

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Daniel Mack Traynor

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

United States District Judge for the District of North Dakota

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.

Traynor Law Firm, P.C.  
509 5th Street Northeast, Suite 1  
Devils Lake, North Dakota 58301

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

1970; Devils Lake, North Dakota

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.

1994 – 1997: University of North Dakota School of Law, Juris Doctorate (With Distinction), 1997

1993 – 1994: University of North Dakota, Bachelor of Arts, 1994

1993: University of Mary, no degree.

1988 – 1992: University of North Dakota, no degree

1986 – 1988: Lake Region State College, no degree

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.

2018 – Present

North Dakota University System

State Board of Higher Education

10th Floor, State Capitol

600 East Boulevard Avenue, Department 215

Bismarck, North Dakota 58505

Chair, Governance Committee (2019 – Present)

Chair, North Dakota University System Foundation (2018 – Present)

Member (2018 – Present)

1998 – Present

Traynor Law Firm, P.C.

509 5th Street Northeast, Suite 1

Devils Lake, North Dakota 58301

Shareholder (2006 – Present)

Associate (1998 – 2005)

1998 – Present

City of Devils Lake

423 6th Street Northeast

Devils Lake, North Dakota 58301

Assistant City Attorney

1997 – 1998

Hon. Gerald VandeWalle, Chief Justice

North Dakota Supreme Court

Judicial Wing, First Floor

600 East Boulevard Avenue

Bismarck, North Dakota 58505

Law Clerk

January 1996 – May 1996

Olger Burtness Scholar Internship

University of North Dakota School of Law

215 Centennial Drive, Stop 9003

Grand Forks, North Dakota 58202

Intern

May 1996 – August 1996

Traynor, Rutten & Traynor

509 5th Street Northeast, Suite 1

Devils Lake, North Dakota 58301

Law Clerk

June 1993 – August 1993  
Traynor, Rutten & Traynor  
509 5th Street Northeast, Suite 1  
Devils Lake, North Dakota 58301  
Runner

1992 – 1993  
North Dakota Republican Party  
1029 North 5th Street  
Bismarck, North Dakota 58501  
Republican House Caucus Staff (1992 – 1993)  
Legislative Campaign Director (1992)

January 1991 – May 1991  
KJ-108 Radio  
505 University Avenue  
Grand Forks, North Dakota 58203  
Disc Jockey

1990 – 1991  
Commonwealth, Inc.  
211 South 4th Street  
Grand Forks, North Dakota 58206  
Announcer

1989 – 1990  
KKXL FM Radio (a/k/a XL-93)  
505 University Avenue  
Grand Forks, North Dakota 58203  
Disc Jockey

May 1989 – August 1989  
KDLR / KDVL FM Radio  
400 12th Avenue  
Devils Lake, North Dakota 58301  
Disc Jockey

1988 – 1989  
KKXL AM Radio  
505 University Avenue  
Grand Forks, North Dakota 58203  
Disc Jockey / Announcer

1987 – 1988  
KDLR / KDVL FM Radio  
400 12th Avenue

Devils Lake, North Dakota 58301  
Disc Jockey

Affiliations (Uncompensated):

2016 – Present

American Bar Foundation  
750 North Lake Shore Drive  
Chicago, Illinois 60611  
State Chair (2017 – Present)  
Fellow (2016 – Present)

2014 – Present

State Bar Association of North Dakota  
1661 Capitol Way, Suite 104LL  
Bismarck, North Dakota 58501  
ABA State Bar Delegate, North Dakota  
Member, Board of Governors

2014 – Present

American Bar Association  
321 North Clark Street  
Chicago, Illinois 60654  
ABA State Bar Delegate, North Dakota  
Member, House of Delegates

2000 – Present

Republican National Lawyers Association  
Post Office Box 18965  
Washington, District of Columbia 20036  
Chair, North Dakota Chapter

2014 – 2015

National Conference of Lawyer Disciplinary Boards  
(No Physical Address)  
Member

2010 – 2015

Disciplinary Board  
North Dakota Supreme Court  
Judicial Wing, First Floor  
600 East Boulevard Avenue  
Bismarck, North Dakota 58505  
Chairman (2012 – 2015)  
Member (2010 – 2012)

2007 – 2015

North Dakota Economic Development Foundation  
c/o North Dakota Department of Commerce  
1600 East Century Avenue, Suite 2  
Post Office Box 2057  
Bismarck, North Dakota 58502  
Member (2007 – 2015)  
Chairman (2010 – 2012)

2004 – 2009  
Lake Region Community College Foundation of Devils Lake, North Dakota  
1801 College Drive North  
Devils Lake, North Dakota 58301  
Members, Board of Directors

2001 – 2003  
North Dakota Republican Party  
1029 North 5th Street  
Bismarck, North Dakota 58501  
State Chairman

1999 – 2001  
North Dakota Catholic Conference  
103 South Third Street, Suite 10  
Bismarck, North Dakota 58501  
Board Member

1998 – 2001  
District 15 Republican Party  
Devils Lake, North Dakota 58301  
District Chairman

June 1995 – August 1995  
Hon. Patrick A. Conmy, United States District Judge  
United States District Court for the District of North Dakota  
220 East Rosser Avenue  
Bismarck, North Dakota 58501  
Extern

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 military. I have registered for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or

professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Super Lawyer, Super Lawyers (2015 – Present)

AV Preeminent Rated, Martindale Hubbell (2017)

Great Plains Super Lawyer, Super Lawyers (2015)

Order of the Coif (1997)

Olgar Burtness Scholar (1996)

Book Award, Conflicts of Laws (1996)

UND School of Law, Dean's List (1995)

Book Award, Contracts (1995)

William Holland Foundation Law Prize (1994 – 1995)

Varsity Bachelors Club Scholarship (1992)

Phi Delta Theta Fraternity Scholarship (1992)

Ted Maragos Scholarship (1991)

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

State Bar Association of North Dakota

Board of Governors, ABA State Bar Delegate (2014 – Present)

Judicial Nominating Committee for the Northeast Judicial District Vacancy (2017)

Judicial Nominating Committee for the Northeast Judicial District Vacancy (2006)

Gavel Editorial Board (1999 – 2001)

American Bar Association

Member, Standing Committee on Lawyer Referral and Information Services (2016 – Present)

House of Delegates (2014 – Present)

American Bar Foundation

State Chair (2017 – Present)

Fellow (2016 – Present)

American Law Institute (Elected 2003)

Lake Region Bar Association

Member (1998 – Present)

Secretary-Treasurer (1999 – 2002)

Minnesota State Bar Association (1998 – Present)

10. **Bar and Court Admission:**

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

North Dakota (1997)

Minnesota (1997)

There have been no lapses in membership.

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

United States Court of Appeals for the Eighth Circuit (2006)

United States District Court for the District of Minnesota (2017)

United States District Court for the District of North Dakota (1997)

There have been no lapses in membership.

Three Affiliated Tribes Tribal Court, New Town, North Dakota (2015)

Spirit Lake Tribal Court, Fort Totten, North Dakota (1998)

Turtle Mountain Tribal Court, Belcourt, North Dakota (1998)

My tribal court admissions have occasionally lapsed, as I pay license fees only when matters are pending.

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.

Federalist Society for Law and Public Policy Studies (2016 – Present)

Saint Thomas More Society of North Dakota (2014 – Present)

Friends of Sully's Hill National Game Preserve (2010 – Present)

Friends of Fort Totten State Historic Site (2008 – Present)

Knights of Columbus (2000 – Present)  
4th Degree Member (2014 – Present)

Republican National Lawyers Association (1999 – Present)

North Dakota Defense Lawyers Association (1999 – Present)  
Board of Directors (2015 – 2017)

Devils Lake Rotary Club (1998 – Present)  
President (2015 – 2016)

Benevolent and Protective Order of Elks (1991 – Present)

Pheasants Forever (1991 – Present)

Ducks Unlimited (1984 – Present)

Board Member, Sunshine Memorial Foundation (2015 – 2018)

Defense Research Institute (2010 – 2017)  
Professionalism Committee (2015 – 2017)

United States Supreme Court Historical Society (2002 – 2015)

Christian Legal Society (1994 – 1998)

- 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 Rotary Club did not allow women until 1987. The policy changed before I became a member of my local Rotary Club.



The Benevolent and Protective Order of Elks is an American fraternal order founded in 1868. The Elks did not admit non-white members until the 1970's. The policy changes before I became a member of my local Elks Lodge.

The Knights of Columbus is a Roman Catholic service organization that limits their membership to men. There is an equivalent service organization for women.

To the best of my knowledge, none of the other 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.

**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.

*ABA Revamps Membership Structure and Improves Benefits*, The Gavel, Summer 2019. Copy supplied.

With Zachary Pelham, Letter to the Editor, *Great Leader for UND School of Law*, Grand Forks Herald, March 7, 2019. Copy supplied.

*ABA and SBAND Support for Legal Services Funding*, The Gavel, Spring 2019. Copy supplied.

*Legal Education: Deal or No Deal*, The Gavel, Winter 2019. Copy supplied.

*The Imperfect Process of Judicial Ratings*, The Gavel, Fall 2018. Copy supplied.

*The ABA Annual Meeting: Lollapalooza and Lawyer Advertising*, The Gavel, Summer 2018. Copy supplied.

*The Farm Bill and Facebook Compete with ABA Fly-In*, The Gavel, Spring 2018. Copy supplied.

*The ABA Wins for Lawyers on Tax Reform*, The Gavel, Winter 2018. Copy supplied.

*ABA Implements Disaster Plans for Hurricane Response*, The Gavel, Fall 2017. Copy supplied.

*The Lights and Lawyers on Broadway*, The Gavel, Summer 2017. Copy supplied.

*Spring Brings Lawyers to Washington*, The Gavel, Spring 2017. Copy supplied.

*ABA Delegates Gather in Miami for Mid-Year Meeting*, The Gavel, Winter 2017. Copy supplied.

*"The Coldest Winter I Ever Spent was a Summer in San Francisco,"* The Gavel, Fall 2016. Copy supplied.

*Disciplinary Sanctions for the Politically Incorrect*, The Gavel, Summer 2016. Copy supplied.

With Kelly Armstrong, Stan Stein, *et al.*, *Endorsed Ticket Deserves Support*, Bismarck Tribune, May 29, 2016. Copy supplied. Reprinted in multiple outlets.

*Opening Arms and Opening Minds*, The Gavel, Spring 2016. Copy supplied.

*If He Looks Like a Lawyer, And He Talks Like a Lawyer, He May be a Limited License Legal Technician*, The Gavel, Winter 2016. Copy supplied.

*ABA is Showing North Dakota Lawyers Some Love*, The Gavel, Fall 2015. Copy supplied.

*North Dakota's Justice Crothers Leads on ABA Ethics Committee*, The Gavel, Summer 2015. Copy supplied.

*SBAND Members Visit Capitol Hill*, The Gavel, Spring 2015. Copy supplied.

*It Happens Here, Too*, The Gavel, Winter 2015. Copy supplied.

*Whistling Past the Graveyard*, The Gavel, Fall 2014. Copy supplied.

Letter to the Editor, news outlet unknown, February 9, 2012. Copy supplied.

Letter to the Editor, *Roberts excellent choice to replace a great justice*, Fargo Forum, September 11, 2005. Copy supplied.

Case Comment, *Open Records (Adams County Record v. Greater North Dakota Ass'n)*, 72 North Dakota Law Review 745 (1996).

- 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.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, July 29, 2019. Meeting minutes supplied.

Meeting, Special Budget and Finance Committee, State Board of Higher Education, Bismarck, North Dakota, July 2, 2019. Meeting minutes supplied.

Meeting, State Board of Higher Education, Bismarck, North Dakota, June 27, 2019. Meeting minutes supplied.

Meeting, State Board of Higher Education, Bismarck, North Dakota, June 26, 2019. Meeting minutes supplied.

Meeting, Budget and Finance Committee, State Board of Higher Education, Bismarck, North Dakota, June 18, 2019. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, June 12, 2019. Meeting minutes supplied.

Meeting, State Board of Higher Education, Bismarck, North Dakota, May 30, 2019. Meeting minutes supplied.

Meeting, Budget and Finance Committee, State Board of Higher Education, Bismarck, North Dakota, May 14, 2019. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, April 26, 2019. Meeting minutes supplied.

Meeting, State Board of Higher Education, Bismarck, North Dakota, April 25, 2019. Meeting minutes supplied.

Meeting, Budget and Finance Committee, State Board of Higher Education, Bismarck, North Dakota, April 16, 2019. Meeting minutes supplied.

Meeting, State Board of Higher Education, Bismarck, North Dakota, March 28, 2019. Meeting minutes supplied.

Meeting, North Dakota University System Foundation, Bismarck, North Dakota, March 28, 2019. Meeting minutes supplied.

Meeting, Budget and Finance Committee, State Board of Higher Education, Bismarck, North Dakota, March 19, 2019. Meeting minutes supplied.

Meeting, State Board of Higher Education, Bismarck, North Dakota, February 26, 2019. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Grand Forks, North Dakota, February 23, 2019. Meeting minutes supplied.

Meeting, Budget and Finance Committee, State Board of Higher Education, Bismarck, North Dakota, February 19, 2019. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, February 5, 2019. Meeting minutes supplied.

Meeting, State Board of Higher Education, Bismarck, North Dakota, January 24, 2019. Meeting minutes supplied.

Meeting, Budget and Finance Committee, State Board of Higher Education, Bismarck, North Dakota, January 15, 2019. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, January 15, 2019. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, January 8, 2019. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, December 21, 2018. Meeting minutes supplied.

Meeting, State Board of Higher Education, Bismarck, North Dakota, December 6, 2018. Meeting minutes supplied.

Meeting, Budget and Finance Committee, State Board of Higher Education, Bismarck, North Dakota, November 27, 2018. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, November 16, 2018. Meeting minutes supplied.

Meeting, State Board of Higher Education, Bismarck, North Dakota, October 25, 2018. Meeting minutes supplied.

Meeting, Budget and Finance Committee, State Board of Higher Education, Bismarck, North Dakota, October 16, 2018. Meeting minutes supplied.

Meeting, State Board of Higher Education, Valley City, North Dakota, September 27, 2018. Meeting minutes supplied.

Meeting, Governance Committee, State Board of Higher Education, Bismarck, North Dakota, September 20, 2018. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, September 14, 2018. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, August 24, 2018. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, June 15, 2016. Meeting minutes unavailable.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, June 13, 2018. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, April 20, 2018. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, February 10, 2018. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, December 1, 2017. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, October 5, 2017. Meeting minutes supplied.

Meeting, Joint Committee on Attorney Standards, North Dakota State Bar, Bismarck, North Dakota, September 15, 2017. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, September 15, 2017. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, June 17, 2017. Meeting minutes unavailable.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, June 14, 2017. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, April 22, 2017. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, March 23,

2017. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, March 7, 2017. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, January 31, 2017. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, January 20, 2017. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, January 17, 2017. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, January 14, 2017. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, January 10, 2017. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, December 20, 2016. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, November 19, 2016. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, September 10, 2016. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, August 24, 2016. Meeting minutes unavailable.

Meeting, Board of Governors, State Bar of North Dakota, Grand Forks, North Dakota, June 17, 2016. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Grand Forks, North Dakota, June 15, 2016. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, May 24, 2016. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, May 4, 2016. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Fargo, North Dakota, April 23, 2016. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, February 8, 2016. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Grand Forks, North Dakota, January 23, 2016. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, December 8, 2015. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, November 21, 2015. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, September 18, 2015. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, September 12, 2015. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, June 17, 2015. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, June 11, 2015. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, May 26, 2015. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, May 20, 2015. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, April 25, 2015. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, February 10, 2015. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, January 27, 2015. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, January 24, 2015. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, January 20, 2015. Meeting minutes supplied.

Telephonic Meeting, Board of Governors, State Bar of North Dakota, January 13, 2015. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, January 6, 2015. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, November 22, 2014. Meeting minutes supplied.

Meeting, Board of Governors, State Bar of North Dakota, Bismarck, North Dakota, September, 2014. Meeting minutes supplied.

Testimony, Industry, Business, and Labor Committee, North Dakota House of Representatives, Bismarck, North Dakota, September 21, 2008. Copy supplied.

In addition, I have served as Assistant Devils Lake City Attorney since August of 1998. On rare occasions I have attended City Commission meetings, which are generally held on the first and third Monday of each month. I estimate that I have attended less than 15 such meetings. I have no notes, transcript, or recording of any addresses I may have made at such meetings.

- 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.

May 11, 2019: Speaker, Valley City State University Spring Commencement, Valley City, North Dakota. Video available at:  
[https://www.youtube.com/watch?v=tucCN\\_1GdB0](https://www.youtube.com/watch?v=tucCN_1GdB0)

May 4, 2019: Speaker, University of North Dakota Law School Spring Commencement, Grand Forks, North Dakota. Video available at:  
<https://www.youtube.com/watch?v=9sJ2uOeT76o>

December 8, 2018: Speaker, University of North Dakota Winter Professional Commencement, Grand Forks, North Dakota. Copy supplied.

June 16, 2017: Speaker, Distinguished Service Award Presentation, State Bar Association of North Dakota, Fargo, North Dakota. Notes supplied.

June 15, 2017: Speaker, Address by ABA President Linda Klein, Fargo, North



Dakota. I introduced ABA President Linda Klein who addressed the SBAND Annual Meeting. I have no notes, transcript, or recording. The event was sponsored by the State Bar Association of North Dakota, 1661 Capitol Way, Suite 104LL, Bismarck, North Dakota 58501.

June 16, 2016: Moderator, "Diversity and Bias in the Profession," Annual Meeting of the State Bar Association of North Dakota, Grand Forks, North Dakota. I moderated a panel discussion regarding diversity featuring ABA President Paulette Brown, North Dakota District Court Judge Donovan Foughty, and Attorney Erin Shanley. I have no notes, transcript, or recording. The event was sponsored by the State Bar Association of North Dakota, 1661 Capitol Way, Suite 104LL, Bismarck, North Dakota 58501. Press coverage supplied.

April 2016 (approximate): Speaker, Student Awards Banquet, Devils Lake, North Dakota. I spoke at a student awards banquet for high school students. I have no notes, transcript, or recording. The event was co-sponsored by the Devils Lake Rotary Club, Post Office Box 12, Devils Lake, North Dakota 58301, and the Devils Lake Kiwanis Club, 516 4th Street Northeast, Devils Lake, North Dakota 58301.

July 2015 to June 2016 (weekly): I was the President of the Devils Lake Rotary Club and presided over most of the weekly meetings of our local club. I introduced program chairs and occasional speakers to our group. I have no notes, transcript, or recording. The events were sponsored by the Devils Lake Rotary Club, Post Office Box 12, Devils Lake, North Dakota 58301

August 11, 2015: Speaker, Disciplinary System Training, Bismarck, North Dakota. When I was Chair of the Disciplinary Board of the North Dakota Supreme Court I spoke at the training for Disciplinary Board and Inquiry Committee members from throughout the state. I have no notes, transcript, or recording. The event was sponsored by the North Dakota Supreme Court, 600 East Boulevard Avenue, Bismarck, North Dakota 58505.

July 1, 2015: Speaker, "Breakfast in Fargo" with ABA President-Elect Linda Klein, Fargo, North Dakota. I introduced ABA President-Elect Linda Klein at a breakfast in Fargo, North Dakota. I have no notes, transcript, or recording. The event was sponsored by the State Bar Association of North Dakota, 1661 Capitol Way, Suite 104LL, Bismarck, North Dakota 58501. Event announcement supplied.

February 6, 2015: Moderator, "Perspectives on the Appropriate Sanction in Attorney Discipline Cases," Houston, Texas. Power Point and program summary supplied.

March 19, 2014: Speaker, Disciplinary System Training, Bismarck, North Dakota. When I was Chair of the Disciplinary Board of the North Dakota

Supreme Court I re-started training/re-training to new Disciplinary Board and Inquiry Committee members from throughout the state. I have no notes, transcript, or recording. The event was sponsored by the North Dakota Supreme Court, 600 East Boulevard Avenue, Bismarck, North Dakota 58505.

October 25, 2013: Speaker, Investiture of District Judge Paul Jacobson, Williston, North Dakota. I, as Chair of the Disciplinary Board of the North Dakota Supreme Court, attended the Investiture of the Hon. Paul Jacobson to the State District Court. I have no notes, transcript, or recording. The event was sponsored by the Northwest Judicial District, Unit 4, 315 Third Street Southeast, Minot, North Dakota 58701. Press coverage supplied.

June 2003 (approximately): Speaker, Republican Roundup, Williston, North Dakota. I presided over the event. I have no notes, transcript, or recording. The event was sponsored by the North Dakota Republican Party, 1029 North 5th Street, Bismarck, North Dakota 58501.

March 2003 (approximately): Speaker, Republican State Committee, Bismarck, North Dakota. I presided over the event. I have no notes, transcript, or recording. The event was sponsored by the North Dakota Republican Party, 1029 North 5th Street, Bismarck, North Dakota 58501.

November 2002 (approximately): Speaker, Republican State Committee, Bismarck, North Dakota. I presided over the event. I have no notes, transcript, or recording. The event was sponsored by the North Dakota Republican Party, 1029 North 5th Street, Bismarck, North Dakota 58501.

October 2002 (approximately): Speaker, Clayburgh for Congress Fundraiser/Rally, Minot, North Dakota. I spoke at a Clayburgh for Congress fundraiser. The event featured Congressman Tom Davis of Virginia. I have no notes, transcript, or recording. The event was sponsored by the Clayburgh for Congress Campaign, Post Office Box 1255, Bismarck, North Dakota 58502.

September 2002 (approximately): Speaker, Republican State Committee, Bismarck, North Dakota. I presided over the event. I have no notes, transcript, or recording. The event was sponsored by the North Dakota Republican Party, 1029 North 5th Street, Bismarck, North Dakota 58501.

June 2002 (approximately): Speaker, Republican Roundup, Fort Totten, North Dakota. I presided over the event. I have no notes, transcript, or recording. The event was sponsored by the North Dakota Republican Party, 1029 North 5th Street, Bismarck, North Dakota 58501.

March 2002 (approximately): Speaker, Republican State Convention, Grand Forks, North Dakota. I presided over the event. I introduced several of the platform speakers. I have no notes, transcript, or recording. The event was

sponsored by the North Dakota Republican Party, 1029 North 5th Street, Bismarck, North Dakota 58501.

March 2002 (approximately): Speaker, Republican State Committee, Grand Forks, North Dakota. I presided over the Republican State Committee meeting, which coincided with the Republican State Convention. I have no notes, transcript, or recording. The event was sponsored by the North Dakota Republican Party, 1029 North 5th Street, Bismarck, North Dakota 58501.

February 2002 (approximately): Speaker, Districts 29 & 48 Lincoln Day Dinner and Pie Auction, Jamestown, North Dakota. I spoke about the importance of our first Republican President, Abraham Lincoln. I have no notes, transcript, or recording. The event was sponsored by the Districts 29 & 48 Republican Parties. The address of the North Dakota Republican Party is 1029 North 5th Street, Bismarck, North Dakota 58501.

December 2001 (approximately): Speaker, Republican State Committee, Bismarck North Dakota. I presided over the Republican State Committee meeting. I have no notes, transcript, or recording. The event was sponsored by the North Dakota Republican Party, 1029 North 5th Street, Bismarck, North Dakota 58501.

September 2001 (approximately): Speaker, Republican State Committee, Bismarck, North Dakota. I presided over the Republican State Committee meeting. I have no notes, transcript, or recording. The event was sponsored by the North Dakota Republican Party, 1029 North 5th Street, Bismarck, North Dakota 58501.

June 2001 (approximately): Speaker, Republican Roundup, Medora, North Dakota. I gave a speech prior to my election as Republican State Chairman. I have no notes, transcript, or recording. The event was sponsored by the North Dakota Republican Party, 1029 North 5th Street, Bismarck, North Dakota 58501.

August 2000 (approximately): Emcee, District 15 R-100 Club Event, Devils Lake, North Dakota. I emceed the local district fundraising event. I have no notes, transcript, or recording. The event was sponsored by the District 15 Republican Party, Post Office Box 42, Devils Lake, North Dakota 58301

August 2000 (approximately): Speaker, Devils Lake Rotary Club, Devils Lake, North Dakota. I spoke about my experience as a delegate to the 2000 Republican National Convention in Philadelphia, Pennsylvania. I have no notes, transcript, or recording. The event was sponsored by the Devils Lake Rotary Club, Post Office Box 12, Devils Lake, North Dakota 58301.

March 2000 (approximately): Speaker, District 15 Republican Convention, Devils Lake, North Dakota. I presided over the annual district meeting where

delegates were elected to the 2000 Republican State Convention. I have no notes, transcript, or recording. The event was sponsored by the District 15 Republican Party, Post Office Box 42, Devils Lake, North Dakota 58301.

August 1999 (approximately): Emcee, District 15 R-100 Club Event, Devils Lake, North Dakota. I emceed the local district fundraising event. I have no notes, transcript, or recording. The event was sponsored by the District 15 Republican Party, Post Office Box 42, Devils Lake, North Dakota 58301.

March 1999 (approximately): Speaker, District 15 Republican Convention, Devils Lake, North Dakota. I was elected and presided over the annual district meeting. I have no notes, transcript, or recording. The event was sponsored by the District 15 Republican Party, Post Office Box 42, Devils Lake, North Dakota 58301.

- 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.

Sydney Mook, *UND presidential search committee announced*, Grand Forks Herald, June 28, 2019. Copy supplied.

Sydney Mook, *Denny Elbert, Casey Ryan named co-chairs for UND presidential search committee*, Grand Forks Herald, May 31, 2019. Copy supplied.

April Baumgarten, *'Crisis on campus'*, Wahpeton Daily News, May 31, 2019. Copy supplied.

Pat Sweeney, *Traynor Suggests Change in SBHE Presidential Searches*, Knox News Radio, May 31, 2019. Copy supplied.

Sydney Mook, *State board member, chancellor split on how to move forward with UND president's search*, Fargo Forum, May 19, 2019. Copy supplied. Reprinted in multiple outlets.

Sydney Mook, *Decision day for Mark Kennedy: Presidential search controversies not limited to Colorado*, Grand Forks Herald, May 2, 2019. Copy supplied.

Sydney Mook, *State board member expresses concern with commenting policy*, Grand Forks Herald, April 25, 2019. Copy supplied. Reprinted in multiple outlets.

Korrie Wenzel, *Letter to Kennedy meant to 'protect the state,' lawyer says*, Williston Daily Herald, April 16, 2019. Copy supplied. Reprinted in multiple outlets.

Madeline St. Amour, *University of North Dakota president chosen as finalist in CU system presidential search*, Daily Camera (Boulder, Colorado), April 10, 2019. Copy supplied. Reprinted in multiple outlets.

Sydney Mook, *Board looks at ways to help law school budget*, Grand Forks Herald, March 3, 2019. Copy supplied.

Sydney Mook, *Kennedy receives midyear review from chancellor*, Grand Forks Herald, February 26, 2019. Copy supplied. Reprinted in multiple outlets.

Sydney Mook, *Board member rejects Kennedy decisions on chief of staff controversy*, Grand Forks Herald, February 26, 2019. Copy supplied. Reprinted in multiple outlets.

Sydney Mook, *UND gets permission to rename J. Lloyd Stone House*, Grand Forks Herald, December 18, 2018. Copy supplied.

*NDSU, School of Science to offer in-state tuition to out state students*, Prairie Public Radio, December 18, 2018. Copy supplied.

Sydney Mook, *North Dakota Higher Ed Board mulls in-state tuition*, Grand Forks Herald, December 6, 2018. Copy supplied. Reprinted in multiple outlets.

Sydney Mook, *State Board committee delays Stone House name change at UND*, Grand Forks Herald, November 28, 2018. Copy supplied.

*Local man applies for Higher Ed Board seat*, Devils Lake Journal, April 6, 2018. Copy supplied.

John Hageman, *Stenehjem built a political foundation over decades of experience*, Grand Forks Herald, May 1, 2016. Copy supplied.

John Hageman, *ND Republicans could make difference in nomination*, Grand Forks Herald, April 5, 2016. Copy supplied.

James MacPherson and Dave Kolpack, *Cruz has head start with North Dakota's national delegates*, Wahpeton Daily News, April 4, 2016. Copy supplied. Reprinted in multiple outlets.

Shane Goldmacher, *Cruz tops Trump in North Dakota delegate race*, Politico, April 3, 2016. Copy supplied.

*Rotary Club presented with Unsung Hero Award*, Devils Lake Journal, November 11, 2014. Copy supplied.

Larry Griffin, *Judge Jacobson gets his robe*, Williston Daily Herald, October 28, 2013. Copy supplied.

*Traynor Family Lawyers Date Back to 1903*, The Gavel, Summer 2012. Copy supplied.

Rebecca Beitsch, *Quick court decision needed*, Bismarck Tribune, September 2, 2010. Copy supplied.

Dale Wetzel, *Pharmacy measure in ND Supreme Court's hands*, Associated Press Business News, September 1, 2010. Copy supplied.

Dale Wetzel, *Pharmacy bill debate heats up*, Bismarck Tribune, February 11, 2009. Copy supplied. Reprinted in multiple outlets.

Dale Wetzel, *N.D. lawmakers undecided on pharmacy law*, Bismarck Tribune, January 7, 2009. Copy supplied. Reprinted in multiple outlets.

Brian Duggan, No headline in original, Bismarck Tribune, January 4, 2009. Copy supplied.

Mike Bellmore, *Former N.D. governor tapped by President Bush for cabinet post*, Metrowest Daily News, January 25, 2008. Copy supplied. Reprinted in multiple outlets.

Dale Wetzel, *Republicans say Dorgan, Conrad should support high court choice*, Associated Press State & Local Wire, July 20, 2005. Copy supplied.

Dale Wetzel, *ND Republicans look for convention fun, worry about demonstrators*, Associated Press State & Local Wire, August 28, 2004. Copy supplied.

Deena Winter, *Clayburgh says no to Congress*, Bismarck Tribune, December 5, 2003. Copy supplied. Reprinted in multiple outlets.

*The Field: Six Frontrunners on One Hand, Half Dozen on Other*, The Hotline, June 10, 2003. Copy supplied.

*Minnesota: Never a Bad Thing for a Republican to be Compared to Ronald Reagan*, The Hotline, May 6, 2003. Copy supplied.

Blake Nicholson, *Public Service Commissioner Leo Reinbold resigning*, Associated Press State & Local Wire, May 1, 2003. Copy supplied.

*GOP decides to meet in Williston*, Bismarck Tribune, May 1, 2003. Copy supplied.

*Pomeroy Comments May Not Be USDA-Approved, But They're Forum-Approved!*, National Journal's House Race Hotline, April 15, 2003. Copy supplied.

*Fireside heard from*, Bismarck Tribune, March 8, 2003. Copy supplied.

Dave Kolpack, *Democrats push radio host to run for office*, Bismarck Tribune, March 7, 2003. Copy supplied. Reprinted in multiple outlets.

*Briefly*, Bismarck Tribune, March 4, 2003. Copy supplied. Reprinted in multiple outlets.

Dale Wetzel, *Bush wants Schafer to seek Senate*, Bismarck Tribune, December 22, 2002. Copy supplied. Reprinted in multiple outlets.

*North Dakota*, National Journal's CongressDaily, November 25, 2002. Copy supplied.

Dale Wetzel, *GOP looks at taking on Dorgan; State's toughest Democrat suddenly looks vulnerable*, Bismarck Tribune, November 11, 2002. Copy supplied. Reprinted in multiple outlets.

Dave Kolpack, *Youth initiative supporters stand by plan*, Bismarck Tribune, November 7, 2002. Copy supplied. Reprinted in multiple outlets.

Dale Wetzel, *Democrats accuse Republicans of arrogance*, Bismarck Tribune, November 2, 2002. Copy supplied. Reprinted in multiple outlets.

Ralph Z. Hallow, *GOP sees Hawaii as good prospect in governor's race*, Washington Times, October 29, 2002. Copy supplied.

Dale Wetzel, *Flood of absentee ballot applications coming as parties, interest groups try to get out vote*, Associated Press State & Local Wire, October 6, 2002. Copy supplied.

*North Dakota Senate '04: two years out, just 8% undecided in; Dorgan-Schafer matchup*, The Hotline, September 4, 2002. Copy supplied.

Dale Wetzel, *Schafer establishes PAC*, Bismarck Tribune, August 28, 2002. Copy supplied. Reprinted in multiple outlets.

Janell Cole, *Cheney sticks to statesmanlike address*, Fargo Forum, July 30, 2002. Copy supplied.

Janell Cole, *Pomeroy signs on a big gun*, Fargo Forum, July 14, 2002.

Lauren Donovan, *Pomeroy enjoying the ride*, Bismarck Tribune, June 6, 2002. Copy supplied.

Lauren Donovan, *Conrad: 'I go until I drop,'* Bismarck Tribune, June 5, 2002. Copy supplied.

Lauren Donovan, *Dorgan juggles work, family*, Bismarck Tribune, June 4, 2002. Copy supplied.

*N.D. Democrats attracting out-of-state donors*, Bismarck Tribune, May 13, 2002. Copy supplied. Reprinted in multiple outlets.

Lauren Donovan, *Money surging to N.D. political parties*, Bismarck Tribune, April 17, 2002. Copy supplied.

Dale Wetzel, *Parties fill most legislative tickets*, Bismarck Tribune, April 13, 2002. Copy supplied. Reprinted in multiple outlets.

*Republicans Pick Tax Official to Compete Against Pomeroy*, National Journal's CongressDaily, April 9, 2002. Copy supplied.

*Briefly*, Bismarck Tribune, April 7, 2002. Copy supplied. Reprinted in multiple outlets.

*Clayburgh Puts It Blunt-ly*, National Journal's House Race Hotline, April 1, 2002. Copy supplied.

Janell Cole, *Political Notebook, Different view for lawmaker from N.D.*, Fargo Forum, March 18, 2002. Copy supplied.

*Oklahoma's J.C. Watts to address Republican convention*, Bismarck Tribune, March 17, 2002. Copy supplied. Reprinted in multiple outlets.

Dale Wetzel, *Democrats failed to report money, GOP chairman says*, Bismarck Tribune, March 6, 2002. Copy supplied. Reprinted in multiple outlets.

Janell Cole, *Political Notebook, Ordinary day for Minnesota senators*, Fargo Forum, March 4, 2002. Copy supplied.

Janell Cole, *Political notebook, Hoeven gathers with state governors*, Fargo Forum, February 25, 2002. Copy supplied.

Steve Cates, *So, where do North Dakota Democrats get their money?*, Bismarck Tribune, February 22, 2002. Copy supplied.



*Briefly*, Bismarck Tribune, February 16, 2002. Copy supplied. Reprinted in multiple outlets.

Lauren Donovan, *Authorities launch investigation of governor's ex-political director*, Bismarck Tribune, February 9, 2002. Copy supplied.

Dale Wetzel, *Governor fires his political director*, Bismarck Tribune, February 8, 2002. Copy supplied. Reprinted in multiple outlets.

Janell Cole, *Political Notebook, Enron helped Dems, too*, January 14, 2002. Copy supplied.

Janell Cole, *Clayburgh announces bid for Congress, Republican seeks to run against Pomeroy in "battle of the two nice guys,"* Fargo Forum, January 11, 2002. Copy supplied.

*War on Terrorism, GOP national chairman resigns*, Fargo Forum, December 1, 2001. Copy supplied.

*Legislators may boycott fund-raiser*, Bismarck Tribune, November 30, 2001. Copy supplied. Reprinted in multiple outlets.

Dale Wetzel, *Former hoops coach ponders House contest*, Bismarck Tribune, September 29, 2001. Copy supplied. Reprinted in multiple outlets.

Dale Wetzel, *New post helps Pomeroy raise funds*, Bismarck Tribune, August 13, 2001. Copy supplied. Reprinted in multiple outlets.

*Briefly*, Bismarck Tribune, July 12, 2001. Copy supplied. Reprinted in multiple outlets.

Dale Wetzel, *Clayburgh considering run for House*, Bismarck Tribune, June 11, 2001. Copy supplied. Reprinted in multiple outlets.

Dale Wetzel, *GOP elects Devils Lake attorney as chairman*, Bismarck Tribune, June 9, 2001. Copy supplied. Reprinted in multiple outlets.

*Curly Haugland rules out new term as GOP chairman*, Bismarck Tribune, June 2, 2001. Copy supplied. Reprinted in multiple outlets.

Dale Wetzel, *Democrats refund cost of rally invitations after Republicans complain*, Bismarck Tribune, September 1, 2000. Copy supplied. Reprinted in multiple outlets.

*Quotes from North Dakota delegation on Bush speech*, Associated Press State & Local Wire, August 3, 2000. Copy supplied.

Gordon Weixel, *Traynor, Nicholas prepare for trip*, Devils Lake Journal, July 26, 2000. Copy supplied.

Gordon Weixel, *Dist. 15 duo help choose a president*, Devils Lake Journal, July 21, 2000. Copy supplied.

Don Canton, *Reflections on what happened and why*, Bismarck Tribune, April 3, 2000. Copy supplied. Reprinted in multiple outlets.

*ND: Hoeven Seen as Having Advantage*, The Bulletin's Frontrunner, January 10, 2000. Copy supplied.

*Hoeven holds organizational edge in GOP race*, Bismarck Tribune, January 9, 2000. Copy supplied. Reprinted in multiple outlets.

*In GOP race for governor, former Democrat finds loyalty questioned*, Associated Press State & Local Wire, January 8, 2000. Copy supplied.

*U.S. justice to speak at UND commencement*, Bismarck Tribune, October 24, 1996. Copy supplied.

Terry J. Aman, *Traynor to clerk for N.D. Supreme Court*, Devils Lake Journal, August 8, 1996. Copy supplied.

Frederic Smith, *Panel wants no state role in Goals 2000*, Bismarck Tribune, March 30, 1996. Copy supplied. Reprinted in multiple outlets.

Frederic Smith, *GOP panel OKs 'parental rights,'* Bismarck Tribune, March 30, 1996. Copy supplied.

John MacDonald, *It's no to tax hikes*, Bismarck Tribune, March 29, 1996. Copy supplied. Reprinted in multiple outlets.

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

I have not held judicial office.

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

- i. Of these, approximately what percent were:

jury trials: \_\_\_\_\_%

bench trials: \_\_\_\_\_% [total 100%]

civil proceedings: \_\_\_\_\_%

criminal proceedings: \_\_\_\_\_% [total 100%]

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

I have not held judicial office.

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

15. **Public Office, Political Activities and Affiliations:**

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

Member North Dakota State Board of Higher Education (2018 – Present). I was appointed by Governor Doug Burgum. In 2006, I was a finalist for the same position, but was not selected.

Member State Bar Association Board of Governors as ABA State Bar Delegate (2013 – Present). I was selected to fill an unexpired term as ABA State Bar Delegate by State Bar of North Dakota President Jack McDonald in 2013. The ABA State Bar Delegate represents the licensed lawyers in the ABA House of Delegates. In North Dakota, the position also serves on the Board of Governors of the State Bar of North Dakota. I was reelected to the position by the lawyers in North Dakota in 2014, 2016, and 2018.

- 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.

District Chairman, District 15, North Dakota Republican Party (1998 – 2001)

State Chairman, North Dakota Republican Party (2001 – 2003)

Chair, North Dakota Chapter, Republican National Lawyers Association (2000 – Present)

In either 2000 or 2004 I believe I served as Chair or Co-Chair of Lawyers for Bush.

I served on the finance committee for Kevin Cramer's 2012 campaign for the United States House of Representatives.

In 1990 I managed my father's successful campaign for the North Dakota State Senate. I do not recall holding any specific position within any other campaigns. However, I have been a volunteer and activist on dozens of Republican campaigns for local, state or federal office. I have also made contributions, attended and hosted campaign fundraisers for several campaigns.

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 1997 to 1998, I served as a law clerk to the Honorable Gerald VandeWalle, Chief Justice of the North Dakota Supreme Court.

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

I have never practiced alone.

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

1998 – Present  
Traynor Law Firm P.C.  
509 5th Street Northeast, Suite 1  
Devils Lake, North Dakota 58301  
Shareholder (2006 – Present)  
Associate (1998 – 2005)

1998 – Present  
City of Devils Lake  
423 6th Street Northeast  
Devils Lake, North Dakota 58301  
Assistant City Attorney

2018 – Present

North Dakota University System  
10th Floor, State Capitol  
600 East Boulevard Avenue, Department 215  
Bismarck, North Dakota 58505  
Member, State Board of Higher Education

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

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

b. Describe:

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

After graduation from law school I clerked for the Chief Justice of the North Dakota Supreme Court for one year. In 1998 I returned to my hometown of Devils Lake, North Dakota, to practice with Traynor, Rutten & Traynor. I handled prosecutions for the City of Devils Lake and various other civil matters. The first five or eight years of practice included criminal prosecutions in municipal and state district court, family law matters and other civil claims.

In 2005, my practice became nearly entirely focused on civil litigation in personal injury matters. I have represented both plaintiffs and defendants in such cases. My practice is statewide and includes cases in federal, state and tribal court. I have also handled matters before the U.S. Department of Labor and some state boards and commissions. During the oil boom, and for several years following, I have handled the defense of several significant personal injury matters as either insurance defense counsel or privately retained.

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

My typical client is a person involved in a personal injury lawsuit as either a plaintiff or defendant. I have also been retained to handle various business litigation matters.

- 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:          | 10% |
| 2. state courts of record:  | 78% |
| 3. other courts:            | 10% |
| 4. administrative agencies: | 2%  |

ii. Indicate the percentage of your practice in:

- |                          |     |
|--------------------------|-----|
| 1. civil proceedings:    | 75% |
| 2. criminal proceedings: | 25% |

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 80 cases to verdict, judgement or final decision in courts of record, including cases before administrative law judges.  
Approximately 15 of those cases have been jury trials in which I was chief counsel.

i. What percentage of these trials were:

- |              |     |
|--------------|-----|
| 1. jury:     | 20% |
| 2. non-jury: | 80% |

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

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

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

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

1. *Grabanski v. Evangelical Lutheran Church in America, et al.*, Cass County Civil No.: 09-2016-CV-00022; Supreme Court No.: 20160154, before the Hon. Frank Racek, District Court Judge, and before the Hon. Chief Justice Gerald W. VandeWalle and Justices Dale V. Sandstrom, Lisa Fair McEvers, and Carol Ronning Kapsner; 2015 – 2016.

I was lead counsel for Norman Lutheran Church in rural Kindred, North Dakota. Norman Lutheran is a member of the Evangelical Lutheran Church in America (“ELCA”). Parishioners Raymond and Joan Grabanski objected to the position of the ELCA allowing homosexual clergy. Grabanski led an unsuccessful effort to have Norman Lutheran leave the ELCA. Grabanski then sued Norman Lutheran and the ELCA for slander and defamation, intentional infliction of emotional distress, and the dependent claims of respondeat superior and negligent supervision. I filed a motion to dismiss for lack of subject matter jurisdiction and to stay discovery pending a judicial determination regarding jurisdictional questions. When the state district court denied the motion to dismiss, I filed a Petition for Writ of Supervision before the North Dakota Supreme Court requesting the Court supervise the district court and to conclude the state court is without jurisdiction over matters of private religious doctrine. The case settled shortly before scheduled oral argument before the North Dakota Supreme Court.

Counsel for Co-Defendant ELCA:

Keith L. Miller  
(formerly of Miller, Norman & Associates, Ltd.)  
O’Keeffe O’Brien Lyson Foss  
720 Main Avenue  
Fargo, North Dakota 58103  
(218) 233-2495

Counsel for Plaintiff:

Timothy P. Hill  
Hill Law Office, PLLC  
303 Roberts Street  
Fargo, North Dakota 58102  
(701) 293-7612

2. *Winer v. Penny Enterprises, Inc., et al.*, Benson County Civil No.: 01-C-0010; Supreme Court No.: 20030114, before the Hon. Lee A. Christofferson, District Court Judge, and Hon. Chief Justice Gerald W. VandeWalle and Justices William A. Neumann, Dale V. Sandstrom, Mary Muehlen Maring, and Carol Ronning Kapsner; 2000 – 2003.

I was lead counsel for Penny Enterprises, Inc., Jerriid Mudgett, Sr., and Jerriid Mudgett, Jr., relating to a personal injury lawsuit initiated by Gary Winer. Winer sued Jerriid Mudgett, Sr., individually and as guardian of his son, and Penny Enterprises in state district court for his personal and bodily injuries received in a vehicle collision with



Jerrid Mudgett, Jr. The Mudgetts and Penny Enterprises moved to dismiss for lack of subject matter jurisdiction because the Mudgetts are enrolled members of the Spirit Lake Tribe and the incident occurred within the exterior boundaries of the Reservation. The state district court granted the requested dismissal. On appeal, Winer argued the district court erred in ruling it did not have subject-matter jurisdiction over his personal injury action against the Mudgetts. The North Dakota Supreme Court affirmed the district court's decision.

Counsel for Plaintiff:

Hon. Peter K. Halbach, Municipal Court Judge  
316 Sixth Street Southeast  
Devils Lake, North Dakota 58301  
(701) 665-5135

3. *Thompson, et al. v. Jaeger*, Supreme Court No.: 20100272, before Chief Justice Gerald W. VandeWalle and Justices Dale V. Sandstrom, Daniel J. Crothers, and Mary Muehlen Maring, and Surrogate Judge William F. Hodny; 2010.

I was lead counsel in an original jurisdiction matter before the North Dakota Supreme Court against North Dakota Secretary of State Alvin A. Jaeger. The Secretary of State had rejected my client's petitions, which sought a measure on the upcoming ballot, due to my client's failure to include the full text of the measure on the petition. The North Dakota Supreme Court denied my client's request, concluding the circulated petitions were legally insufficient.

Counsel for Respondent:

Attorney General Wayne K. Stenehjem  
Office of Attorney General  
600 East Boulevard Avenue, Department 125  
Bismarck, North Dakota 58505  
(701) 328-2210

4. *In Re Removal of Steven Kukowski, Sheriff*, Case No.: 12-GOV-01, before Special Commissioner Karen K. Klein; 2017.

I was appointed by Governor Doug Burgum to take over the civil removal proceeding of Ward County Sheriff Steven Kukowski. Under North Dakota law, sheriffs are charged with managing their respective county jails, and Kukowski was tasked with administering the jail in Ward County. An inmate under Kukowski's care died as a result of withdrawal from drugs after jail staff failed to provide proper medical care or attention. As a result, the inmate languished for three days in his cell, and died shortly after he was transferred to another agency. The Governor requested I take over the civil removal proceeding after a motion to dismiss the proceeding was filed by prior counsel. I withdrew the dismissal motion and prosecuted the case until the Sheriff resigned to avoid his removal.

Counsel for Respondent:

Hon. Peter D. Welte, United States District Judge  
(previously of Vogel Law Firm)  
United States District Court for the District of North Dakota  
Quentin N. Burdick United States Courthouse  
655 First Avenue North, Suite 410  
Fargo, North Dakota 58102  
(701) 297-7040

5. *Haider v. Moen*, Ward County Civil No.: 51-2014-CV-00890; Supreme Court No.: 20170348. Before the Hon. Todd L. Cresap, District Judge, and Hon. Chief Justice Gerald W. VandeWalle, and Justices Daniel J. Crothers, Jon J. Jensen, and Jerod E. Tufte; 2014 – 2018.

I represented Jeff Moen in a lawsuit initiated by Plaintiff Jason Haider. Moen farmed acreage next to a rural farmstead owned by Haider. The acreage was owned by Haider and Moen farmed it with his permission. Branches from trees and brush growing along a dike protecting the farmstead damaged farm implements of Moen. Without asking Haider's permission, Moen knocked down the trees and piled them along the dike. Haider sued Moen for timber trespass. The matter was tried to a jury with a verdict in favor of Haider. The Court trebled the damage award without notifying the jury that their award could be tripled depending on how they answered the special verdict form. Moen appealed, arguing the jury had a right to know the consequence of their verdict, specifically that the damage award could be tripled. The North Dakota Supreme Court agreed and reversed and remanded the case for a new trial. The matter settled prior to the second trial.

Counsel for Plaintiff:

Seth A. Thompson  
Vogel Law Firm  
U.S. Bank Building  
200 North Third Street, Suite 201  
Bismarck, North Dakota 58501  
(701) 258-7899

6. *Ziegler v. Meadowbrook Insurance Group, Inc.*, Ramsey County Civil No.: 36-08-C-00252; Supreme Court No.: 20090141, before the Hon. Donovan J. Foughty, District Judge, and Hon. Chief Justice Gerald W. VandeWalle, and Justices Daniel J. Crothers, Mary Muehlen Maring, and Carol Ronning Kapsner; 2008 – 2011.

I was lead counsel in a matter where James Ziegler and his livestock auction were sued by a financial institution for losses incurred when a livestock auction customer committed fraud without the knowledge of the auction. The customer was prosecuted by federal authorities. Following settlement of the underlying lawsuit, we sued the livestock auction's insurer, asserting breach of the duty to defend and indemnity under the insurance contract, along with insurance bad faith. The district court granted a

declaratory judgment in favor of the livestock auction concluding the insurer breached its duty to defend and indemnify in the underlying lawsuit. When the insurer attempted an appeal, we moved to dismiss the appeal arguing the declaratory judgment order was not a final order and not appealable. After briefing and argument, North Dakota Supreme Court agreed, concluding the district court must decide damages for the breach and bad faith. The matter settled as a result of mediation before trial.

Counsel for Defendant:

Bradford S. Moyer  
Plunkett Cooney, P.C.  
950 Trade Centre Way, Suite 310  
Kalamazoo, Michigan 49002  
(269) 382-5935

7. *Garcia v. Farden Construction, Inc., et al.*, No.: 1:15-CV-93 (D.N.D.), before the Hon. Charles S. Miller, United States Magistrate Judge; 2015 – 2016.

I defended a North Dakota construction company and their semi driver relating to a motor vehicle collision with a pickup truck driven by an oil-field employee. The collision resulted in a fire in the pick-up cab causing substantial injury to the Plaintiff. We challenged jurisdiction in federal court asserting lack of complete diversity. Before the federal court decided the jurisdictional issue the case settled following a mediation.

Counsel for Plaintiff:

David S. Maring  
Maring Williams Law Office, P.C.  
1661 Capitol Way, Suite 103 LL  
Bismarck, North Dakota 58501  
(701) 224-0430

8. *Joshua v. Backstrom, et al.*, Benson County Civil No.: 03-2013-CV-00028, before the Hon. Michael G. Sturdevant, District Judge; 2013 – 2014.

I was lead counsel in defense of Paul Backstrom and his hired farm employee, Mark Tandeski. Backstrom provided variable application of anhydrous ammonia fertilizer through his company Precision Ag Results, Inc. Karen Joshua claimed she was injured by what she described as a cloud of anhydrous ammonia. The matter was tried to a jury. Based upon the time when the Plaintiff made a cell phone call, satellite information from the variable applicator was able to establish that the Plaintiff was more than half a mile away from the anhydrous application. After a multi-day trial, the jury returned a defense verdict.

Counsel for Plaintiff:

Mark V. Larson  
Larson Law Firm, P.C.  
1020 North Broadway

Minot, North Dakota 58703  
(701) 484-4878

9. *Sura vs. National Oilwell Varco, L.P., et al.*, No.: 1:15-cv-00127 (D.N.D.); before the Hon. Daniel L. Hovland, United States District Judge, and United States Magistrate Judge John T. Johnston, District of Montana; 2012 – 2017.

I was local counsel in defense of a lawsuit against National Oilwell Varco, L.P., and ConocoPhillips Company. Plaintiff Michael Sura was employed as a derrick hand when he claims he was injured as a result of inhalation of cement kiln dust, a product used to solidify and dry waste fluid from drilling operations. The drying operation was conducted by National Oilwell on a ConocoPhillips drilling rig. Sura brought suit in the United States District Court in Bismarck, North Dakota, asserting injuries relating to the exposure. After extensive discovery, the matter settled after a second mediation directed by United States Magistrate Judge John T. Johnston of Great Falls, Montana.

Co-Counsel for Defendants:

Christopher L. Evans  
Adams and Reese LLP  
LyondellBasell Tower  
1221 McKinney Street, Suite 4400  
Houston, Texas 77010  
(713) 308-0110

Counsel for Plaintiff:

A. Clifford Edwards  
John W. Edwards  
Edwards, Frickle & Culver  
1648 Poly Drive, Suite 206  
Billings, Montana 59102  
(406) 256-8155

10. *EOG Resources, Inc. v. Badlands Power Fuels, LLC, et al.*, No.: 4:08-CV-038 (D.N.D.), before the Hon. Daniel L. Hovland, United States District Court Judge; 2008 – 2009.

At the start of the oil boom in North Dakota, EOG Resources, Inc., initiated a declaratory judgment action in federal court to interpret master service contracts used throughout the oil industry. The master service contracts provide contractual indemnity provisions that cause the employer of an injured employee to pay for the defense and indemnification of third parties. I was lead counsel for Badlands Power Fuels, LLC, in this declaratory judgment action. Following an interpretation of the master service contract by the United States District Court finding them enforceable in North Dakota, my client settled the underlying injury claim of its employee.

Counsel for Co-Defendants:

William P. Harrie  
Nilles Law Firm  
1800 Radisson Tower  
201 Fifth Street North  
Fargo, North Dakota 58102  
(701) 237-5544

Counsel for Plaintiff:

Larry L. Boschee  
Pearce Durick PLLC  
314 East Thayer Avenue  
Bismarck, North Dakota 58501  
(701) 223-2890

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

In 2010, I was appointed to the Disciplinary Board of the North Dakota Supreme Court. In 2012, I was selected as Chair. At the time I became Chair, the docket contained in excess of 30 pending matters, including a number of disciplinary matters where an interim suspension had been entered with no final adjudication. The failure to finally conclude matters left lawyers in limbo and clients without a final hearing and determination of their complaint. An additional problem with failure to adjudicate cases is that victims of lawyer misconduct are unable to make a claim against the client protection fund until final adjudication. Finally, I believed it was inappropriate for a board predominantly made up of lawyers to fail to promptly and fully decide matters involving lawyer discipline.

With the assistance of the Board and the North Dakota Supreme Court, I led an effort to clean up the docket and resolve all stale matters. When I completed my term on the Board, the pending matters had been reduced to approximately ten and all were allegations of misconduct that occurred within the prior two years. The Board also established an improved docketing and calendaring system and, with the assistance of the ABA, the Board coordinated a review and overhaul of the state's lawyer disciplinary system. These structural changes will hopefully prevent a future backlog of cases, and will safeguard the public's expectation of competence and professionalism for attorneys.

In 2009, I served as a registered lobbyist for Walmart, which sought to repeal a regulation that restricted the growth of pharmacies in the state. I later served as legal counsel for ballot measures campaign which sought to do the same. I also served as a lobbyist for Ducks Unlimited, a sportsman and conservation group, during the 2015 North Dakota

legislative session.

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

I have not taught any courses.

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

I do not expect to have any such income, other than earned, undistributed profits or bonuses from my current firm. If that happened, it would be a single occurrence, contemporaneously occurring with the sale of my private practice.

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

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

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

When my nomination is formally submitted to the Senate and I file my Financial Disclosure Report, I will supplement this Questionnaire with a copy of that 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 cases where I have had a role in representing or providing counsel to any of the parties. Regarding my present firm, I will recuse myself in cases pending at the time of my appointment wherein current members of my firm are counsel of record.

If confirmed, if a potential conflict arose, either real or perceived, I would assess each potential conflict on a case-by-case basis, seeking input of the parties and counsel and would recuse where warranted. I will adhere to the Code of Conduct for United States Judges and would seek guidance in doing so.

- 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 assiduously review and adhere to the Code of Conduct for United States Judges, the Ethics Reform Act of 1989, 28 U.S.C. Section 455 and other relevant authority.

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.

I have performed pro bono services for several clients, including Roman Catholic priests of the Diocese of Fargo, and other churches and pastors in the community. I do not charge for wills or other transactional legal services. I have also established several corporations and obtained tax exempt status for charitable or civic organizations in our community.

26. **Selection Process:**

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

On December 13, 2018, I wrote a letter to Senator John Hoeven and Senator-elect Kevin Cramer to indicate my interest in the expected vacancy in Bismarck. On May 8, 2019, I was contacted by the Office of White House Counsel to schedule an interview. On May 20, 2019, I interviewed with attorneys from the Office of

White House Counsel and the Department of Justice. On June 26, 2019, I was contacted by the Office of White House Counsel and advised that I had been preliminarily selected.

- 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.