Davis County Utah
425 North Wasatch
Layton, UT 84041
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5. *Risinger v. Midtown Joint Venture, LC*, Case No. 20100533 (Fourth Dist. Ct. for Utah Cty.) (Judge Samuel McVey).

From 2008 to 2012, I was lead counsel for defendant Bank First and successor entities in a consolidated mechanic's lien foreclosure action. The case arose out of the failure of a \$90 million mixed-use real estate development in Orem, Utah. This case is significant for its sheer size and complexity. Bank First, as lead lender, made an \$80 million development and construction loan to Midtown Joint

Venture, LC (Midtown). A large number of lending institutions were loan participants with interests in the loan. The loan was intended to be sufficient to complete construction and to be secured by a first lien position trust deed encumbering the project. After a major downturn in the economy, construction cost over-runs and other problems, the loan went into default, construction was far from complete, and the contractors and suppliers claimed to be owed in excess of \$30 million. The contractors and suppliers filed mechanic's lien claims against the project and filed foreclosure actions asserting that the liens had priority over Bank First's trust deed. We conducted discovery and numerous depositions and filed a motion for summary judgment on the priority issue. Judge Samuel McVey determined that the mechanic's liens had priority because some work had commenced before Bank First's trust deed was recorded. We filed a motion for interlocutory appeal on the priority issue, which was denied by the Utah Court of appeals. After substantial investigation and work with expert witnesses, we postured the case for mediation. We held a mediation with dozens of attorneys and clients. After two days of mediation, we were unsuccessful at resolving the entire case, but we reached a partial settlement that ultimately enabled the settlement of the claims against our client.

Plaintiffs' Counsel:

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Scalley & Reading
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Richard A. Rappaport (for plaintiff Reynolds Brothers Excavation)
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Mark L. Poulson (for plaintiffs Western States Mechanical, JPM, Inc., Houghton
Plaster, and M.C. Green & Sons)
Nelson, Snuffer, Dahle & Poulsen, PC
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Co-Counsel:

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Mathew Ball
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6. *Utah School & Institutional Trust Land Administration v. Mathis*, Case No. 050700196PR, 2007 WL 7266357 (Seventh Dist. Ct. for Carbon Cty.) (Judge Douglas B. Thomas), *aff'd*, 223 P.3d 1119 (Utah 2009).

From 2007 to 2009, I defended the Mathis family in a lawsuit brought by the State of Utah School & Institutional Trust Lands Administration (SITLA). SITLA claimed that it was the owner of a 640-acre tract of land located in Carbon County, Utah. The parcel was originally a school trust lands section transferred by the United States to the State of Utah upon statehood by Utah's Enabling Act. The State sold the tract and issued a patent to a buyer in 1912. Carbon County subsequently sold the property at a 1932 tax sale to R. Mathis for back taxes. The Mathis family farmed the property for more than 60 years. In 1998, the Mathis family entered into a coal lease with Andalex Resources, which began extracting coal from a deep mine. As soon as royalties became payable under the coal lease, SITLA asserted that it actually owned the property and was entitled to the royalties. SITLA's claim was based on the 1918 U.S. Supreme Court decision in *United States v. Sweet*, which held that Utah's Enabling Act did not pass title to lands of known mineral character. Congress, however, passed the Jones Act in 1927 to resolve the confusion engendered by the 1918 Supreme Court decision on title to school trust land parcels that had been previously conveyed. We filed a summary judgment motion in the trial court, which I argued to Judge Douglas B. Thomas. Judge Thomas granted the motion based on a statute of limitations defense and based on the Jones Act. I assisted in drafting the appeal brief and

argued the appeal to the Utah Supreme Court. The trial court summary judgment was affirmed, resulting in some \$6 million in royalties being disbursed by Andalex Resources to the Mathis family.

Counsel for SITLA:

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SITLA
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Co-Counsel:

Daniel A. Jensen
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7. *Haik v. Sandy City*, Case No. 20090451 (Third Dist. Ct. for Salt Lake Cty.) (Judge Sandra Pueller), *aff'd*, 254 P.3d 171 (Utah 2011).

From 2009 to 2011, I represented plaintiff Mr. Haik and several other individuals in an action to resolve ownership of valuable water rights. The plaintiffs owned property in Little Cottonwood Canyon in Salt Lake County, Utah. To provide water to their properties so the properties could be developed, the plaintiffs purchased high priority water rights at the mouth of the canyon with the goal of moving the use of the water to their properties high in the canyon. Sandy City opposed a change application pursued by plaintiffs and in doing research discovered a 1977 unrecorded deed to the water from a prior owner naming Sandy City as grantee. Sandy City recorded the deed in 2004, a year after the plaintiffs' deed to the same water right had been recorded. The case presented unique water law issues under Utah's Recording Act. I took several depositions and conducted discovery to determine the history of the water rights and prior conveyances. Sandy City attempted to derail the case by seeking to have the Haik parties joined in a water adjudication involving a much larger geographic area. We successfully resisted a motion to dismiss the case pending the larger adjudication and filed a motion for summary judgment. I argued the summary judgment motion before Judge Sandra Pueller. Judge Pueller granted summary judgment and Sandy City appealed. I assisted in drafting the appeal brief and argued the case to the Utah Supreme Court, which affirmed the trial court's decision.

Counsel for Sandy City:

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Mabey Wright & James
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Co-Counsel:

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8. *Western Slope Holdings v. Persimmon Investments*, Case No. 100900696
(Third Dist. Ct. for Salt Lake Cty.) (Judge Joseph C. Fratto).

I was retained in 2011 by First American Title Insurance Company to represent plaintiff Western Slope Holdings in a lawsuit challenging the priority of a trust deed claimed by defendant Persimmon Investments. This case was significant as a test case for numerous lawsuits we were defending where Persimmon and others had made similar claims. Western Slope purchased a parcel of property after a foreclosure sale of a lender's trust deed that appeared to have been foreclosed in first position, wiping out a junior trust deed. Persimmon, however, claimed that the trust deed it had acquired was a prior interest based on the purchase money mortgage doctrine. This doctrine provides that a seller's purchase money mortgage will have priority over a third-party lender's mortgage in the same transaction regardless of the order in which the documents are recorded. The doctrine does not apply, however, where the purchase money lender agrees to a junior priority. Persimmon had acquired trust deeds on several properties claiming they were purchase money mortgages in an effort to force title insurance companies to respond to claims. We conducted discovery, including depositions, and filed a motion for summary judgment. Judge Joseph C. Fratto denied summary judgment, concluding that there were issues of fact regarding whether Persimmon's trust deed qualified as a purchase money mortgage or whether there was an agreement that the trust deed would be junior in priority to a lender's trust deed recorded in the same transaction. I conducted the trial, examined all of the witnesses and made the opening and closing arguments. Judge Fratto found in favor of my client Western Slope and awarded our attorney fees and costs. No appeal was taken.

Defendant's Counsel:

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Co-Counsel:

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9. *MKA Finance, Ltd. v. Clingo*, Case No. 090500522 (Dist. Ct. for Wasatch Cty.) (Judge Derek P. Pullan).

From 2009 to 2012, I represented defendant Mr. Clingo in an action filed by plaintiff MKA Finance, Ltd. concerning the ownership of 245.9 shares of water stock in the Spring Creek Irrigation Ditch Company. The case presented complex and unique issues under Utah water law. Mr. Clingo purchased the water stock for several hundred thousand dollars and took possession of the stock certificates (as stock certificates are treated as personal property under the Utah Uniform Commercial Code). MKA asserted that the stock was not personal property, but was real property appurtenant to a parcel of property on which it had foreclosed a trust deed. MKA claimed ownership of the water stock by reason of the foreclosure. I conducted several depositions, including the depositions of expert witnesses, prior owners and water company officials. I also argued a motion for summary judgment. The trial court concluded that there were issues of fact so we tried the case. I was lead counsel at the five-day trial. After trial, the trial court ruled in favor of my client, concluding that the water stock was personal, rather than real property, that MKA failed to perfect its security interest in the stock by not taking possession, and that Mr. Clingo was a bona fide purchaser of the stock without notice of MKA's claimed interest. No appeal was taken.

MKA's Counsel:

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Co-Counsel:

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10. *Stenquist v. Harbor View, LLC*, Case No. 120100556 (First Dist. Ct. for Cache Cty.) (Judge Brian Cannell), *appeal pending*, Case No. 20150505 (Utah Ct. App.).

In April 2015, I tried this case before Judge Brian Cannell. My clients Mr. and Mrs. Stenquist made a \$300,000 loan to development company Harbor View, Ltd. Harbor View claimed that it needed the loan as seed money for financing it was seeking to develop a golf course community. Harbor View's principal convinced a property owner, whose property was to become part of the development, to pledge his property as security for the Stenquists' loan. The development failed, Harbor View defaulted on the loan, and the property owner claimed that he had been defrauded. I filed the case as a judicial foreclosure. The defendants counterclaimed, asserting that they had not actually signed the Stenquists' note, that the note was unenforceable and that they were entitled to recover for fraud and misrepresentation. We were able to resolve part of the case in summary judgment, but the court concluded there were fact issues regarding the validity of the transaction documents and the counterclaim for fraud and misrepresentation. After a two-day trial, the court ruled in my clients' favor. The court entered a judgment and decree of foreclosure in the full amount owed and dismissed the counterclaims. I took depositions, conducted discovery, argued summary judgment motions and tried the case. One of the defendants has appealed and the case is pending in the Utah Court of Appeals.

Defendants' Counsel:

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- 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.)

During my 32 years of private practice, I have had the privilege of working at the same law firm. I served as president of my law firm in 2009 and 2010, have actively participated on firm committees and have mentored many young lawyers, teaching them how to practice law and try cases. In addition to my work in the courtroom, I have also resolved hundreds of cases without litigation or through settlement after issues have become more focused through litigation and discovery.

I have been an active participant in the Utah State Bar and activities of bar practice sections, including as an active member of the Litigation and Real Property Sections. The bar practice sections sponsor continuing legal education programs and other events to promote and further the legal profession. I have been a speaker at the Utah bar's annual convention, at the bar's mentoring program for new attorneys, and at programs sponsored by the bar's Real Property Section. At those events, I have spoken on litigation topics such as the economic loss doctrine and its application by Utah courts, mechanic's liens and construction litigation, title insurance claims and litigation, real estate law and other topics. Early in my career, I participated on a bar committee that helped to develop real property title examination standards.

I have not performed any lobbying activities.

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.

My law firm has a 401(k) and profit sharing plan in which I am fully vested. Those vested funds can be rolled over into another qualified retirement plan in the event that I should be confirmed and leave the firm. No agreement exists regarding the payment of any other deferred benefit, stock, options or other compensation upon separation from the firm.

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

I have no such plans, commitments or agreements.

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

I do not have any family members or other persons, parties, categories of litigation or financial arrangements that are likely to pose a conflict of interest. With respect to client conflicts, my larger clients have included title insurance companies and institutional lenders. If confirmed, I will deal with actual or potential conflicts of interest by carefully following 28 U.S.C. 455, Canon 3 of the Code of Conduct for United States Judges, and any applicable statutes or rules. I would permanently recuse myself from any matters in which I was involved while at Parr Brown Gee & Loveless. I would also recuse myself from any matters in which Parr Brown Gee & Loveless represents a party until such matters are resolved and an appropriate period of time has passed. I would also recuse myself from matters involving former clients until an appropriate time has passed.

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

If confirmed, I would carefully follow 28 U.S.C. 455 and Canon 3 of the Code of Conduct for United States Judges. I would also promptly review the parties, their affiliates, and the issues in all matters assigned to me so I could make a prompt and informed decision about the need for recusal.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of

professional prominence or professional workload, to find some time to participate in serving the disadvantaged.” Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

During my private practice, I have devoted my time to several pro bono divorce and landlord-tenant cases and a few minor criminal cases. I have also supported Utah Legal Services, Disability Law Center and the Legal Aid Society of Salt Lake, agencies that serve the disadvantaged, through financial contributions through the “And Justice for All” foundation. I have participated as a volunteer at the “Tuesday Night Bar” program sponsored by the Utah State Bar Association, providing free legal advice and assistance to individuals.

As chair of my firm’s marketing and planning committee, I led a change from the firm’s traditional purchase of holiday gifts for clients to instead use the funds to make an annual contribution to the Utah Food Bank. I have also volunteered to package the food purchased with the firm’s contribution for delivery to needy families and in preparing and serving meals at a homeless shelter.

From 2000 to 2005, I served on the Board of Trustees for the Salt Lake Family Support Center, which provides assistance to families and children in distress by operating two crisis nurseries for children in peril, a residential village for low-income single mothers, and providing counseling services and job-training for low income and disadvantaged families. As the attorney on the Board, I regularly provided pro bono legal representation to the organization.

During my years in public service, I actively supported the Drug Abuse Resistance Education (DARE) program, by speaking regularly in elementary school assemblies and classes.

I also serve as chair of the Board of Trustees of CenterPoint Legacy Theatre. As Mayor of Centerville, I put together a partnership between two cities and a county to finance and construct the theater building, which was completed in 2011. In addition to a full season of community theater, CenterPoint sponsors a youth theater program and programs for children with disabilities.

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 am not aware of a selection commission in my jurisdiction. On March 30, 2015, I submitted my resume to Senator Mike Lee. On April 2, 2015, I met with Senator Lee and a member of his staff at his Salt Lake office for an interview. On September 3, 2015, I met with Senator Hatch and a member of his staff at his Salt Lake office. On October 7, 2015, I received an email from the White House Counsel's office indicating that my name had been submitted for consideration. I spoke with officials from the Office of White House Counsel on October 8, 2015. I received a phone call from Senator Mike Lee on October 12, 2015 in which he indicated that he and Senator Hatch had submitted my name to the White House for consideration. Since October 12, 2015, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On December 1, 2015, I interviewed with attorneys from the White House Counsel's Office and the Department of Justice in Washington, D.C. On December 16, 2015, the President submitted my nomination to the Senate.

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

No.