

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

John William Holcomb

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

United States District Judge for the Central District of California

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

Office:           Greenberg Gross LLP  
                    650 Town Center Drive, Suite 1700  
                    Costa Mesa, California 92626

Residence:     Coto de Caza, California

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

1963; Olean, New York

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.

1990 – 1993, Harvard Law School; J.D (*cum laude*), 1993

1989 – 1993, Harvard Business School; M.B.A., 1993

1980 – 1984, Massachusetts Institute of Technology; S.B. in Civil Engineering,  
1984

1979, Gannon College; no degree awarded

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

Greenberg Gross LLP  
650 Town Center Drive, Suite 1700  
Costa Mesa, California 92626  
Partner

2019

Law Offices of John W. Holcomb  
22431 Antonio Parkway, #B160-143  
Rancho Santa Margarita, California 92688  
Sole Practitioner

2002 – 2018

Knobbe, Martens, Olson & Bear, LLP  
2040 Main Street, 14th Floor  
Irvine, California 92614  
Partner

1997 – 2001

Knobbe, Martens, Olson & Bear, LLP  
620 Newport Center Drive, 16th Floor  
Newport Beach, California 92660  
Associate

1994 – 1997

Irell & Manella, LLP  
840 Newport Center Drive, Suite 400  
Newport Beach, California 92660  
Associate

1993 – 1994

United States Bankruptcy Court for the Northern District of Illinois  
219 South Dearborn Street  
Chicago, Illinois 60604  
Law Clerk for U.S. Bankruptcy Judge Ronald Barliant

Summer 1993

Kirkland & Ellis LLP  
200 East Randolph Drive  
Chicago, Illinois 60601  
Summer Associate

1992 – 1993

Harvard Law School  
1563 Massachusetts Avenue  
Cambridge, Massachusetts 02138  
Research Assistant for Visiting Professor Elizabeth Warren

Summer 1992  
Snell & Wilmer LLP  
1 Arizona Center, Suite 1900  
Phoenix, Arizona 85004  
Summer Associate

Summer 1992  
Irell & Manella, LLP  
840 Newport Center Drive, Suite 400  
Newport Beach, California 92660  
Summer Associate

Summer 1992  
O'Melveny & Myers  
610 Newport Center Drive, 17th Floor  
Newport Beach, California 92660  
Summer Associate

Summer 1991  
Irell & Manella, LLP  
840 Newport Center Drive, Suite 400  
Newport Beach, California 92660  
Summer Associate

Summer 1990  
Sun Microsystems, Inc.  
2550 Garcia Avenue  
Mountain View, California 94043  
Summer Intern

1984 – 1989  
United States Navy  
(please see list of duty stations below)

1987 – 1989  
The Joint Staff, J-8, Capabilities Assessment Division  
The Pentagon, OJCS/J-8/CAD, Room 1D-940  
Washington, District of Columbia 20318  
Lieutenant (O-3)/JCS Intern

1985 – 1987

U.S.S. New Jersey (BB-62)  
Fleet Post Office  
San Francisco, California 96688  
Lieutenant junior grade (O-2)/Division Officer

1984 – 1985  
Surface Warfare Officer School  
Naval Amphibious Base Coronado  
Coronado, California 92118  
Ensign (O-1)/Student

1984  
NROTC Unit, MIT  
201 Vassar Street, W59-110  
Cambridge, Massachusetts 02139  
Ensign (O-1)/Staff Officer

Other Affiliations (uncompensated):

2017 – present  
MIT Club of Southern California  
P.O. Box 515381, #6995  
Los Angeles, California 90051  
President (2019 – present)  
Acting President (2019)  
President-Elect (2018 –2019)  
Orange County Regional Representative (2017 – 2018)

2012 – present  
Trabuco Presbyterian Church  
31802 Las Amigas Drive  
Trabuco Canyon, California 92679  
Ruling Elder (2012 – present)  
Finance Elder and Member of Session (2012 – 2014)  
Commissioner to Los Ranchos Presbytery as representative of Trabuco  
Presbyterian Church (2012 – 2016)  
Commissioner to 221st General Assembly of Presbyterian Church (U.S.A.) as  
representative of Los Ranchos Presbytery (June 2014)  
Member of Committee of Counsel for Los Ranchos Presbytery (2014 – 2018)

2013 – 2018  
Orange County Chapter of Association of Business Trial Lawyers  
8502 East Chapman Avenue, Suite 443  
Orange, California 92869  
Board Member

2002 - 2015  
Inland Empire Chapter of the Federal Bar Association  
P.O. Box 42  
Riverside, California 92501  
Board Member (2002 – 2015)  
President (2007 – 2008)  
Vice President (2006 – 2007)  
Secretary (2005 – 2006)  
Treasurer (2002 – 2006)

2011 – 2012  
Riverside County Bar Association  
4129 Main Street, Suite 100  
Riverside, California 92501  
Chair, Civil Litigation Section

2006 – 2007  
Riverside County Bar Association  
4129 Main Street, Suite 100  
Riverside, California 92501  
Co-Chair, Business Law Section

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 served on active duty as a commissioned officer in the United States Navy from June 1984 to August 1989. I received a commission as an Ensign (O-1) in the United States Navy in June 1984. I held the rank of Lieutenant (O-3) at the time of my separation from active duty in August 1989. My primary duty stations were (1) the battleship U.S.S. New Jersey (BB-62), homeported in Long Beach, California, from January 1985 to July 1987; and (2) the Joint Staff at the Pentagon, Washington, DC, through the JCS Internship Program, from August 1987 to August 1989. From 1980 to 1984, before my active duty service commenced, I received a four-year Navy Reserve Officer Training Corps scholarship to attend the Massachusetts Institute of Technology. During that period, I held the rank of Midshipman in the United States Navy Reserve. I received an honorable discharge from the United States Navy. I registered for selective service after my 18th birthday.

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.

Southern California Super Lawyer (2009, 2010, 2012 – 2019)

Certificate of Distinguished Service from the Inland Empire Chapter of the Federal Bar Association (2016)

Certificate of Recognition from the United States District Court for the Central District of California Pro Bono Committee (2009)

Harvard Law School, graduated *cum laude* (1993)

United States Navy (1984 – 1989)

Joint Service Commendation Medal (1989)

Command Duty Officer Qualification aboard U.S.S. New Jersey (BB-62) (1987)

Engineering Officer of the Watch Qualification aboard U.S.S. Rentz (FFG-46) (1987)

Surface Warfare Officer Qualification aboard U.S.S. New Jersey (BB-62) (1986)

Battle Efficiency Ribbon (1986)

Sea Service Deployment Ribbon (1986)

Navy Reserve Officer Training Corps Unit, Massachusetts Institute of Technology (1980 – 1984)

Expert Pistol Marksmanship Medal (1984)

American Legion Medal for General Scholastic Excellence (1984)

Boston Counsel of the Navy League Award for Sustained Academic Excellence (1984)

American Legion Medal for General Military Excellence (1983)

Navy Reserve Officer Training Corps Four-Year Scholarship (1980)

Massachusetts Institute of Technology (1980 – 1984)

Tau Beta Pi National Engineering Honor Society (1984)

Chi Epsilon National Civil Engineering Honor Society (1984)

MIT Student/Faculty Committee on Curriculum, Appointed Member (1982)

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.

Alternative Dispute Resolution Program for the U.S. District Court, Central District of California, Panel Mediator (2012 – present)

American Association for Justice, Member (2003 – present)

American Intellectual Property Law Association, Member (2001 – 2018)

Attorney Admission Fund for the U.S. District Court, Central District of California, Board Member (2011 – 2013)

Federal Bar Association

Member (1999 – present)

Constitution, Bylaws, Rules, and Resolutions Committee Member (2011 – 2012)

Federal Circuit Bar Association, Member (1998 – 2018)

Federalist Society, Member (1992 – present)

Harvard Law School Association of Orange County, Member (2000 – present)

Inland Empire Bankruptcy Forum, Member (2010 – 2012)

Inland Empire Chapter of the Federal Bar Association

Member (2002 – 2016)

President (2007 – 2008)

Vice President (2006 – 2007)

Secretary (2005 – 2006)

Treasurer (2002 – 2006)

Intellectual Property Owners Association (2003 – 2018)

Member (2003 – 2018)

Trade Secrets Committee Member (2004 – 2005)

Discovery Committee (2003)

Local Rules Advisory Committee for the U.S. District Court, Central District of California, Member (2009 – 2018)

Long Range Planning Committee for U.S. Bankruptcy Court, Central District of California, Committee Member (2005 – 2006)

Magistrate Judge Merit Selection Panel for the U.S. District Court, Central District of California, Panel Member (2012 – 2018)

Ninth Circuit Judicial Conference, Lawyer Representative (2009 – 2012)

Orange County Bar Association, Member (1994 – present)

Orange County Barristers, Member (1998 – 2000)

Orange County Chapter of Association of Business Trial Lawyers

Member (2010 – present)

Board Member (2013 – 2018)

Orange County Intellectual Property Law Association, Member (2012 – 2018)

Pro Bono Civil Rights Panel for the U.S. District Court, Central District of California, Panel Member (2009 – present)

Riverside County Bar Association

Member (2002 – 2016)

Civil Litigation Section, Chair (2011 – 2012)

Business Law Section, Co-Chair (2006 – 2007)

10. **Bar and Court Admission:**

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

Illinois, 1993

Pennsylvania, 1994

California, 1994

There have been no lapses 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 Supreme Court, 2006

United States Court of Appeals for the Eighth Circuit, 2005

United States Court of Appeals for the Fifth Circuit, 2010

United States Court of Appeals for the Federal Circuit, 1999

United States Court of Appeals for the First Circuit, 2003

United States Court of Appeals for the Ninth Circuit, 2003

United States District Court for the Central District of California, 1994

United States District Court for the Eastern District of California, 1998

United States District Court for the Northern District of California, 1997

United States District Court for the Southern District of California, 1995

United States District Court for the Northern District of Illinois, 1993

There have been no lapses membership.

11. **Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school.

Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

American Youth Soccer Organization, Soccer Referee (2005 – 2015)

Chi Epsilon National Civil Engineering Honor Society, Member (1984 – present)

Coto de Caza Golf & Racquet Club, Coto de Caza, California, Member (2004 – present)

Delta Upsilon Fraternity, Member (1980 – present)

Harvard Business School Association of Orange County, Member (2000 – present)

Harvard Business School Club of New York, Member (2017 – present)

Massachusetts Institute of Technology, Educational Counselor (2014 – 2018)

MIT Club of Southern California  
Member (2017 – present)  
President (2019 – present)  
Acting President (2019)  
President-Elect (2018 – 2019)  
Orange County Regional Representative (2017 – 2018)

Tau Beta Pi National Engineering Honor Society, Member (1984 – present)

Theta Tau Fraternity, Member (2016 – present)

Trabuco Presbyterian Church  
Ruling Elder (2012 – present)  
Member of Committee of Counsel for Los Ranchos Presbytery (2014 – 2018)  
Finance Elder and Member of Session (2012 – 2014)  
Commissioner to Los Ranchos Presbytery as representative of Trabuco Presbyterian Church (2012 – 2016)  
Commissioner to 221st General Assembly of Presbyterian Church (U.S.A.) as representative of Los Ranchos Presbytery (June 2014)

- 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.

Delta Upsilon Fraternity is a collegiate fraternity whose membership is limited to men. Theta Tau Fraternity is a fraternal organization whose membership I understand was previously restricted to men, although my understanding is that that policy was eliminated many decades before I joined the organization. Otherwise, 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.

With Boris Zelkind, Michael Friedland, and John Sganga, *U.S. Congress Creates Federal Cause of Action for Trade Secret Misappropriation*, Knobbe Martens, April 28, 2016. Copy supplied.

With Lynda J. Zadra-Symes, Chapter on U.S. Law in *Licenses and Insolvency, A Practical Guide to the Effects of Insolvency on IP License Agreements*, International Bar Association, 2014. Copy supplied.

Book Review of *Swimming in Deep Water: Lawyers, Judges, and Our Troubled Legal Profession* by William Domnarski, Riverside Lawyer, October 2014. Copy supplied.

*Intellectual Property Trials: Hire a Teacher as Your Next Technical Expert Witness*, Riverside Lawyer, May 2009. Copy supplied.

With Sheri A. Bluebond, *Recent Developments in Jurisdiction, Venue, Abstention, Remand, Removal, Withdrawal of the Reference and Jury Trials*, 18th Annual Current Developments in Bankruptcy and Reorganization, 1996. Copy supplied.

Letter to the Editor, *An Intolerable Error*, Olean Times Herald, February 3, 1984. Copy supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

From 2009 – 2018, I served as a member of the Local Rules Advisory Committee for the U.S. District Court, Central District of California. In that capacity, I was involved in the preparation of numerous reports regarding potential revisions to the Local Rules of the U.S. District Court for the Central District of California. These reports are considered confidential by the U.S. District Court for the Central District of California, and I do not have the authority to disclose copies of them.

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

None.

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

September 7, 2019: President and Host, “How to Vote in California (The Mechanics, Not the Candidates); The Changing Landscape for Civic Participation,” MIT Club of Southern California, La Cañada Flintridge, California. A video of the presentation is available at <https://vimeo.com/359997885/a5a3d1dd61>.

October 13, 2018: Moderator, “A Textbook Preliminary Junction Hearing (Demonstrative),” Association of Business Trial Lawyers, Maui, Hawaii. I have no notes, transcript, or recording. I moderated a discussion regarding preliminary injunction hearings. The address of the Association of Business Trial Lawyers is 8502 East Chapman Avenue, Suite 443, Orange, California 92869.

November 5, 2015: Panelist, "Intellectual Property in Bankruptcy," DelMorgan & Co., Santa Monica, California. I have no notes, transcript, or recording. I discussed the interplay of bankruptcy law and intellectual property law. The address of DelMorgan & Co. is 100 Wilshire Boulevard, Suite 750, Santa Monica, California 90401.

May 28, 2015: Presenter, "Intellectual Property Protection for Big Data," Harvard Business School Association of Orange County, Irvine, California. PowerPoint supplied.

October 26, 2011: Panelist, "Do's and Don'ts When Using Experts in Federal Court," the Inland Empire Chapter of the Federal Bar Association, Riverside, California. Notes supplied.

October 28, 2009: Presenter, "Managing Intellectual Property: Patents, Trademarks, Copyrights," TriTech SBDC, Riverside, California. PowerPoint supplied.

January 6, 2009: Presenter, "Enforcement Strategies for Intellectual Property Rights," CES, Las Vegas, Nevada. PowerPoint supplied.

November 6, 2008: Speaker, "Outgoing President's Remarks," Inland Empire Chapter of Federal Bar Association, Riverside, California. Notes supplied.

June 17, 2008: Panelist, "Managing Intellectual Property: Patents, Trademarks, Copyrights," Tech Coast Angels, Riverside, California. PowerPoint supplied.

May 19, 2008: Panelist, "Defending the Crown Jewels—How to Manage and Protect Intellectual Property," Harvard Entrepreneurs Conference, Anaheim, California. PowerPoint supplied.

January 16, 2008: Panelist, "Managing Intellectual Property: Patents, Trademarks, Copyrights," TriTech SBDC, Riverside, California. PowerPoint supplied.

January 11, 2008: Presenter, "Top Ten List of What You Need to Know about Federal Procedure," Riverside County Bar Association, Riverside, California. Notes supplied.

September 30, 2007: Panelist, "Intellectual Property Rights," State Bar of California, Riverside, California. PowerPoint supplied.

June 14, 2007: Panelist, "How the Supreme Court's Recent Tinkering with IP Law Will Affect Your Practice," Inland Empire Chapter of the Federal Bar Association, Riverside, California. PowerPoint supplied.

April 25, 2007: Panelist, "Managing Intellectual Property: Patents, Trademarks, Copyrights," TriTech SBDC, Riverside, California. PowerPoint supplied.

October 10, 2006: Presenter, "Evaluating Prospective Intellectual Property Litigation in the Context of a Small Company Investment," Tech Coast Angels, La Jolla, California. PowerPoint supplied.

September 29, 2006: Presenter, "Use Your Company's IP to Enforce Your Rights against Copyists," Automotive Aftermarket Seminar 2006, Pomona, California. PowerPoint supplied.

April 7, 2005: Panelist, "Removal and Remand: What You Need to Know to Get Into, or Stay Out Of, Federal Court," Inland Empire Chapter of the Federal Bar Association, Riverside, California. Outline supplied.

October 28, 2004: Presenter, "Enforcing Patents—The Unique Aspects of Litigating Patents in Federal Court," Inland Empire Chapter of the Federal Bar Association, Riverside, California. Outline supplied.

- 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.

Susan Kostal, *Crafting Solutions in IP Mediation*, Los Angeles Daily Journal, October 2015. Copy supplied.

*Meet the Holcomb Family*, Coto Living, November 2014. Copy supplied.

*Honoring Our Veterans*, Coto Living, November 2014. Copy supplied.

*Knobbe Martens on a Roll for Ultimate Support Systems in Utility Cart Battle*, Knobbe Martens Press Release, November 24, 2010. Copy supplied.

Jacqueline Carey-Wilson, *Opposing Counsel: John Holcomb*, Riverside Lawyer, May 2008. Copy supplied.

Richard K. De Atley, *Public Defender Named Magistrate*, Press Enterprise, January 10, 2006. Copy supplied.

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

I have not held judicial office.

- 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.

I have never been a candidate for, nor have I ever held, an elected public 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 a membership or office in, nor have I rendered services to, any political party or election committee. I have never held a position or played a role in any political campaign.

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

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

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

From 1993 to 1994, I served as a law clerk to the Honorable Ronald Barliant, Bankruptcy Judge of the United States Bankruptcy Court for the Northern District of Illinois.

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

I practiced alone from January 2019 to September 2019:  
Law Offices of John W. Holcomb  
22431 Antonio Parkway, #B160-143  
Rancho Santa Margarita, California 92688.

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.

1994 – 1997  
Irell & Manella, LLP  
840 Newport Center Drive, Suite 400  
Newport Beach, California 92660  
Associate

1997 – 2001  
Knobbe, Martens, Olson & Bear, LLP  
620 Newport Center Drive, 16th Floor  
Newport Beach, California 92660  
Associate

2002 – 2018  
Knobbe, Martens, Olson & Bear, LLP  
2040 Main Street, 14th Floor  
Irvine, California 92614  
Partner

2019  
Law Offices of John W. Holcomb  
22431 Antonio Parkway, #B160-143  
Rancho Santa Margarita, California 92688

Sole Practitioner

2019

Greenberg Gross LLP  
650 Town Center Drive, Suite 1700  
Costa Mesa, California 92626  
Partner

- 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.

From 2012 to the present, I have been a Panel Member of the Alternative Dispute Resolution Program for the U.S. District Court, Central District of California. In that capacity, I served as a mediator in the following cases:

- (1) *Packaging Corp. of Am. v. Newco Int'l Inc.* (mediation occurred on November 8, 2013). The case involved allegations of breach of contract.
- (2) *Quoc Viet Foods, Inc. v. VV Foods, LLC* (mediation occurred on February 11, 2014). The case involved allegations of trademark infringement.
- (3) *The Rag Place, Inc. v. Los Angeles Rag House, Inc.* (mediation occurred on July 25, 2017). The case involved allegations of trademark infringement.
- (4) *Kircher v. Angry Goat Prod., LLC* (mediation occurred on October 23, 2017). The case involved allegations of breach of contract and trademark infringement.
- (5) *Branded Online, Inc. v. Mundi Westport Group* (mediation occurred on January 15, 2018). The case involved allegations of breach of contract.
- (6) *Ossur hf v. Manamed, Inc.* (mediation occurred on February 23, 2018). The case involved allegations of trademark infringement.
- (7) *Cohen v. AAA Locksmith, Inc.* (mediation occurred on April 17, 2018). The case involved allegations of copyright infringement.

(8) *Sovereign Surgical Hldgs. v. Dual Diagnosis Trmt.* (mediation occurred on April 25, 2018). The case involved allegations of trademark infringement.

(9) *PNR Marketing Solutions LLC v. Fun Flicks of S. Cal.* (mediation occurred April 19, 2019). The case involved allegations of trade secret misappropriation and breach of contract.

(10) *Business Solutions, LLC v. Ganatra* (mediation occurred November 19, 2019). The case involved allegations of trade secret misappropriation.

b. Describe:

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

I worked as an associate at the law firm Irell & Manella, LLP from 1994 to 1997. I engaged primarily in a general civil litigation practice from 1994 to 1995 and primarily in a bankruptcy practice from 1995 to 1997. My principal office was in Newport Beach, California, from 1994 to 1995 and in downtown Los Angeles, California, from 1995 to 1997.

I joined the law firm Knobbe, Martens, Olson & Bear, LLP as an associate in 1997. I was elected to the partnership in 2002. During my entire 21-year career at Knobbe Martens, I litigated intellectual property cases, for both plaintiffs and defendants. My principal office was in Newport Beach, California, from 1997 to 2002; in Riverside, California, from 2002 to 2012; and in Irvine, California, from 2012 to 2018. My clients engaged my firm and me to address and resolve sophisticated intellectual property issues and disputes, including patent, copyright, trademark, and trade secret matters. Additionally, based upon my previous bankruptcy experience, I frequently consulted with my partners and our clients on bankruptcy, secured transactions, and commercial law issues.

I retired from Knobbe Martens at the end of 2018, and in January 2019, I began practicing as a sole practitioner through the Law Offices of John W. Holcomb. My practice consisted primarily of drafting contracts and providing advice regarding intellectual property issues for a biotech consulting company. I also advised a small business regarding its intellectual property issues; consulted with other attorneys regarding their client's bankruptcy and intellectual property issues; conducted a mediation as a Panel Member of the Alternative Dispute Resolution Program for the

U.S. District Court, Central District of California; and provided pro bono representation in a child custody case.

I joined the law firm Greenberg Gross LLP as a partner in September 2019. I litigate intellectual property cases, for both plaintiffs and defendants, and I conduct mediations. My office is in Costa Mesa, California.

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

During my time with Irell & Manella, LLP from 1994 to 1997, my clients were individuals and companies of all sizes, from large publicly traded corporations to smaller privately held companies; individuals; partnerships; and a bankruptcy trustee.

During my time with Knobbe Martens from 1997 to 2018, my clients were individuals, companies, and entities of all sizes, from large publicly traded corporations to smaller privately held companies; individuals; partnerships and limited liability companies; a university/medical center; and pro bono clients including families seeking asylum, prisoners, and others who could not otherwise afford legal representation. These clients engaged my firm and me to address and resolve sophisticated tort, contract, and intellectual property issues and disputes, including patent, copyright, trademark, and trade secret matters.

During my time as a sole practitioner—from January to September 2019—my clients included a biotech consulting company; a small family business; other attorneys (regarding their client's bankruptcy and intellectual property issues); parties in a mediation proceeding; and an individual in a pro bono matter.

During my time with Greenberg Gross from September 2019 to the present, my clients have been individuals and corporations. These clients engaged my firm and me to address and resolve sophisticated tort, contract, and intellectual property issues and disputes.

- 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.

During most of my legal career—from 1993 to 2018 and from September 2019 to the present—my practice consisted primarily of litigation in federal and state courts.

During my time as a sole practitioner—from January to September 2019—my practice consisted primarily of drafting contracts and providing legal advice regarding intellectual property and bankruptcy issues.

i. Indicate the percentage of your practice in:

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

ii. Indicate the percentage of your practice in:

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

d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have tried five cases to verdict in courts of record. I was lead counsel in two of those cases and associate counsel in the other three cases. In addition, as lead counsel I tried two cases to final decisions in arbitration proceedings.

i. What percentage of these trials were:

- |              |     |
|--------------|-----|
| 1. jury:     | 40% |
| 2. non-jury: | 60% |

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

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

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

a. the date of representation;

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

(1) *Freeman Investment Mgmt Co., LLC v. Frank Russell Co.*, Case No. 13-cv-2856 JLS RBB (S.D. Cal.).

From 2014 to 2018, I represented the plaintiff, Freeman Investment Management Company, LLC, in an action in the U.S. District Court for the Southern District of California for trade secret misappropriation, breach of contract, and fraud. Freeman alleged that it disclosed to the defendant, Frank Russell Company, various trade secrets regarding the use of volatility data in constructing financial indices. Freeman contended that Russell used Freeman's trade secrets in constructing Russell's new financial indices, thereby breaching the parties' non-disclosure agreement and committing trade secret misappropriation. Russell prevailed on summary judgment, resulting in the dismissal of all of Freeman's claims. The case was assigned to U.S. District Judge Janis Lynn Sammartino. The Ninth Circuit affirmed. The Ninth Circuit panel consisted of U.S. Circuit Judges Paul J. Watford and Michelle Friedland and Senior U.S. District Judge Jed S. Rakoff. I was associate counsel in the District Court and on appeal.

Opposing Counsel, for Defendant Frank Russell Co.:

Lee H. Rubin  
Mayer Brown LLP  
Two Palo Alto Square, #300  
3000 El Camino Real  
Palo Alto, California 94306  
650-331-2037

(2) *In re Sotera Wireless, Inc.*, Case. No. 16-05968-LT11 (Bankr. S.D. Cal.).

I represented the plaintiff, Masimo Corporation, in a trade secret misappropriation and breach of contract action that was originally filed in the Superior Court for Orange County, California (Case No. 30-2013-00649172-CU-IP-CJC), and was assigned to Judge Andrew P. Banks. The three defendants in the state court action were former Masimo employees, James Welch and David Hunt, and their new employer, Sotera Wireless, Inc. Masimo alleged that Messrs. Welch and Hunt misappropriated various Masimo trade secrets by taking electronic files and other materials with them when they left Masimo's employment and that they used those trade secrets at their new employer, Sotera.

Sotera subsequently filed a bankruptcy petition in the U.S. Bankruptcy Court for the Southern District of California. After an eight-day claim objection trial in Sotera's bankruptcy case, Masimo obtained an injunction against Sotera regarding certain customer-related trade secrets and a monetary judgment of \$558,000. The case was assigned to U.S. Bankruptcy Judge Laura S. Taylor. I was associate counsel at the trial in the Bankruptcy Court.

Co-Counsel for Creditor Masimo Corporation:

Aaron J. Malo  
Sheppard, Mullin, Richter & Hampton LLP  
650 Town Center Drive, 4th Floor  
Costa Mesa, California 92626  
714-424-8223

Opposing Counsel, for Debtor Sotera Wireless, Inc.:

Ian Shapiro  
Cooley LLP  
The Grace Building  
1114 Avenue of the Americas, 46th Floor  
New York, New York 10036  
212-479-6441

(3) *ReCor Medical, Inc. v. Warnking*, C.A. No. 7387-VCN, 2013 WL 3760022 (Del. Ch. 2013), *aff'd*, 85 A.3d 89 (Del. 2014).

I represented the plaintiff, ReCor Medical, Inc., in a trade secret misappropriation and breach of contract action filed in Delaware Chancery Court. The defendants were an individual, Reinhard Warnking, and his new company, Sound Interventions, Inc. ReCor alleged that Mr. Warnking, who was an employee and officer of ReCor's predecessor in interest, misappropriated the predecessor's trade secret ultrasound technology by filing patent applications claiming that technology. After a bench trial in Chancery Court, ReCor obtained an injunction requiring the defendants to assign some of the patent applications at issue to ReCor. The Chancery Court also awarded to ReCor attorneys' fees of more than \$900,000. The case was assigned to Vice Chancellor John W. Noble. The Delaware Supreme Court affirmed the Chancery Court's judgment. I was lead counsel at trial, and I argued the appeal in the Delaware Supreme Court.

Co-Counsel for Plaintiff and Appellee ReCor Medical, Inc.:

Daniel B. Rath  
Landis Rath & Cobb LLP  
919 Market Street, Suite 1800  
Wilmington, Delaware 19899

302-467-4420

Opposing Counsel, for Defendants and Appellants Reinhard Warnking  
and Sound Interventions, Inc.:

Joseph N. Campolo  
Campolo, Middleton & McCormick, LLP  
4175 Veterans Memorial Highway, Suite 400  
Ronkonkoma, New York 11779  
631-738-9100, ext. 301

(4) *Sprengel v. Mohr*, Case No. 2:11-cv-08742, 2013 WL 645532 (C.D. Cal. 2013).

I represented the plaintiff, physician Jean Sprengel, in a copyright action in the U.S. District Court for the Central District of California. Dr. Sprengel wrote a book, *Chemo Companion—A Pocket Guide*, that provides information and advice for cancer patients as they prepare for and undergo chemotherapy treatments. Dr. Sprengel and her cousin, defendant Lanette Sprengel Mohr, formed a company to commercialize the book and subsequent works. Disputes arose between the cousins regarding, among other things, copyright rights in the works. After a bench trial, the District Court entered judgment that the company possessed an implied, nonexclusive license to publish the extant works but that Dr. Sprengel was the sole author of those works, and, thus, that Dr. Sprengel had the sole right to create new derivative works. The case was assigned to U.S. District Judge Michael W. Fitzgerald. I was lead trial counsel.

Co-Counsel for Plaintiff Jean Sprengel:

Michael G. Kerbs  
Reid & Hellyer  
3880 Lemon Street, Fifth Floor  
Riverside, California 92502  
951-682-1771

Opposing Counsel, for Defendant Lynette Mohr:

Roger M. Rosen  
Joyce S. Mendlin  
Rosenberg Mendlin & Rosen, LLP  
528 Colorado Avenue  
Santa Monica, California 90401  
310-899-9008

(5) *WeCosign, Inc. v. IFG Holdings, Inc.*, Case No. 8:10-cv 01200, 845 F. Supp. 2d 1072 (C.D. Cal. 2012).

I represented the plaintiff in trademark infringement and cyberpiracy action in the U.S. District Court for the Central District of California. The client obtained a default judgment in its favor, including a permanent injunction and an award of statutory damages and attorneys' fees. The case was assigned to U.S. District Judge Josephine Staton. I was lead counsel.

(6) *Dahl v. Swift Distribution, Inc.*, Case No. 2:10-cv-00551, 2010 WL 1458957 (C.D. Cal. 2010), and 757 F. Supp. 2d 976 (C.D. Cal. 2010).

I represented the defendants, individuals Michael Belitz and Robin Slaton and their company, Swift Distribution, Inc., in an action in the U.S. District Court for the Central District of California involving the alleged intellectual property of the plaintiff, Gary-Michael Dahl. Dahl developed a collapsible cart for moving heavy equipment and obtained two patents on his cart. Dahl and the defendants met to discuss the potential licensing and distribution of Dahl's cart, but they never reached an agreement. Swift began to sell a competing cart. Dahl asserted claims against Swift and the individuals including patent infringement, trademark infringement, misappropriation of trade secrets, and breach of contract. Dahl filed an application for a temporary restraining order to prohibit the defendants from selling their cart. The defendants defeated Dahl's TRO application and ultimately obtained summary judgment of no patent infringement, resulting in a favorable settlement. The case was assigned to U.S. District Judge S. James Otero. I was lead trial counsel.

Opposing Counsel, for Plaintiff Gary-Michael Dahl:

John K. Buche  
Buche & Associates, P.C.  
875 Prospect, Suite 305  
La Jolla, California 92037  
858-459-9111

(7) *iRise v. Axure Software Solutions, Inc.*, Case No. 2:08-cv-03601, 2009 WL 3615075 (C.D. Cal. 2009).

I represented the plaintiff, iRise, in a patent infringement action in the U.S. District Court for the Central District of California. iRise owned a software patent that claimed a system and process for gathering, recording, and validating requirements for computer applications. iRise sued the defendant, Axure Software Solutions, Inc., for infringing that patent by selling competing software. iRise prevailed on summary judgment of patent infringement, resulting in a favorable settlement. The case was assigned to U.S. District Judge S. James Otero. I was lead trial counsel.

Opposing counsel, for Defendant Axure Software Solutions, Inc.:

James C. Brooks  
James C. Brooks IP Law  
709 West 28th Street  
San Pedro, California 90731  
310-292-6196

(8) *Eliminator Custom Boats v. American Marine Holdings*, Case No. 5:06-cv-00015, 2006 WL 4941830 (C.D. Cal. Aug. 31, 2006), 2007 WL 4978243 (C.D. Cal. Nov. 5, 2007).

I represented the plaintiffs, Eliminator Custom Boats and HBP, Inc., in a trademark infringement action in the U.S. District Court for the Central District of California. Eliminator manufactured and sold high-performance recreational powerboats under the “Daytona” mark, which Eliminator licensed from entities related to the Daytona International Speedway. The defendants, Florida-based American Marine Holdings and Donzi Marine, LLC, sold high-performance offshore powerboats under the “Daytona” mark, prompting Eliminator to file a trademark infringement lawsuit in its home state of California. Eliminator defeated the defendants’ motion to dismiss for lack of personal jurisdiction or to transfer venue to Florida. Eliminator subsequently defeated the defendants’ motion for summary judgment, resulting in a favorable settlement. The case was assigned to U.S. District Judges Virginia A. Phillips and Valerie Baker Fairbank. I was associate trial counsel.

Opposing Counsel, for Defendants American Marine Holdings and Donzi Marine, LLC:

Ava K. Doppelt  
Allen, Dyer, Doppelt + Gilchrist, P.A.  
255 South Orange Avenue, Suite 1401  
Orlando, Florida 32801  
407-841-2300

(9) *University of North Dakota v. James Hardie Research Pty, Ltd.*, Case No. 2:04-cv-00152, 2007 WL 1521055 (D.N.D. 2007).

I represented various James Hardie entities in a technically and procedurally complex case involving the ownership of intellectual property related to the creation of cenospheres. Cenospheres are microscopic hollow spheres that are useful in the building products industry. The James Hardie entities entered into an agreement with the Energy & Environmental Research Center—a unit within the University of North Dakota (“UND”)—concerning research on the production of cenospheres. Disputes arose between the parties regarding, among other things, the ownership of intellectual property created through their research collaboration. Both sides filed lawsuits in their local state

courts—James Hardie in San Bernardino County, California, and UND in North Dakota state court. Both state court lawsuits were removed to their respective local federal district courts, and the California federal case was transferred to the U.S. District Court for the District of North Dakota. The James Hardie entities ultimately obtained partial summary judgment that they owned the bulk of the intellectual property at issue. The case was assigned to U.S. District Judge Ralph R. Erickson. UND's appeal of that interlocutory judgment was rejected by the Eighth Circuit. Thereafter, the parties settled their disputes. I was associate trial counsel.

Co-Counsel for James Hardie:

Mark R. Hanson  
Nilles Law Firm  
201 5th Street North  
Fargo, North Dakota 58102

Opposing Counsel, for the University of North Dakota and the Energy & Environmental Research Center:

Sara Gullickson McGrane  
Felhaber Larson  
220 South Sixth Street, Suite 2200  
Minneapolis, Minnesota 55402  
612-373-8511

(10) *Optivus Tech., Inc. v. Ion Beam Applications S.A.*, Case No. 03-2052-SJO, 2004 WL 5530838, 2004 WL 5543277, 2004 WL 5700631, 2005 WL 6070811 (C.D. Cal.); Case Nos. 05-1518, 05-1534, & 05-1575, 469 F.3d 978 (Fed. Cir. 2006)

I represented the patentee and co-plaintiff, Loma Linda University Medical Center, in a patent infringement and business torts case in the U.S. District Court for the Central District of California. The five patents in suit claimed various inventions relating to the rendition of proton cancer therapy. Plaintiff Loma Linda alleged that the activities of defendant Ion Beam Applications S.A. ("IBA") infringed Loma Linda's patents, and co-plaintiff Optivus Technology, Inc. alleged that IBA committed various business torts. The district court granted IBA's summary judgment motion in part, ruling against Loma Linda on two of the five patents and against Optivus on its business tort claims. The case was assigned to U.S. District Judge S. James Otero. On appeal to the Federal Circuit, Optivus obtained a reversal and remand of the district court's adverse decision on the business tort claims, but IBA prevailed on Loma Linda's appeal on the patent claims. The Federal Circuit panel consisted of U.S. Circuit Judges William Curtis Bryson and Richard Linn and Senior U.S. Circuit Judge Glenn Leroy Archer Jr. After remand, the parties settled the remainder of

the case. I was lead trial counsel for Loma Linda, and I argued the appeal at the Federal Circuit.

Co-Counsel, for Co-Plaintiff Optivus Technology, Inc.:

Howard B. Miller  
JAMS  
555 West 5th Street, Floor 32  
Los Angeles, California 90013  
213-620-1133

Opposing Counsel, for Defendant Ion Beam Applications S.A.:

Mark P. Wine (deceased)

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.)

As a Ruling Elder of Trabuco Presbyterian Church and as a Commissioner to Los Ranchos Presbytery, I have offered legal advice to both organizations. And as an officer of the MIT Club of Southern California, I have offered legal advice to that organization.

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.

If I am confirmed and take the bench, I will resign from my firm, Greenberg Gross LLP. Under my agreement with the firm, I would be entitled to compensation for my participation in a currently pending contingency fee matter.

Under the terms of my partnership agreement with my previous firm, Knobbe, Martens, Olson & Bear, LLP, I am entitled a share of the proceeds from the firm's

sale of its building in Irvine, California. After my 60th birthday, I am also entitled to the payout of my capital accounts in the firm.

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

I have no plans, commitments, or agreements to pursue any 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).

Please see the attached Financial Disclosure Report.

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

Please see the attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

If I am confirmed and take the bench, I would recuse myself for a time from any case being handled by my current law firm, Greenberg Gross LLP, or my previous law firm, Knobbe, Martens, Olson & Bear, LLP. I would also recuse myself from any case in which I had previously participated as an attorney and from any case in which, due to a current or past professional or personal relationship with a party or attorney involved, my impartiality might reasonably be questioned. I would also recuse myself in matters involving my family and my own financial interests.

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

If I am confirmed and take the bench, I would evaluate any potential conflict of interest under the standards set forth in 28 U.S.C. § 455 and Canon 3C of the Code of Conduct for United States Judges, both of which address the question whether federal judges must disqualify themselves

due to conflicts. In considering those rules, I would further consult any judicial decisions or Judicial Conference opinions applying the rules to particular cases or circumstances.

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

In 2008, I joined the *Pro Bono* Civil Rights Panel for the U.S. District Court for the Central District of California. I accepted the following two cases on behalf of previously *pro se* plaintiffs:

- (1) *Leichner v. United States*, Case No. 5:13-cv-02317 JFW (SS) (C.D. Cal).

My colleagues at my previous firm, Knobbe, Martens, Olson & Bear, LLP, and I represented the plaintiff, Moshe Leichner, in a civil rights case. Mr. Leichner asserted claims against the government and two doctors for their negligence or deliberate indifference to his medical condition arising from their failure to diagnose and treat his bladder cancer for several years. With our assistance, Mr. Leichner defeated Defendants' summary judgment motions. I withdrew from the representation when I retired from Knobbe Martens at the end of 2018, but my former colleagues continue to represent Mr. Leichner. Trial is set for April 2020.

Opposing Counsel, for Defendants:

Sarah Schuh Quist  
Office of the U.S. Attorney for the Central District of California  
Federal Building  
300 North Los Angeles Street, Suite 7516  
Los Angeles, California 90012  
213-894-0609

- (2) *McCarter v. Penrod*, Case No. EDCV01-08352 VAP (FMO) (C.D. Cal).

I represented the plaintiff, Roy McCarter, in a civil rights case. Mr. McCarter asserted claims against San Bernardino County and two corrections officers arising from physical abuse that he suffered while in custody. With my assistance, Mr. McCarter settled after fact discovery and mediation.

Opposing Counsel, for Defendants:

Teresa M. McGowan  
Office of San Bernardino County Counsel  
385 North Arrowhead Avenue, #4  
San Bernardino, California 92415  
909-387-5283

I have also provided *pro bono* representation in connection with the following four matters:

(1) *Dantzer v. Harrison*, Case No. 8:17 cv-02271 (C.D. Cal.) and No. 18-56022 (9th Cir.).

My colleagues and I accepted a *pro bono* matter referred by the Public Law Center in Santa Ana, California. We represented an African American retired U.S. Marine Corps Staff Sergeant combat veteran who suffers from PTSD and who was locked out of the house that he was renting in San Clemente, California. The client asserted claims in the U.S. District Court for the Central District of California including racial discrimination under the Fair Housing Act, breach of contract, and illegal lockout. The District Court dismissed the discrimination claims for failure to state a claim and dismissed the remainder of case for lack of federal jurisdiction. We appealed that decision to the Ninth Circuit. While the appeal was pending, we obtained a favorable settlement for the client.

Opposing Counsel, for Defendants:

David B. Dimitruk  
Law Offices of David B. Dimitruk  
5 Corporate Park, Suite 220  
Irvine, California 92606  
949-660-9090

(2) *In re Kluss*, Case No. 8:12-ap-01183 (Bankr. C.D. Cal).

I represented the debtor/defendant, Dr. Robert L. Kluss, in a bankruptcy court adversary proceeding for determination of non-dischargeability of Dr. Kluss' alleged debt to Bank of America. With my assistance, Dr. Kluss settled after fact discovery.

Opposing Counsel, for Bank of America, N.A.:

Randolph A. Bain  
Kassinove & Raskin LLP  
14150 Myford Road  
Irvine, California 92606  
949-529-5700

(3) *In the Matter of Elvis Sardaru, et al.*, Case No. A-201-293-827/828/829/830 (Los Angeles Immigration Court).

I supervised associates who represented Petitioners Elvis Sardaru, Anisoara Romina Ilie, Jenifer Sardaru, and Giovanna Sardaru in a merits hearing for asylum in the U.S. The clients had fled Romania due to persecution for their Roma ethnicity. After trial, the Immigration Court granted asylum to our clients.

Opposing Counsel:

Office of the Chief Counsel, Dept. of Homeland Security  
Department of Homeland Security, U.S. Immigration and Customs Enforcement  
606 South Olive Street, Suite 800, 8th Floor, Los Angeles, CA 90014

(4) *Toyota Motor Sales, U.S.A., Inc. v. Tabari*, Case No. 2:03-cv-08506 (C.D. Cal).

Toyota asserted trademark infringement and related claims against auto brokers Farzad and Lisa Tabari arising from the Tabaris' use of domain names buy-a-lexus.com and buyorleaselexus.com. Toyota prevailed against the Tabaris, who were pro se, at trial. On appeal, the Ninth Circuit vacated the judgment and remanded the case for further proceedings, at which time I offered my services on a pro bono basis. The case settled after mediation.

Opposing Counsel:

Jill M. Pietrini  
Sheppard, Mullin, Richter & Hampton LLP  
1901 Avenue of the Stars, Suite 1600  
Los Angeles, California 90067  
310-228-3723

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 October 24, 2017, I sent a letter to the White House Counsel's Office indicating my interest in being considered for a position as a district judge. On November 7, 2017, I submitted an application to the Statewide Chair of Senator Feinstein's judicial advisory process. In early March 2018, I received a call from the Chair of Senator Feinstein's Central District Judicial Selection Committee inviting me to an interview with that group on March 13, 2018. On June 21, 2018, I received a call from the Statewide Chair of Senator Feinstein's judicial advisory process inviting me to an interview with him on July 11, 2018. On August 14, 2018, I submitted an application to Senator Harris's Judicial Commission. On February 20, 2019, I received a call from an attorney in the White House Counsel's Office inviting me to schedule an interview in Washington. On March 4, 2019, I interviewed with attorneys from the White House Counsel's Office and the Office of Legal Policy at the Department of Justice. On August 24, 2019, I received an email from the Chair of Senator

Harris's Judicial Commission inviting me to schedule an interview with that group. On August 27, 2019, I was notified by the White House Counsel's Office that my name was sent to the Department of Justice to begin formal vetting. On September 18, 2019, I received a call from an attorney in the White House Counsel's Office informing me that the President intended to nominate me for the position of United States District Judge for the Central District of California. On September 23, 2019, I interviewed with Senator Harris's Judicial Commission. On November 21, 2019, the President submitted my nomination to the Senate. Since November 16, 2018, I have been in contact with officials from the White House Counsel's Office as well as the Office of Legal Policy at the Department of Justice.

- 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.