

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Charles Joseph Williams
C.J. Williams
Chuck Williams

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

United States District Court Judge for the Northern District of Iowa

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: United States Courthouse
111 7th Avenue S.E.
Cedar Rapids, Iowa 52401

Residence: Iowa City, Iowa

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

1963; Cedar Rapids, Iowa

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.

1995 – 1997, University of Missouri-Kansas City Law School; L.L.M., 1997

1985 – 1988, University of Iowa College of Law; J.D. (with high distinction), 1988

1981 – 1985, University of Iowa College of Business Administration; B.A. (with high distinction), 1985

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.

2016 – present
United States District Court for the Northern District of Iowa
111 7th Avenue S.E.
Cedar Rapids, Iowa 52401
United States Magistrate Judge

2001 – present
University of Iowa College of Law
130 Byington Road
Iowa City, Iowa 52242
Adjunct Professor

Fall 2016
University of South Dakota Law School
414 East Clark Street
Vermillion, South Dakota 57069
Adjunct Professor

1997 – 2016
United States Attorney's Office
Northern District of Iowa
111 7th Avenue S.E.
Cedar Rapids, Iowa 52401
Assistant United States Attorney

2008 – 2010
North Iowa Area Community College
500 College Drive
Mason City, Iowa 50401
Introduction to Criminal Justice Instructor

1992 – 1997
Lathrop & Gage, LLC
2345 Grand Blvd., Suite 2200
Kansas City, Missouri 64108
Trial Attorney

1990 – 1992
United States Department of Justice
Criminal Division
950 Pennsylvania Avenue N.W.
Washington, D.C. 20530
Trial Attorney

1991 – 1992
United States Attorney's Office
Eastern District of Virginia
2100 Jamieson Avenue
Alexandria, Virginia 22413
Special Assistant United States Attorney (on detail)

1988 – 1990
Hon. Donald E. O'Brien
United States District Court for the Northern District of Iowa
320 6th Street
Sioux City, Iowa 51101
Law Clerk

Summer 1987
Seyfarth Shaw LLP
131 South Dearborn Street, Suite 2400
Chicago, Illinois 60603
Law Clerk

Summer 1986
Cherry & Ayre
Webster, Texas 77598
Law Clerk
Now defunct.

Affiliations (Uncompensated)

1996 – 1997
University of Missouri-Kansas City Law School
500 East 52nd Street
Kansas City, Missouri 64018
Adjunct Professor

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

I have not served in the United States Military. I registered for selective service upon turning 18.

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

Exceptional Service Award, Association of Former United States Attorneys (2016)

Federal Bureau of Investigation Award (2015)

Director's Award for Superior Performance by a Litigative Team (2014)

Richard S. Arnold Award for Distinguished Service and Lifetime Achievement (2014)

Fellow, Iowa Academy of Trial Lawyers (2013)

U.S. Attorney's Office Sustained Superior Performance (2003, 2006, 2008, & 2011)

U.S. Attorney's Office Certificates of Appreciation (1999 – 2010)

Federal Bureau of Investigation Award (2010)

Immigration and Customs Enforcement Award (2010)

Department of Agriculture Honor Award for Excellence (2010)

Chief Postal Inspector Award (2009)

Director's Award for Superior Performance by a Litigative Team (2006)

Special Achievement Award (2006)

Environment and Natural Resource Division Award (2005)

U.S. Attorney's Office Appellate Achievement (2004, 2005)

North Central Iowa Narcotics Task Force Award (2004)

U.S. Attorney's Office Certificates of Commendation (2000, 2004)

U.S. Attorney's Office Outstanding Achievement in Financial Litigation (2003)

Special Achievement Award (2003)

Federal Bureau of Investigation Award (2002)

Director's Award for Superior Performance as an Assistant U.S. Attorney (2001)

Organized Crime Drug Enforcement Task Force Award (2000)

Certificate of Commendation Award for Outstanding Performance (2000)

Volunteer Service Award (1999)

Drug Enforcement Administration Award (1999)

Organized Crime Drug Enforcement Task Force Award (1999)

Federal Bureau of Investigation Award (1999)

Drug Enforcement Administration Award (1992)

Drug Enforcement Administration Award (1991)

J.D. issued with high distinction by University of Iowa College of Law (1988)

Associate Editor, *Iowa Law Review* (1988)

B.A. awarded with high distinction by University of Iowa College of Business Administration (1985)

Dean's List (1981–1985)

Omicron Delta Kappa Honor Society (1985)

Beta Gamma Sigma Honor Society (1984)

Mortar Board (1984)

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.

Linn County Bar Association (2017 – present)

Woodbury County Bar Association (2016 – present)

Federal Practice Committee for the United States District Court for the Northern District of Iowa (2016 – present)

U.S. Magistrate Judge Merit Selection Panel for Retention of Judge John Jarvey (2003)

Kansas Bar Association (1992 – 1997)

Iowa Bar Association (1988 – 1997)

American Bar Association (1988 – 1997)

Kansas City Inns of Court (1993 – 1995)

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.

Iowa, 1988
Kansas, 1992
Missouri, 1995

I have been on inactive status in the Missouri bar since 1997. It was my belief that I had gone on inactive status in the Kansas bar in 1997; because of an administrative error, that did not occur and my bar membership was suspended due to failure to pay dues and meet the state's CLE requirements. There have been no other lapses in membership.

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

Supreme Court of the United States, 1996
United States Court of Appeals for the Eighth Circuit, 1995
United States Court of Appeals for the Eleventh Circuit, 2011
United States District Court for the Northern District of Florida, 2010
United States District Court for the District of Idaho, 2014
United States District Court for the Northern District of Iowa, 1988

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.

Historic Society for the Eighth Circuit Court of Appeals (2016 – present)
Board Member

Historic Society for the Northern District of Iowa (2014 – present)

Hiawatha Public Library (2014 – 2015)
Capital Campaign Co-Chair (2015)
Advisory Panel (2014)

Iowa Narcotics Officers' Association (2006 – 2010)

Boy Scouts of America (2008 – 2013)

ACLU Legal Advisory Board (1994 – 1997)

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

The Boy Scouts of America has limited youth membership in Cub Scouting, Boy Scouting and Varsity Scouting to boys. In October 2017, the organization announced that it will open the Cub Scouting program to girls and deliver a Scouting program for older girls in 2018.

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

12. Published Writings and Public Statements:

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

ADVANCED EVIDENCE: APPLYING THE FEDERAL RULES OF EVIDENCE IN PRETRIAL AND TRIAL LITIGATION (West 2018). Copy supplied.

Proposing a Peremptory Methodology for Exercising Peremptory Strikes, 54 AM. CRIM. L. REV. 277 (2017). Copy supplied.

With Sean Berry, FEDERAL CRIMINAL PRACTICE (West 2016). Copy supplied.

On the Origins of Numbers: Where Did the Number of Peremptory Strikes Come From and Why Is Origin Important, 39 AM. J. TRIAL ADVOC. 481 (2016). Copy

supplied.

A View From the Well: One Trial Attorney's Observations About Attributes of a Good Judge, 63 THE FEDERAL LAWYER 58 (May 2016). Copy supplied.

To Tell You the Truth, Federal Rule of Criminal Procedure 24(a) Should be Amended to Permit Attorneys to Conduct Voir Dire of Prospective Jurors, 67 S.C. L. REV. 35 (2016). Copy supplied.

An Argument for Putting the Posse Comitatus Act to Rest, 85 MISS. L. J. 99 (2016). Copy supplied.

With Dasha Ternavska, *A Series of Unfortunate Events: The Admissibility of "Other Fires" Evidence in Arson Cases*, 48 CONN. L. REV. 685 (2016). Copy supplied.

What is the Gist of the Mail Fraud Statute, 66 OKLA. L. REV. 287 (2014). Copy supplied.

Making a Federal Case Out of a Death Investigation, 60 USA BULLETIN 1 (January 2012). Copy supplied.

Fault and the Suicide Victim: When Third Parties Assume a Suicide Victim's Duty of Self-Care, 76 NEB. L. REV. 301 (1997). Copy supplied.

Toward a Comprehensive Health Care Anti-Kickback Statute, 64 UMKC L. REV. 291 (1995). Copy supplied.

The Honest Consequences of Bruton and the Dishonest Consequences of the Redaction Exception, 28 CRIM. L. BULL. 307 (1992). Copy supplied.

The Federal Death Penalty for Drug-Related Killings, 27 CRIM. L. BULL. 387 (1991). Copy supplied.

Notes From the Underground, WASH. POST (Sept. 1, 1991). Copy supplied.

Circulating, the Washington Way, WASH. POST (May 12, 1991). Copy supplied.

DNA Fingerprinting: A Revolutionary Technique in Forensic Science, 37 DRAKE L. REV. 1 (1988). Copy supplied.

Comment: Connecticut v. Barrett and the Limited Invocation of the Right to Counsel: A New Limitation on Fifth Amendment Miranda Protections, 73 IOWA L. REV. 743 (1988). Copy supplied.

Letter to the Editor, THE DAILY IOWAN, Mar. 15, 1982. 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.

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.

Jan. 19, 2018: Speaker, Naturalization Ceremony, Cedar Rapids, Iowa. Remarks supplied; I typically use this same set of remarks at all naturalization ceremonies.

Dec. 15, 2017: Speaker, Naturalization Ceremony, Cedar Rapids, Iowa. Remarks supplied in conjunction with my January 19, 2018 entry.

Dec. 13, 2017: Panelist, National Advocacy Center, Columbia, South Carolina. I spoke on a judges' panel regarding federal criminal practice and trial advocacy. I have no notes, transcript, or recording. The address of the National Advocacy Center is 1620 Pendleton Street, Columbia, South Carolina 29201.

Nov. 17, 2017: Speaker, Naturalization Ceremony, Cedar Rapids, Iowa. Remarks supplied in conjunction with my January 19, 2018 entry.

Nov. 15, 2017: Speaker, Workplace Learning Connection Career Day, Cedar Rapids, Iowa. I spoke to students regarding federal courts. I have no notes, transcript, or recording. The address of the Workplace Learning Connection is 2301 Oakdale Blvd., Coralville, Iowa 52241.

Nov. 11, 2017: Speaker, University of Iowa College of Law Stevenson Trial Advocacy Competition Banquet, Iowa City, Iowa. Remarks supplied.

Oct. 20, 2017: Speaker, "View From the Bench," Federal Defender's Office Fall Continuing Legal Education, Cedar Rapids, Iowa. Remarks supplied.

Oct. 13, 2017: Speaker, Naturalization Ceremony, Cedar Rapids, Iowa. Remarks supplied in conjunction with my January 19, 2018 entry.

Sept. 15, 2017: Speaker, Naturalization Ceremony, Herbert Hoover Presidential Library and Museum, West Branch, Iowa. Remarks supplied in conjunction with my January 19, 2018 entry. Representative press coverage supplied.

Sept. 7, 2017: Panelist, "Civility From a Judge's Perspective," University of Iowa College of Law, Iowa City, Iowa. Remarks supplied.

Aug. 11, 2017: Speaker, Naturalization Ceremony, Cedar Rapids, Iowa. Remarks supplied in conjunction with my January 19, 2018 entry.

June 16, 2017: Speaker, Naturalization Ceremony, Cedar Rapids, Iowa. Remarks supplied in conjunction with my January 19, 2018 entry.

Apr. 19, 2017: Speaker, Naturalization Ceremony, University of Northern Iowa, Cedar Falls, Iowa. Remarks supplied in conjunction with my January 19, 2018 entry. Representative press coverage supplied.

Apr. 11, 2017: Speaker, "Local Rules Changes in the United States District Court for the Northern and Southern Districts of Iowa," Federal Practice Committee, Cedar Rapids, Iowa. Remarks supplied.

Mar. 2, 2017: Speaker, "Law Enforcement Appreciation," Law Enforcement Appreciation Dinner, Vinton, Iowa. Remarks supplied.

Feb. 24, 2017: Panelist, "Keys to a Successful Federal Practice," Iowa Academy of Trial Lawyers, Des Moines. Remarks supplied.

Feb. 14, 2017: Panelist, National Advocacy Center, Columbia, South Carolina. I spoke on a judges' panel regarding federal criminal practice and trial advocacy. I have no notes, transcript, or recording. The address of the National Advocacy Center is 1620 Pendleton Street, Columbia, South Carolina 29201.

Feb. 10, 2017: Speaker, Naturalization Ceremony, Cedar Rapids, Iowa. Remarks supplied in conjunction with my January 19, 2018 entry. Representative press coverage supplied.

Dec. 16, 2016: Moderator, "Criminal Breakout Session," Federal Bar Association,

Des Moines, Iowa. Remarks supplied.

Dec. 9, 2016: Speaker, Naturalization Ceremony, Cedar Rapids, Iowa. Remarks supplied in conjunction with my January 19, 2018 entry.

Dec. 2, 2016: Speaker, Naturalization Ceremony, Sioux City, Iowa. Remarks supplied in conjunction with my January 19, 2018 entry.

Oct. 14, 2016: Panelist, Iowa State Bar Association Employment Law Seminar Panel. I spoke on a judges' panel regarding the nature and number of employment-related cases in federal court in the Northern and Southern Districts of Iowa, issues we see arising in such cases, and practice pointers. I have no notes, transcript, or recording. The address of the Iowa Bar Association is 625 East Court Avenue, Des Moines, Iowa 50309.

Sept. 30, 2016: Speaker, "Fundamentals of Federal Practice," Federal Practice Seminar Presentation, Des Moines. Remarks supplied.

Sept. 2, 2016: Speaker, Naturalization Ceremony, Sioux City, Iowa. Remarks supplied in conjunction with my January 19, 2018 entry.

July 14, 2016: Speaker, "Developments in the U.S. District Courts for the Northern and Southern Districts of Iowa," Linn County Bar Association, Cedar Rapids, Iowa. Outline supplied.

June 24, 2016: Speaker, "Common Mistakes in Complying with Local Rules," Iowa Bar Association Young Lawyer's Division Webinar. Notes supplied.

June 15, 2016: Speaker, "Developments in the United States District Court for the Northern District of Iowa," Iowa Bar Association Annual Meeting, Des Moines, Iowa. Remarks supplied.

June 3, 2016: Speaker, Naturalization Ceremony, Sioux City, Iowa. Remarks supplied in conjunction with my January 19, 2018 entry.

Apr. 21, 2016: Speaker, "Remarks," Investiture of C.J. Williams as Magistrate Judge, U.S. District Court for the Northern District of Iowa, Sioux City, Iowa. Transcript and representative press coverage supplied.

Dec. 18, 2015: Panelist, Iowa Bar Association Annual Meeting, Des Moines, Iowa. I spoke on a panel regarding developments in Federal Criminal Sentencing. I have no notes, transcript, or recording. The address of the Iowa Bar Association is 625 East Court Avenue, Des Moines, Iowa 50309.

Feb. 22, 2013: Speaker, Remarks at Investiture of Rebecca Goodgame-Ebinger, Des Moines, Iowa. Transcript supplied.

Apr. 25, 2012: Speaker, Kennedy High School, Cedar Rapids, Iowa. I spoke to five government classes about the federal criminal justice system. I have no notes, transcript, or recording. The address of Kennedy High School is 4545 Wenig Road N.E., Cedar Rapids, Iowa 52402.

Dec. 9, 2011: Speaker, Iowa Bar Association Federal Practice Seminar, Des Moines, Iowa. I spoke about the interface between affirmative civil enforcement and criminal prosecution. I have no notes, transcript, or recording. The address of the Iowa Bar Association is 625 East Court Avenue, Des Moines, Iowa 50309.

Oct. 13, 2011: Speaker, University of Iowa College of Law, Iowa City, Iowa. I spoke to Professor Emily Hughes' Capital Litigation class regarding federal capital prosecution. I have no notes, transcript, or recording. The address of the University of Iowa College of Law is 130 Byington Road, Iowa City, Iowa 52242.

Mar. 31, 2009: Speaker, "Meth & More," Drug Awareness Program, Osage, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Jan. 29, 2009: Speaker, "Meth & More," Drug Awareness Program, Fort Dodge, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Dec. 19, 2008: Speaker, Iowa Bar Association Federal Practice Seminar, Des Moines, Iowa. I spoke about bankruptcy fraud prosecutions. I have no notes, transcript, or recording. The address of the Iowa Bar Association is 625 East Court Avenue, Des Moines, Iowa 50309.

Nov. 14, 2008: Speaker, Mt. Mercy College, Cedar Rapids, Iowa. I spoke to Current Affairs class about domestic and international terrorism. I have no notes, transcript, or recording. The address of Mt. Mercy College is 1330 Elmhurst Drive N.E., Cedar Rapids, Iowa 52402.

Nov. 13, 2008: Speaker, Iowa Association of Credit Union Examiners, Des Moines, Iowa. I spoke about money laundering and money structuring. I have no notes, transcript, or recording. I have been unable to locate the physical address of the Iowa Association of Credit Union Examiners, but the meeting took place at the Des Moines Public Library, the address of which is 1000 Grand Avenue, Des Moines, Iowa 50309.

Sept. 7, 2008: Speaker, "Meth & More," Drug Awareness Program, Saint Ansgar, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Oct. 24, 2008: Speaker, Committee on Teen Violence, Dubuque, Iowa. I spoke to a community group on issues of human trafficking and sex trade. I have no notes, transcript, or recording. I have been unable to find the physical address for the Committee on Teen Violence, but the conference was held at the Grand River Event Center, the address of which is 500 Bell Street, Dubuque, Iowa 52001.

Sept. 10, 2008: Speaker, Youth Leadership Counsel, Cedar Rapids, Iowa. I spoke to high school student leaders about terrorism. I have no notes, transcript, or recording. I have been unable to locate the address of the Youth Leadership Counsel, but the meeting took place at the Larry Nelson Center, the address of which is 1001 29th Avenue S.W., Cedar Rapids, Iowa 52404.

Apr. 9, 2008: Speaker, Crime Victims' Conference, Dubuque, Iowa. I spoke on the issue of human trafficking. I have no notes, transcript, or recording. I have been unable to locate information regarding the event sponsor, but the conference was held at the Grand River Event Center, the address of which is 500 Bell Street, Dubuque, Iowa 52001.

Mar. 28, 2008: Speaker, "Meth & More," Drug Awareness Program, Webster City, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Sept. 21, 2007: Speaker, Iowa Realtors Association, Cedar Rapids, Iowa. I spoke about money laundering crimes in relation to real estate transactions. I have no notes, transcript, or recording. The address of the Iowa Realtors Association is 1860 1st Avenue N.E., Cedar Rapids, Iowa 52401.

June 21, 2007: Speaker, Iowa Bar Association Annual Meeting, Des Moines, Iowa. I spoke with Jane Kelly regarding current issues in federal criminal law. I have no notes, transcript, or recording. The address of the Iowa Bar Association is 625 East Court Avenue, Des Moines, Iowa 50309.

June 12, 2007: Speaker, Skogman Realty, Cedar Rapids, Iowa. I spoke about money laundering crimes in relation to real estate transactions. I have no notes, transcript, or recording. The address of Skogman Realty is 411 1st Avenue, S.E., Cedar Rapids, Iowa 52401.

Mar. 20, 2007: Speaker, "Meth & More," Drug Awareness Program, Cedar Rapids, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Feb. 1, 2007: Panelist, University of Iowa College of Law, Iowa City, Iowa. I spoke on a panel regarding careers in criminal law. I have no notes, transcript, or recording. The address of the University of Iowa College of Law is 130 Byington Road, Iowa City, Iowa 52242.

March 20, 2007: Speaker, "Meth & More," Drug Awareness Program, Cedar Rapids, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Aug. 23, 2006: Speaker, Hamilton Business College, Cedar Rapids, Iowa. I spoke to a criminal justice class about federal criminal jurisdiction. I have no notes, transcript, or recording. The address of Hamilton College (now Kaplan University) is 3165 Edgewood Parkway S.W., Cedar Rapids, Iowa 52404.

June 20, 2006: Speaker, Iowa Bar Association Annual Meeting, Des Moines, Iowa. I spoke with Jane Kelly regarding current issues in federal criminal law. I have no notes, transcript, or recording. The address of the Iowa Bar Association is 625 East Court Avenue, Des Moines, Iowa 50309.

May 23, 2006: Speaker, "Meth & More," Drug Awareness Program, Waterloo, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Mar. 24, 2006: Speaker, "Meth & More," Drug Awareness Program, Strawberry Point, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Mar. 23, 2006: Speaker, "Meth & More," Drug Awareness Program, Strawberry Point, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Mar. 16, 2006: Speaker, "Meth & More," Coe College, Cedar Rapids, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Mar. 13, 2006: Speaker, "Meth & More," Drug Awareness Program, Fort Dodge and Webster City, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Mar. 9, 2006: Speaker, "Meth & More," Drug Awareness Program, Cedar Rapids, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. Press coverage supplied. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Jan. 27, 2006: Speaker, University of Iowa College of Law, Iowa City, Iowa. I spoke to Professor Emily Hughes' Fourth and Fifth Amendment class on federal substantive and procedural law regarding search warrants. I have no notes, transcript, or recording. The address of University of Iowa College of Law is 130 Byington Road, Iowa City, Iowa 52242.

Jan. 21, 2006: Speaker, Iowa Court Reporter's Association, Des Moines, Iowa. I spoke on the topic of federal criminal prosecution. I have no notes, transcript, or recording. The address of the Iowa Court Reporter's Association is 5619 N.W. 86th Street, Suite 600, Johnston, Iowa 50131.

Dec. 15, 2005: Speaker, "Meth & More," Drug Awareness Program, Cedar Rapids, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Nov. 3, 2005: Speaker, "Meth & More," Drug Awareness Program, Waterloo, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Nov. 2, 2005: Speaker, "Meth & More," Drug Awareness Program, Grant Wood

Area Education Center, Cedar Rapids, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Nov. 1, 2005: Speaker, "Meth & More," Drug Awareness Program, Fort Dodge, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Oct. 26, 2005: Speaker, "Meth & More," Drug Awareness Program, Cedar Rapids, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Oct. 25, 2005: Speaker, "Meth & More," Drug Awareness Program, Calmar, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Oct. 18, 2005: Speaker, "Meth & More," Drug Awareness Program, Grundy Center, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Sept. 29, 2005: Speaker, "Meth & More," Drug Awareness Program, Des Moines, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Aug. 10, 2005: Speaker, Hamilton Business College, Cedar Rapids, Iowa. I spoke to a Criminal Justice class regarding the basis for federal criminal jurisdiction. I have no notes, transcript, or recording. The address of Hamilton College (now Kaplan University) is 3165 Edgewood Parkway S.W., Cedar Rapids, Iowa 52404.

Feb. 10, 2005: Speaker, Hamilton Business College, Cedar Rapids, Iowa. I spoke to a Criminal Justice class regarding the basis for federal criminal jurisdiction. I have no notes, transcript, or recording. The address of Hamilton College (now

Kaplan University) is 3165 Edgewood Parkway S.W., Cedar Rapids, Iowa 52404.

Jan. 25, 2005: Speaker, Hamilton Business College, Cedar Rapids, Iowa. I spoke to an Introduction to Business Law class regarding the difference between crimes and torts. I have no notes, transcript, or recording. The address of Hamilton College (now Kaplan University) is 3165 Edgewood Parkway S.W., Cedar Rapids, Iowa 52404.

Dec. 17, 2004: Speaker, Federal Practice Seminar, Iowa Bar Association, Des Moines, Iowa. I spoke about drug trafficking prosecutions, sentencing and forfeiture. I have no notes, transcript, or recording. The address of the Iowa Bar Association is 625 East Court Avenue, Des Moines, Iowa 50309.

Nov. 8, 2004: Speaker, Mt. Vernon High School, Mt. Vernon, Iowa. I spoke to a government class about the federal criminal justice system. I have no notes, transcript, or recording. The address of Mt. Vernon High School is 731 Palisades Road S.W., Mt. Vernon, Iowa 52314.

June 21, 2004: Speaker, "Meth & More," Drug Awareness Program, Des Moines, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

May 24, 2004: Speaker, "Meth & More," Drug Awareness Program, Claremont, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

May 10, 2004: Speaker, "Meth & More," Drug Awareness Program, New Hampton, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

May 4, 2004: Speaker, "Meth & More," Drug Awareness Program, Waukon, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Apr. 20, 2004: Speaker, Governor's Conference on Substance Abuse, Des Moines, Iowa. I spoke on drug manufacturing, trafficking, and use problems. I have no notes, transcript, or recording. The address of the Office of the Governor

is 1007 East Grand Avenue, Des Moines, Iowa 50319.

Apr. 15, 2004: Speaker, "Meth & More," Drug Awareness Program, Ames, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Mar. 31, 2004: Speaker, "Meth & More," Drug Awareness Program, Cedar Rapids, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Mar. 30, 2004: Speaker, "Meth & More," Drug Awareness Program, Belmond, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Mar. 17, 2004: Speaker, "Meth & More," Drug Awareness Program, Omaha, Nebraska. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Feb. 26, 2004: Speaker, "Meth & More," Drug Awareness Program, Forest City, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. Press coverage supplied. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Jan. 27, 2004: Speaker, "Meth & More," Drug Awareness Program, Calmar, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Jan. 26, 2004: Speaker, "Meth & More," Drug Awareness Program, Waukon, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Jan. 13, 2004: Speaker, "Meth & More," Drug Awareness Program, Guttenberg, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Dec. 31, 2003: Speaker, "Meth & More," Drug Awareness Program, Cedar Rapids, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Dec. 12, 2003: Speaker, "Meth & More," Drug Awareness Program, Waverly, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Oct. 21, 2003: Speaker, Hamilton College, Cedar Rapids, Iowa. I spoke to a Criminal Justice class regarding federal criminal jurisdiction and laws. I have no notes, transcript, or recording. The address of Hamilton College (now Kaplan University) is 3165 Edgewood Parkway S.W., Cedar Rapids, Iowa 52404.

Oct. 19, 2003: Speaker, "Meth & More," Drug Awareness Program, Waverly, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Oct. 14, 2003: Speaker, "Meth & More," Drug Awareness Program, Decorah, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Sept. 15, 2003: Speaker, "Meth & More," Drug Awareness Program, Guttenberg, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Aug. 4, 2003: Speaker, "Meth & More," Drug Awareness Program, Cedar Rapids, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for

the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

May 20, 2003: Speaker, "Meth & More," Drug Awareness Program, Mason City, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. Press coverage supplied. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Apr. 17, 2003: Speaker, "Meth & More," Drug Awareness Program, Waterloo, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Apr. 16, 2003: Speaker, "Meth & More," Drug Awareness Program, Waverly, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Apr. 15, 2003: Speaker, "Meth & More," Drug Awareness Program, Lake Mills, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. Press coverage supplied. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Apr. 11, 2003: Speaker, "Meth & More," Drug Awareness Program, Waterloo, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Apr. 10, 2003: Speaker, "Meth & More," Drug Awareness Program, Cedar Falls, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Apr. 8, 2003: Speaker, "Meth & More," Drug Awareness Program, Dyersville, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Mar. 27, 2003: Speaker, "Meth & More," Drug Awareness Program, Dubuque, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Mar. 13, 2003: Speaker, "Meth & More," Drug Awareness Program, Mason City, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Feb. 17, 2003: Speaker, "Meth & More," Drug Awareness Program, Strawberry Point, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Nov. 15, 2002: Speaker, "Meth & More," Drug Awareness Program, Emmetsberg, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Nov. 5, 2002: Speaker, "Meth & More," Drug Awareness Program, Iowa Lakes College, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Sept. 30, 2002: Speaker, "Meth & More," Drug Awareness Program, Mason City, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

July 31, 2002: Speaker, "Meth & More," Drug Awareness Program, Mason City, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. Press coverage supplied. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

May 2, 2002: Speaker, "Meth & More," Drug Awareness Program, Ellsworth,

Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Mar. 19, 2002: Speaker, Mason City High School. I spoke to a Mason City High School government class regarding the federal criminal justice system. I have no notes, transcript, or recording. The address of Mason City High School is 1700 4th Street S.E., Mason City, Iowa 50401.

Mar. 2, 2002: Speaker, "Meth & More," Drug Awareness Program, Cherokee, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

Feb. 27, 2002: Speaker, "Meth & More," Drug Awareness Program, Mason City, Iowa. I spoke regarding drug manufacturing, trafficking and use problems, presented to the community as part of a drug awareness outreach program. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Northern District of Iowa is 111 7th Avenue S.E., Cedar Rapids, Iowa 5240.

- 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.

Federal Judges Take Their Oath in Sioux City, KWWL-TV (Apr. 21, 2016). A clip can be found at: <http://www.kwwl.com/story/31788178/2016/04/Thursday/federal-judges-take-their-oaths-in-sioux-city>.

Nick Hytrek, *New Federal Magistrate Judge Happy With Changes in Career Plans*, SIOUX CITY JOURNAL (Apr. 19, 2016). Copy supplied.

I gave an episode of the television program "Gangsters: America's Most Evil." The episode, titled *The Iceman of Iowa: Dustin Honken*, first aired on the Reelz cable channel on January 26, 2016. Copy supplied.

Trish Mehaffey, *Prosecutor to Take Over as Magistrate*, CEDAR RAPIDS GAZETTE (Oct. 29, 2015). Copy supplied.

Trish Mehaffey, *Longtime Iowa Judge Remembered as 'Extraordinary Person'*, CEDAR RAPIDS GAZETTE (Aug. 20, 2015). Copy supplied.

Dennis Magee, *Jury Convicts Gordon Lasley Jr. of Lesser Included Crime*, WATERLOO-CEDAR FALLS COURIER (Dec. 18, 2014). Copy supplied.

Trish Mehaffey, *Safe Streets Task Force Focus on Getting More Guns off the Streets*, CEDAR RAPIDS GAZETTE (Sept. 22, 2014). Copy supplied.

Trish Mehaffey, *Federal Prosecutor Receives Lifetime Achievement Award*, CEDAR RAPIDS GAZETTE (Aug. 11, 2014). Copy supplied.

Trish Mehaffey, *Judge Sentences Marion 'Flim-Flam Artist' to 9 Years in Federal Prison*, CEDAR RAPIDS GAZETTE (Apr. 4, 2014). Copy supplied.

Ryan Foley, *Death Penalty Rerial Delayed*, Associated Press (Apr. 4, 2013). Copy supplied.

Ryan Foley, *Lawyers in Federal Female Death Penalty Case Seek Jury Data for Retrial*, Associated Press (Sept. 3, 2012). Copy supplied

Nick Hytrek, *U.S. Attorney to Again Seek Death Penalty for Johnson*, GLOBE GAZETTE (Mason City, Iowa) (June 19, 2012). Copy supplied.

Nich Hytrek, *Judge Vacates Iowa Woman's Death Sentence*, SIOUX CITY JOURNAL (Mar. 23, 2012). Copy supplied.

Ryan Foley, *Judge Removes 1 of 2 Women on Federal Death Row*, Associated Press (Mar. 23, 2012). Copy supplied.

Trish Mehaffey, *Colleagues Call Rose a Good Choice for Federal Bench* CEDAR RAPIDS GAZETTE (Feb. 20, 2012). Copy supplied.

Dave Franzman, *Cedar Rapids Landlord Sentenced to 20 Years in Prison*, KCRG-TV (Sept. 28, 2010). Copy supplied.

Trish Mehaffey, *Miell Gets Maximum 20 Years in C.R. Fraud, Perjury Case*, CEDAR RAPIDS GAZETTE (Sept. 28, 2010). Copy supplied.

Trish Mehaffey, *Rose Worked Her Way Up*, CEDAR RAPIDS GAZETTE (Nov. 27, 2009). Copy supplied.

Trish Mehaffey, *Miell Trial, Now on Only 3 Charges, Set to Begin Thursday*, CEDAR RAPIDS GAZETTE (Jan. 6, 2009). Copy supplied.

8th Circuit Affirms Honken Convictions, Associated Press (Sept. 12, 2008). Copy supplied.

Bob Link, *Anniversary Marks Terrible Period in North Iowa History*, GLOBE GAZETTE (Mason City, Iowa) (July 25, 2008). Copy supplied.

Courtney Blanchard, *Former Area Man Sentenced to 10 Years*, ABERDEEN AMERICAN NEWS (July 18, 2008). Copy supplied.

Jennifer Hemmingsen, *Massive Investigation Begins*, CEDAR RAPIDS GAZETTE (Apr. 30, 2008). Copy supplied.

Jennifer Hemmingsen, *Prostitution in Iowa: Case Proves Small Towns Aren't Immune to Crimes*, CEDAR RAPIDS GAZETTE (Apr. 20, 2008). Copy supplied.

Bob Link, *Honken May Get Hearing in '08*, GLOBE GAZETTE (Mason City, Iowa) (Nov. 8, 2007). Copy supplied.

Bob Link, *Angela Johnson's Appeal Denied*, BRITT NEWS TRIBUNE (Forest City, Iowa) (July 31, 2007). Copy supplied.

Last Heroin Defendant Gets Nearly 22 Years, CEDAR RAPIDS GAZETTE (July 20, 2007). Copy supplied.

Trucking Firm's Former CEO Pleads Guilty to Bankruptcy Fraud, Associated Press (May 22, 2007). Copy supplied.

Waldner Trial Delayed Again, TELEGRAPH HERALD (Dubuque, Iowa) (May 8, 2007). Copy supplied.

Heroin Conviction Nets Life Prison Term, Associated Press (Mar. 24, 2007). Copy supplied.

Federal Task Force, Prosecutions Help Stem Heroin Use and Deaths, CEDAR RAPIDS GLOBE GAZETTE (Feb. 14, 2007). Copy supplied.

Bob Link, *Johnson's Appeal to be Heard Feb. 14*, GLOBE GAZETTE (Mason City, Iowa) (Jan. 26, 2007). Copy supplied.

Trial Set for Former H&W CEO Waldner, TELEGRAPH HERALD (Dubuque, Iowa) (Jan. 24, 2007). Copy supplied.

Angela Johnson Files Brief in Federal Death Penalty Case, Associated Press (Jan. 2, 2007). Copy supplied.

Todd Dvorak, *Charles City Man Questioned in Missing Girl Case to Change Plea*, Associated Press (Nov. 16, 2006). Copy supplied.

Bob Link, *30 Years of Following Evidence*, GLOBE GAZETTE (Mason City, Iowa) (Nov. 13, 2006). Copy supplied.

Bob Link, *Basler Quietly Investigated North Iowa's Largest Cases*, GLOBE

GAZETTE (Mason City, Iowa) (Nov. 12, 2006). Copy supplied.

Waldner's Bankruptcy Fraud Trial Continued, TELEGRAPH HERALD (Dubuque, Iowa) (Oct. 6, 2006). Copy supplied.

Dortohy de Souza Guedes, *C.R. Man Admits Hiding Drug Money*, CEDAR RAPIDS GAZETTE (Aug. 4, 2006). Copy supplied.

Cristopher Trappe, *C.R. Police Officers to be Honored*, CEDAR RAPIDS GAZETTE (May 24, 2006). Copy supplied.

M.D. Kittle, *Former H&W CEO Indicted*, TELEGRAPH HERALD (Dubuque, Iowa) (May 13, 2006). Copy supplied.

Janet Rorholm, *Civil Lawsuit Contends Houses Funded by Drugs*, CEDAR RAPIDS GAZETTE (Apr. 27, 2006). Copy supplied.

Jordan Erin, *Window Into an Iowa Heroin Ring*, DES MOINES REGISTER (Feb. 26, 2006). Copy supplied.

Wellman Man Pleads Guilty to Kidnapping of Teenager, Associated Press (Jan. 7, 2006). Copy supplied.

Bob Link, *Feds Give Jailhouse Informant a Boost*, GLOBE GAZETTE (Mason City, Iowa) (Jan. 7, 2006). Copy supplied.

Dick Hogan, *E. Iowa Man Took Girl for Prostitution*, CEDAR RAPIDS GAZETTE (Jan. 7, 2006). Copy supplied.

Dorothy de Souza Guedes, *A Life-or-Death Prosecution*, CEDAR RAPIDS GAZETTE (Jan. 1, 2006). Copy supplied.

Bob Link, *No. 2 Dustin Honken Gets Death Sentence*, GLOBE GAZETTE (Mason City, Iowa) (Dec. 30, 2005). Copy supplied.

Todd Dvorak, *Iowan Gets Death Penalty in 1993 Drug Slayings*, Associated Press (Oct. 11 2005). Copy supplied.

On October 11, 2005, I was interviewed by several television and radio stations in Cedar Rapids, Iowa regarding the death sentencing in *United States v. Dustin Honken*. I have been unable to locate clips of these interviews.

Bob Link, *Honken Will Receive Death Decree Tuesday*, GLOBE GAZETTE (Mason City, Iowa) (Oct. 10, 2005). Copy supplied.

Sex Offender Faces Kidnapping Charges, IOWA CITY PRESS-CITIZEN (Oct. 7, 2005).

Bob Link, *Death Penalty Will be Imposed Oct. 11*, GLOBE GAZETTE (Mason City, Iowa) (Aug. 24, 2005). Copy supplied.

Bob Link, *Hinken [sic] Denied New Trial*, GLOBE GAZETTE (Mason City, Iowa) (Aug. 2, 2005). Copy supplied.

Pamela McLean, *New Victims' Rights Law Creates New Burdens*, THE RECORDER (June 23, 2005). Copy supplied.

Drug Dealer's Ex-Girlfriend Faces Execution, GRAND RAPIDS PRESS (June 23, 2005). Copy supplied.

Bob Link, *Prosecutor: 'Best Trial Team in Iowa'*, GLOBE GAZETTE (Mason City, Iowa) (June 22, 2005). Copy supplied.

Todd Dvorak, *Jury Recommends Death Penalty for Johnson*, Associated Press (June 22, 2005). Copy supplied.

Jack Eckhoff, *Jury Calls for Johnson's Death*, DES MOINES REGISTER (June 22, 2005). Copy supplied.

On June 21, 2005, I was interviewed by several local television and radio stations in Sioux City, Iowa regarding the verdict in *United States v. Angela Johnson*. I have been unable to locate clips of these interviews.

Lee Rood, *Steroids Built Him Up*, DES MOINES REGISTER (Mar. 13, 2005). Copy supplied.

Bob Link, *Honken Gets Death Penalty*, BRITT NEWS TRIBUNE (Forest City, Iowa) (Nov. 5, 2004). Copy supplied.

Todd Dvorak, *Jury Finds Drug Kingpin Guilty of Murder*, Associated Press (Oct. 15, 2004). Copy supplied.

Prison Inmate Fears for Family's Safety, Associated Press (Oct. 11, 2004). Copy supplied.

Brian Spannagael, *Descent into Darkness*, GLOBE GAZETTE (Mason City, Iowa) (Oct. 11, 2004). Copy supplied.

Eldora Woman Faces Federal Perjury Sentence, CEDAR RAPIDS GAZETTE (June 7, 2004). Copy supplied.

Mason City Man Pleads Guilty to Selling Steroids, Associated Press (May 11, 2004). Copy supplied.

Ryan J. Foley, *Indictment Details Scope of Human Growth Hormone Ring*, Associated Press (Apr. 22, 2004). Copy supplied.

Ryan J. Foley, *Minnesota Man Pleads Guilty to Selling Growth Hormone*, Associated Press (Mar. 29, 2004). Copy supplied.

Woman Appeals Ruling in Drug Slayings, Associated Press (Feb. 18, 2004). Copy supplied.

Meth-Maker Gets Extra Prison Time for Lying, CEDAR RAPIDS GAZETTE (Dec. 31, 2003). Copy supplied.

Mason City Man Honored for Stopping Kidnapping, CEDAR RAPIDS GAZETTE (Dec. 22, 2003). Copy supplied.

Drug Suspect May Have Fled to Mediterranean, Associated Press (Nov. 5, 2003). Copy supplied.

Bob Link, *Slaying Suspects Are Still Awaiting Trial*, GLOBE GAZETTE (Mason City, Iowa) (July 27, 2003). Copy supplied.

Bob Link, *A Decade In Search of Justice*, GLOBE GAZETTE (Mason City, Iowa) (July 27, 2003).

Dave DeWitte, *Cedar Rapids, Iowa-Based Sabine Transportation Fined for Ocean Pollution*, CEDAR RAPIDS GAZETTE (July 23, 2003). Copy supplied.

Elizabeth Kutter, *Iowa Woman Generous with Stolen Civil War-Era Memorabilia*, CEDAR RAPIDS GAZETTE (June 11, 2003). Copy supplied.

Parade Attendee Had Permission, GLOBE GAZETTE (Mason City, Iowa) (June 7, 2003). Copy supplied.

Bob Link, *Attorney Surrenders Law License in Case Involving Drug Cash*, GLOBE GAZETTE (Mason City, Iowa) (May 23, 2003). Copy supplied.

Mason City Lawyer Charged with Money Laundering, Associated Press (May 20, 2003). Copy supplied.

Bob Link, *Hearing Set for Thursday in Money Laundering Case*, GLOBE GAZETTE (Mason City, Iowa) (May 20, 2003). Copy supplied.

Mary Pieper, *Students Hear Horrors of Drug Use*, GLOBE GAZETTE (Mason City,

Iowa) (Apr. 16, 2003). Copy supplied.

Woman Indicted on Federal Charges in Case of Missing Man, Associated Press (Apr. 14, 2003). Copy supplied.

Betsy Kutter, *Mason City Man Convicted of Perjury*, CEDAR RAPIDS GAZETTE (Jan. 25, 2003).

Elizabeth Kutter, *Man Convicted in Drug Case Still on the Run*, CEDAR RAPIDS GAZETTE (Sept. 30, 2002). Copy supplied.

Bob Link, *Attorney Indicted on Money Laundering Charges*, GLOBE GAZETTE (Mason City, Iowa) (Apr. 19, 2002). Copy supplied.

Steve Gravelle, *Father, Son Admit Selling Rotten Meat to Amish*, CEDAR RAPIDS GAZETTE (Dec. 29, 2001). Copy supplied.

Elizabeth Kutter, *Drug Suspect Skips out on Court Date*, CEDAR RAPIDS GAZETTE (Dec. 21, 2001). Copy supplied.

Bob Link, *Rockwell Man Pleads Guilty to Multiple Drug Charges*, GLOBE GAZETTE (Mason City, Iowa) (Dec. 13, 2001). Copy supplied.

Johnson, Honken Could Face Death Penalty, Associated Press (Sept. 6, 2001). Copy supplied (reprinted in multiple outlets).

John Skipper, *Honken Faces Murder Charges*, GLOBE GAZETTE (Mason City, Iowa) (Sept. 1, 2001). Copy supplied.

Bob Link, *Twelve N. Iowans Are Arraigned on Drug Charges*, GLOBE GAZETTE (Mason City, Iowa) (June 27, 2001). Copy supplied.

Bob Link, *Northwood-Kensett Gun Case Turned Over to Federal Officials*, GLOBE GAZETTE (Mason City, Iowa) (Apr. 25, 2001). Copy supplied.

Emily Graham, *Two Charged in Sale of Bad Meat to Amish*, DES MOINES REGISTER (Feb. 24, 2001). Copy supplied.

Sometime in 2001, I was interviewed by KCRG-TV regarding the Shultice prosecution. I have been unable to locate clips of this interview.

John Skipper, *Officials Quiet on Possible Sixth Killing in Honken Case*, GLOBE GAZETTE (Mason City, Iowa) (Dec. 21, 2000). Copy supplied.

Staci Hupp, *Inmate Alleges 6th Drug Killing*, DES MOINES REGISTER (Dec. 20, 2000). Copy supplied.

Deb Nicklay, *Remains Found in Farm Field Identified as DeGeus*, GLOBE GAZETTE (Mason City, Iowa) (Nov. 30, 2000). Copy supplied.

Human Remains Found Near Mason City Identified, Associated Press (Nov. 29, 2000). Copy supplied.

Human Remains Found Near Mason City, TELEGRAPH HERALD (Dubuque, Iowa) (Nov. 9, 2000). Copy supplied (reprinted in multiple outlets).

Jan Horgen, *Human Remains Unearthed*, GLOBE GAZETTE (Mason City, Iowa) (Nov. 9, 2000).

Two Bodies ID'd as Missing Witness and Girlfriend, Associated Press (Nov. 4, 2000). Copy supplied.

Deb Nicklay, *Some Slaying Victims ID'd*, GLOBE GAZETTE (Mason City, Iowa) (Nov. 4, 2000). Copy supplied.

Zach Jensen, *Murder Investigation Centers on 2 Cerro Gordo Locations*, GLOBE GAZETTE (Mason City, Iowa) (Oct. 13, 2000). Copy supplied.

Agents Digging in Cerro Gordo County for Witnesses, Associated Press (Oct. 13, 2000). Copy supplied.

Kevin Kane, *Shultice Sentenced*, CEDAR RAPIDS GAZETTE (Sept. 23, 2000). Copy supplied.

Kevin Kane, *C.R. Man 'Guilty' of Illegal Dispensing Drugs*, CEDAR RAPIDS GAZETTE (Oct. 7, 1999).

Company Official Gets Home Confinement, Fine for Failing to Report RCRA Violation, BLOOMBERG BNA (Jan. 20, 1999). Copy supplied.

Jerry Heth, *Inquiry Leads to Honors List for Scholars*, IOWA CITY PRESS CITIZEN (Oct. 12, 1983). Copy supplied.

Jackie Baylor, *Independents Pledge to be Representative*, THE DAILY IOWAN (Mar. 15, 1982). Copy supplied.

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

Since February 16, 2016, I have served as a United States Magistrate Judge appointed by the United States District Court for the Northern District of Iowa. The authority of federal

magistrate judges is defined by 28 U.S.C. § 636.

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

As a United States magistrate judge, I can only preside over entire civil matters by consent of the parties and over criminal trials involving certain misdemeanor and petty offenses. I have presided over several dozen such civil cases that have gone to verdict or judgment. Two of these cases have gone to trial before me, one a bench trial and one a jury trial. I have not presided over any criminal misdemeanor cases.

- i. Of these, approximately what percent were:

jury trials:	50%
bench trials:	50%
civil proceedings:	100%
criminal proceedings:	0%

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

Citations for all opinions I have written as of February 26, 2018 and that are available on Westlaw and LEXIS are provided at Appendix 13(b).

- 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. *Behr v. AADG, Inc.*, 2016 WL 4119692 (Jul. 29, 2016); 2017 WL 3758808 (Aug. 30, 2017).

In this class action lawsuit, a company fired a large number of employees as part of a reduction in force, giving the employees severance packages in exchange for a waiver of rights to sue for various reasons, including age discrimination. A group of those employees later sued, arguing that the company chose employees to be fired based on their ages. The parties first filed cross motions for summary judgment regarding whether the waiver barred the fired employees from filing suit based on age discrimination under the Age Discrimination in Employment Act (ADEA). I found the waiver violated the ADEA and was unenforceable. The parties then filed cross motions for summary judgment on the merits of the claim. I granted summary judgment in part, finding that the plaintiffs failed to exhaust administrative remedies and failed to make a prima facie showing of disparate impact, and granted summary judgment as to some of the plaintiffs finding they

failed to establish a prima facie case of disparate treatment, but denied summary judgment as to the remaining plaintiffs, finding there was a factual dispute as to their disparate treatment claims. The parties thereafter settled the case.

Counsel

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(515) 224-2079

Sarah Crane
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2. *Bruhn Farms Joint Venture v. Fireman's Fund Ins. Co.*, 2017 WL 2888585 (May 11, 2017).

I presided over this crop insurance trial. A large-scale farmer (more than 6,000 acres) claimed a loss from a hail storm to thousands of acres of soybeans and corn. The insurance company offered a \$250,000 settlement that the farmer rejected as too low, claiming actual damages of approximately \$1.6 million. The trial turned on vague language in the insurance contract regarding when and how adjusters were to estimate a loss, and whether the insurance company acted in bad faith. Plaintiff sought punitive damages of \$30 million. The jury returned a verdict in favor of the plaintiff, finding actual damages of \$32,700 and awarding \$1.5 million in punitive damages. I subsequently reduced the punitive damages award to \$163,500. Neither party appealed.

Counsel

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William Kurt Henke
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3. *Leonard v. Lentz*, No. 17-CV-3037-CJW, 2017 WL 6887535 (N.D. Iowa Nov. 1, 2017); 2018 WL 459341 (N.D. Iowa Jan. 18, 2018).

This case involved a one-day bench trial on a petition under the Hague Convention for the return of three children allegedly wrongfully removed by their mother from Turkey to the United States. I entered an order finding that the mother had wrongfully removed the children from Turkey, but found that an exception under the Hague Convention barred the return of one of the children because the child needed a kidney transplant and that returning that child to Turkey would create a grave risk of injury or death to the child. I further held that returning that child's twin sister and older brother would run contrary to the purpose of the Hague Convention, which is silent on the issue of returning some, but not all, children when the grave risk exception applies to one, but not all, of the children.

Counsel

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90-286-887-3579

Michael Manely
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4. *Nachurs Alpine Solutions, Corp. v. Nutra-Flo Co., et al.*, 2017 WL 2918979 (Jul. 7, 2017).

This was a complicated trade secrets case in which a farm fertilizer company sued a former employee and his new employer alleging the theft of trade secrets. I entered more than twenty orders in the case addressing complex discovery disputes, including motions to add parties, establish ESI protocols, strike experts, quash third-party subpoenas, and multiple motions to compel and for sanctions. In one order, I found defendants intentionally failed to produce documents to plaintiff in discovery and imposed a sanction of attorneys' fees and costs. The parties subsequently settled the case.

Counsel

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5. *Sickels v. Craig*, 2017 WL 1395510 (Feb. 24, 2017).

This was a post-conviction relief petition case where a state prisoner claimed a violation of his Constitutional rights in connection with his conviction for second degree sexual abuse of a woman. The petitioner was an Assistant Police Chief when he and the Chief of Police raped the victim. The petitioner alleged the state court unreasonably applied the Strickland standard when it found trial counsel was not ineffective for failing to: seek a separate trial from the co-defendant (former Chief of Police); present different evidence of or argument regarding the relationship between the victim and her boyfriend; objecting to allegedly improper character evidence; and to more effectively resist the state's motion in limine to bar evidence of the victim's alleged sexual conduct. I found the state court did not violate the petitioner's constitutional rights and correctly applied the *Strickland* standard in a Report and Recommendation subsequently accepted by the District Court in 2017 WL 1380458 (Apr. 17, 2017).

Counsel

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6. *Stanczyk v. Prudential Inc. Co. of America*, 2016 WL 6304453 (Oct. 26, 2016); 2017 WL 89571 (Jan. 10, 2017); 2017 WL 1632874 (Apr. 28, 2017).

This was a breach of insurance contract case with counterclaims by the insurance company. The plaintiff alleged that the insurance company wrongfully terminated plaintiff's long-term disability insurance coverage after it had paid her benefits for several years. Plaintiff alleged the termination was made in bad faith and sought significant punitive damages. The insurance company counter-sued, alleging plaintiff was never eligible for coverage and sought damages in an amount equal to all of the benefit payments it had made to defendant. The parties consented to me presiding over the case. I granted partial summary judgment,

finding plaintiff could not pursue several causes of action and could not seek punitive damages, and limited the scope of the counterclaim and damages the insurance company could pursue. The parties thereafter settled the case.

Counsel

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7. *United States v. Limones-Valles*, 2016 WL 7489446 (Dec. 30, 2016).

In this criminal case, I recommended dismissal of an indictment charging the defendant with illegal reentry by an aggravated felon. This was a case involving a complex interplay between immigration administrative proceedings and a state court conviction and suspended judgment. I found that the defendant's state conviction was not a final judgment, the government's classification of defendant was therefore in error, and that defendant's subsequent removal from the United States deprived him of due process. As a result, I found the government could not now charge him with the crime of illegal reentry by an aggravated felon. The District Court accepted my Report and Recommendation and dismissed the indictment. The United States did not appeal.

Counsel

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8. *United States v. Sykes*, 2017 WL 1455968 (Apr. 21, 2017).

In this criminal case, the defendant filed a motion to suppress a firearm that officers found when searching him. I found that if an officer has a reasonable, articulable suspicion that a person is armed, the officer may conduct a pat-down search without first eliminating the possibility that the suspect has a concealed weapons permit. The District Court accepted my Report and Recommendation.

Counsel

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9. *Younie v. City of Hartley, Iowa*, 2016 WL 2851329 (May 13, 2016).

This was an employment retaliatory discharge case involving a police chief in which the parties consented to me as the presiding judge. Plaintiff alleged the city fired him (a) in retaliation for conduct protected by the Fair Labor Standards Act (FLSA), and (b) in violation of Iowa public policy. I denied the city's motion to dismiss the complaint, finding plaintiff stated a valid claim under the FLSA for retaliatory discharge, even though the FLSA would not have, in fact, covered his employment because of the small size of the police department. I further denied the city's motion for summary judgment, finding there was a genuine issue of material fact whether the mayor was motivated to terminate plaintiff because plaintiff filed grievances against the mayor, and whether that motivation was the but-for cause of plaintiff's termination. The parties later settled the case.

Counsel

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Stephen F. Avery

Cornwall, Avery, Bjornstad & Scott, Attorneys at Law

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10. *Zubrod v. Hoch*, 2017 WL 82478 (Jan. 8, 2017).

This was a Section 1983 civil rights case in which the parties consented to me as the presiding judge. The parents of a man who died after officers deployed tasers sued alleging excessive use of force. Officers had responded to a report of a screaming woman and the first officer to arrive at the scene encountered defendant repeatedly hitting his girlfriend in the head with a hammer. I granted summary judgment in favor of the officers, finding the officers were justified in deploying tasers when defendant continued to resist arrest, that the evidence did not show a causal link between the use of the tasers and defendant's death because defendant had a heart condition and was under the influence of methamphetamine. I also found the officers were entitled to qualified immunity because it was not clearly established law that the use of a taser under these circumstances would have constituted an excessive use of force. Plaintiffs have appealed my ruling.

Counsel

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

1. *Behr v. AADG, Inc.*, 2017 WL 3758808 (Aug. 30, 2017).

Counsel for Plaintiff:

Mark Sherinian
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Counsel for Defendant:

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2. *Bruhn Farms Joint Venture v. Fireman's Fund Ins. Co.*, 2017 WL 2888585 (May 11, 2017).

Counsel for Plaintiff:

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Counsel for Defendant:

William Kurt Henke
Jeffrey S. Dilley
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3. *Leonard v. Lentz*, No. 17-CV-3037-CJW, 2017 WL 6887535 (N.D. Iowa Nov. 1, 2017); 2018 WL 459341 (N.D. Iowa Jan. 18, 2018).

Counsel for Plaintiff:

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Counsel for Defendant:

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4. *Nachurs Alpine Solutions, Corp. v. Nutra-Flo Co.*, 2017 WL 2918979 (Jul. 7, 2017).

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5. *Sickels v. Craig*, 2017 WL 1395510 (Feb. 24, 2017).

Counsel for Plaintiff:

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Counsel for Defendant:

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(515) 281-5976

6. *Stanczyk v. Prudential Inc. Co. of America*, 2017 WL 1632874 (Apr. 28, 2017).

Counsel for Plaintiff:

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7. *United States v. Limones-Valles*. Report and Recommendation supplied.

Counsel for Plaintiff:

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701 Pierce Street, Suite 400
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8. *United States v. Sykes*, 2017 WL 1455968 (Apr. 21, 2017).

Counsel for Plaintiff:

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9. *Younie v. City of Hartley, Iowa*, 2016 WL 2851329 (May 13, 2016).

Counsel for Plaintiff:

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Counsel for Defendant:

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10. *Zubrod v. Hoch*, 2017 WL 82478 (Jan. 8, 2017).

Counsel for Plaintiff:

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Counsel for Defendant:

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

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.

United States v. Hayes, 2017 WL 1955334 (May 11, 2017).

Chief Judge Leonard T. Strand adopted in part and rejected in part my ruling on a defendant's motion to dismiss one count of conviction. The government had improperly charged the defendant in two counts of the crime of possessing a

firearm as a prohibited person, under alternative grounds set forth in Title 18, United States Code, Section 922(g). I found the counts multiplicitous, but recommended that the remedy was to merge the two counts at sentencing. Judge Strand disagreed and found dismissal of one of the two counts at sentencing to be the proper remedy.

United States v. Myers, 17-CR-2018-LRR (Apr. 26, 2017).

I found at a detention hearing that the government had failed to carry its burden of showing by clear and convincing evidence that the defendant posed a danger to the community and ordered his release pending trial. I did not issue a written opinion. Judge Linda R. Reade reversed my ruling and ordered the defendant detained pending trial.

Cordes v. Berryhill, 2017 WL 3951641 (Sept. 8, 2017).

Chief Judge Leonard T. Strand did not accept my Report and Recommendation to affirm the Administrative Law Judge's (ALJ) denial of Security Benefits, finding that the ALJ did not give sufficient weight to the opinion of the claimant's treating physician.

- 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 United States Magistrate Judge, many of my opinions are not selected for publication in reporters. I estimate that in my approximately two years as a judge, I have issued several hundred unreported opinions, representing approximately 50 percent of my total opinions. All reported and unreported opinions I have issued are filed and stored on CM/ECF, the federal court Case Management/Electronic Case Files system.

- 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.

Dudley v. McKinney, 2016 WL 9026150 (N.D. Iowa June 22, 2016), *report and recommendation adopted by* 2017 WL 2295901 (N.D. Iowa May 25, 2017).

Nunley v. Erdmann, 2016 WL 1092664 (N.D. Iowa Mar. 21, 2016), *summarily affirmed by* 2016 WL 9455897 (8th Cir. Dec. 1, 2016).

Wright v. McKinney, 2016 WL 6305959 (N.D. Iowa Oct. 27, 2016), *report and recommendation adopted by* 2017 WL 4848820 (N.D. Iowa Oct. 25, 2017). An appeal is pending. No. 17-3427 (8th Cir.).

Zubrod v. Hoch, 2017 WL 82478 (N.D. Iowa Jan. 8, 2017). An appeal is

pending. No. 17-1202 (8th Cir.).

United States v. Maldonado, 2016 WL 1588129 (N.D. Iowa Apr. 20, 2016), report and recommendation adopted by 2016 WL 3004653 (N.D. Iowa May 24, 2016).

United States v. Sallis, 2017 WL 2819973 (N.D. Iowa June 29, 2017), report and recommendation adopted by 2017 WL 3388184 (N.D. Iowa Aug. 7, 2017).

United States v. Sykes, 2017 WL 1455968 (N.D. Iowa Apr. 21, 2017), report and recommendation adopted by 2017 WL 2514953 (N.D. Iowa Jun. 6, 2017).

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

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

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

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

The only case in which a motion was filed seeking my recusal was *United States v. Cambell*, No. 17-CR-2045-LRR, 2018 WL 624104 (N.D. Iowa Jan. 30, 2018). When I was a prosecutor, I prosecuted a defendant who cooperated and testified before the grand jury about other drug dealers. Years later, agents used that information, along with much more, to obtain wiretaps on phones of drug dealers. The wiretap led to the prosecution of 27 defendants. One of the defendants initially believed this created a conflict of interest for me and filed a motion for my recusal. I held an evidentiary hearing to determine the extent to which the grand jury testimony was used and

connected to the current prosecution. The evidence showed that my cooperator had never mentioned the defendant's name. In light of the evidence at the hearing, the defendant withdrew his motion for recusal.

The clerk of court lists all the companies in which I hold any stock or interest and should a case arise with one of those companies, I would be automatically recused. The United States Attorney's Office for the Northern District of Iowa conducts a search on PACER for any criminal defendant to determine if I ever appeared as counsel of record in a prior prosecution. If they find a connection, they alert my staff and I am recused from the case.

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 such offices. I have never been a candidate for elective office.

I unsuccessfully applied for a position as a United States District Court Judge in both the Northern and Southern Districts of Iowa (2015).

I unsuccessfully applied for a position as a United States Magistrate Judge in the Southern District of Iowa (2014).

I unsuccessfully applied for a position as a United States Magistrate Judge in the Northern District of Iowa (2006).

- 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 such membership or office. I have not held a position or played a role in any 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 1988 to 1990, I served as a law clerk to the Honorable Donald E. O'Brien, United States District Court Judge in the Northern District of Iowa.

- 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.

1990 – 1992
United States Department of Justice
Criminal Division
950 Pennsylvania Avenue N.W.
Washington, D.C. 20530
Trial Attorney

1992 – 1997
Lathrop & Gage, L.L.C.
2345 Grand Boulevard, Suite 2200
Kansas City, Missouri 64108
Trial Attorney

1997 – 2016
United States Attorney's Office
Northern District of Iowa
111 7th Avenue S.E.
Cedar Rapids, Iowa 52401
Assistant U.S. Attorney

2016 – present
United States District Court
Northern District of Iowa
111 7th Avenue S.E.
Cedar Rapids, Iowa 52401
Magistrate Judge

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

I have never served as a mediator or arbitrator in an alternative dispute resolution proceeding.

b. Describe:

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

From 1990 until 1992, I served as a trial attorney for the Narcotics and Dangerous Drug Section, United States Department of Justice, Washington, D.C. From approximately August 1990 until the spring of 1991, my work consisted largely of reviewing drug-related death penalty cases and work as third-chair in the prosecution of the former Deputy Attorney General of the United States. Starting in the spring of 1991 and continuing into 1992, I was detailed as a Special Assistant U.S. Attorney to the Eastern District of Virginia. For the first few months I carried a misdemeanor docket before I moved into prosecuting felony cases. While in that office, I had several felony jury trials and one misdemeanor jury trial.

From 1992 until 1997, I served as a trial attorney for a large law firm in Kansas City. I worked primarily on complex civil litigation which involved everything from labor and employment, contracts, fraud, personal injury, eminent domain, and other civil disputes. Starting in 1995, a former United States Attorney who joined the firm worked with me to establish a criminal representation section at the firm. During my final two years at the firm, approximately 5-10% of my work involved criminal defense, largely in the white collar area. While with the firm, I had approximately six jury trials.

From 1997 to 2016, I served as an Assistant U.S. Attorney. From 1997 until 2008, my case load consisted primarily of narcotics and firearms prosecutions (60-70%), violent crime (10%), and white collar crime (20-30%). In 2008, I was promoted to Senior Litigation Counsel. My case load shifted then to primarily white collar crime (80%) or other complex criminal and civil litigation. In addition, I assumed collateral responsibilities, including overseeing internal training, serving as discovery coordinator for the Criminal and Civil Divisions, mentorship program coordinator, and other administrative and management duties. During my time with this office, I tried approximately 60 cases, wrote 90 appellate briefs, and argued 62 times before the Eighth and Eleventh Circuit Courts of Appeal.

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

My client while with the Department of Justice was the United States of America. From 1990 to 1992, I specialized in narcotics prosecution. From 1997 to 2016, I did not specialize in any particular area of prosecution practice.

While in private practice, my clients were typically corporations, companies and professionals, but also included individuals in two medical malpractice cases and indigent individuals as part of my *pro bono* work. While in private practice from 1992 to 1997, I did not have a particular area of specialization.

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

i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 92% |
| 2. state courts of record: | 8% |
| 3. other courts: | 0% |
| 4. administrative agencies: | 0% |

While an Assistant United States Attorney, I appeared in federal courts approximately 95% of the time and state courts of record approximately 5% of the time. While I was in private practice between 1992 and 1997, I appeared in federal courts approximately 70% of the time and state courts approximately 30% of the time, with only occasional appearances before other courts or administrative agencies.

ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 20% |
| 2. criminal proceedings: | 80% |

While an Assistant United States Attorney, I would estimate that approximately 92% of my cases were criminal, while approximately 8% of my cases were civil. While I was in private practice between 1992 and 1997, these percentages were reversed.

- 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 estimate that I have tried approximately 65 cases to verdict, judgment or final decision (other than settlement). In approximately 45 of these cases, I was sole counsel, in approximately 8 I was chief counsel, and in approximately 12 I was associate counsel.

i. What percentage of these trials were:

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

- e. Describe your practice, if any, before the Supreme Court of the United States. Supply

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

I have never practiced before the United States Supreme Court.

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

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

1. *United States v. Beltramea*, Nos. 13-CR-20-LRR & 14-CR-95-LRR (N.D. Iowa)

I prosecuted an investment broker who engaged in bank fraud, tax fraud, wire fraud, and aggravated identity theft. The defendant victimized banks and vulnerable investment clients, including one elderly widow, from whom the defendant stole her investment funds, Social Security checks, and insurance death benefits from her husband's passing. As part of the prosecution, the government sought forfeiture of a real estate development into which defendant had funneled the proceeds of his fraudulent conduct. Defendant agreed to forfeit the property and for the proceeds to be used to pay restitution to his victims. After defendant was convicted and sentenced to nine years in prison, the government learned that he had committed additional criminal acts, including selling building lots and attaching a fictitious mortgage to the remaining real estate comprising the real estate development in an effort to impede the forfeiture of the property. The government charged him again, this time with obstruction of justice. Defendant pled guilty to the charges in February 2015.

Dates of Representation: 2012 – 2016

United States District Court for the Northern District of Iowa: Hon. Linda R. Reade

Co-Counsel:

Jacob Schunk

U.S. Attorney's Office

Northern District of Iowa
111 7th Avenue S.E.
Cedar Rapids, Iowa 52401
(319) 363-6333

Defense Counsel:

Terry McAtee (Case 13-CR-20-LRR)
Assistant Federal Public Defender
101 West 2nd Street, Room 401
Davenport, Iowa 52801
(563) 322-8931

David Nadler (Case 14-CR-95-LRR)
Deceased

2. *United States v. Bowie*, 2006 WL 2699230 (Sept. 18, 2006) (N.D. Iowa).

I prosecuted a defendant who kidnapped a thirteen-year-old girl from Minneapolis, sexually abused her, brought her to Iowa, and forced her into prostitution. Bowie was prosecuted for human trafficking offenses, kidnapping, and Mann Act violations, and sentenced to 425 months' imprisonment. I assisted local county prosecutors in successfully prosecuting a large number of men who had hired the victim for prostitution, and in the prosecution of the defendant's father, who aided in prostituting the victim.

Dates of Representation: 2005 – 2013

United States District Court for the Northern District of Iowa: Hon. Linda R. Reade

Defense Counsel:

Leon Spies
312 East College Street, Suite 216
Iowa City, Iowa 52240
(319) 337-4193

3. *United States v. Gant*, Nos. 10-CR-2027-LRR & 11-CR-2042-LRR (N.D. Iowa).

In 2010, I prosecuted Gant, a serial arsonist, for threatening to burn down his girlfriend's house. The defendant pled guilty and was sentenced to several years in prison. In 2011, I prosecuted him again, this time for starting approximately seventeen fires. The fires resulted in injuries to occupants and a firefighter, posed a danger of death or serious bodily injury to scores of people, including elderly, physically and mentally disabled people, and many children. The fires destroyed the buildings, homes, and personal belongings of these victims, and caused

hundreds of thousands of dollars in financial loss. The defendant was found guilty after a two-week trial.

Dates of Representation: 2010 – 2011

United States District Court for the Northern District of Iowa: Hon. Linda R. Reade

Co-Counsel:

Tony Morfitt
U.S. Attorney's Office
Northern District of Iowa
111 7th Avenue S.E.
Cedar Rapids, Iowa 52401
(319) 363-6333

Defense Counsel:

Jill Johnston
Assistant Federal Public Defender
320 3rd Street S.E., Suite 200
Cedar Rapids, Iowa 52401
(319) 363-9540

4. *Unites States v. Honken* 01-CR-3047-MWB & 10-CV-3074-LRR (N.D. Iowa); *United States v. Johnson* 01-CR-3046-MWB & 09-CV-3064-MWB (N.D. Iowa)

I served as the lead prosecutor in two separate prosecutions against a drug kingpin and his girlfriend for the drug trafficking related murders of five people, including two federal witnesses and an innocent mother and her two young daughters (ages 6 and 10). These capital cases were tried eight months apart, each trial lasting approximately two and one-half months. Juries convicted both defendants and sentenced them to death. My co-counsel, a state prosecutor, was barred by his office from participating in the penalty phases of the trials. Therefore, I was the sole prosecutor for those significant portions of the trials. The defendants' convictions were affirmed on appeal. I handled all appellate litigation alone. Both defendants engaged in lengthy and protracted post-conviction litigation, which I handled alone. Defendant Honken's petition for post-conviction relief was denied by the district and circuit courts. The United States Supreme Court denied certiorari on Honken's case. In defendant Johnson's post-conviction litigation, the district court affirmed her conviction, but found defense trial counsel ineffective in presenting mitigation evidence and ordered a new sentencing trial. In late 2014, the United States Attorney General withdrew the death penalty notice against Angela Johnson, resulting in a life sentence.

Dates of Representation: 2001 – 2014

United States District Court for the Northern District of Iowa: Hon. Mark W. Bennett & Hon. Linda R. Reade

Co-Counsel:

Thomas H. Miller
Retired

Defense Counsel (Honken):

Alfredo Parrish
Parrish Kruidenier Law Firm
2910 Grand Avenue
Des Moines, Iowa
(515) 284-5737

Leon Spies
312 East College Street, Suite 216
Iowa City, Iowa 52240
(319) 337-4193

Charles Rogers
1000 Walnut Street
Kansas City, Missouri 64106
(816) 221-0080

Shawn Nolan (habeas)
Federal Public Defender's Office
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Philadelphia, Pennsylvania 19106
(215) 928-0520

Defense Counsel (Johnson):

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Elderkin & Pirnie PLC
201 3rd Avenue S.E.
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(319) 362-2137

Patrick Berrigan
2500 Holmes Street
Kansas City, Missouri
(816) 474-3350

Dean Stowers
Stowers Law Firm
650 S. Prairie View Drive, Suite 130

West Des Moines, Iowa 50266
(515) 224-7446

Michael Burt (habeas)
660 Townsend Street, Suite 329-E
San Francisco, California 94103
(415) 522-1508

5. *United States v. Miell*, No. 07-CR-101-MWB (N.D. Iowa).

I prosecuted a landlord who, at the time, was the fourth largest landowner and largest landlord in Cedar Rapids, Iowa. He was convicted of 18 counts of mail fraud, two counts of perjury, and two counts of filing false tax returns in connection with an insurance fraud scheme, and a fraud scheme by which, over the course of at least seven years, he systematically cheated his largely low-income tenants out of \$1.1 million of their security deposits. Defendant pled guilty to the mail fraud and perjury charges, but was convicted after a one-week trial on the tax fraud charges.

Dates of Representation: 2006 – 2011

United States District Court for the Northern District of Iowa: Hon. Mark W. Bennett

Defense Counsel:

F. Montgomery Brown
1001 Office Park Road
West Des Moines, Iowa 50265
(515) 225-0101

Alfredo Parrish
2910 Grand Avenue
Des Moines, Iowa
(515) 284-5737

William Kutmus
5000 Westown Parkway
West Des Moines, Iowa 50266
(515) 288-3339

6. *United States v. Rubashkin*, No. 08-CR-1324-LRR (N.D. Iowa).

I served as one of two lead prosecutors of one of the largest immigration enforcement actions in United States history. A meat packing company had employed hundreds of illegal aliens over a course of years, concealing the illegal hiring practices from the company's attorneys and, to some degree, from its own

personnel department. The prosecution resulted in the conviction of 305 undocumented workers who had forged documents in others' names, and four members of management who had helped the workers obtain the false documents. The investigation also uncovered a massive \$27 million bank and wire fraud scheme, which resulted in the conviction of the head of the company, the Chief Financial Officer, the Chief Accountant, and several other office employees. I was co-counsel during a month-long fraud trial.

Dates of Representation: 2008 – 2010

United States District Court for the Northern District of Iowa: Hon. Linda R. Reade

Co-Counsel:

Peter Deegan
Matt Cole
United States Attorney's Office
Northern District of Iowa
111 7th Avenue S.E.
Cedar Rapids, Iowa 52401
(319) 363-6333

Defense Counsel:

Guy Cook
500 East Court Avenue, Suite 200
Des Moines, Iowa 50309
(515) 245-4300

F. Montgomery Brown
1001 Office Park Road
West Des Moines, Iowa 50265
(515) 225-0101

7. *United States v. Sabine Transportation*, No. 03-CR-63-LRR (N.D. Iowa);
United States v. Stickle, et al., No. 04-CR-20072 (N.D. Iowa).

I partnered with an attorney from the Environmental and Natural Resources Section of the Criminal Division of the Department of Justice to investigate and prosecute a corporation and several executives and crew members for their roles in dumping petroleum products from ships in the Pacific and Atlantic Oceans. This five-year effort resulted in the convictions of several executives, including the CEO and owner, and imposition of a \$2 million criminal fine against the company. The company was prosecuted in the Northern District of Iowa and United States District Court Judge Linda R. Reade presided. Individual defendants were prosecuted in the Southern District of Florida, where United States District Court Judge Alan S. Gold presided.

Dates of Representation: 1999 – 2004

United States District Court for the Northern District of Iowa: Hon. Linda R. Reade

Co-Counsel:

Greg Linsin
BlankRome
600 New Hampshire Ave. N.W.
Washington, D.C. 20037
(202) 344-4000
Formerly of the Department of Justice

Defense Counsel:

Judson Starr
575 7th Street N.W., Suite 1
Washington, D.C. 20004
(202) 344-4000

8. *United States v. Shultice*, 98-CR-54 (N.D. Iowa).

I served as the lead prosecutor of a licensed psychiatrist who distributed controlled substances to vulnerable drug-addicts, which resulted in the deaths of several patients, including a pregnant woman. A jury found him guilty after a month-long trial. The defendant thereafter attempted to hire someone to kill witnesses before the sentencing hearing. An undercover officer posed as a hit man, resulting in additional obstruction of justice charges. The defendant pled guilty to the obstruction and was sentenced to more than ten years in prison. The defendant did not appeal his convictions or sentences.

Dates of Representation: 2000 – 2006

United States District Court for the Northern District of Iowa: Hon. Michael J. Melloy

Co-Counsel:

Stephanie R. Rose
United States District Court Judge
Southern District of Iowa
123 East Walnut Street
Des Moines, Iowa 50305
(515) 284-6453
Formerly Assistant U.S. Attorney.

Defense Counsel:

Alfred E. Willett
Elderkin and Pirnie
201 3rd Avenue S.E.
Cedar Rapids, Iowa 52401
(319) 362-2137

James Shipman
Simmons Perrine Moyer and Bergman
115 3rd Street S.E., Suite 1200
Cedar Rapids, Iowa 52401
(319) 366-7641

9. *United States v. Worman*, No. 08-CR-3012-MWB (N.D. Iowa).

I served as the lead prosecutor of defendant who nursed a grudge against a former supervisor for ten years before sending a bomb to her through the United States mail. The jury trial lasted two weeks, and involved 44 witnesses. The significance of this case lay in the absence of any direct evidence. There was no forensic evidence from the bomb and there was no eyewitness testimony linking the defendant to the crime. A wide range of circumstantial evidence was methodically woven together to prove the defendant's guilt.

Dates of Representation: 2007 – 2010

United States District Court for the Northern District of Iowa: Hon. Mark W. Bennett

Co-Counsel:
Forde Fairchild
U.S. Attorney's Office
Northern District of Iowa
600 4th Street, Suite 6700
Sioux City, Iowa 51101
(712) 255-6011

Defense Counsel:
Scott Rhinehart
Rhinehart Law P.C.
505 5th Street, Suite 310
Sioux City, Iowa 51101
(712) 258-8706

10. Heroin Overdose Death Task Force Prosecutions, Nos. 05-CR-69-LRR; 05-CR-71-LRR; 05-CR-77-LRR; 05-CR-85-LRR; 05-CR-97-LRR; 05-CR-98-LRR; 05-CR-105-LRR; 06-CR-01-LRR; 06-CR-3-LRR; 06-CR-04-LRR; 06-CR-18-LRR; 06-CR-19-LRR; 06-CR-23-LRR; 06-CR-25-

LRR, 06-CR-26-LRR; 06-CR-40-LRR; 06-CR-42-LRR; 06-CR-42-LRR;
06-CR-43-LRR; 06-CR-57-LRR; 06-CR-58-LRR; 06-CR-93-LRR; 06-
CR-106-LRR; 06-CR-107-LRR; 07-CR-16-LRR; 07-CR-36-LRR (N.D.
Iowa).

I formed a taskforce of multiple federal, state, and local law enforcement agencies to investigate an outbreak of heroin distribution that had resulted in the overdose deaths of 24 people. I led the task force for one year. I was the sole prosecutor of these cases, which involved 23 guilty pleas and four additional defendants found guilty after jury trials. The effort resulted in the conviction of 27 defendants, ten of whom were held responsible for causing overdose deaths, and two of whom were held responsible for causing overdoses resulting in injury.

Dates of Representation: 2005 – 2007

United States District Court for the Northern District of Iowa: Hon. Linda R. Reade

Defense Counsel:

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3500 F Avenue N.W.
Cedar Rapids, Iowa 52405
(319) 654-0300

Mark Meyer
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Cedar Rapids, Iowa 52401
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Clemens Erdahl
Nidey Erdahl Fisher Pilkington & Meier, PLC
425 2nd Street S.E., Suite 1000
Cedar Rapids, Iowa 52401
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Rick Sole
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David Mullin and Anne M. Laverty
Mullin & Laverty, LC
1636 42nd Street N.E.
Cedar Rapids, Iowa 52402
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Raphael Scheetz
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Cedar Rapids, Iowa 52402
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Klinger, Robinson & Ford LLP
401 Old Marion Road N.E.
Cedar Rapids, Iowa 52410
(319) 395-7400

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Cedar Rapids, Iowa 52401
(319) 364-8580

Michael Lanigan
531 Commercial Street, Suite 300
Waterloo, Iowa 50704
(319) 236-2064

John Bishop
222 Third Avenue S.E.
Cedar Rapids, Iowa 52401
(319) 398-0343

Jeffrey Neslund
150 North Wacker Drive, Suite 2460
Chicago, Illinois 60606
(312) 223-9123

18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

The majority of my legal activities involved cases that progressed to trial or involved litigation in some form. I have disclosed the most significant such cases above. I have

also served in a *pro bono* capacity, both while in private practice and while as a federal prosecutor in various capacities. I have also sought to contribute to the law through my scholarship and teaching, in colleges and law schools and for the Department of Justice. I have written two text books and published more than a dozen scholarly articles on a variety of topics. While serving as a prosecutor, I authored five primers or treatises for internal use by the Department of Justice.

I have not performed lobbying on behalf of any client or organization, and I am not and have never been registered as a lobbyist.

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

From 2001 through the present, I have co-taught Federal Criminal Practice at the University of Iowa College of Law. That course took students through all the steps of a federal criminal case, from investigation to sentencing, teaching substantive federal criminal law, federal criminal procedure, and some evidence. We teach this course each fall semester. Fall 2017 syllabus supplied.

From 2009 through 2015, I co-taught Federal White Collar Crime at the University of Iowa College of Law. The Federal White Collar course was a traditional law school course, involving lectures on matters that arise in federal white collar cases. This includes lectures on general topics such as *mens rea*, corporate liability, parallel proceedings, representation issues, and investigations, and lectures on specific federal criminal statutes, such as mail and wire fraud, bank fraud, money laundering, environmental violations, bankruptcy fraud, tax fraud, and others. We taught this course each spring semester. I taught this course each spring from 2009 to 2015. Spring 2015 syllabus provided.

From 2016 through the present, I have taught Advanced Evidence at the University of Iowa College of Law. Advanced Evidence is both lecture-based and experiential in nature. The course focuses on the application of the Federal Rules of Evidence in pretrial and trial practice. I taught this course for the first time in the spring semester 2017, and the College of Law has asked me to teach it each spring semester. Spring 2018 syllabus provided.

In the fall of 2016, I taught Federal Criminal Practice at the University of South Dakota Law School. I solo-taught this course that I had previously taught at the University of Iowa College of Law. The course involved taking students through all the steps of a federal criminal case, from investigation to sentencing, teaching substantive federal criminal law, federal criminal procedure, and some evidence. Syllabus provided.

From 2008 through 2010, I taught Introduction to Criminal Justice at the North Iowa Community College. This undergraduate course was a web-based class, teaching the

basics of the American criminal justice system, including topics such as the history of criminal law enforcement, criminal law enforcement theories, the court system, and criminal punishment. I did not retain a syllabus.

In the fall of 1996 and the spring of 1997, I taught Federal Criminal Law at the University of Missouri School of Law. This text-book based, traditional law school course covered general topics, such as the scope and origin of federal criminal jurisdiction, investigation techniques and authority, and the relationship between federal and state criminal law enforcement. The course also covered substantive federal criminal statutes, such as RICO, fraud, drug offenses, tax enforcement, money laundering, civil rights, and other statutes. I did not retain a syllabus.

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 do not have any anticipated receipts from any sources described above, except I do have an agreement with West Academic Publishing to receive royalties from the sales of my books FEDERAL CRIMINAL PRACTICE and ADVANCED EVIDENCE.

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 I am so fortunate as to be confirmed, after acclimating to my judicial responsibilities for a period of time, I hope to resume teaching part-time at night, perhaps once course per semester, if my judicial duties permit and if the Chief Judge for the United States Court of Appeals for the Eighth Circuit approves. I have committed to teach a course on Advanced Evidence at the University of Iowa College of Law during the spring semester of 2018, which the Chief Judge for the United States Court of Appeals for the Eighth Circuit has approved. Apart from that, I have no other plans, commitments, or agreements to pursue outside employment, with or without compensation, during my service as with the court.

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 Statement of Net Worth.

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 in any litigation where I have ever played a role in representing or advising any of the parties. I would also recuse myself in matters involving my family and my own financial interests. Lastly, I will evaluate any other real or potential conflict, or relationship that could give rise to an appearance of conflict, on a case-by-case basis and determine appropriate action, with the advice of parties and their counsel, including recusal where necessary. By way of the procedure we have in place in the Northern District of Iowa, I would be automatically recused from any case involving such a company. Apart from that, I am unaware of any family members, other persons, parties, categories of litigation, or financial arrangements that are likely to present potential conflicts of interest.

- 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 carefully consult and address any real or potential conflicts by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, and any and all other applicable laws, rules, and practices governing such circumstances.

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.

Throughout my professional career, I have endeavored to serve the public and those in need. While in the United States Attorney's Office, from 1998 until 2010, I volunteered with other AUSAs for Iowa Legal Aid. I represented clients in state court who were victims of violations of no-contact orders where the offender faced criminal sanctions. During this time, I personally represented approximately 25 clients and litigated a half-dozen evidentiary hearings on their behalf. Although the Department of Justice had originally approved this type of *pro bono work*, it withdrew its approval. After researching alternatives, the Department of Justice approved us representing clients seeking no-contact orders. From 2013 to 2015, I again volunteered for Iowa Legal Aid

representing such clients. During this time I assisted approximately five clients in applying for no-contact orders.

While in private practice in Kansas City in 1993, I was appointed to represent a man whose civil rights had been violated when he was assaulted by a police officer during an arrest for a traffic infraction. I filed suit on his behalf, and in 1994 a jury returned a verdict in my client's favor. *Gilmore v. Gregg*, Case No. 91-cv-02247 (D. Kan.).

Also while in private practice, between 1995 and 1996, two other members of my firm and I represented a defendant seeking post-conviction relief in Missouri State Court. The defendant had been convicted of the rape and murder of a child and was sentenced to death. We were unsuccessful in our attempt to overturn his conviction and sentence. *State v. Nunley*, 923 S.W.2d 911 (Mo. 1996).

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.

In May 2017, Judge Linda R. Reade announced she was taking Senior Status effective October 1, 2017. Sometime in June 2017, I contacted Senator Grassley's office, expressing an interest in replacing Judge Reade and requested to be alerted when the application process began. On July 7, 2017, Senator Grassley's office sent me a copy of a press release issued by Senators Grassley and Ernst regarding the application process. On August 8, 2017, I submitted my application materials to Senator Grassley's office. On August 23, 2017, Senator Grassley's office contacted me regarding scheduling an interview with the Judicial Merit Selection Committee ("Committee"). On September 13, 2017, I interviewed with the Committee. On September 27, 2017, Senator Grassley's office informed me by email that the Committee wanted to interview me a second time. On October 2, 2017, I interviewed with the Committee on a second occasion. On October 5 or 6, 2017, I received a call from the Committee Chair, informing me that my name and three others would be forwarded to Senators Grassley and Ernst as the Committee's recommendation. On October 12, 2017, I learned that Senators Grassley and Ernst sent all four names forward to the President of the United States for consideration. I was subsequently in contact with officials from the White House Counsel's Office to arrange an interview. On October 23, 2017, I interviewed with attorneys from the White House Counsel's Office and the Office of Legal Policy at the Department of Justice. Sometime

during the week of November 6, 2017, Senators Grassley and Ernst separately called me to inform me that the President intended to submit my nomination to the Senate. I have been in touch with attorneys from the White House Counsel's Office and the Office of Legal Policy at the Department of Justice since that time. The President submitted my nomination to the Senate on February 15, 2018.

- 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.