

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Jennifer Paige Togliatti

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

United States District Judge for the District of Nevada

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.

Advanced Resolution Management  
6980 South Cimarron Road, Unit 210  
Las Vegas, Nevada 89113

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

1967; Waterbury Connecticut

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.

National Judicial College, 2000, 2003, 2005, 2017; no degree received

California Western School of Law, 1990 – 1993; J.D., 1993

University of Nevada, Las Vegas, 1985 – 1989; B.A., 1989

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.

2019 – present

State of Nevada, Administrative Office of the Courts

201 South Carson Street, Suite 250  
Carson City, Nevada 89701  
Senior Judge

2019 – present  
Togliatti Solutions PLLC (in conjunction with Advanced Resolution Management)  
11700 West Charleston Boulevard, Suite 170-283  
Las Vegas, Nevada 89135  
Private Mediator, Special Master and Arbitrator (Independent Contractor)

2019 – present  
Advanced Resolution Management  
6980 South Cimarron Road, Unit 210  
Las Vegas, Nevada 89113  
Private Mediator, Special Master and Arbitrator (Independent Contractor)

2002 – 2019  
Eighth Judicial District Court, State of Nevada  
Civil/Criminal Division, Department 9  
200 Lewis Avenue  
Las Vegas, Nevada 89155  
District Judge (2002 – 2019)  
Chief Judge (2011 – 2014)

1999 – 2002  
Justice Court, Las Vegas Township  
200 Lewis Avenue  
Las Vegas, Nevada 89155  
Justice of the Peace (1999 – 2002)  
Chief Judge (2000)

2001 (intermittent)  
United States District Court, District of Nevada  
3333 South Las Vegas Boulevard  
Las Vegas, Nevada 89101  
Acting United States Magistrate

1993 – 1998  
Clark County District Attorney's Office  
Criminal Division  
200 Lewis Avenue  
Las Vegas, Nevada 89155  
Law Clerk/Appellate Division (1993 – 1994)  
Deputy District Attorney (1994 – 1998)

1992 – 1993; 1991 – 1992

Jeffrey E. Estes & Associates  
501 West Broadway, Suite 1650  
San Diego, California 92101  
Law Clerk

1992; 1991

United States Attorney's Office, District of Nevada  
Rotations in Civil Division, General Criminal Division, Organized Crime and Organized  
Crime Drug Enforcement Task Force  
501 Las Vegas Blvd. South, Suite 1100  
Las Vegas, Nevada 89101  
Law Clerk

1986 – 1990

Golden Spa Mizuno (no longer in business)  
Tropicana Hotel  
3801 South Las Vegas Boulevard  
Las Vegas, Nevada 89109  
Receptionist

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 was not required to register 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.

Advanced Judicial Education Certificate, 440 hours of judicial education, Nevada  
Administrative Office of the Courts (2018)

Star Award from the Nevada Association of Court Executives for positive contributions  
to the judiciary, sound leadership, creativity and innovation received as Chief Judge of  
the Eighth Judicial District Court (2013)

Distinguished Women of Southern Nevada Recognition (1999)

Nevada Chapter of National Organization of Women Award recognizing work as  
prosecutor of crimes against women and children (1998)

Dean's Honor List California Western School of Law (Fall 1992, Spring 1993)

Nevada WICHE Scholarship recipient (1990, 1991, 1992)

Foundation for Academic Excellence Scholarship Award (1986, 1987, 1988)

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.

Clark County Bar Association (1995 – present)

Mandatory Sentencing Commission (2018 – 2019)

National Association of Women Judges (approx. early 2000s)

Nevada District Attorney's Association (1994 – 1998)

Nevada District Judges Association

Member (2002 – 2018)

President (2006 – 2007)

Leadership Summit Planning Committee (2007 – 2008; 2011 – 2012)

Nevada Judges of Limited Jurisdiction Association,

Member (1999 – 2002)

Education Committee (approx. 2000 – 2002, intermittent)

Legislative Committee (approx. 2000 – 2002, intermittent)

Nevada Law Foundation, Colleague (approx. early 2000s – present)

Nevada State Bar

Member (1993 – present)

Board of Bar Examiners (2011 – present)

Southern Nevada Association of Women Attorneys (approx. late 1990s – mid-2000s)

Southern Nevada Domestic Violence Court Task Force (approx. late 1990s)

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.

Nevada, 1993

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.

Beyond my admission to the Nevada state courts, I have not been admitted in any other courts.

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.

Community Action Against Rape, intermittent volunteer (1999 – 2002)

Developmental Assets Planning Retreat, University of Nevada, Las Vegas, volunteer (1999)

Leadership Las Vegas, Las Vegas Chamber of Commerce  
Criminal Justice Day Committee (approx. early 2000s)  
Graduate (1998)

Leadership Las Vegas Youth Program, Criminal Justice Day co-chair (2000)

Media Partners for Pets, volunteer (approx. 2001)

National Charity League  
Member (2014 – 2019)  
Grade-Level Advisor (2016 – 2018)

Nevada Inns of Court Pupil (approx. mid-1990s)

Nevada State Bar High School Mock Trial Program, Bishop Gorman High School coach (2007 – 2011)

Seniors United (approx. late 1990s – early 2000s)

United States Tennis Association (2012 – present)

- 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 practice.

To the best of my knowledge, none of the 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.

I have written the 'Chief Judge Article' providing updates on the court's happenings during my Chief Judge terms for the Clark County Bar Association's monthly publication, the Communique, on the following dates: March 2011; April 2011; May 2011; June/July 2011(combined issue); September 2011; October 2011; January 2012; March 2012; April 2012; May 2012; June/July 2012 (combined issue); August 2012; September 2012; January 2013; March 2013; May 2013; October 2013; December 2013; June/July 2014 (combined issue); September 2014; and November 2014. Copies supplied.

In college between the years of approximately 1986 and 1988, I wrote a letter to the editor of the local newspaper the Las Vegas Review Journal as an assignment for an English class. I am unable to locate a copy of that letter.

- 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.

Nevada Mandatory Sentencing Commission, *Final Report*, January 2019. Copy supplied.

Nevada State Board of Bar Examiners, *Nevada Bar Exam Standards*, January 3, 2017. Copy supplied.

- 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.

Testimony before the Senate Committee on Judiciary, Nevada Legislature, February 11, 2013. Copy supplied.

Testimony before Committees of the Nevada Legislature, March 7, 2007. Copy supplied.

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

October 23, 2019: Panelist, Mass Torts Made Perfect, Las Vegas, Nevada. I was asked to speak on a panel regarding mediation of mass torts and related issues. I have no notes, transcript or recording. The address of Mass Torts Made Perfect, LLC, is 316 South Baylen Street, #400, Pensacola, Florida 32502.

September 25, 2019: Panelist, Continuing Legal Education, Nevada State Bar, Las Vegas, Nevada. I was asked to speak to the potential for secondary trauma and the practice of law. I have no notes, transcript or recording. The address of the Nevada State Bar, 3100 West Charleston Boulevard, Suite 100, Las Vegas, Nevada 89102

March 11, 2018: Panelist, Fair Debt Collection Practices Conference, National Association of Consumer Advocates, Las Vegas, Nevada. I have no notes, transcript or recording. I spoke to lawyers about how to prepare and assist the mediator with the mediation of their case. The address of the National Association of Consumer Advocates is 1215 17th Street NW, 5th Floor, Washington, DC 20036.

Approximately May 2014, May 2015, May 2016, May 2017, and May 2018: Facilitator of fairytale mock trial for third-graders of the Las Vegas Day School, Las Vegas, Nevada. Once a year I would host and facilitate mock trials for four classes of kids and have a brief question-and-answer session about the court system with the kids and their parents. I have no notes, transcript or recording. The address of Las Vegas Day School is 3275 Red Rock Street, Las Vegas, Nevada 89146.

January 12, 2015: Speaker, investiture of Intermediate Court of Appeals Judge Abbi Silver, Nevada Court of Appeals, Carson City, Nevada. Transcript supplied.

March 2014: Speaker, Leadership Las Vegas Class of 2014, Project Real, Las Vegas, Nevada. I spoke to program participants about the duties of the Chief Judge and the management of the Eighth Judicial District Court. I have no notes, transcript or recording. The address of Project Real is 7175 Bermuda Road, Las Vegas, Nevada 89119.

May 4, 2012: Panelist, Nevada Judicial Leadership Summit, Nevada Judiciary Henderson, Nevada. I participated in a panel presentation to limited and general jurisdiction judges of the state of Nevada regarding the management of vexatious litigants. I have no notes, transcript or recording. The address of the Nevada Judiciary is 201 South Carson Street, Suite 201, Carson City, Nevada 89701.

May 4, 2012: Panelist, Nevada Judicial Leadership Summit, Nevada Judiciary Henderson, Nevada. I participated in a panel presentation to limited and general jurisdiction judges of the state of Nevada regarding issues facing the judiciary. I have no notes, transcript or recording. The address of the Nevada Judiciary is 201 South Carson Street, Suite 201, Carson City, Nevada 89701.

October 24, 2012: Speaker, investiture of District Judges Kerry Earley and Adriana Escobar, Eighth Judicial District Court, Las Vegas Nevada. I made brief welcoming remarks on behalf of the Eighth Judicial District Court. I have no notes, transcript or recording. The address of the Eighth Judicial District Court is 200 Lewis Avenue, Las Vegas, Nevada 89155.

January 6, 2012: Speaker, investiture of District Judge Carolyn Ellsworth, Eighth Judicial District Court, Las Vegas Nevada. I made brief welcoming remarks on behalf of the Eighth Judicial District Court. I have no notes, transcript or recording. The address of the Eighth Judicial District Court is 200 Lewis Avenue, Las Vegas, Nevada 89155.

March 25, 2011: Speaker, investiture of District Judges Jerome Tao, Joanna Kishner, Rob Bare, Vincent Ochoa, and Gayle Nathan, Eighth Judicial District Court, Las Vegas Nevada. I made brief welcoming remarks on behalf of the Eighth Judicial District Court. I have no notes, transcript or recording. The address of the Eighth Judicial District Court is 200 Lewis Avenue, Las Vegas, Nevada 89155.

January 28, 2011: Speaker, investiture of District Judges Gloria Sturman, Nancy Allf, Ron Israel, Susan Scann, and Jerry Weise, Eighth Judicial District Court, Las Vegas Nevada. I made brief welcoming remarks on behalf of the Eighth Judicial District Court. I have no notes, transcript or recording. The address of the Eighth Judicial District Court is 200 Lewis Avenue, Las Vegas, Nevada 89155.

February 6, 2009: Speaker, District Court investiture of then District Judge Abbi Silver at the Las Vegas City Council Chambers, Eighth Judicial District Court, Las Vegas Nevada. I spoke to Judge Silver's personal and professional



qualifications for the district court bench. I have no notes, transcript or recording. The address of the Eighth Judicial District Court is 200 Lewis Avenue, Las Vegas, Nevada 89155.

February 23, 2007: Speaker, investiture of Justice of the Peace Melissa Saragosa, Las Vegas Justice Court, Las Vegas Nevada. I have no notes, transcript, or recording. I spoke to the character and professional accomplishments of Judge Saragosa. The address of the Las Vegas Justice Court is 200 Lewis Avenue, Las Vegas, Nevada 89155.

January 2007: Speaker, investiture of then Justice of the Peace Abbi Silver, Las Vegas Justice Court, Las Vegas Nevada. I spoke to the personal and professional qualifications of Judge Silver. I have no notes, transcript, or recording. The address of the Las Vegas Justice Court is 200 Lewis Avenue, Las Vegas, Nevada 89155.

Summer 2006 (approx.): Speaker, Graduation Ceremony, Nevada Highway Patrol and Department of Parole and Probation, Las Vegas, Nevada. The subject matter related to brief comments regarding the serious responsibility and integrity necessary to ensure the public's trust in law enforcement. I have no notes, transcript, or recording. The address of the Nevada Highway Patrol is 555 Wright Way, Carson City, Nevada 89711.

January 2003: Speaker, municipal court Investiture of Judge Abbi Silver, Las Vegas Municipal Court, Las Vegas, Nevada. I spoke to Judge Silver's education and professional accomplishments. I have no notes, transcript or recording. The address of Las Vegas Municipal Court is 200 Lewis Avenue, Las Vegas, Nevada 89155.

1999 – 2001 (approx.): Speaker, Community Action Against Rape, Las Vegas, Nevada. I spoke on several occasions to the rape crisis volunteers generally about how a criminal case progresses through the justice system from arrest to trial and potentially sentencing. I have no notes, transcript or recording. The address of Community Action Against Rape is 801 South Rancho Drive, Suite C-3, Las Vegas, Nevada 89106.

- 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.

David Ferrara, *Las Vegas Judge Who Oversaw Binion, Dozier Cases to Retire*, Las Vegas Review-Journal, Dec. 27, 2018. Copy supplied.

*Action News at 11PM*, 13 KTNV, Nov. 12, 2014. Copy supplied.

*Action News at 5PM*, 13 KTNV, Mar. 9, 2014. Copy supplied.

John L. Smith, *In Marshals Cleanup, Judge Lowers the Broom*, Las Vegas Review-Journal, Jan. 29, 2014. Copy supplied.

*Chief Judge Togliatti Discusses 8th Judicial District*, Clark County Nevada, May 2014. Video available at <https://www.youtube.com/watch?v=6Rn353wDhLg>.

John L. Smith, *Justice Center's Chief Judge Steers Through Rocky Course*, Las Vegas Review-Journal, Sept. 24, 2013. Copy supplied.

Melinda Catren, *Judicial Profile: Hon. Jennifer P. Togliatti*, Nevada Lawyer, Feb. 2013. Copy supplied.

*8 News Now*, 8 KLAS, Apr. 13, 2011. Copy supplied.

In approximately 2012 and 2014, I recall giving an interview on public service programming in Las Vegas. I have been unable to locate a recording or transcript.

In approximately 2012, I gave a television interview to Ralston Live regarding the state district court. I have been unable to locate a recording or transcript.

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

From April of 2019 to the present, I have served as a Senior Judge for the general jurisdiction trial courts in Nevada. I was commissioned by the Nevada Supreme Court. I serve pursuant to temporary assignment orders of the Nevada Supreme Court to cover dockets when the seated judge is otherwise unavailable. I have been assigned to hear civil, criminal and family court matters since my commission. The jurisdiction of the civil court involves all civil matters with more than \$15,000.00 in dispute, petitions for judicial review of administrative agency decisions, declaratory relief, injunctive relief and appeals from the lower, limited jurisdiction courts. The court also has jurisdiction over all criminal cases in Clark County involving felonies and gross misdemeanors. The family court has jurisdiction over matters of divorce, child custody, juvenile delinquency and juvenile dependency.

Between May of 2002 and January of 2019, I served as a general jurisdiction trial judge in the Eighth Judicial District Court's Civil/Criminal Division. I was appointed by Nevada's Governor Kenny Guinn to the vacant seat in Department IX in May of 2002. Thereafter, I ran unopposed for election for the seat in 2002, 2008, and 2014. During my terms I was assigned civil cases, criminal cases, competency cases, and specialty court cases within the DUI Court and Drug Court programs. I was elected by my peers as Chief Judge in 2010 and re-elected in 2012. As Chief Judge, I had a fewer number of cases, but was responsible for the administration of the Court's budget and personnel, as well as

security within the Regional Justice Center, which housed a majority of the courtrooms in southern Nevada.

Between January of 1999 and May of 2002, I served as a Justice of the Peace in the Justice Court, Las Vegas Township. I was elected in a contested general election in November of 1998. The limited jurisdiction of the Las Vegas Justice Court at that time included felony preliminary hearings, misdemeanor bench trials, summary eviction proceedings, temporary and extended protective orders, civil cases less than \$7500.00 in dispute, and small claims appeals. Between 2000 and 2001, I was the Chief Judge of the Las Vegas Justice Court. As Chief Judge, I was responsible for a docket of cases, as well as administrative duties and supervision of the court administrator.

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

As a Justice of the Peace of the Las Vegas I presided over 8,500 cases in four years that were adjudicated to verdict or judgment. As a District Court Judge, I presided over 10,000 cases adjudicated to verdict or final judgment. I estimate that I presided over more than 90 jury and bench trials.

- i. Of these, approximately what percent were:

jury trials:	66%
bench trials:	34% [total 100%]
civil proceedings:	35%
criminal proceedings:	65% [total 100%]

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

I have never issued a published opinion.

- 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. *State of Nevada v. Jarom Boyes*, case no. C292737, Eighth Judicial District Court, Las Vegas, Nevada, *aff'd*, *Boyes v. State*, Case No. 76856-COA, 2019 WL 4511616 (Nev. Ct. App. Sept. 18, 2019). In 2018 I presided over the jury trial of the Defendant who was charged with first-degree murder with use of a deadly weapon. This case involved different theories between the parties as to the manner of death of the victim. In addition to pre-trial litigation and evidentiary rulings, I instructed the jury on matters with no clear authority in our state. The jury convicted the Defendant of involuntary manslaughter and

that judgment was affirmed by the Nevada Court of Appeals on September 18, 2019.

Counsel for the State of Nevada:

Thomas Moskal  
Clark County District Attorney's Office  
200 Lewis Avenue  
Las Vegas, Nevada 89101  
(702) 671-2604

Jonathan Cooper  
*Then with the Clark County District Attorney's Office*  
Office of the Public Defender  
309 South Third Street  
Las Vegas, Nevada 89101  
(702) 455-7120

Counsel for the Defendant:

Gabriel L. Grasso  
Law Offices of Gabriel L. Grasso  
411 South 6th Street  
Las Vegas, Nevada 89101  
(702) 868-8866

Brent Bryson  
E. Brent Bryson, LTD  
7730 West Sahara Avenue, Suite 109  
Las Vegas, Nevada 89117  
(702) 364-1234

2. *State v. Randel Torres, Sr.*, case no. C-14-302437, Eighth Judicial District Court, Las Vegas, Nevada. This was a domestic violence murder case that involved significant pre-trial litigation and evidentiary hearings in approximately 2014 and 2015. In addition to legal challenges to the Indictment that I ruled upon, there were lengthy evidentiary hearings regarding the results of psychological and diagnostic tests as they related to the Defendant's brain matter deterioration and his competence to stand trial. Ultimately, I found the Defendant competent to stand trial and he accepted a negotiation from the State of Nevada, plead guilty and was sentenced. Copy supplied.

Counsel for the State:

David Stanton  
Clark County District Attorney's Office  
200 Lewis Avenue  
Las Vegas, Nevada 89101

(702) 671-2705

Counsel for Defendant:

Monica Trujillo  
Clark County Office of the Special Public Defender  
330 South Third Street, Box 552136  
Las Vegas, Nevada 89155  
(702) 455-0212

3. *State of Nevada v. Chester Stiles*, case no. C239797, Eighth Judicial District Court, Las Vegas, Nevada, *aff'd*, *Stiles v. State*, 373 P.3d 964 (Nev. 2011). This was an eleven-day jury trial and sentencing I conducted on a child sexual offense case with national media attention because of the nature of the offenses and the existence of video evidence documenting several of the crimes. The Defendant was convicted by the jury of 22 sex offenses against children and sentenced to life in prison. The judgment was affirmed by the Nevada Supreme Court on appeal.

Counsel for the State:

Jim Sweetin  
Clark County District Attorney's Office  
200 Lewis Avenue  
Las Vegas, Nevada 89101  
(702) 671-2699

Counsel for the Defendant:

Amy Coffee  
*Then with the Office of the Public Defender*  
Clark County Office of the Special Public Defender  
330 S. Third Street, Suite 800  
Las Vegas, Nevada 89101  
(702) 455-3312

4. *State of Nevada v. Rosemary Vandecar*, case no. 10-C-264424, Eighth Judicial District Court, Las Vegas, Nevada, *aff'd*, *Vandecar v. State*, Case No. 61649, 2015 WL 918764 (Nev. Mar. 2, 2015). The Defendant in this case was charged with open murder, and I presided over the pre-trial litigation, jury trial, and sentencing. After the Defendant's case was affirmed by the Nevada Supreme Court on direct appeal, I presided over the post-conviction evidentiary hearing and ruled on the Defendant's habeas corpus petition. Copy supplied.

Counsel for the State:

Taleen Pandukht  
Clark County District Attorney's Office  
200 Lewis Avenue

Las Vegas, Nevada 89155  
(702) 671-2626

Counsel for the Defendant:

Eric Jorgenson  
1148 South Maryland Parkway  
Las Vegas, Nevada 89104  
(702) 493-4705

5. *State of Nevada v. Scott Dozier*, case no. 05-C215039, Eighth Judicial District Court, Las Vegas Nevada, *aff'd*, *Dozier v. State*, 381 P.3d 608 (Nev. 2012). This was a capital murder case which took approximately one month to try in 2007. I ruled upon a significant number of pre-trial matters and presided over both the guilt and penalty phases of the trial. The jury convicted the Defendant on various felonies, including first degree murder and they sentenced the Defendant to death. With the exception of a decision vacating deadly weapon enhancements on non-murder counts, the Nevada Supreme Court affirmed the Defendant's convictions and death sentence. A writ associated with Defendant's execution protocol was issued by the Supreme Court in 2018, as referenced in my answer to Question 13(f).

Counsel for the State of Nevada:

Giancarlo Pesci  
Clark County District Attorney's Office  
200 Lewis Avenue  
Las Vegas, Nevada 89155  
(702) 671-2834

Counsel for the Defendant:

Alzora Jackson  
Clark Patrick  
Clark County Office of the Special Public Defender  
330 South Third Street, Suite 800  
Las Vegas, Nevada 89101  
(702) 455-6268

6. *Roylance Company LLC, et al. v. Warren S. Wood, Trustee of the Warren S. Wood Trust, of date June 1, 1990, et al.*, case no. A493078, Eighth Judicial District Court, Las Vegas, Nevada. This was an eight-day civil bench trial in 2007 on claims of breach of contract, wrongful eviction, abuse of process, unlawful detainer, and declaratory relief. Numerous defenses were asserted by the parties. A detailed decision was filed as referenced in my answer to Question 13(d), and a subsequent appeal was dismissed at the request of the appealing party. Copy supplied.

Counsel for Plaintiffs:

Steven W. Shaw  
Law Office of Steven W. Shaw  
918 South Crescent Way  
Mapleton, Utah 84664  
(801) 318-8084

Counsel for Defendants:

John M. Netzorg  
John M. Netzorg PC  
2810 West Charleston Boulevard, Suite 81  
Las Vegas, Nevada 89102  
(702) 878-3400

7. *Antoinette Cooper v. William Rifley III M.D.*, case no. A412999, Eighth Judicial District Court, Las Vegas, Nevada. I presided over this medical malpractice case in 2003. The case involved complex medical issues and required evidentiary and substantive rulings related to medical causation and expert testimony. The jury returned a verdict in favor of the Plaintiff. I adjudicated post-trial motions. I can find no record of an appeal by either party, and upon information and belief the parties accepted the judgment and the case was closed.

Counsel for Plaintiff:

Ralph Porter  
Ralph Porter & Associates  
525 South 9th Street  
Las Vegas, Nevada 89101  
(702) 384-5800

Greg Hafen  
Gregory T. Hafen, Chtd.  
525 South 9th Street  
Las Vegas, Nevada 89101  
(702) 384-5800

Counsel for Defendant:

Kim Mandelbaum  
Mandelbaum, Ellerton & Associates  
2012 Hamilton Lane  
Las Vegas, Nevada 89106  
(702) 367-1234

8. *State of Nevada v. Michael Kane*, case no. C182563, Eighth Judicial District Court, Las Vegas, Nevada. I presided over this jury trial in 2004 wherein the Defendant was charged with murder and pled not guilty by reason of insanity. There were complex legal and evidentiary issues related to expert opinions.

After the Defendant was found not guilty by reason of insanity, I was charged under Nevada law to conduct periodic hearings and make findings related to whether the Defendant was “no longer mentally ill” as defined by statute, and ultimately to determine the appropriate conditions for supervised release. I presided over this case for a period of over approximately eight years. None of my orders were appealed.

Counsel for the State of Nevada:

Ed Kane

*Then with the Clark County District Attorney’s Office*

Office of the Public Defender

309 South Third Street

Las Vegas, Nevada 89101

(702) 455-3104

Tim Fattig

Clark County District Attorney’s Office

200 Lewis Avenue

Las Vegas, Nevada 89101

(702) 671-2578

Counsel for the Defendant:

Scott Coffee

Office of the Public Defender

309 South Third Street

Las Vegas, Nevada 89101

(702) 455-4685

Dan Silverstein

*Then with the Office of the Public Defender*

Clark County District Attorney’s Office

200 Lewis Avenue

Las Vegas, Nevada 89101

(702) 455-4685

9. *State of Nevada v. Jose Villanueva and Waldin Saenz-Vallalta*, case no. C324629, Eighth Judicial District Court, Las Vegas, Nevada. I presided over this multi-defendant jury trial in May of 2018. The defendants were charged with conspiracy to commit murder and kidnapping, first degree kidnapping with the use of a deadly weapon, attempt murder with the use of a deadly weapon and other charges. They were alleged to have worked in concert with others, who were not present at trial, to kidnap and murder the victim. The victim was shot, but survived and testified at trial regarding multiple statements made by the group of persons allegedly involved in the crime. There were significant evidentiary and substantive issues associated with co-conspirator and co-defendant statements I ruled upon. I also sentenced the



defendants after jury verdicts were returned.

Counsel for the State of Nevada:

Agnes Lexis  
Laura Rose  
Clark County District Attorney's Office  
200 Lewis Avenue  
Las Vegas, Nevada 89155  
(702) 671-0918  
(702) 671-2743

Counsel for the Defendants:

Carl Arnold  
1428 South Jones Boulevard  
Las Vegas, Nevada 89146  
(k702) 253-6996

10. *Nevada Business Services; Southern Nevada Workforce Investment Board; Southern Nevada Job Training Board et al. v. State of Nevada Local Governmental Employee-Management Relations Board; Las Vegas City Employees Benefit and Protective Association a/k/a Las Vegas City Employees Association et al.*, case nos. A450695 and A450617, Eighth Judicial District Court, State of Nevada. This was a Petition for Judicial Review from a decision of the Employee Management Relations Board of the State of Nevada which required an extensive record review. The issues related to the EMRB decision regarding an entity created to administer government job-training funds and the status of the employees related to that entity. A review of the Nevada Supreme Court records indicates an appeal was filed, but dismissed at the request of the parties and not ruled upon. Copy supplied.

Counsel for Respondent State of Nevada EMRB:

Diana DeBeau Hegedius  
Deceased

Counsel for NBS Petitioners:

Yolanda Givens  
Clark County District Attorney's Office  
500 South Grand Central Parkway, Suite 5075  
Las Vegas, Nevada 89106  
(702) 455-4761

Counsel for Petitioner City of Las Vegas:

Philip R. Byrnes  
Las Vegas City Attorney  
495 South Main Street, 6th Floor  
Las Vegas, Nevada 89101

(702) 229-6629

Counsel for Respondents LVCEA and Reed:

Bruce Snyder

Inactive

(702) 561-4589

- 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. *Nevada Business Services; Southern Nevada Workforce Investment Board; Southern Nevada Job Training Board et al. v. State of Nevada Local Governmental Employee-Management Relations Board; Las Vegas City Employees Benefit and Protective Association a/k/a Las Vegas City Employees Association et al.*, case nos. A450695 and A450617, Eighth Judicial District Court, State of Nevada. Copy supplied.

Counsel for Respondent State of Nevada EMRB:

Diana DeBeau Hegedius

Deceased

Counsel for NBS Petitioners:

Yolanda Givens

Clark County District Attorney's Office

500 South Grand Central Parkway, Suite 5075

Las Vegas, Nevada 89106

(702) 455-4761

Counsel for Petitioner City of Las Vegas:

Philip R. Byrnes

Las Vegas City Attorney

495 South Main Street, 6th Floor

Las Vegas, Nevada 89101

(702) 229-6629

Counsel for Respondents LVCEA and Reed:

Bruce Snyder

Retired

(702) 561-4589

2. *State v. Randel Torres, Sr.*, case no. C-14-302437, Eighth Judicial District Court, State of Nevada. Copy supplied.

Counsel for the State:

David Stanton  
Clark County District Attorney's Office  
200 Lewis Avenue  
Las Vegas, Nevada 89101  
(702) 671-2705

Counsel for Defendant:

Monica Trujillo  
Clark County Office of the Special Public Defender  
330 South Third Street, Box 552136  
Las Vegas, Nevada 89155  
(702) 455-0212

3. *State of Nevada Department of Education, et al. v. Smart Start Summer Food Service Program, et al.*, A486995, Eighth Judicial District Court, State of Nevada. Copy supplied.

Counsel for the State of Nevada:

James Irvin  
Current contact information unknown

Counsel for Defendants:

Liborius Agwara  
Law Offices of Libo Agwara  
2785 East Desert Inn Road, Suite 280  
Las Vegas, Nevada 89121  
(702) 385-4800

4. *State of Nevada v. Edmond Price*, C-12-281695, Eighth Judicial District Court, State of Nevada. Copy supplied.

Counsel for the State of Nevada:

Michael Schwartz  
Pam Weckerly  
Clark County District Attorney's Office  
200 Lewis Avenue  
Las Vegas, Nevada 89101  
(702) 466-5227  
(702) 671-2830

Counsel for Defendant:

Gregory Coyer  
Coyer Law Office  
2437 Bay Area Boulevard #403  
Houston, Texas 77058  
(702) 686-4793

5. *Roylance Company LLC, et al. v. Warren S. Wood, Trustee of the Warren S. Wood Trust, of date June 1, 1990, et al.*, case no. A493078, Eighth Judicial District Court, State of Nevada. Copy supplied.

Counsel for Plaintiffs:

Steven W. Shaw  
Law Office of Steven W. Shaw  
918 South Crescent Way  
Mapleton, Utah 84664  
(801) 318- 8084

Counsel for Defendants:

John M. Netzorg  
John M. Netzorg PC  
2810 West Charleston Boulevard, Suite 81  
Las Vegas, Nevada 89102  
(702) 878-3400

6. *Rebecca Whitlock v. Harbor Cove Homeowners Association, and related actions*, case nos. A478133 and A481659, Eighth Judicial District Court, State of Nevada. Copy supplied.

Counsel for Plaintiff:

Lance Maningo  
Maningo Law  
400 South 4th Street, Suite 650  
Las Vegas, Nevada 89101  
(702) 626-4646

Counsel for Defendant:

Jay Hampton  
Hampton & Hampton PC  
4903 Foxcreek Trail  
Reno, Nevada 89519  
(702) 879-8763

7. *State of Nevada v. Gary Lee Hosey, Jr.*, case no. C-12-285018, Eighth Judicial District Court, State of Nevada. Copy supplied.

Counsel for the State of Nevada:

Brian Rutledge  
*Then with the Clark County District Attorney's Office*  
Brian Rutledge Law  
10170 West Tropicana, Suite 156-431  
Las Vegas, Nevada 89147

(702) 297-7200

Counsel for the Defendant:

Terrence Jackson  
Law Office of Terrence M. Jackson  
624 South 9th Street  
Las Vegas, Nevada 89101  
(702) 386-0001

8. *State of Nevada v. Cheryl Botzet*, case no. 08-C248301, Eighth Judicial District Court, State of Nevada. Copy supplied.

Counsel for the State of Nevada:

David Stanton  
Clark County District Attorney's Office  
200 Lewis Avenue  
Las Vegas, Nevada 89155  
(702) 671-2705

Counsel for the Defendant:

Connor Slife  
Office of the Public Defender  
309 South Third Street  
Las Vegas, Nevada 89101  
(702) 455-2268

9. *State of Nevada v. Rosemary Vandecar*, case no. 10-C-264424, Eighth Judicial District Court, State of Nevada. Copy supplied.

Counsel for the State:

Taleen Pandukht  
Clark County District Attorney's Office  
200 Lewis Avenue  
Las Vegas, Nevada 89155  
(702) 671-2626

Counsel for the Defendant:

Eric Jorgenson  
1148 South Maryland Parkway  
Las Vegas, Nevada 89104  
(702) 493-4705

10. *State of Nevada v. Antonio Lavon Doyle*, case no. 94-C120438-1, Eighth Judicial District Court, State of Nevada. Copy supplied.

Counsel for the State of Nevada:

Steven S. Owens  
Clark County District Attorney's Office  
200 Lewis Avenue, 3rd Floor  
Las Vegas, Nevada 89155  
(702) 671-2755  
Counsel for the Defendant:  
Gary Taylor  
*Then with the Federal Public Defender*  
Current contact information unknown  
(702) 388-6577

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

*Antonio Lavon Doyle v. State of Nevada*, United States Supreme Court case no. 15-8405, Petition for Writ of Certiorari filed February 29, 2016. Petition denied May 2, 2016.

I am not aware of any other case 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 when 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.

*Nevada Department of Corrections v. Eighth Judicial District Court of the State of Nevada, in and for the County of Clark; and the Honorable Jennifer P. Togliatti, District Judge, Respondents, and Scott Raymond Dozier, Real Party in Interest*, Case Nos. 74679 & 74722, 417 P.3d 1117 (Nev. 2018). This case involved a challenge to Nevada's execution protocol. After I signed a warrant of execution for the Defendant, there was a challenge to the combination of drugs that would be used in his execution. I enjoined the use of one challenged drug. On a petition for mandamus, the Nevada Supreme Court vacated that order, holding that the relevant post-conviction statute did not allow challenges to the execution protocol and that the Department of Corrections could not waive that limitation. On remand, I signed another execution warrant for the Defendant.

*State of Nevada, Petitioner v. Eighth Judicial District Court of the State of Nevada, in and for the County of Clark; and the Honorable Jennifer P. Togliatti, District Judge, Respondents, and Jeffrey Lynn Baker, Real Party in Interest*, 412 P.3d 18 (Nev. 2018). This case involved the waiver of a right to a preliminary hearing after direct examination, but before cross-examination of the named victim. After the waiver but before the time of trial, the named victim died. In a case of first impression, the Nevada Supreme Court found it was an abuse of discretion not to admit the direct examination testimony of the named victim, as the Confrontation Clause was satisfied because the Defendant declined to contest

the adverse testimony.

*Benny Hammons v. State of Nevada*, Case No. 71523, 2017 WL 3033704 (Nev. Ct. App. July 12, 2017). The case involved a post-conviction Petition for Writ of Habeas Corpus wherein the determination was made that the petition was successive and time-barred. The Court reversed and remanded for an evidentiary hearing on defendant's actual innocence claim based on an email from a witness to a relative about the case.

*Timothy Fisher v. State of Nevada*, Case No. 71696, 2017 WL 4711860 (Nev. Ct. App. Oct. 13, 2017). The case involved a computation of time writ and its filing in the underlying criminal case. The intermediate court of appeals determined that the court's practice of requiring the petitioner to file it as a separate action was not required, and instead the Clerk of the Court should be directed to file the writ as a separate action.

*Malcolm Gray v. State of Nevada*, Case No. 73127, 2018 WL 2637142 (Nev. Ct. App. May 15, 2018). This case involved the same issue as the *Fisher* case referenced above. The intermediate court of appeals reversed for the procedural management of the computation of time writ, which was ruled upon before the *Fisher* decision above was issued.

*Luis Richard Sanchez v. State of Nevada*, Court of Appeals of the State of Nevada, Case No. 73555, 2018 WL 3227316 (Nev. Ct. App. May 23, 2018). This case involved the same issue as the *Fisher* and *Gray* cases referenced above. The intermediate court of appeals reversed for the procedural management of the computation of time writ, which was ruled upon before the *Fisher* decision above was issued.

*Wynn Las Vegas LLC D/B/A Wynn Las Vega, a Nevada Limited Liability Company v. Cristiano Augusto Tofani*, Case No. 69936, 2017 WL 6541827 (Nev. Ct. App. Dec. 14, 2017). The case involved claims of breach of contract, breach of the implied covenant of good faith and fair dealing, conversion and unjust enrichment for a gaming marker. The intermediate court of appeals affirmed in part and reversed in part and remanded the matter. One appellate judge affirmed denial of summary judgment and reversed based upon a determination that a jury instruction related to ratification was permissive and not affirmative. One judge disagreed and indicated reversal was warranted because summary judgment should have been granted. The third judge dissented and would have affirmed on all issues.

*Frederick Vonseydewitz v. State of Nevada*, Case No. 71785, 396 P.3d 747 (Nev. 2017). This case involved a Motion to Correct Illegal Sentence wherein the Court found the defendant's sentence to legal, however, the Court remanded the case for correction of a "clerical mistake" in the Judgment of Conviction.

*David Angel v. State of Nevada*, Case No. 62610 (Nev. March 11, 2015). This case involved a referral of a defendant to a treatment court, and the Supreme Court reversed for the referral of the defendant to the treatment court after suspending the proceedings, but not placing the defendant on probation. Copy supplied.

*International Fidelity Insurance Company; and Swift Bail Bonds, Inc. v. Municipal Court of the City of Las Vegas, the Honorable George Assad, Municipal Court Judge; and City of Las Vegas*, Case No. 58632, 2014 WL 1798415 (Nev. May 1, 2014). This case involved denial of a Petition for Writ of Mandamus for forfeiture of a surety bond by a municipal court. The Supreme Court found the Writ should have been granted because of the indication in the minutes in the municipal court record that the bond had been exonerated.

*Miguel Antonio Mariano A/K/A Antonio Miguel Mariano A/K/A Antonio Mariano Miguel v. State of Nevada*, Case No. 57859, 2013 WL 7160123 (Nev. Oct. 31, 2013). This case involved a conviction at jury trial for numerous offenses. The Supreme Court reversed for specific findings related to the defendant's invocation of his right to counsel, under the Supreme Court's recent decision earlier in the year which gave guidance to the trial courts on the issue.

*Sunridge Builder, Inc., A Nevada Corporation v. Old Blue, LLC, a defaulted Nevada Limited Liability Company; Warren Certain, an individual; and Ebony Biddle, an individual* consolidated appeal with *Sunridge Builders, Inc., a Nevada Corporation v. Old Blue, LLC, a defaulted Nevada Limited Liability Company; Warren Certain, and individual; and Ebony Biddle, an individual*, Case Nos. 56335 and 57316, 2013 WL 485831 (Nev. Feb. 6, 2013). This case involved arbitration awards in a construction dispute. The Court affirmed in part and reversed in part. They found that an arbitrator's award for 'lost funding' was not based on substantial evidence. They affirmed the other elements of damages, but ordered that element of the damage award be vacated.

*Scott Raymond Dozier v. State of Nevada*, Case No. 50817, 381 P.3d 608 (Nev. Jan. 20, 2012). This case involved a conviction for first degree murder and a jury sentence of death. The Supreme Court affirmed in part and reversed in part. The murder and robbery convictions were affirmed, as well as the death sentence. The Court remanded the case for the deadly weapon enhancements attendant to the murder and robbery convictions to be stricken due to the Court's finding insufficient evidence to support the jury's verdict.

*Medlar v. Dwight Neven; and the State of Nevada*, Case No. 58185, 373 P.3d 942 (Nev. Dec. 7, 2011). This case involved a post-conviction Petition for Writ of Habeas Corpus wherein defendant challenged disciplinary decision made by the Nevada Department of Corrections. The Supreme Court found insufficient evidence existed with the hearing officer's summary notes and remanded for a transcript or audio from the prison hearing to be presented.



*The Estate of Willard Ferhat, Josephine Ferhat, Special Administrator v. TLC Holdings LLC D/B/A TLC Long Term Care Center*, Case No. 55347, 373 P.3d 912 (Nev. July 28, 2011). This case involved summary judgment which was granted for failure to disclose any evidence of causation by way of expert affidavit or otherwise. The Supreme Court reversed and found that a continuance should have been granted for expert discovery.

*Lazario Ruiz v. City of North Las Vegas*, Case No. 54762, 255 P.3d 216 (Nev. May 19, 2011). In this case the Nevada Supreme Court addressed whether an individual peace officer, rather than the union to which he belonged could seek relief from a binding arbitration decision. The Supreme Court found that I correctly determined that Petitioner lacked standing under Nevada statute as a “party” to the arbitration, the Court reversed my decision determining that the individual had standing to seek judicial relief under a different Nevada statute, and that a grievance that generally alleges an employee’s wrongful termination can encompass specific grievable issues under statutory provisions.

*Ashton Cacho v. State of Nevada*, Case No. 51647, 367 P.3d 754 (Nev. May 27, 2010). This case involved multiple sexual offenses perpetrated upon a child victim. The Nevada Supreme Court affirmed in part and reversed in part. The Supreme Court affirmed the felony conviction and one gross misdemeanor conviction and reversed one open and indecent exposure gross misdemeanor conviction as redundant.

*Rehau Incorporated v. Eighth Judicial District Court of the State of Nevada, in and for the County of Clark, and the Honorable Jennifer Togliatti, District Judge, Respondents, and Del Webb, Inc., PN II; Terravita Home Construction Co.; and Cox & Sons Plumbing, Inc., Real Parties in Interest.*, Case No. 52647, 281 P.3d 1212 (Nev. Apr. 14, 2009). This case was a construction defect case involving 5000 homes. The rules of the Eighth Judicial District Court limit which judges can reassign a case. Here the Chief Judge did not actually issue the minute order reassigning the case to construction defect court, therefore, the Supreme Court issued the Writ indicating that only the Chief Judge had the authority to issue the order of reassignment. The effect of this ruling was a change to the common practice of the assigned judge ordering reassignment upon the oral permission of the Chief Judge as documented on the record.

*Tanweer Nisar-Khan and Azra Nizar, Petitioners v. Eighth Judicial District Court of the State of Nevada, in and for the County of Clark, and the Honorable Jennifer Togliatti, District Judge, Respondents, and Hans Dorweiler, an individual; Paul Wylie, D/B/A Metro Vista Mortgage, a Division of Metrocities Mortgage, LLC, a Delaware Limited Liability Company Qualified to Conduct Business in the State of Nevada; Patti Ostboe, an Individual, Real Parties in Interest*, case no. 46257, State of Nevada Supreme Court (March 22, 2006). In this case the Nevada Supreme Court issued a Writ of Mandamus finding error in

the order expunging the subject lis pendens, and directing me to determine whether the Petitioners had established an ability to pay off a loan within the time constraints of Nevada Revised Statute 107.080.

*Western Technologies, Inc., an Arizona Corporation v. All-American Golf Center, Inc., a Nevada Corporation, D/B/A Calloway Golf Center*, 122 Nev 869 (2006). In this case the Nevada Supreme Court decided an issue of first impression and determined a party in a contract action is entitled to have amounts from codefendants and other third parties' settlements with the plaintiff deducted from a jury verdict for total damages levied against it based upon Nevada decisional law, The UJOA, and theories described in the Restatement 2d of Torts. Therefore, the Nevada Supreme Court reversed in part and affirmed in part and remanded the case back to me for determination of the offset amount and reconsideration of the prejudgment interests, costs and attorney fees.

*Beth Reynoso v. Eighth Judicial District Court of the State of Nevada, in and for the County of Clark, and the Honorable Jennifer Togliatti, District Judge, Respondents, and Harold Rozinski, Real Party in Interest*, case no. 46371, the State of Nevada Supreme Court (Dec. 21, 2006). The Supreme Court issued a Writ in this case directing me to vacate my order granting a petition for judicial review regarding a jury trial in the short trial program. The Supreme Court noted that a concurrent cause jury instruction was not adequately preserved in the record and in any event the instruction given was proper. Copy supplied.

*Jerry D. Carver v. Rashad El-Sabawi M.D.*, 107 P.3d 1283 (Nev. 2005). This case involved an allegation of medical malpractice. The Supreme Court reversed on appeal and distinguished long-standing Nevada precedent in circumstances where a trial court gives both a mere happening instruction and a res ipsa loquitur instruction, and mandated different instruction language.

*Cornelius Rogers, Petitioner v. Eighth Judicial District Court, the Honorable Jennifer Togliatti, District Judge, Respondents*, Case No. 44179, 152 P.3d 802 (Nev. 2005). The Nevada Supreme Court granted in part the Petitioner's Writ of Mandamus finding an abuse of discretion and directed that four aggravating circumstances be stricken for the State of Nevada's failure to allege the aggravating factors with specificity and relevant facts.

*Aftercare of Clark County et al. v. Justice Court of the Las Vegas Township et al., and Roper v. Justice Court of the Las Vegas Township et al.*, 82 P.3d 931 (Nev. 2004). At the time of the issuance of this decision, the Las Vegas Justice Court had a policy of not conducting jury trials on civil cases involving less than \$5,000.00 (then the small claims amount in controversy) when the case was not filed in small claims court. In these consolidated appeals the Supreme Court reversed two district court orders denying petitions for writs of mandamus or prohibition, and remanded for the district court to issue the writs compelling jury trials in the non-small claims even in cases involving amounts in controversy

consistent with small claims.

*Virginia Anchond Salaiscooper, Petitioner v. Eighth Judicial District Court of the State of Nevada, in and for the County of Clark and the Honorable Joseph T. Bonaventure, District Judge, Respondents, and the State of Nevada, Real Party in Interest*, Case No. 38296, 34 P.3d 509 (Nev. 2001). In this case the Nevada Supreme Court denied a petition for writ of certiorari, prohibition or mandamus, and found that the district judge properly declined relief from my order in the Las Vegas Justice Court which found that the Clark County District Attorney did not discriminate against women in the plea bargaining of solicitation of prostitution cases. The Supreme Court did criticize the Las Vegas Justice Court Judges, myself included, for the procedural manner in which one evidentiary hearing was held, yet my decision and order after presiding over that evidentiary hearing was adopted and signed by the other justice court judges who also had many prostitution cases assigned to them.

- 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 general jurisdiction trial court judge and a limited jurisdiction judge before that, none of my written decisions and orders were published. The general jurisdiction trial court decisions I rendered are filed and stored in a software system called Odyssey maintained by the Eighth Judicial District Court. Upon information and belief, the written decisions I rendered in Justice Court, Las Vegas Township are maintained by the Las Vegas Justice Court in a software system called Odyssey.

- h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

None.

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

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.

Previously, before the Nevada Supreme Court's ruling in *Millin v. District Court*, 148 P. 3d 694 (2006) the Eighth Judicial Court maintained public conflict lists wherein attorneys, individuals or entities were listed in circumstances where the judge would automatically recuse under the Nevada Code of Judicial Conduct. It was left to the discretion of the individual judge whether or not there would be an entry on the conflict list for discretionary recusal under the rules. After the decision in the *Millen* case, only persons or entities that fell under the Nevada Code of Judicial Conduct Canon 3E(1)(b)-(d) were listed.

To the best of my recollection between 2002 and 2019, I had between one attorney at the least, and approximately ten at the most, on my conflict list. These were primarily attorneys in firms that temporarily had an engagement with my husband or his business during the period of engagement.

As a limited jurisdiction trial judge and general jurisdiction trial judge I have presided over 20,000 cases since 1999. Court staff have provided me a list of cases between 2002 and 2019 wherein I recused either sua sponte or upon request of a party after disclosure of a potential conflict that could not be appropriately waived by the parties (supplied). I have not kept records that would allow me to determine the reasons for recusal in each case. To the best of my recollection there has not been a Motion to Disqualify that was filed and granted in any case assigned to me. A majority of the motions to disqualify me that have been filed have been filed in pro per by criminal defendants, in an effort to get their case reassigned. I have never been removed from a case by a disqualification order.

I did not keep records of cases wherein I recused myself between 1999 – 2002 as a justice of the peace, and I do not have the ability to obtain those records.

In reviewing the list, and to the best of my recollection, I have recused from a majority of the cases due to personal familiarity with the parties or a material witness, or an ongoing business relationship between an attorney, or a party, and my spouse.

The great majority of instances, if not every instance, I have declined to recuse myself, it has been because the request was without merit and an attempt to forum shop. A majority of requests to recuse which I denied were made by pro per litigants in criminal cases who were dissatisfied with the rulings in their 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 never held a non-judicial public office. I have never had an unsuccessful candidacy for elected office, nor an unsuccessful nomination for appointed office.

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

I have never held an office or rendered services to any political party. I have no recollection of ever rendering services or playing a role in an election committee, or a political campaign.

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

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

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

I did not clerk for a judge.

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

I did not practice 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.

1993 – 1998

Clark County District Attorney's Office

Criminal Division  
200 Lewis Avenue  
Las Vegas, Nevada 89155  
Law Clerk/Appellate Division (1993 – 1994)  
Deputy District Attorney (1994 – 1998)

2019 – present  
Advanced Resolution Management  
6980 South Cimarron Road, Unit 210  
Las Vegas, Nevada 89113  
Private Mediator, Special Master and Arbitrator (Independent Contractor)

2019 – present  
Togliatti Solutions PLLC (in conjunction with Advanced Resolution  
Management)  
11700 West Charleston Boulevard, Suite 170-283  
Las Vegas, Nevada 89135  
Private Mediator, Special Master and Arbitrator (Independent Contractor)

- 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.
1. “1 October” mass tort cases. In October of 2017, the largest mass shooting in the country’s history occurred on the Las Vegas strip. Cases were filed in numerous federal courts in Nevada and other states involving issues of federal law. The shooting resulted in deaths, significant non-fatal shooting injuries, trampling injuries, and claims of post-traumatic stress disorder. Approximately 4300 persons have claimed injuries from the shooting. My co-mediator and I were retained in 2019 by the plaintiffs’ leadership counsel group and the defense counsel group (which included corporate, trial, and coverage counsel for the corporation sued, as well as over 10 attorneys representing insurance companies in the corporation’s insurance coverage tower). On October 3, 2019, it was reported in the media that plaintiffs’ counsels’ leadership group announced a settlement of \$751M to \$800M depending on the number of participating plaintiffs.
  2. “Little Valley Fire case.” In early 2019, I was retained to conduct a mediation in a case pending in the Second Judicial District, Washoe County, Nevada. This case involved tort claims and inverse condemnation claims of over 35 property owners, and their subrogated insurers against the Nevada State Division of Forestry and the University of Nevada, Reno, for a fire that destroyed homes, outbuildings, land, personal property, agricultural equipment, etc. After a successful mediation of the claims, I was retained by the

plaintiffs' attorneys to perform the allocation of settlement funds among the plaintiffs, using a claims process agreed upon by plaintiffs and their counsel. The allocation of the settlement funds was completed September of 2019.

3. Morimoto v. Clark County; Hopelink of Southern Nevada, et al. Eighth Judicial District Court, Las Vegas, Nevada. This was an alleged claim for wrongful death successfully mediated in August of 2019, between the Estate of a deceased child and the corporate and individual defendants. Claims against the corporate and individual defendants were resolved.
4. HRHH Café Property Co. v. Martin Harris Construction et al. Eighth Judicial District Court, Clark County Nevada. In 2019 I successfully mediated a mechanic's lien and contract claims between a Las Vegas hotel and a construction company related to construction of a hotel showroom.
5. Phippen, et al. v. TA operating LLC, Second Judicial District, Washoe County, Nevada. Alleged wrongful death claim based upon premises liability resolved during my mediation in June of 2019.
6. Pretner, et al v. Century Surety Company, alleged insurance bad faith case, United States District Court, District of Nevada, Las Vegas resolved during mediation in October of 2019. Protracted case involving an assignment of a bad faith claim and alleged issues related to the duty to defend.
7. Zhang v. Stratosphere Hotel and Casino, alleged premises liability case in the Eighth Judicial District Court, Clark County, Nevada. This was a premises liability case with significant alleged injury during mediation in July 2019.
8. Jane Doe v. Encompass Health Rehab Hospital of Las Vegas. Complex liability claims alleged by Plaintiff mediated in in September and October of 2010.
9. Estate of Martin Valdez-Burciaga, et al. v. Hightower. Eighth Judicial District Court, Las Vegas, Nevada. Cause of action alleging negligence resulting in a 20-foot fall of Plaintiff. Complex liability issues. Resolved October 2018.
10. Jones v. SHAQ, United States District Court, Las Vegas, Nevada. FLSA case involving approximately 115 claimants. Resolved at mediation October 2019.

b. Describe:

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

I began my employment in the Clark County District Attorney's Office in the Appellate Division as a full-time law clerk, researching and writing responses to appeals for criminal cases filed in the Nevada Supreme Court. I was sworn as a Deputy District Attorney in April of 1993, when I started my first assignment on a general crimes prosecution team. I appeared in the limited jurisdiction courts of Clark County, the general jurisdiction trial courts, and the Nevada Supreme Court. During my time as a criminal prosecutor, I prosecuted misdemeanors and serious felony cases including capital murder. I was also assigned to the Special Victim's Unit for the last approximately 18 months of my employment as a prosecutor. On that unit I was assigned to prosecute cases of physical and sexual abuse of children, the elderly, or particularly vulnerable persons. I left the employment of the Clark County District Attorney's Office after I was elected to the Las Vegas Township Justice Court bench in November of 1998.

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

I was a Deputy District Attorney for the Clark County District Attorney's Office and represented the government in criminal prosecutions.

- 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.

As a Deputy District Attorney for the Clark County District Attorney's Office in Las Vegas, Nevada, I appeared in the limited jurisdiction courts and/or the general jurisdiction trial courts every day. My assignments included misdemeanor bench trials, felony preliminary hearings, felony jury trials, felony sentencings, probation revocation hearings, law and motion work and related oral argument, responses to pre-trial writs of habeas corpus and related oral argument, presentations to the grand jury, litigating competency matters, and appearances in the specialty court program, Drug Court.

- i. Indicate the percentage of your practice in:

- |                             |     |
|-----------------------------|-----|
| 1. federal courts:          | 0%  |
| 2. state courts of record:  | 98% |
| 3. other courts:            | 2 % |
| 4. administrative agencies: | 0 % |

- ii. Indicate the percentage of your practice in:



- 1. civil proceedings: 0%
- 2. criminal proceedings: 100%

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 tried approximately 20 felony jury trials as first or second chair. I tried over 75 misdemeanor bench trials.

- i. What percentage of these trials were:
  - 1. jury: 21 %
  - 2. non-jury: 79%

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

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

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

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

Before my two decades of service as a state court judge, I was a Deputy District Attorney. In that role, I handled thousands of criminal matters and personally tried more than 90 misdemeanor and felony cases. I have not kept records on those matters, however, and limitations in state recordkeeping from those years have prevented me from identifying those cases now. Therefore, I have identified those cases below for which I could locate adequate records.

- 1. *State v. Harold Furbay*, Nevada Supreme Court case no. 31857. Jury trial for several weeks in October of 1997 in the Eighth Judicial District Court, Las

Vegas, Nevada before District Judge Jeffrey Sobel (deceased). I was the second-chair prosecutor on this capital case wherein the defendant was tried on the charges of first-degree murder and robbery. The Defendant was convicted of the charges and sentenced by the jury to life in prison without the possibility of parole. In addition to trying the case, I was responsible for the pre-trial motion work and trial preparation.

Lead Counsel for the State of Nevada:

Dan Seaton

*Then with the Clark County District Attorney's Office*

Current contact information unknown per Nevada State Bar website

Counsel for the Defendant:

Laura Melia

Current contact information unknown per Nevada State Bar website

2. *State of Nevada v. Tommy Hoyt*, case no. unknown, tried between approximately 1995 and 1997 in the Eighth Judicial District Court, Las Vegas Nevada before District Judge Jack Lehman (deceased). I was co-counsel and the jury convicted the defendant of burglary, robbery with use of a deadly weapon, and first-degree kidnapping. In addition to trying the case, I was responsible for the pre-trial motion work and argument at sentencing.

Co-counsel for the State of Nevada:

Thomas Moreo

Clark County District Attorney's Office

200 Lewis Avenue

Las Vegas, Nevada 89101

(702) 671-2500

Counsel for the Defendant:

Robert Glennen

Robert E. Glennen III P.C.

P.O.Box 73

211 Euclid Avenue

Goldfield, Nevada 89013

(702) 813-8981

3. *State of Nevada v. Tracy Lindsay*, case no. C134264, Eighth Judicial District Court, Las Vegas, Nevada before District Judge Myron Leavitt (deceased). Co-counsel representing the State of Nevada during jury trial in approximately 1996 on charge of first-degree murder with use of a deadly weapon. The defendant was acquitted by the jury after he was found to have acted in self-defense.

Co-counsel for the State of Nevada:

Robert Langford

Robert L. Langford & Associates  
616 South 8th Street  
Las Vegas, Nevada 89101  
(702) 471-6565

Counsel for the Defendant:

Mace Yampolsky  
Yampolsky & Margolis, Attorneys at Law  
625 South 6th Street  
Las Vegas, Nevada 89101  
(702) 385-9777

4. *State of Nevada v. Craig J. Pautler*, case no. 124662, Eighth Judicial District Court, Las Vegas, Nevada before District Judge Gerard Bonjiovanni. Co-counsel representing the State of Nevada during jury trial in approximately 1995 for multiple counts of robbery with use of a deadly weapon, burglary, and several counts of obtaining or possessing a credit card without cardholder's consent. The defendant was convicted by the jury and sentenced to prison by the judge. In addition to the jury trial, I was responsible for pre-trial motion work and the sentencing.

Co-counsel for the State of Nevada:

Christopher Laurent  
Clark County District Attorney's Office  
200 Lewis Avenue  
Las Vegas, Nevada 89101  
(702) 671-2500

Counsel for Defendant:

Steven J. Karen  
Law office of Steven J. Karen  
2810 West Charleston Boulevard, Suite 82  
Las Vegas, Nevada 89102  
(702) 382-9307

5. *Edward Lee Jones v. State of Nevada*, 877 P.2d 1052 (1994). The appellant was convicted of first-degree murder and sentenced to death. While I was working in the appellate division of the Clark County District Attorney's office between August of 1993 and April of 1994, I was assigned to research and write the State of Nevada's Response to the Jones' appeal under the supervision and review of Chief Deputy District Attorney James Tufteland. Ultimately, the Nevada Supreme Court reversed Jones conviction on direct appeal for the ineffective assistance of the defense attorney. Specifically, the Supreme Court found that the circumstances of the defense attorney's concession of guilt to his client's surprise should result in presumed prejudice and therefore the cost of litigating the effect in the case was unjustified.

Counsel of record for the State of Nevada:

James N. Tufteland  
Per Nevada State Bar inactive  
[jtufteland@aol.com](mailto:jtufteland@aol.com) (no phone number available)

Counsel of record for the Defendant:

Michael Pescetta  
3599 Tioga Way  
Las Vegas, Nevada 89169  
(702) 523-1885

6. *State of Nevada v. Scott P. Fleming*, case no. 91-C103073-C, Eighth Judicial District Court, Las Vegas, Nevada, before District Judge A. William Maupin. For a period of several months in 1995, with others on my criminal prosecution team, I represented the State of Nevada in the instant case, where the Defendant ultimately pled guilty to one count of discharging a firearm out of a vehicle. After an evaluation in-custody in the Nevada Department of Prisons, the Defendant was placed on probation.

Counsel for the Defendant:

Robert Caruso  
Deceased

7. *State of Nevada v. Kevin Joseph Work*, case no. C108528B, Eighth Judicial District Court, Las Vegas, Nevada, before District Judge A. William Maupin. On September 28, 1992, I represented the State of Nevada at the hearing on probation revocation for the Defendant. As a result of oral arguments, the Defendant's probation was revoked and the underlying sentence of six years in the Nevada Department of Prisons was imposed.

Counsel for the Defendant:

Kendal S. Bird  
Law Offices of Kendal Sue Bird  
7435 South Eastern Avenue Suite 105-302  
Las Vegas, Nevada 89123  
(702) 457-7778

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.)

I have served on the Nevada State Bar's Board of Bar Examiners since 2011. During these years I have volunteered hundreds of hours each year to writing and grading the bar exam subject essays as part of the exam which is administered twice yearly to applicants of the Nevada State Bar.

Previously as a settlement judge, and subsequently as a private mediator, I have resolved some of the most complex civil litigation matters in Nevada. Some of these matters include: the complex construction defect case regarding a now demolished hotel on the Las Vegas Strip referred to as the "City Center Litigation"; the "1 October" shooting cases involving approximately 4300 persons injured in the mass shooting on the Las Vegas Strip; and the "Little Valley fire case" which resulted in many millions of dollars in damages and losses to home and property owners in northern Nevada.

Additionally, as a result of my experience on the bench and in mediation in complex litigation matters, I have been retained to do allocation work in significant mass tort cases, including the "Little Valley fire" and the "1 October" cases as described above.

I have not served 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.

I have never taught a course.

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

I will receive a monthly pension payment from the Nevada Public Employees Retirement System for the remainder of my life.

I will receive some compensation from my private mediation company upon dissolution of the corporation.

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

I have no plans, commitments or agreements to pursue outside employment, with or without compensation, during service as a United States District Judge.

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, I will file my mandated Financial Disclosure Report and supply a copy to this Committee.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

George Togliatti Jr., my father, is currently the Director of the Nevada Department of Public Safety. He has the ultimate responsibility under the Governor of the State of Nevada to oversee the Nevada Highway Patrol, the Nevada Department of Parole and Probation, the State Fire Marshal, the Office of Cyber Defense, the Nevada Division of Investigations, and Emergency Management/Homeland Security. He was previously the Director of the Nevada Department of Public Safety under Nevada Governor Kenny Guinn between 2004 to 2007, during which time I was a general jurisdiction trial court judge. I anticipate that would resolve any conflict of interest in the future in the manner I did in the time period he was previously Director. I sought and received an advisory opinion from the Nevada Commission on Judicial Ethics confirming that while disclosure was required, recusal was not automatically required in cases involving witnesses from the Nevada Department of Public Safety. Specifically, the Commission advised a case-by-case determination should be made based upon the facts and causes of action alleged. During 2004 to 2007, I was not asked to by any attorney to recuse, nor did I voluntarily recuse, nor was I disqualified, from presiding over any criminal case involving a witness employed by the Nevada Department of Public Safety. The procedure I anticipate I would utilize is disclosure, and if allowed by law, a waiver of potential conflict would be made by the interested parties after consultation with their attorneys or presumably a motion would be made requesting the court to voluntarily recuse. 28 U.S.C. Section 455 which mandates the circumstances where a judge is required to disqualify themselves does not mandate recusal in the scenario described above. That code section is very similar to the mandatory recusal requirements under the Revised Nevada Code of Judicial Conduct applicable to Nevada state trial court

judges.

My spouse, Frank J. Nemec, has been a gastroenterologist in Las Vegas for 35 years. Over the years he has had relationships of a business nature with other doctors, and hospitals. He has also served on the Southern Nevada Board of Health for several years. Over the years the potential conflicts related to my husband's work have decreased as my spouse has reduced the number of hospitals where he maintains privileges and no longer sees patients in a hospital setting on a regular basis.

My step-son Benjamin Nemec was hired by the Federal Public Defender's Office in September of 2019 as an attorney for the research and writing of motions and appeals. I am confident that his very recent employment can be tailored to involve cases outside of my assignments and that he can be walled off any case assigned to me in the event I am a United States District Court Judge.

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

Because I have resided in Nevada for over 40 years, I have had the opportunity on countless occasions to address potential conflicts related to parties, attorneys and/or claims pending before me. My vast experience in this area ensures that compliance with the applicable law including complete disclosure and vigilance exploring potential conflict issues, will result in a maintained confidence in the federal judiciary. If confirmed, I will resolve potential conflicts of interest by applying the applicable recusal statutes and consulting with my colleagues.

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.

Since my graduation from law school in 1993 I have worked as a criminal prosecutor for the Clark County, Nevada District Attorney's Office, or as a judge or senior judge. While a prosecutor I could not appropriately use the resources of the county support staff, supplies, or equipment, nor could I use my time at county expense to do independent legal work outside of my assigned duties as a prosecutor. As a Judge, I was ethically prohibited from giving legal advice or practicing law, therefore, I have been constrained from doing pro bono work.

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 April of 2019, I was asked by United States Senator Catherine Cortez Masto whether I would be interested in serving as a District Court Judge in the U.S. District Court, District of Nevada. I was later informed that Senator Cortez Masto and Senator Rosen would be forwarding my name, along with others undisclosed to me, to the White House for consideration of potential nomination. I was advised that the White House staff may or may not choose to interview me at their discretion. During this time, there was no selection commission in Nevada in existence to recommend candidates for nomination to the federal courts.

Subsequently, I was contacted by the Office of White House Counsel to participate in a phone interview on Thursday, July 25, 2019. On or about July 30, 2019, I had a follow up call requesting additional information. Thereafter, White House Counsel advised me personnel from the Department of Justice would assist me in forms completion and the process associated with vetting for the position. Since that time, I have had several email exchanges and phone calls with Department of Justice staff to ensure a proper and thorough presentation of this questionnaire. On October 16, 2019, President Trump announced his intent to nominate me to this position.

- 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.