

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Sherilyn Peace Garnett
Sherilyn Rosa Lee Peace (maiden name)

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

United States District Judge for the Central District of California

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

Office: Los Angeles County Superior Court
San Fernando Courthouse
900 Third Street, Department G
San Fernando, California 91340

Residence: Altadena, California

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

1969; Grand Cayman Island, Cayman Islands (United Kingdom)

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.

1992 – 1995, Harvard Law School; J.D., 1995

1989 – 1991, University of California, Riverside; B.A. (with honors), 1991

1987 – 1989, Loma Linda University, La Sierra Campus (now known as La Sierra University); no degree received

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.

2014 – present

Los Angeles County Superior Court
San Fernando Courthouse
900 Third Street, Department G
San Fernando, California 91340
Superior Court Judge

2016

California Court of Appeal, Second Appellate District, Division Seven
Ronald Reagan State Building
300 South Spring Street, B-228
Los Angeles, California 90013
Justice Pro Tem

2001 – 2014

United States Attorney's Office for the Central District of California
1200 United States Courthouse
312 North Spring Street
Los Angeles, California 90012
Chief, General Crimes Section (2014)
Deputy Chief, General Crimes Section (2011 – 2014)
Domestic Terrorism Coordinator, National Security Section (2008 – 2011)
Assistant United States Attorney (2001 – 2008)

2008 – 2010

University of Southern California Gould School of Law
699 Exposition Boulevard
Los Angeles, California 90089
Lecturer in Law

1999 – 2000

Arnold & Porter, LLP
777 South Figueroa Street
Los Angeles, California 90017
Associate

1998 – 1999

United States District Court for the Southern District of California

James M. Carter & Judith N. Keep United States Courthouse
333 West Broadway
San Diego, California 92101
Law Clerk to the Honorable Barry Ted Moskowitz

1995 – 1998
Altheimer & Gray, LLP (now defunct)
Ten South Wacker Drive, Suite 4000
Chicago, Illinois 60606
Associate

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 military. I was not required to register for the selective service.

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

Los Angeles County Superior Court, certificate for distinguished service as faculty of Criminal Bench Seminar (2019, 2018)

Mexican American Bar Association, award for extraordinary public service and invaluable contributions to the legal community (2015)

United States Attorney's Office for the Central District of California, award for integrity, commitment, and outstanding service to the people of the United States of America (2014)

Federal Bureau of Investigation, award for outstanding performance in the investigation and prosecution of *United States v. Serrano* (2014)

United States Attorney's Office for the Central District of California, achievement award for outstanding performance (2011)

United States Immigration and Customs Enforcement, award for support of Homeland Security's mission to safeguard children worldwide from childhood predators through the successful prosecution of *United States v. Prowler* (2010)

Federal Bureau of Investigation, award for outstanding performance in the prosecution of *United States v. Segal* (2009)

United States Postal Service, award for outstanding performance in the prosecution of *United States v. Segal* (2009)

California Department of Conservation Director's Office, certificate for the prosecution of *United States v. Segal* (2009)

United States Attorney's Office for the Central District of California, time-off award for outstanding performance (2009)

Federal Bureau of Investigation, award for outstanding performance in the prosecution of *United States v. Jackson* (2004)

University of California, Riverside, graduated with honors (1991)

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.

Association of African American California Judicial Officers (approximately 2021 – present)

Black Women Lawyers Association
Board of Directors, Member (2013 – 2014)
Mentoring Committee, Chair (2013 – 2014)

Black Women Lawyers Association of Chicago (approximately 1995 – 1998)

California Association of Black Lawyers
Judicial Section, Member (approximately 2014 – present)

California Judges Association (2014 – present)

Cook County Bar Association (approximately 1995 – 1998)

Illinois State Bar Association (approximately 1995 – 1998)

Langston Bar Association (approximately 2014 – 2017, 2021 – present)

Los Angeles County Superior Court
Community Outreach Committee, Member (2015 – present)
Diversity Committee, Member (2015 – present)

Women Lawyers Association of Los Angeles
Mentoring Committee, Member (2011 – 2012)

10. **Bar and Court Admission:**

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

Illinois, 1995
California, 2001

There have been no lapses in membership, although—because I am currently serving as a Superior Court Judge—I am not considered a licensee of these bars while in office.

- 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 Sixth Circuit, 1996
United States Court of Appeals for the Ninth Circuit, 2002
United States District Court for the Central District of California, 2001
United States District Court for the Northern District of Illinois, 1995

Because I am a Superior Court Judge, I am not currently admitted to practice in any court. But, before being sworn in as a judge, I was admitted to practice in the above courts with 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.

None.

- 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 with which I am or have been affiliated currently discriminates or formerly discriminated on the basis of race, sex, religion, or national origin either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

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

California Judges Benchbook: Domestic Violence Cases in Criminal Court, Judicial Council of California (2019). I helped edit the fourth chapter of this book. Chapter 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.

None.

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

The following list of events reflects my best efforts to identify all responsive materials through searches of my paper records, electronic files, the internet, and electronic databases. There may, however, be other events that I have been unable to remember or identify.

April 12, 2021: Lecturer, Eyewitness Identification: Safeguards Both Established and New, Judicial Education Seminar, Los Angeles County Superior Court (virtual). Presentation supplied.

February 7, 2021: Mock Trial Judge, National Trial Competition Southern California Regional Tournament, Loyola Law School, Los Angeles, California. I presided over mock trial proceedings, scored student performances, and provided feedback to participants. I have no notes, transcript, or recording. The address for Loyola Law School is 919 Albany Street, Los Angeles, California 90015.

November 22, 2019: Speaker, Glendale Adventist Academy, Glendale, California. I spoke to eighth-grade students about the Bill of Rights and answered questions regarding my background and legal experience. I have no notes, transcript, or recording. The address for Glendale Adventist Academy is 700 Kimlin Drive, Glendale, California 91206.

May 29, 2019: Speaker, American Bar Association Law Day Program, Crescenta Valley High School, La Crescenta, California. I led a discussion about the rights to free speech and freedom of the press and answered questions regarding my background and legal experience. I have no notes, transcript, or recording. The address for Crescenta Valley High School is 2900 Community Avenue, La Crescenta, California 91214.

October 26, 2018: Lecturer, Constitutional Speedy Trial Motions: A Step-by-Step Guide on How to Decide, Judicial Education Seminar, Los Angeles County Superior Court, Los Angeles, California. Presentation supplied.

August 27, 2018: Guest Lecturer, Direct Examinations, Trial Advocacy Course, University of California, Irvine, School of Law, Irvine, California. Presentation supplied.

May 18, 2018: Speaker, American Bar Association Law Day Program, Glendale High School, Glendale, California. I led a discussion about the separation of powers and answered questions regarding my background and legal experience. I have no notes, transcript, or recording. The address for Glendale High School is 1440 East Broadway, Glendale, California 91205.

March 23, 2018: Lecturer, Serna Motions: Ten Minute Mentor, Judicial Council of California (virtual). Remarks supplied.

February 28, 2018: Panelist, Judges Panel, Loyola Law School, Los Angeles, California. I participated in a panel about the process of becoming a Los Angeles County Superior Court Judge. I have no notes, transcript, or recording. The address for Loyola Law School is 919 Albany Street, Los Angeles, California 90015.

March 30, 2017: Speaker, Young Women's Leadership Conference, Los Angeles County Superior Court Community Outreach Committee, Los Angeles, California. I spoke with Los Angeles area high school students about careers in the law and my background and experience. I have no notes, transcript, or recording. The address for the Los Angeles County Superior Court is 111 North Hill Street, Room 222, Los Angeles, California 90012.

March 3, 2016: Speaker, Young Women's Leadership Conference, Los Angeles County Superior Court Community Outreach Committee, Los Angeles, California. I spoke with Los Angeles area high school students about careers in the law and my background and experience. I have no notes, transcript, or recording. The address for the Los Angeles County Superior Court is 111 North Hill Street, Room 222, Los Angeles, California 90012.

January 13, 2016: Presenter, Oath of Office Administration, Glendale Bar Association, Glendale, California. I administered the oath of office to the Glendale Bar Association's Board of Directors. I have no notes, transcript, or recording. The address for the Glendale Bar Association is P.O. Box 968, Glendale, California 91209.

November 4, 2015: Panelist, Judicial Panel, University of Southern California Pre-Law Program, Los Angeles, California. I spoke with college students interested in the law and answered their questions about legal careers and my background and experience. I have no notes, transcript, or recording. The address for the University of Southern California is 3550 Trousdale Parkway, Los Angeles, California 90089.

May 27, 2015: Speaker, American Bar Association Law Day Program, Crescenta Valley High School, La Crescenta, California. I spoke to students about criminal law and answered questions regarding my background and legal experience. I have no notes, transcript, or recording. The address for Crescenta Valley High School is 2900 Community Avenue, La Crescenta, California 91214.

2014 – 2015 (dates unknown): Mock Trial Judge, Mock Trial Program, Constitutional Rights Foundation, Los Angeles, California. On a couple of occasions, I presided over mock trial proceedings and provided feedback to participants. I have no notes, transcripts, or recordings. The address for the Constitutional Rights Foundation is 601 South Kingsley Drive, Los Angeles, California 90005.

December 3, 2014: Panelist, The Judicial Appointment Process, Langston Bar Association, Los Angeles, California. I spoke about my appointment as a judge and answered questions regarding how to prepare for a judicial career. I have no notes, transcript, or recording. The address for the Langston Bar Association is P.O. Box 811985, Los Angeles, California 90081.

October 4, 2012: Keynote Speaker, Breast Cancer Awareness Dinner, Loma Linda University Medical Auxiliary, Loma Linda, California. I spoke about surviving breast cancer. I have no notes, transcript, or recording. The address for the Loma Linda University Medical Auxiliary is 11245 Anderson Street, Suite 230, Loma Linda, California 92354.

2011 – 2012 (dates unknown): Attorney Scorekeeper, Mock Trial Program, Constitutional Rights Foundation, Los Angeles, California. On a couple of occasions, I scored student performances and provided feedback to participants. I have no notes, transcripts, or recordings. The address for the Constitutional Rights Foundation is 601 South Kingsley Drive, Los Angeles, California 90005.

- 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.

Judicial Profile, Daily J. (July 6, 2015). Copy supplied.

Unable to take care of business in L.A., N.Y. Times (Oct. 1, 2013) (reprinted in multiple sources). Copy supplied.

Claremont man suspected of sending poison-laced letters to county children's services offices, court, San Bernardino Sun (Jan. 28, 2011) (reprinted in multiple sources). Copy supplied.

Environmental extremist gets 5 years for attempted arson of Pasadena condos, San Gabriel Valley Trib. (Apr. 5, 2010) (reprinted in multiple sources). Copy supplied.

Earth Liberation Front member pleads guilty to trying to burn condo under Colorado Street Bridge, San Gabriel Valley Trib. (Jan. 11, 2010) (reprinted in multiple sources). Copy supplied.

Feds decline to re-try convicted Caltech graduate on arson charges, Pasadena Star News (Nov. 9, 2009) (reprinted in multiple sources). Copy supplied.

U.S. man faces charges of molesting boys in Thailand, Associated Press (May 16, 2006) (reprinted in multiple sources). 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.

From approximately 2012 to 2013, I served as a Temporary Judge on the Superior Court of California, County of Los Angeles. I was appointed to that position by Presiding Judge Lee Smalley Edmon. The Los Angeles County Superior Court is a California state court of general jurisdiction. On three occasions, I presided over small claims matters, including approximately two bench trials.

Since 2014, I have served as a Superior Court Judge of the Superior Court of California, County of Los Angeles. I was appointed to that position by California Governor Edmund G. Brown, Jr. on June 18, 2014, and I was sworn in as a judge on August 12, 2014. In 2016, I was elected without opposition to a successive six-year term. The Los Angeles County Superior Court is a California state court of general jurisdiction. Since becoming a Superior Court Judge, I have presided over several criminal assignments, involving both misdemeanor and felony proceedings.

From June to October 2016, I served as a Justice Pro Tem of the California Court of Appeal, Second Appellate District, Division Seven. The Chief Justice of the California Supreme Court initially appointed me to that position in May 2016, and she reappointed me in July 2016. Division Seven of the Second Appellate District of the California Court of Appeal has jurisdiction over appeals from the Los Angeles County Superior Court. As a Justice Pro Tem, I served on three-judge panels that heard appeals in criminal, civil, and family-law cases, and I participated in writ proceedings of various types.

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

I estimate that I have presided over approximately 30 cases that have gone to verdict or judgment after a trial, in addition to presiding over thousands of hearings and additional matters. Of those 30 cases, approximately 27 were criminal jury trials, one was a criminal bench trial, and two were civil bench trials.

- i. Of these, approximately what percent were:

jury trials:	90%
bench trials:	10%
civil proceedings:	7%
criminal proceedings:	93%

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

As a Los Angeles County Superior Court Judge, I do not author published opinions. My decisions are typically issued orally and recorded by the courtroom clerk as minute orders or in a court reporter's stenographic notes. I have issued written decisions on only a few occasions. All of my orders and written decisions

are filed in the individual case file and have no identifiable citation other than the case file number. The case files are stored in the Los Angeles County Superior Court's case management system or paper files.

While sitting as a Justice Pro Tem on the California Court of Appeal, I authored the following opinions:

People v. Pan, No. B259666, 2016 WL 7212194 (Cal. Ct. App. 2016)

People v. Shiga, 6 Cal. App. 5th 22 (2016)

Muangthong v. Superior Court, No. B266616, 2016 WL 6407977 (Cal. Ct. App. 2016)

Anderson v. Fitness Int'l, 4 Cal. App. 5th 867 (2016)

Hernandez v. Flagstar Bank, No. B259460, 2016 WL 5929910 (Cal. Ct. App. 2016)

People v. McPhan, No. B266753, 2016 WL 5801995 (Cal. Ct. App. 2016)

People v. Moreno, No. B260796, 2016 WL 5801906 (Cal. Ct. App. 2016)

Zozula v. Zozula, No. B259853, 2016 WL 5801848 (Cal. Ct. App. 2016)

People v. Thomas, No. B258695, 2016 WL 5801822 (Cal. Ct. App. 2016)

People v. Green, No. B267736, 2016 WL 4917186 (Cal. Ct. App. 2016)

People v. Mathews, No. B260920, 2016 WL 4917181 (Cal. Ct. App. 2016)

People v. Wooten, No. B266670, 2016 WL 4501995 (Cal. Ct. App. 2016)

Rothman v. City of Los Angeles, No. B258670, 2016 WL 4482925 (Cal. Ct. App. 2016)

Solano v. Marcucci, No. B261283, 2016 WL 4440405 (Cal. Ct. App. 2016)

In re Marriage of Castellon, No. B260979, 2016 WL 4385074 (Cal. Ct. App. 2016)

People v. Jaime, No. B265483, 2016 WL 4379341 (Cal. Ct. App. 2016)

People v. Hill, No. B263482, 2016 WL 4379338 (Cal. Ct. App. 2016)

People v. Deleon, No. B267933, 2016 WL 3597520 (Cal. Ct. App. 2016)

- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of 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. *People v. Anicich*, No. 8SV04642 (L.A. Cty. Sup. Ct.)

Mr. Anicich was charged with battery and vandalism based on allegations that he pushed a property owner with a nail gun and damaged the property owner's storage shed. Following a multiday trial over which I presided, a jury convicted Mr. Anicich of both charges. I then placed Mr. Anicich on three years of probation with strict terms and conditions. Order supplied.

Counsel for Prosecution:

Jonathan Poloskov
Office of the Los Angeles City Attorney
900 West Third Street
San Fernando, CA 91340
(818) 361-0337

Counsel for Defendant:

Adam Birka-White
Los Angeles County Public Defender's Office
210 West Temple Street, Floor 19
Los Angeles, CA 90012
(213) 974-2811

2. *People v. Alvarez*, No. PA088992 (L.A. Cty. Sup. Ct.)

Mr. Alvarez was charged with assault with a deadly weapon based on his allegedly entering an auto parts store, demanding a refund for items he had previously purchased, and throwing an auto part weighing approximately 15 pounds at a store employee. The defense claimed that Mr. Alvarez did not act with the requisite intent, but, instead, acted accidentally. Following a multiday trial over which I presided, the jury acquitted Mr. Alvarez. Order supplied.

Counsel for Prosecution:

Scott William Eisen
Los Angeles County District Attorney's Office
900 Third Street
San Fernando, CA 91340
(818) 898-2713

Counsel for Defendant:

Arvand Naderi
Naderi Law Office, Inc.
405 North Maclay Avenue, Suite 203

San Fernando, CA 91340
(818) 837-7700

3. *People v. Ramirez*, No. 7SV05558 (L.A. Cty. Sup. Ct.)

Mr. Ramirez was charged with soliciting prostitution and loitering in a public place with the intent to commit prostitution. The prosecution alleged that Mr. Ramirez, who is hearing impaired, showed a female undercover police officer a piece of paper on which he had written that he wanted the female to perform various sexual acts in exchange for \$140. Following a multiday trial over which I presided, the jury found Mr. Ramirez not guilty of both charges. Order supplied.

Counsel for Prosecution:

Bradley Pregerson
Santa Monica City Attorney's Office
1685 Main Street, Room 310
Santa Monica, CA 90401
(310) 458-8336

Counsel for Defendant:

Adam Birka-White
Los Angeles County Public Defender's Office
210 West Temple Street, Floor 19
Los Angeles, CA 90012
(213) 974-2811

4. *People v. Wallace*, No. 7SC00833 (L.A. Cty. Sup. Ct.)

In this case, Ms. Wallace was charged with driving a motor vehicle while being under the influence of alcohol and driving a motor vehicle while having a blood alcohol concentration of 0.08 or more. Following a multiday trial over which I presided, a jury convicted Ms. Wallace of both charges, and I placed her on three years of probation with strict terms and conditions. Order supplied.

Counsel for Prosecution:

Ani Artsvelyan
Los Angeles County District Attorney's Office
211 West Temple Street, Suite 1200
Los Angeles, CA 90012
(213) 974-3512

Counsel for Defendant:

Jeffrey P. Voll
Law Offices of Jeffrey P. Voll
959 East Colorado Boulevard, Suite 217
Pasadena, CA 91106

(323) 467-6400

5. *People v. Lopez*, No. 7GD00091 (L.A. Cty. Sup. Ct.)

Mr. Lopez was charged with battery after he allegedly placed his girlfriend in a chokehold and dragged her to the ground. Following a multiday trial over which I presided, the jury convicted Mr. Lopez, and I placed him on three years of probation with strict terms and conditions. Order supplied.

Counsel for Prosecution:

Arlene D. Anderson
Los Angeles County District Attorney's Office
211 West Temple Street, Suite 1200
Los Angeles, CA 90012
(213) 974-3512

Counsel for Defendant:

Josefina Frausto (formerly of Los Angeles County Public Defender's Office)
Los Angeles County Alternate Public Defender's Office
210 West Temple Street, Floor 18
Los Angeles, CA 90012
(213) 974-6626

6. *People v. Ametrano*, No. 4GD00216 (L.A. Cty. Sup. Ct.)

Ms. Ametrano was charged with driving under the influence of alcohol and willfully refusing a peace officer's request to complete a chemical analysis of her blood. The prosecution alleged that Ms. Ametrano made an unsafe turn in front of an oncoming police vehicle, showed objective signs of impairment, and refused to have her blood drawn to complete a chemical analysis. Following a multiday trial over which I presided, the jury convicted Ms. Ametrano of the driving under the influence charge. The jury deadlocked on the willful refusal special allegation, however, so I declared a mistrial as to that allegation, though I denied Ms. Ametrano's motion to strike the allegation. I placed Ms. Ametrano on three years of probation with strict terms and conditions for the crime of conviction. Order supplied.

Counsel for Prosecution:

Caitlin M. Berger (formerly of Los Angeles County District Attorney's Office)
Dunn & Associates
801 Sixth Avenue, Southwest, Suite 2610
Calgary, Alberta T2P3W2, Canada
(403) 233-0443

Counsel for Defendant:

Josefina Frausto (formerly of Los Angeles County Public Defender's Office)

Los Angeles County Alternate Public Defender's Office
210 West Temple Street, Floor 18
Los Angeles, CA 90012
(213) 974-6626

7. *People v. Vega*, No. 5AH04211 (L.A. Cty. Sup. Ct.)

Mr. Vega was charged with vehicular manslaughter for allegedly striking and killing the victim with his motor vehicle while the victim was crossing the street outside of the crosswalk. Following a multiday trial over which I presided, the jury acquitted Mr. Vega. Order supplied.

Counsel for Prosecution:

Alix McKenna
California Department of Justice
300 South Spring Street, Suite 1702
Los Angeles, CA 90013
(213) 269-6000

Counsel for Defendant:

Amy Loeliger
Los Angeles County Public Defender's Office
210 West Temple Street, Floor 19
Los Angeles, CA 90012
(213) 974-2811

8. *People v. Barrera*, No. 5GN01864 (L.A. Cty. Sup. Ct.)

Mr. Barrera was charged with possession of methamphetamine and drug paraphernalia based on allegations that he possessed crystal methamphetamine in his outer coat pocket. The defense claimed that Mr. Barrera was unaware his coat contained methamphetamine because he had loaned the coat to an acquaintance before having it returned. After presiding over a multiday bench trial, I found Mr. Barrera guilty of possessing methamphetamine, and I placed him on one year of probation with strict terms and conditions. Orders supplied.

Counsel for Prosecution:

Lauren DeGirolamo (formerly of Los Angeles County District Attorney's Office)
Tarrant County District Attorney's Office
401 West Belknap Street
Fort Worth, TX 76196
(817) 884-1400

Counsel for Defendant:

Michael Ramirez-Mares
(Current business contact information unavailable.)

9. *People v. Koehler*, No. 3GN03036 (L.A. Cty. Sup. Ct.)

Mr. Koehler was charged with driving a vehicle while under the influence of alcohol after he allegedly drove his vehicle weaving in and out of his lane and showed objective signs of alcohol impairment. Following a multiday trial over which I presided, the jury convicted Mr. Koehler, and I placed him on three years of probation with strict terms and conditions. Mr. Koehler appealed, and the Los Angeles County Superior Court Appellate Division affirmed his conviction (No. BR052139). Order supplied.

Counsel for Prosecution:

Michael J. Morse (formerly of Los Angeles County District Attorney's Office)
United States Attorney's Office for the Central District of California
312 North Spring Street, Suite 1200
Los Angeles, CA 90012
(213) 894-7367

Counsel for Defendant:

Marko Zubcic, Jr.
Los Angeles County Public Defender's Office
210 West Temple Street, Floor 19
Los Angeles, CA 90012
(213) 974-2811

10. *People v. Brooks*, No. 4GN00750 (L.A. Cty. Sup. Ct.)

Ms. Brooks was charged with willfully and unlawfully using force and violence against her husband. The defense argued that Ms. Brooks' husband was the initial aggressor. Following a multiday trial over which I presided, the jury acquitted Ms. Brooks. Order supplied.

Counsel for Prosecution:

Ashley Gadson-Andrews
Los Angeles County District Attorney's Office
42011 Fourth Street West
Lancaster, CA 93534
(661) 974-7720

Counsel for Defendant:

Marko Zubcic, Jr.
Los Angeles County Public Defender's Office
210 West Temple Street, Floor 19
Los Angeles, CA 90012
(213) 974-2811

- 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. *People v. Pan*, No. B259666, 2016 WL 7212194 (Cal. Ct. App. 2016)

Counsel for Appellant:

Jasmine Patel
Law Offices of Jasmine Patel
1032 Irving Street, Suite 419
San Francisco, California 94122
(415) 865-7000

Counsel for Appellee:

Allison H. Chung
Office of the California Attorney General
300 South Spring Street, Suite 1702
Los Angeles, CA 90013
(213) 269-6000

2. *People v. Shiga*, 6 Cal. App. 5th 22 (2016)

Counsel for Appellant:

Stephen M. Hinkle
Attorney at Law
290 Martellago Drive
North Venice, FL 34275
(530) 553-4425

Counsel for Appellee:

Scott A. Taryle
Office of the California Attorney General
300 South Spring Street
Los Angeles, CA 90013
(213) 269-6073

Russel A. Lehman (deceased)

3. *Muangthong v. Superior Court*, No. B266616, 2016 WL 6407977 (Cal. Ct. App. 2016)

Counsel for Petitioner:

Richard M. Steingard
Law Offices of Richard M. Steingard
800 Wilshire Boulevard, Suite 1050
Los Angeles, CA 90017

(213) 260-9449

Stephen B. Sadowsky (deceased)

Counsel for Respondent:

Leslie Meller
John Harlan, II
Los Angeles County District Attorney's Office
211 West Temple Street
Los Angeles, CA 90012
(213) 974-3844

4. *Anderson v. Fitness Int'l*, 4 Cal. App. 5th 867 (2016)

Counsel for Appellant:

Timothy J. Gonzales
Brock & Gonzales, LLP
6701 Center Drive West, Suite 610
Los Angeles, CA 90045
(310) 294-9595

Gerald M. Serlin
Kelly R. Horwitz
Benedon & Serlin, LLP
22708 Mariano Street
Woodland Hills, CA 91367
(818) 340-1950

Marcus A. Mancini (deceased)

Counsel for Respondent:

Christopher E. Faenza
Alice Chen Smith
Yoka & Smith
445 South Figueroa Street, 38th Floor
Los Angeles, CA 90071
(213) 427-2300

5. *Hernandez v. Flagstar Bank, FSB*, No. B259460, 2016 WL 5929910 (Cal. Ct. App. 2016)

Counsel for Appellant:

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Counsel for Respondents:

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6. *People v. Moreno*, No. B260796, 2016 WL 5801906 (Cal. Ct. App. 2016)

Counsel for Appellant:

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Counsel for Appellee:

Paul M. Roadarmel, Jr.
William N. Frank
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300 South Spring Street
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7. *People v. Thomas*, No. B258695, 2016 WL 5801822 (Cal. Ct. App. 2016)

Counsel for Appellant:

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Counsel for Respondent:

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8. *People v. Mathews*, No. B260920, 2016 WL 4917181 (Cal. Ct. App. 2016)

Counsel for Appellant:

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9. *Rothman v. City of Los Angeles*, No. B258670, 2016 WL 4482925 (Cal. Ct. App. 2016)

Counsel for Appellant:

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Counsel for Respondent:

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10. *Solano v. Marcucci*, No. B261283, 2016 WL 4440405 (Cal. Ct. App. 2016)

Counsel for Appellant:

Marissa E. Buck (formerly of Holland & Knight, LLP)
Dickenson Peatman & Fogarty
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Napa, CA 94559
(707) 252-7122

Richard T. Williams (deceased)

Counsel for Respondent:

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Culver Law Group
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Hermosa Beach, CA 90254
(310) 751-2469

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

To the best of my knowledge, certiorari has not been requested or granted in any of my cases.

- 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.

I have been able to identify only one case where my decision was reversed by a reviewing court or my judgment was affirmed with significant criticism of my substantive or procedural rulings. I undertook best efforts to identify all responsive opinions, including by searching my paper records, electronic files, the internet, and electronic databases. There may, however, be other responsive opinions that I have been unable to remember or identify.

People v. Koehler, No. 3GN03036 (L.A. Cty. Sup. Ct.), *aff'd*, No. BR052139 (L.A. Cty. Sup. Ct. App. Div.). In this case, Mr. Koehler was charged with driving a vehicle while under the influence of alcohol based on allegations that he drove his vehicle weaving in and out of his lane and showed objective signs of alcohol impairment. After a multiday trial over which I presided, the jury convicted Mr. Koehler, and I placed him on three years of probation with strict terms and conditions, including that Mr. Koehler pay attorney's fees as a condition of probation. Mr. Koehler appealed, and the Los Angeles County Superior Court Appellate Division affirmed the judgment in full, except that it deleted payment of attorney's fees as a condition of probation, while allowing the payment requirement to remain as a separate order. Appellate opinion supplied.

- g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

As a Superior Court Judge, nearly all of my decisions are issued orally from the bench and recorded by minute order or in a court reporter's stenographic notes. The few written opinions I have issued have all been unpublished. The Los Angeles County Superior Court does not maintain any readily accessible database

of my decisions. Instead, the decisions are all stored in the court's case management system or paper files.

As a Justice Pro Tem on the California Court of Appeal, I authored or joined approximately 66 opinions. All but six of those decisions were unpublished, and they are available electronically on Lexis and Westlaw.

- 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.

Given the nature of the Los Angeles County Superior Court docket, I have not had occasion to draft any significant opinions on federal or state constitutional issues as a Superior Court Judge. As a Justice Pro Tem on the California Court of Appeal, however, I authored the following significant constitutional opinions (copies of which were provided in response to Question 13d):

People v. Shiga, 6 Cal. App. 5th 22 (2016)

People v. Moreno, No. B260796, 2016 WL 5801906 (Cal. Ct. App. 2016)

People v. Thomas, No. B258695, 2016 WL 5801822 (Cal. Ct. App. 2016)

Solano v. Marcucci, No. B261283, 2016 WL 4440405 (Cal. Ct. App. 2016)

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

I have never sat by designation on a federal court of appeals.

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

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;

- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

The California Code of Civil Procedure (“CCP”) contains two principal mechanisms for disqualifying a judicial officer. First, pursuant to CCP § 170.6, a party or attorney may file a peremptory challenge against a judge. Under § 170.6, no showing of bias must be made, and recusal is mandatory so long as the movant meets the provision’s procedural requirements. The Los Angeles County Superior Court does not typically bring such challenges to the attention of the judicial officer in question, so I am not aware of the number of peremptory challenges that have been filed against me.

Second, pursuant to CCP § 170.1, a party can file a motion to disqualify a judge for cause. To the best of my knowledge, no party has formally moved to recuse me for cause under that section.

In *People v. Whittington*, No. PA096530 (L.A. Cty. Sup. Ct.), a *pro se* litigant remarked in open court that I was guilty of treason and should recuse myself after I ruled on several of his motions. In an abundance of caution, I treated the litigant’s remarks as an official request for recusal, and denied the request because his allegations had no merit and a party’s disagreement with a judge’s rulings is not a legal basis for disqualification.

Additionally, I have sua sponte recused myself pursuant to § 170.1 on one occasion. Specifically, I recused myself from a criminal case upon assignment, as I was familiar with the defendant and a material witness. The case was reassigned but remains pending in the Los Angeles County Superior Court, so I cannot publicly identify the case consistent with my judicial ethical obligations.

15. Public Office, Political Activities and Affiliations:

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

I have not held any public office other than judicial office. I have not had any unsuccessful candidacies for elective office or unsuccessful nominations for appointed office.

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

I have not held any offices in or rendered services to any political party or election committee. I have not held a position or played a role in a political campaign.

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

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

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

From 1998 to 1999, I served as a law clerk to the Honorable Barry Ted Moskowitz on the United States District Court for the Southern District of California.

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

I have not 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.

1995 – 1998

Alzheimer & Gray, LLP (now defunct)
Ten South Wacker Drive, Suite 4000
Chicago, Illinois 60606
Associate

1999 – 2000

Arnold & Porter, LLP
777 South Figueroa Street
Los Angeles, California 90017
Associate

2001 – 2014

United States Attorney's Office for the Central District of California
1200 United States Courthouse
312 North Spring Street
Los Angeles, California 90012
Assistant United States Attorney (2001 – 2008)
Domestic Terrorism Coordinator, National Security Section (2008 – 2011)
Deputy Chief, General Crimes Section (2011 – 2014)
Chief, General Crimes Section (2014)

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

I have not served as a mediator or arbitrator.

b. Describe:

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

From 1995 to 1998, I worked as an associate at Altheimer & Gray, LLP, where I specialized in civil litigation. I litigated various commercial and other matters, involving, among other issues, breach of contract, personal injury, and specific performance of a patent agreement. I also represented pro bono clients in a contract dispute and appeals from criminal convictions. As an associate, I drafted pleadings and briefs, took and defended depositions, propounded and responded to interrogatories, briefed and argued pretrial motions, and appeared on behalf of clients in Illinois state trial and appellate courts, the United States District Court for the Northern District of Illinois, and the United States Court of Appeals for the Sixth Circuit.

From 1998 to 1999, I served as a law clerk to the Honorable Barry Ted Moskowitz on the United States District Court for the Southern District of California. Under Judge Moskowitz's direction, I researched and drafted legal opinions on a variety of legal issues for civil and criminal cases over which he presided on the district court, as well as for matters he heard while sitting by designation on the United States Court of Appeals for the Ninth Circuit.

From 2000 to 2001, I worked as an associate at Arnold & Porter, LLP, where I again litigated a range of civil matters. For example, I worked on cases involving insurance law, contract disputes, and product liability. In connection with those matters, I researched and wrote memoranda on a variety of legal issues and helped organize voluminous discovery for a product liability class action suit.

From 2001 to 2014, I served as an attorney in the United States Attorney's Office for the Central District of California. As a federal prosecutor, I prosecuted hundreds of matters, including cases involving drug trafficking, violent and organized crime, child exploitation, arson, fraud, money laundering, explosives and destructive devices, aviation security, false bomb and anthrax threats, and threats made against the President and protected dignitaries. I argued numerous pretrial motions, tried nine cases

to verdict, and successfully resolved hundreds of cases prior to trial. Further, I briefed and argued numerous cases before the Ninth Circuit.

From 2001 to 2008, I initially worked as an Assistant United States Attorney in the Office's Major Crimes Section (now known as the Violent and Organized Crimes Section). There, I oversaw investigations and prosecuted cases involving a variety of federal crimes, including armed bank robberies; criminal street gang offenses; child exploitation; drug trafficking; social security, postal, and identification fraud; and money laundering. I represented the United States in district court in all phases of criminal litigation, and I briefed and argued appeals in the Ninth Circuit.

From 2008 to 2011, I worked in the National Security Section, where I served as the Domestic Terrorism Coordinator for the Central District of California. In that capacity, I prosecuted cases involving threats against aviation security; threats made against the President and protected dignitaries; federal arson; false bomb threats; and the unauthorized possession of a destructive device. I continued representing the United States in district court and on appeal.

In 2011, I returned to the General Crimes Section, where I spent three years as a Deputy Chief, and was then appointed Chief of the Section. In those positions, I not only maintained my own significant caseload, but also trained and supervised the work of numerous other federal prosecutors in all aspects of criminal investigation and prosecution.

Since 2014, I have been a Superior Court Judge on the Los Angeles County Superior Court, and, for four months in 2016, I was assigned to serve as a Justice Pro Tem on the California Court of Appeal.

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

In private practice, I represented corporate clients and private individuals in an array of civil matters, as well as several pro bono criminal appeals. As a federal prosecutor, I represented the United States government in all manner of federal criminal cases in both the district court and on appeal.

- 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.

In private practice and as a federal prosecutor, the entirety of my practice was in litigation. At Altheimer & Gray, I occasionally appeared in Illinois state trial court and the United States District Court for the Northern District of Illinois in connection with motions and pretrial conferences. During my stint with Arnold &

Porter, I did not appear in court. For my first decade as a federal prosecutor, I appeared in court several days each week. I tried various cases to verdict or judgment, handled court hearings in hundreds of other matters, and argued several matters on appeal. Thereafter, as I took on supervisory responsibilities at the United States Attorney's Office, I appeared in court somewhat less frequently, but I maintained a meaningful caseload and supervised other prosecutors' in-court work in scores of cases.

i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 80% |
| 2. state courts of record: | 20% |
| 3. other courts: | 0% |
| 4. administrative agencies: | 0% |

ii. Indicate the percentage of your practice in:

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

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.

As an attorney, I tried nine cases to verdict, judgment, or final decision in federal district court. These felony matters involved violations of various federal laws. I was sole counsel for four of the cases and co-lead counsel in the other five cases.

i. What percentage of these trials were:

- | | |
|--------------|-----|
| 1. jury: | 90% |
| 2. non-jury: | 10% |

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

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

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

a. the date of representation;

- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
 - c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.
1. *United States v. Serrano*, No. CR 11-990(A)-CAS (C.D. Cal.) (Snyder, J.)

Mr. Serrano and his co-conspirators supplied materials to manufacture thousands of false United States Permanent Resident cards, Social Security cards, Mexican Consular identification cards, and driver's licenses from states across the United States and within Mexico. As a result, the federal grand jury returned 17 separate indictments charging Mr. Serrano and others with various fraud, fraudulent document trafficking, and conspiracy offenses. As lead counsel for the United States from 2009 to 2012, I was responsible for every aspect of the case, from its investigation through its resolution. I drafted and submitted numerous applications seeking approval from a federal district court judge to conduct electronic surveillance. I drafted and presented to a federal grand jury 13 separate indictments, each charging various fraud and conspiracy crimes. My co-counsel and I also prepared multiple criminal complaints and 17 search warrants for locations tied to the charged individuals. Additionally, I organized all of the discovery documents for each case, and I spearheaded the plea bargaining negotiations with Mr. Serrano's counsel. Mr. Serrano eventually pleaded guilty to conspiracy to possess and transfer document-making implements and an immigration charge, and the district court sentenced him to three years in prison. The other defendants also pleaded guilty and received sentences of approximately one year's imprisonment.

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Michael Anthony Brown (formerly of United States Attorney's Office)
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Opposing Counsel:

Peter Swarth
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2. *United States v. Prowler*, No. CR 06-391-RMT(A) (C.D. Cal.) (Takasugi, Marshall, JJ.); 320 F. App'x 721 (9th Cir. 2009) (Pregerson, Paez, Conlon, JJ.); 463 F. App'x 696 (9th Cir. 2010) (Pregerson, Paez, Conlon, JJ.); 132 S. Ct. 1986 (2012) (cert. denied)

Mr. Prowler was charged with numerous federal sexual offenses based on allegations that he repeatedly traveled from California to Thailand and molested over 200 minor boys ranging in age from seven to 15 years old. I worked closely with federal law enforcement located in the United States and Thailand to identify additional victims. I also successfully obtained and had certified through a treaty between the Kingdom of Thailand and the United States the physical evidence located in Thailand, and I secured witness testimony from the Royal Thai police and other Thai witnesses. Additionally, I successfully briefed and argued the government's opposition to Mr. Prowler's pretrial motions challenging the charges based on double-jeopardy grounds and principles of international law. When Mr. Prowler announced his intent to proceed to trial, I obtained through the State Department provisional visas to permit several of the Thai minor boys to travel to the United States and serve as witnesses at trial. After learning of this, Mr. Prowler pleaded guilty to one count of engaging in illicit sexual conduct with a minor in a foreign place and one count of traveling with intent to engage in illicit sexual conduct. Thereafter, I filed extensive briefing on the appropriate sentence for Mr. Prowler's criminal conduct and obtained and submitted victim impact statements from several of the minors in support of the sentence. The district court sentenced Mr. Prowler to ten years in prison, the sentence defense counsel had requested. The government appealed. I helped draft the government's opening brief, which argued that the district court had erred in failing to consider the United States Sentencing Guidelines when imposing the ten-year sentence. The United States Court of Appeals for the Ninth Circuit agreed, reversing Mr. Prowler's sentence and remanding the case for resentencing. On remand, the district court sentenced Mr. Prowler to 25 years in prison. Mr. Prowler then appealed, and I briefed and argued the appeal on behalf of the government. Agreeing with my arguments for affirmance, the Ninth Circuit affirmed. After my involvement in the case ended, the U.S. Supreme Court denied Mr. Prowler's petition for a writ of certiorari.

Opposing Counsel:

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(310) 725-3041

Elizabeth A. Newman (formerly of Federal Public Defender's Office)
(retired)

3. *United States v. Davis*, No. CR 10-43-JVS (C.D. Cal.) (Selna, J.)

Mr. Davis was charged with the unauthorized possession of an unregistered destructive device. Mr. Davis had possessed M-203 grenade launchers that had been stolen from Fort Irwin—a U.S. military training center in California—from a shipment of military equipment bound for Iraq. Mr. Davis pleaded guilty to the charge, and the district court sentenced him to one and a half years in prison. As sole counsel for the United States in 2010, I was responsible for every aspect of this matter, from its investigation through its resolution. In that capacity, I applied for and obtained search warrants for several properties in California owned by Mr. Davis; the execution of those warrants resulted in the seizure of important evidence, including additional military equipment. I also presented evidence to a federal grand jury, obtained an indictment for Mr. Davis, and spearheaded the plea bargaining negotiations.

Opposing Counsel:

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(714) 728-8780

4. *United States v. Thompson*, No. CR 10-304-JFW (C.D. Cal.) (Walter, J.)

Mr. Thompson and Mr. Dawson were each charged with conspiracy to use fire during the commission of a felony, bank larceny, and use of fire during the commission of a felony. The defendants had conspired with two other individuals to commit bank larceny and supplied their co-conspirators with an oxygen tank and thermal lance industrial tool to generate fire to break into a bank and steal approximately \$79,000. After a multiday trial, the jury found Mr. Thompson and Mr. Dawson guilty on all counts, and the district court sentenced them both to approximately 15 years' imprisonment. As co-lead counsel for the United States in 2010, I handled various key elements of the matter. In particular, I developed and implemented the government's aiding and abetting theory of liability in the case. At trial, I also examined witnesses and gave the opening statement and closing argument. After my involvement in the case ended, the United States Court of Appeals for the Ninth Circuit unanimously affirmed the defendants' convictions for aiding and abetting the bank larceny, 539 F. App'x 778 (9th Cir. 2013) (Reinhardt, Molloy, Murguia, JJ.), but in a 2-1 decision reversed their convictions for use of fire and conspiracy to use fire during the commission of a felony, 728 F.3d 1011 (9th Cir. 2013) (Reinhardt, Molloy, JJ., with Murguia, J., dissenting). On remand, Mr. Thompson and Mr. Dawson were each sentenced to around three and a half years' imprisonment.

Co-counsel:

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United States Sentencing Commission

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Opposing Counsel:

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5. *United States v. Murphy*, No. CR 09-1085-R (C.D. Cal.) (Real, J.)

Mr. Murphy was charged with attempted arson after he constructed an incendiary device and placed the lit device in the middle of a partially constructed 30-unit condominium development. Mr. Murphy moved to dismiss the case, and the district court denied his motion. Thereafter, Mr. Murphy pleaded guilty to conspiracy to commit arson, and the district court sentenced him to five years in prison. As lead counsel for the United States in this matter from 2009 to 2010, I handled all aspects of the case, from investigation through its resolution. Most notably, I briefed the government's opposition to Mr. Murphy's dismissal motion, and I spearheaded the plea bargaining negotiations.

Co-counsel:

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Opposing Counsel:

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6. *United States v. Brooks*, No. CR 09-1023-DDP (C.D. Cal.) (Pregerson, J.)

Mr. Brooks was charged with intentionally threatening to kill then-Senator Barack Obama during the 2008 presidential election. I served as sole counsel for the United States from 2009 to 2010, handling all aspects of the case, from its investigation through its conclusion. During Mr. Brooks' arraignment and bail hearing, I observed that he possibly suffered from mental health issues. After defense counsel failed to raise the issue, I asked the court to order a psychiatric examination and a competency hearing for Mr. Brooks. The court granted the request, and the examination revealed that Mr. Brooks did, in fact, suffer from a severe mental illness. With my office's support, I coordinated with the United States Secret Service, defense counsel, Mr. Brooks' family, and state authorities and successfully moved to dismiss the case without prejudice so that Mr. Brooks could receive extended mental health treatment through a conservatorship arrangement.

Opposing Counsel:

Hayne Yoon (formerly of Federal Public Defender's Office)
Vera Institute of Justice
1111 14th Street, Northwest, Suite 920
Washington, DC 20005
(202) 465-8906

7. *United States v. Welch*, No. CR 08-175-RT (C.D. Cal.) (Timlin, J.)

Mr. Welch was charged with intentionally and recklessly aiming a hand-held laser beam at several commercial jets in flight and thereby interfering or at least attempting to interfere with the pilots' ability to land the aircraft. Following a multiday trial, the jury convicted Mr. Welch of interfering with the pilots' operation of the aircraft, but acquitted him of attempt. The district court then sentenced Mr. Welch to an agreed upon term of two and a half years' imprisonment. As lead counsel for the United States from 2008 to 2009 in this matter, I successfully opposed a motion to suppress evidence and other pretrial motions filed by Mr. Welch; briefed and successfully argued for an appropriate willfulness instruction to be given to the jury; examined and cross examined witnesses at trial; and gave the government's closing argument to the jury. This case was the first time in the nation anyone had been tried and convicted in federal court of interfering with aircraft pilots by using a hand-held laser.

Co-counsel:

Hon. Richard Young Lee (formerly of United States Attorney's Office)
Orange County Superior Court
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Santa Ana, CA 92701
(657) 622-5231

Opposing Counsel:

Craig Martin Wilke

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8. *United States v. Segal*, No. CR 04-379(A)-AHM (C.D. Cal.) (Matz, J.)

Mr. Segal, his two recycling companies, and nine other individuals were prosecuted for a highly complex fraud scheme that enabled them to steal millions of dollars from California's beverage container recycling fund for ineligible, out-of-state recycling materials and for numerous false consumer transactions. A federal grand jury charged the defendants in a 72-count indictment, which included conspiracy, mail fraud, money laundering, and witness tampering counts. As co-lead counsel for the United States from 2005 to 2008, I was involved in every aspect of the matter, from the pretrial phase through the case's conclusion. The sophisticated fraud scheme resulted in over 100,000 discovery documents, which I reviewed and organized for trial. I also interviewed witnesses; prepared state auditors to provide expert testimony for trial; researched and prepared responses to multiple suppression, discovery, and pretrial motions; and helped negotiate and draft plea agreements. The defendants ultimately pleaded guilty to various conspiracy and mail fraud charges, and they received sentences ranging from six months' probation to approximately four years' imprisonment.

Co-counsel:

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9. *United States v. Svirsky*, No. 06-180-CBM (C.D. Cal.) (Takasugi, Marshall, JJ.)

Mr. Svirsky and various other individuals were charged with conspiring to acquire kilogram quantities of cocaine and methamphetamine for distribution within the Central District of California and to Hawaii. As lead counsel for the United States in this matter from 2005 to 2011, I was responsible for all aspects of the investigation and prosecution. In particular, I oversaw a significant wiretap investigation that led to three separate indictments charging 11 individuals with various drug trafficking charges. I also prepared the government's wiretap applications, presented evidence to a federal grand jury, and obtained three separate federal indictments. Additionally, I negotiated the plea and cooperation of one of the defendants, which resulted in another large seizure of cocaine from his supplier. The supplier also subsequently cooperated with the government, which led to arrests of additional drug suppliers by state law enforcement. Finally, I spearheaded the plea bargaining negotiations for all of the federally charged individuals. Mr. Svirsky and the other defendants eventually pleaded guilty, and they all received sentences of two to three years' imprisonment.

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10. *United States v. Jesus-Alcantara*, No. CR 01-787-NM (C.D. Cal.) (Manella, J.); 77 F. App'x 971 (9th Cir. 2003) (Wallace, Rymer, Tallman, JJ.)

Ms. Alcantara was charged with attempting to board a flight from California to Alaska with 7.16 kilograms of cocaine hidden in her checked suitcase. After a multiday trial, the jury found Ms. Alcantara guilty of possessing with the intent to distribute cocaine, and the district court sentenced her to ten years in prison. Ms. Alcantara appealed, and the United States Court of Appeals for the Ninth Circuit affirmed her conviction and sentence. As sole counsel for the United States from 2001 to 2003 in this matter, I handled all aspects of the litigation. In particular, I successfully briefed and argued for the admission of expert testimony on several contested issues. At trial, I also gave the opening statement, examined and cross-examined witnesses, and presented closing argument. Further, I drafted the government's sentencing brief in the district court, as well as its Ninth Circuit brief successfully obtaining affirmance of Ms. Alcantara's conviction and sentence.

Opposing 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.)

In addition to the significant litigation experience detailed above, I have continuously participated in other legal and community work during my career.

Throughout my time as a lawyer and Superior Court Judge, I have sought to educate and empower young people by speaking on panels, teaching, and serving as a mentor to students and new attorneys. For instance, I have spoken to high school students as part of the American Bar Association's annual Law Day program; participated in Women Lawyer's Association of Los Angeles programming designed to introduce high school students to the legal system; given career advice to students at Young Women's Leadership Conferences; and served as a volunteer judge for mock trial competitions.

I have also served on various judicial committees that engage in community outreach and seek to promote personal and professional diversity in the legal profession. In connection with those committees, I have participated in judicial panel discussions and fielded questions from law students and attorneys about how to apply to become a Los Angeles Superior Court Judge. I have likewise attended leadership conferences and spoken to high school students about the law, lawyering, and serving on the bench.

Additionally, as a Los Angeles County Superior Court Judge, I have served as a faculty member for several Judicial Education Seminars. In that role, I provided training on topics ranging from handling speedy trial motions under the California and United States Constitutions to addressing eyewitness identification issues. I have given such trainings to fellow judicial officers from not only Los Angeles County, but also elsewhere.

I have not performed any lobbying activities or registered as a lobbyist.

19. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

From 2008 to 2010, I served as a Lecturer of Law at the University of Southern California, Gould School of Law, where I twice taught a course in Legal Writing and Oral Advocacy. During the year-long class, I educated students about how to draft effective motions, legal memoranda, and appellate briefs and how to be effective oral advocates. I am unable to locate copies of the syllabi for the course.

20. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I have no anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts, or other future benefits from previous business relationships, professional services, firm memberships, former employers, clients, or customers.

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.

If confirmed, I do not have any plans, commitments, or agreements to pursue outside employment.

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.

If confirmed, I will recuse myself in any litigation where I have ever played a role. I am not aware of any family members or other persons, parties, categories

of litigation, or financial arrangements that are likely to present potential conflicts of interest when I first assume the position to which I have been nominated. I will evaluate any actual or potential conflict of interest by applying the applicable ethical statutes, rules, and guidelines.

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

If confirmed, I will resolve any actual or potential conflict of interest by applying all applicable statutes, rules, and guidelines, including 28 U.S.C. § 455 and Canon 3 of the Code of Conduct for United States Judges.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

As a federal prosecutor and California Superior Court Judge, I have been unable to represent clients in a pro bono capacity. Throughout my career, however, I have regularly devoted time to legal education, outreach, and mentoring activities. Moreover, while I was in private practice, I worked on a pro bono matter involving a contract dispute, for which I filed briefs, attended hearings, and made legal arguments in court on behalf of my pro bono client. I also represented several defendants on appeal from their criminal convictions—briefing and arguing their cases on a pro bono basis.

26. **Selection Process:**

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

On December 16, 2020, I submitted an application for a position on the United States District Court for the Central District of California to the State Chair of Senator Dianne Feinstein's Judicial Advisory Committee. On January 20, 2021, I resubmitted my application to the State Chair. On February 21, 2021, I submitted my application to the State Chair of Senator Alex Padilla's Judicial Advisory Committee. On April 26, 2021, I interviewed with Senator Feinstein's Committee. On May 20, 2021, I interviewed with the Committee's State Chair. On August 25, 2021, I interviewed with attorneys from the White House

Counsel's Office. Since August 26, 2021, I have been in contact with attorneys from the Office of Legal Policy at the United States Department of Justice. On December 15, 2021, my nomination was submitted 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.