

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Sunshine Suzanne Sykes
S. Suzanne Sykes

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.

Superior Court of Riverside County
Historic Courthouse
4050 Main Street
Riverside, California 92501

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

1974; Tuba City, Arizona

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.

1998 – 2001, Stanford Law School; J.D., 2001

1993 – 1997, Stanford University; B.A. (with Departmental Honors), 1997

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.

2013 – present
Superior Court of Riverside County
4050 Main Street

Riverside, California 92501
Superior Court Judge

2005 – 2013
Office of County Counsel, Riverside County
3960 Orange Street, Suite 500
Riverside, California 92501
Deputy County Counsel

2003 – 2005
Juvenile Defense Panel
30111 Technology Drive, Suite 160
Murrieta, California 92563
Contract Attorney

1998, 2000 – 2003
California Indian Legal Services
117 J Street, Suite 201
Sacramento, California 95814
Staff Attorney (2001 – 2003)
Law Clerk (2000)
Administrative Assistant (1998)

1999 – 2000
East Palo Alto Community Law Project
1861 Bay Road
East Palo Alto, California 94303
Clinical Program Advocate

1999
DNA Legal Services
220 South Main Street
Tuba City, Arizona 86045
Law Clerk

1997
Orrick, Herrington & Sutcliffe LLP
400 Sansome Street
San Francisco, California 94111
Case Clerk

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

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

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

Eighth Annual Judges' Dinner Honoree, Casey Family Programs & Tribal Justice Collaborative (2019)

Champion of Justice Recipient, Fair Housing Council of Riverside County (2014)

Certificate of Appreciation for volunteer services to the court as a member of the Riverside County Tribal Alliance for Indian Children and Families, Superior Court of California, County of Riverside (2014, 2010)

Equal Justice Works Fellowship (2001 – 2003)

Stanford University

Native American Graduate Center Scholarship (1998 – 2001)

Stanford Public Interest Law Foundation Grant (2000, 1999)

Louis Sudler Award in Creative and Performing Arts (1997)

Undergraduate Research Opportunities Golden Grant (1996)

Chief Manuelito Academic Excellence Scholarship, Navajo Nation (1993 – 1997)

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.

California Indian Law Association

California Judges Association

Riverside County Bar Association

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.

California, 2002

There have been no lapses in membership, but—as a Superior Court Judge—I am not considered a licensee of the California State Bar while in office.

- b. List all courts in which you have been admitted to practice, including dates of

admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

United States District Court for the Central District of California, 2013

There have been no lapses in membership, but—as a Superior Court Judge—my membership is currently inactive.

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.

Judicial Selection Advisory Committee for Riverside and San Bernardino Counties, Member (2018 – present)

Native American Circle, Advisory Board Member (2002 – 2005)

Riverside County Superior Court
ADR Committee, Co-Chair (2017 – 2019)
Executive Committee, At-Large Member (2017 – 2020)
Personnel Committee, Member (2018 – present)

Riverside County Tribal Alliance for Indian Children and Families, Co-Chair (2006 – present)

Tribal Court/State Court Forum, Advisory Body to the Judicial Council of California, Member (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 practices.

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.

Candidate Statement, Voter's Guide (2014). Copy supplied.

Candidate Flyer, Judge Sykes for Superior Court (2014). Copy supplied.

Rising Spirit Journal, Stan. Univ. (1997). I helped create this journal compiling poetry, short stories, and art from American Indian students at Stanford. I am unable to locate a copy of the pieces I contributed to the journal.

- 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.

As a member of the Tribal Court/State Court Forum—an advisory body to the Judicial Council of California—I participated in discussions about the contents of the following reports prepared by Judicial Council of California staff. To the best of my recollection, I did not, however, draft, edit, or otherwise participate in the creation of these or any other reports.

Judicial Council—Sponsored Legislation (Family Law): Recognition of Tribal Court Orders Relating to the Division of Marital Assets, Rep. to Judicial Council of Cal. (Oct. 19, 2020). Copy supplied.

Indian Child Welfare Act (ICWA): Consent to Temporary Custody of an Indian Child, Rep. to Judicial Council of Cal. (Sept. 3, 2020). Copy supplied.

Indian Child Welfare Act (ICWA): Tribal Information Form, Rep. to Judicial Council of Cal. (Sept. 3, 2020). Copy supplied.

Indian Child Welfare Act (ICWA): Remote Appearance by an Indian Child's Tribe in ICWA Proceedings, Rep. to Judicial Council of Cal. (Sept. 2, 2020). Copy supplied.

Indian Child Welfare Act (ICWA): Implementation of AB 3176 for Indian Children, Rep. to Judicial Council of Cal. (Sept. 5, 2019). Copy supplied.

Indian Child Welfare Act: Tribal Access To Court Records, Rep. to Judicial Council of Cal. (July 11, 2017). Copy supplied.

Indian Child Welfare Act: Technical Amendment to Rule 5.482, Rep. to Judicial Council of Cal. (July 21, 2016). Copy supplied.

Family and Juvenile Law: Transfers to Tribal Court Under the Indian Child Welfare Act, Rep. to Judicial Council of Cal. (July 29, 2015). Copy supplied.

Judicial Council—Sponsored Legislation: Tribal Access to Confidential Juvenile Court Files, Rep. to Judicial Council of Cal. (Oct. 25, 2013). Copy supplied.

Family Law: New Rule for Title IV-D Case Transfers to Tribal Court, Rep. to Judicial Council of Cal. (Oct. 11, 2013). Copy supplied.

Juvenile Law: Indian Child Welfare Act in Delinquency Cases, Rep. to Judicial Council of Cal. (Apr. 8, 2013). 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.

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.

I have searched my files and electronic databases in an effort to identify all events responsive to this question. I have located the events listed below, but there may be events I have been unable to recall or identify.

September 21, 2021: Participant, *Judicial Diversity Summit "I AM" Video Project!*, California Judges Association, California Lawyers Association, and Judicial Council of California (virtual event). Video available at <https://m.youtube.com/watch?v=FpQhUnheJH8&feature=youtu.be>.

June 29, 2021: Panelist, *Pathways to Judicial Diversity: Information Session for Native American Lawyers & Law Students*, Judicial Council of California (virtual event). PowerPoint supplied.

May 21, 2021: Panelist, *Moving Beyond COVID-19: A Judicial Roundtable On Emerging from Lockdown*, Litigation and Appellate Summit, California Lawyer's Association (virtual event). I discussed my current courtroom procedures. I have no notes, transcript, or recording. The address of the California Lawyer's Association is 400 Capitol Mall, Suite 650, Sacramento, California 95814.

April 30, 2021: Panelist, *Discovery Timebombs at Trial*, Civil Law Institute, Center for Judicial Education and Research, and Judicial Council of California (virtual event). Notes supplied.

April 21, 2021: Panelist, Stanford Law School Virtual Admit Gathering. Stanford Law School (virtual event). I discussed my pathway to the bench and my time at Stanford Law School. I have no notes, transcript, or recording. The address of Stanford Law School is 559 Nathan Abbott Way, Stanford, California 94305.

January 13, 2021: Presenter, *Unscripted Conversation on Diversity and Inclusivity*, California Judges' Association (virtual event). PowerPoint supplied.

December 4, 2020: Speaker, *ICWA Inquiry in California*, Judicial Council of California Center for Families, Children, and the Court (virtual event). PowerPoint supplied.

March 7, 2020: Panelist, Empowering Young Women's Conference, Riverside City College, Riverside, California. I spoke about my pathway to the bench and my judicial career. I have no notes, transcript, or recording. The address of Riverside City College is 4800 Magnolia Avenue, Riverside, California 92506.

February 6, 2020: Judge, Riverside County Mock Trial Competition, Riverside, California. I presided over the mock trial competition. I have no notes, transcript, or recording. The address of the Riverside Courthouse is 4100 Main Street, Riverside, California 92501.

December 11, 2019: Judge, Riverside Youth Court, Riverside, California. I presided over Youth Court proceedings. I have no notes, transcript, or recording. The address of the Riverside Courthouse is 4100 Main Street, Riverside, California 92501.

October 23, 2019: Judge, Riverside Youth Court, Riverside, California. I presided over Youth Court proceedings. I have no notes, transcript, or recording. The address of the Riverside Courthouse is 4100 Main Street, Riverside, California 92501.

June 2019 (date unknown): Presenter, Community Celebration and Swearing-In Ceremony of Board Members, California Indian Nations College, Palm Springs, California. I spoke about my pathway to the bench and my judicial career. I have no notes, transcript, or recording. The address of California Indian Nations College is 75080 Frank Sinatra Drive, Palm Springs, California 92211.

April 27, 2019: Panelist, Empowering Young Women's Conference, Riverside City College, Riverside, California. I spoke about my pathway to the bench and my judicial career. I have no notes, transcript, or recording. The address of Riverside City College is 4800 Magnolia Avenue, Riverside, California 92506.

April 12, 2019: Presenter, *Indigenizing the Judiciary: The Role of Federal Indian Law in Tribal, State, and Federal Judicial Systems*, Federal Indian Bar Association Annual Conference, Albuquerque, New Mexico. I presented a PowerPoint created by the Judicial Council of California that highlighted the accomplishments of the Tribal Court/State Court Forum. PowerPoint supplied.

March 16, 2019: Presenter, Live Your Dream Conference, Riverside City College, Riverside, California. I spoke about my pathway to the bench and my judicial career. I have no notes, transcript, or recording. The address of Riverside City College is 4800 Magnolia Avenue, Riverside, California 92506.

March 11, 2019: Participant, 10 Minute Mentor: Video on ICWA Notice, Center for Judicial Education and Research, Judicial Council of California (virtual event). Transcript supplied.

February 6, 2019: Judge, Riverside County Mock Trial Competition, Riverside, California. I presided over the mock trial competition. I have no notes, transcript, or recording. The address of the Riverside Courthouse is 4100 Main Street, Riverside, California 92501.

December 5, 2018: Judge, Riverside Youth Court, Riverside, California. I presided over Youth Court proceedings. I have no notes, transcript, or recording. The address of the Riverside Courthouse is 4100 Main Street, Riverside, California 92501.

June 6, 2018: Commencement Speaker, Noli Indian School, San Jacinto, California. I used the same speech that was provided for the commencement speech given May 18, 2018.

May 23, 2018: Judge, Riverside Youth Court, Riverside, California. I presided over Youth Court proceedings. I have no notes, transcript, or recording. The address of the Riverside Courthouse is 4100 Main Street, Riverside, California 92501.

May 18, 2018: Commencement Speaker, Sherman Indian High School, Riverside, California. Remarks supplied.

March 17, 2018: Keynote Speaker, Girl Power Conference, Soroptimist Society, Mount San Jacinto College, San Jacinto, California. I spoke about my pathway to the bench and my judicial career. I have no notes, transcript, or recording. The address of Mount San Jacinto College is 1499 North State Street, San Jacinto, California 92583.

February 22, 2018: Judge, Riverside County Mock Trial Competition, Riverside, California. I presided over the mock trial competition. I have no notes, transcript, or recording. The address of the Riverside Courthouse is 4100 Main Street, Riverside, California 92501.

May 24, 2017: Judge, Riverside Youth Court, Riverside, California. I presided over Youth Court proceedings. I have no notes, transcript, or recording. The address of the Riverside Courthouse is 4100 Main Street, Riverside, California 92501.

February 15, 2017: Judge, Riverside County Mock Trial Competition, Riverside, California. I presided over the mock trial competition. I have no notes, transcript, or recording. The address of the Riverside Courthouse is 4100 Main Street, Riverside, California 92501.

February 8, 2017: Judge, Riverside County Mock Trial Competition, Riverside, California. I presided over the mock trial competition. I have no notes, transcript, or recording. The address of the Riverside Courthouse is 4100 Main Street, Riverside, California 92501.

November 16, 2016: Judge, Riverside Youth Court, Riverside, California. I presided over Youth Court proceedings. I have no notes, transcript, or recording. The address of the Riverside Courthouse is 4100 Main Street, Riverside, California 92501.

March 19, 2016: Panelist, Empowering Young Women's Conference, Riverside City College, Riverside, California. I spoke about my pathway to the bench and my judicial career. I have no notes, transcript, or recording. The address of Riverside City College is 4800 Magnolia Avenue, Riverside, California 92506.

March 3, 2016: Panelist, Young Women's Leadership Conference, Los Angeles Superior Court, Los Angeles, California. I spoke about my pathway to the bench and my judicial career. I have no notes, transcript, or recording. The address of the Los Angeles Superior Court is 111 North Hill Street, Los Angeles, California 90012.

February 17, 2016: Judge, Riverside County Mock Trial Competition, Riverside,

California. I presided over the mock trial competition. I have no notes, transcript, or recording. The address of the Riverside Courthouse is 4100 Main Street, Riverside, California 92501.

July 23, 2015: Panelist, Tribal Star ICWA Training, Riverside, California. I presented on the history of the Indian Child Welfare Act utilizing a PowerPoint created by Tribal Star. PowerPoint supplied.

March 5, 2015: Panelist, *What does Diversity Mean to You?*, Association of Southern California Defense Counsel Diversity Committee, Los Angeles, California. I spoke about my pathway to the bench and my judicial career. I have no notes, transcript, or recording. The address of the Association of Southern California Defense Counsel is 2520 Venture Oaks Way, Suite 150, Sacramento, California 95833.

February 18, 2015: Judge, Riverside County Mock Trial Competition, Riverside, California. I presided over the mock trial competition. I have no notes, transcript, or recording. The address of the Riverside Courthouse is 4100 Main Street, Riverside, California 92501.

May 16, 2014: Presenter, *Indian Child Welfare Act Updates*, Cow County Institute, Rancho Cordova, California. PowerPoint supplied.

February 19, 2014: Judge, Riverside County Mock Trial Competition, Riverside, California. I presided over the mock trial competition. I have no notes, transcript, or recording. The address of the Riverside Courthouse is 4100 Main Street, Riverside, California 92501.

January 2010 (date unknown): Presenter, *Indian Child Welfare Act Case Updates*, Juvenile Law Institute: Dependency Program Annual Conference, University of California, Riverside Extension Center, Riverside, California. I spoke about recent Indian Child Welfare Act cases. I have no notes, transcript, or recording. The address of the University of California, Riverside Extension Center is 1200 University Avenue, Riverside, California 92507.

October 2009 (date unknown): Panelist, *Elimination of Bias Regarding Indians and Indian Tribes*, California Indian Law Association, Pala, California. I spoke about my career and working on issues concerning the Indian Child Welfare Act. I have no notes, transcript, or recording. The address of the California Indian Law Association is 417 Mace Boulevard, Suite J-44, Davis, California 95618.

October 2009 (date unknown): Presenter, *The Importance of Active Efforts in ICWA Cases*, County Counsel Association, Palm Springs, California. I spoke about the history leading up to the passage of the Indian Child Welfare Act. I have no notes, transcript, or recording. The address of the County Counsel Association is 1100 K Street, Suite 101, Sacramento, California 95814.

January 2008 (date unknown): Presenter, *Indian Child Welfare Act*, Juvenile Law Institute: Dependency Program Annual Conference, University of California, Riverside Extension Center. I spoke about recent Indian Child Welfare Act cases. I have no notes, transcript, or recording. The address of the University of California, Riverside Extension Center is 1200 University Avenue, Riverside, California 92507.

November 2008 (date unknown): Presenter, *Indian Child Welfare Act*, Greater Inland Law Association, Riverside, California. I spoke about recent Indian Child Welfare Act cases. I have no notes, transcript, or recording. The address of the Greater Inland Law Association is unknown.

October 2006 (date unknown): Presenter, *The Judicial Role in Improving Outcomes: Indian Child Welfare Act Notice*, California Judges Association, Monterey, California. I spoke about the history leading up to the passage of the Indian Child Welfare Act. I have no notes, transcript, or recording. The address of the California Judges Association is 2520 Venture Oaks Way, Suite 150, Sacramento, California 95833.

2006 to 2013: Trainer, Indian Child Welfare Act, Riverside County Department of Public Social Services, Riverside, California. On more than 20 occasions, I trained social workers about various topics related to the Indian Child Welfare Act. I have no notes, transcripts, or recordings, nor have I been able to identify the specific dates of these events. The address of the Riverside County Department of Public Social Services is 10281 Kidd Street, Riverside, California 92503.

February 2005 (date unknown): Presenter, *Indian Child Welfare Act and Notice*, Los Angeles County Bar Association, Los Angeles, California. I spoke about providing proper notice pursuant to the Indian Child Welfare Act. I have no notes, transcript, or recording. The address of the Los Angeles County Bar Association is 200 South Spring Street, Los Angeles, California 90012.

2001 to 2003: Presenter, Indian Child Welfare Act, Various California Indian Tribes and American Indian Organizations, Various Locations in California. From 2001 to 2003, I made over 40 presentations to California Indian Tribes, American Indian organizations, attorneys, and social workers about the Indian Child Welfare Act and domestic violence in American Indian communities. I have no notes, transcripts, or recordings, nor have I been able to identify the specific dates for or groups to whom I gave these presentations.

April 1996 (date unknown): Presenter, Third Annual American Indian Research Forum, Stanford University, Stanford, California. I presented research on American Indian female poets. I have no notes, transcript, or recording. The address of Stanford University is 450 Stanford Way, Stanford, California 94305.

- 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.

Shoney Blake, *50 for 50 Spotlight*, Stan. Am. Indian Org. (Mar. 2, 2021). Video available at https://youtu.be/RSdTRrw_XuE.

Sharon Driscoll, *Taking the Stand: Judge Sunshine Sykes*, Stan. Law. Mag. (May 31, 2017). Copy supplied.

Caroline Iglesias, *Riverside County's Superior Court Welcomes Native American Judge*, Poly Spotlight (Jan. 12, 2017). Copy supplied.

Laurinda Keys, *Flip side: raised in two different cultures, Riverside County Judge Sunshine Sykes got lessons in empathy*, S.F. Daily J. (Apr. 1, 2015). Copy supplied.

Sophia Choi, *Judicial Profile: Judge Sunshine Suzanne Sykes*, Riverside Law. Mag. (May 2014). Copy supplied.

Our Voice: Cope, Sykes, and Lafferty should be elected, Desert Sun (May 24, 2014). Copy supplied.

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

Since December 2013, I have served as a Superior Court Judge for the Superior Court of California, County of Riverside. I was appointed to that position by Governor Edmund G. Brown Jr. on December 5, 2013; sworn in as a judge on December 13, 2013; and began working on the bench on January 21, 2014. In 2014, I was elected after a contested election to a successive six-year term. In 2020, I was elected without opposition to a successive six-year term. The Riverside County Superior Court is a California state court of general jurisdiction. From January 2014 to April 2019, I presided over a civil trial and law and motion calendar. Since May 2019, I have presided over the Complex Civil Litigation department. I was appointed to the Riverside County Superior Court Appellate Division on November 1, 2017, and on February 4, 2019, I was appointed by the Chief Justice of the California Supreme Court to be the Presiding Judge over the division. The Appellate Division presides over misdemeanor criminal appeals, and limited civil appeals.

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

I estimate that I have presided over approximately 90 cases that have gone to verdict or judgment, in addition to presiding over thousands of hearings.

i. Of these cases, approximately what percent were:

| | |
|---------------|-----|
| jury trials: | 70% |
| bench trials: | 30% |

ii. Of these cases, approximately what percent were:

| | |
|-----------------------|-----|
| civil proceedings: | 95% |
| criminal proceedings: | 5% |

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

I am not aware of any written opinions written by me that have citations or are listed on Westlaw or Lexis. As a Superior Court Judge, I do not author published opinions. My decisions are typically recorded by the courtroom clerk as minute orders. Minute orders and written decisions are filed in the individual trial court file and are not identifiable by citation other than the case file number. The case files are stored in the Riverside County Superior Court's case management system.

c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (4) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

1. *Springbrook Heritage Alliance v. City of Riverside*, No. RIC1900694
(Riverside Cty. Sup. Ct. Dec. 11, 2020)

The petitioner—a non-profit association that seeks to save natural resources in the Springbrook Arroyo Watershed—filed this California Environmental Quality Act action challenging the City of Riverside's approval of a 308,000 square foot warehouse project without the preparation of an Environmental Impact Report. Prior to the hearing I reviewed the briefing and the voluminous administrative record. At oral argument, I took the matter under submission and ordered additional briefing to address whether the initial environmental study sufficiently addressed cumulative effects of the project as the original briefing did not sufficiently address this. After receiving the additional briefing and hearing oral argument, I found Petitioner did not meet their burden and denied the writ.

Counsel for Petitioner:
Susan Brandt-Hawley

Brandt-Hawley Law Group
P.O. Box 1659
Glen Ellen, CA95442
(707) 938-3900

Counsel for Respondents:

Anthony Beaumon
Office of the City Attorney
3750 University Avenue, Suite 250
Riverside, CA 92501
(951) 826-5567

Counsel for Real Parties:

Andrew Lee
Erik Friess
Allen Matkins et al. LLP
1900 Main Street, Fifth Floor
Irvine, CA 92614
(949) 553-1313

2. *Tchen v. Sup. Ct. of Cal.*, No. APP1900119 (Riverside Cty. Sup. Ct. June 22, 2020) (opinion supplied)

Defendant, a student at the University of California Riverside, was charged with resisting, delaying, or obstructing a peace officer. Defendant filed a request for pretrial mental health diversion and submitted as evidence records from two mental health professionals diagnosing the defendant with depression and anxiety. The trial court denied the request. The defendant filed a writ in the appellate division. As part of a panel of three judges, after oral argument, we found that defendant, based upon the mental health reports submitted to the lower court, met the initial prima facie showing for mental health diversion under California Penal Code section 1001.36, and granted the petition, remanding to the trial court.

Counsel for Petitioner:

Brent F. Romney
Blumenthal Law Offices
3993 Market Street
Riverside, CA 92501
(951) 682-5110

Counsel for Real Party:

Chris Bouffard
Office of the District Attorney
3960 Orange Street
Riverside, CA 92501
(951) 955-5400

3. *People of State of California v. Rutherford*, No. RIC1902577 (Riverside Cty. Sup. Ct. July 26, 2019), *aff'd*, No. E073700, 2020 WL 7640848 (Cal. App. Dec. 23, 2020)

The State of California filed suit against a group of defendants—including litigants, law firms, and attorneys—alleging that they engaged in an unlawful business practice, in violation of California’s unfair competition law, by filing approximately 120 fraudulent lawsuits and falsely accusing Riverside County businesses and individuals of violating the Americans with Disabilities Act (“ADA”) in order to extort monetary settlements. The State sought to enjoin the defendants from filing fraudulent ADA lawsuits in the future, along with civil penalties of over \$1,000,000 for each defendant and full restitution. The defendants moved to dismiss the suit on the grounds that filing the lawsuits was protected activity based upon the First Amendment and the litigation privilege. After briefing and oral argument, I granted the defendants’ motion and dismissed the complaint without leave to amend, concluding that all Defendants were engaged in petitioning activity in a judicial proceeding, which is protected activity under the litigation privilege. The State appealed, but the California Court of Appeal affirmed, holding that the litigation privilege applied to the unfair competition law claim.

Counsel for State:

Timothy Steven Brown
Office of the District Attorney
3960 Orange Street
Riverside, CA 92501
(951) 955-5400

Counsel for Defendants:

Courtney Marie Serrato
Bremer Whyte Brown & O’Meara LLP
20320 Birch Street, Second Floor
Newport Beach, CA 92660
(949) 221-1000

David Jeff Darnell
Drew Harbur
Callahan & Blaine, APLC
3 Hutton Centre Drive, Ninth Floor
Santa Ana, CA 92707
(714) 241-4444

4. *Jurupa Unified Sch. Dist. v. Comm’n on Prof’l Competence*, No. RIC1801174 (Riverside Cty. Sup. Ct. Aug. 29, 2018) (opinion supplied), *aff'd*, No. E071552, 2019 WL 5884706 (Cal. App. Nov. 12, 2019)

In this case, a school district petitioned for a writ of administrative mandate after the Commission on Professional Competence refused to terminate a high-school teacher, whom the district had sought to terminate based on the teacher's inappropriate activities at school and evident unfitness for service. I reviewed the briefing, the administrative record, and held oral argument. After conducting an independent review of the evidence, I found that the District failed to meet its burden to demonstrate that the Commission's decision was contrary to the weight of the evidence and denied the writ. The California Court of Appeal affirmed, finding substantial evidence supported my decision.

Counsel for Petitioner:

Kerrie McNally
Adams Silva & McNally LLP
898 North Sepulveda Boulevard, Suite 825
El Segundo, CA 90245
(424) 383-7082

Counsel for Real Party:

Carlos Perez
Law Offices of Carlos Perez
215 North Marengo Avenue, Third Floor
Pasadena, CA 91101
(626) 657-6350

5. *People of State of California v. Kimsey*, No. APP1700200 (Riverside Cty. Sup. Ct. July 30, 2018) (opinion supplied)

In this case, Mr. Kimsey was arrested for a single count of driving with a blood alcohol level 0.08% or higher. He subsequently pled guilty and the court placed him on probation and imposed various fines and fees. Mr. Kimsey challenged on appeal the imposition of the booking fee without the court conducting an ability to pay hearing. The majority opinion found in interpreting California Government Code Section 29550.2 that an ability to pay hearing was not required. I offered a dissenting opinion finding the statute should be interpreted in a manner that followed the precedent of *People of the State of California v. Pacheco*, 187 Cal. App. 4th 1392 (2010), which held that the booking fee could not be imposed without a finding of an ability to pay. Following the issuance of the opinion, in a subsequent case that raised the same issues, the panel certified *People of the State of California v. Rosales* No. APP1900002 (Riverside Cty. Sup. Ct. Jan. 10, 2019) for transfer to the Court of Appeal, however the Fourth Appellate District, Division Two, declined transfer citing, to *People v. Pacheco* as precedent, following the same reasoning I had expressed in my dissenting opinion in *Kimsey*.

Counsel for Appellant:

Frederick A. Hurst

P.O. Box 620362
Las Vegas, NV 89162
(818) 400-0891

Counsel for Respondent:

Kevin D. Miller
Office of the District Attorney
82995 U.S. Highway 111, Suite 101
Indio, CA 92201
(951) 922-7130

6. *Home Depot USA, Inc. v. Occupational Safety & Health*, No. RIC1710947 (Riverside Cty. Sup. Ct. Mar. 2, 2018) (opinion supplied), *aff'd*, No. E070417, 2019 WL 2754788 (Cal. App. July 7, 2019)

A Home Depot employee injured her foot after losing control of her electric pellet jack at work. In response to the accident, the California Division of Occupational Health and Safety issued a citation to Home Depot for failing to provide appropriate foot protection and failing to ensure industrial trucks are operated in a safe manner. Home Depot challenged the citations and received a hearing before an administrative law judge (“ALJ”) with the California Occupational Safety and Health Appeals Board (“Board”). The ALJ found the citations to be proper. Home Depot petitioned for reconsideration. The Board upheld the ALJ’s findings. Thereafter, Home Depot filed a petition for a writ of mandate contending that the Board’s findings were not supported by substantial evidence. After reviewing the voluminous administrative record, briefing, and hearing oral argument, I found the Board’s decision was reasonable and supported by substantial evidence and denied the writ. The California Court of Appeal affirmed finding the Board’s decision was reasonable and supported by substantial evidence and that Home Depot did not establish the affirmative defense that their employee knowingly violated a safety rule.

Counsel for Petitioner:

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Counsel for Respondent:

Aaron Riley Jackson

California Division of Occupational Safety and Health Appeals Board
2520 Venture Oaks Way, Suite 300
Sacramento, CA 95833
(916) 274-5751

7. *Cullen v. County of Riverside*, No. RIC1708630 (Riverside Cty. Sup. Ct. Nov. 2, 2017) (opinion supplied), *aff'd*, No. E070636, 2019 WL 2754788 (Cal. App. July 2, 2019)

Mr. Cullen was an Emergency Medical Technician (“EMT”) employed by the County of Riverside. Cullen had been certified as an EMT since January 3, 2000, which was set to expire on December 31, 2017. Following an incident on December 7, 2011, Mr. Cullen pled guilty to misdemeanor driving under the influence and was sentenced to three years of probation, which he completed in March 2015. After Mr. Cullen was convicted of driving under the influence, the County of Riverside, Emergency Management Services Agency (“REMSA”) then filed an Accusation requesting revocation of Cullen’s EMT certification. After a hearing, the administrative law judge (“ALJ”) issued a proposed decision recommending revocation of the EMT certification. However, the newly appointed medical director rejected the ALJ’s proposed decision and instead lessened the level of discipline by staying the revocation and placing Mr. Cullen on three years of probation. Mr. Cullen then failed to comply with the terms of his probation, and a revocation hearing was scheduled before an administrative law judge employed by the Office of Administrative Hearings (“OAH”). At that hearing, Mr. Cullen sought to have his non-attorney union representative appear on his behalf, but the administrative law judge ruled that the non-attorney could not represent Mr. Cullen. Following the hearing, the ALJ revoked Mr. Cullen’s EMT certification. Thereafter, Mr. Cullen filed a petition for writ of administrative mandamus challenging the ALJ’s decision. After reviewing the voluminous administrative record, briefing, and hearing oral argument, I found that Mr. Cullen was not provided a fair trial because the administrative law judge prohibited Mr. Cullen from being represented by his chosen representative and I issued an administrative mandate directing REMSA to conduct a new hearing in accordance with the procedures set forth in the Administrative Procedures Act.

Counsel for Petitioner:

Lina Ona Balciunas Cockrell
Messing Adam & Jasmine LLP
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(916) 446-5297

Counsel for Respondent:

Bruce Fordon
Office of County Counsel
3960 Orange Street, Fifth Floor

Riverside, CA 92501
(951) 955-6300

8. *Alkayali v. Boukhari*, No. RIC1309291 (Riverside Cty. Sup. Ct. Apr. 26, 2016) (opinion supplied), *aff'd*, No. E066230, 2019 WL 1499478 (Cal. App. April 29, 2019)

The plaintiff, a former business partner of the defendant, sued NeoCell Corp. and various individuals, under various theories based on the dissolution of a company, HealthWise Nutraceuticals, Inc., that the group ran together to manufacture dietary supplements sold by NeoCell. According to the plaintiff, he owned 72 percent of HealthWise, but the individual defendants dissolved the company and folded operations into NeoCell without his approval. The defendants claimed HealthWise was a wholly-owned subsidiary of NeoCell and that they acted within their authority. The case involved extensive motion practice, including demurrers, motions to compel, motions for summary judgment and adjudication, and extensive pre-trial motions. Following a fourteen-day jury trial over which I presided, the jury found in favor of the plaintiff. Thereafter, multiple post-trial motions were filed, including a motion for an off-set of the jury's award, a motion for judgment notwithstanding the verdict, a motion to determine the defendant's affirmative defenses, a motion for sanctions, and a motion for a new trial. As to the motion for a new trial and judgment notwithstanding the verdict, I granted in part as to the conversion claim only. Defendant appealed the jury verdict, but the California Court of Appeal affirmed in full.

Counsel for Plaintiff:

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Counsel for Defendants:

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(949) 631-3300

9. *People of State of California v. Robinson*, No. SWF1401557 (Riverside Cty. Sup. Ct. Sept. 24, 2015), *aff'd*, No. E065108, 2017 WL 4275817 (Cal. App.

Sept. 27, 2017)

Mr. Robinson robbed a business owner and employee at gunpoint. While fleeing from law enforcement, Mr. Robinson crashed his car and was severely injured. Mr. Robinson claimed to have suffered amnesia as a result, preventing him from remembering anything about the alleged crimes. Mr. Robinson was charged with two counts of robbery with use of a firearm. Before trial, I ruled on various significant motions, including a *Marsden* hearing by Defendant requesting new counsel be appointed, which I denied. I then presided over a four-day jury trial. The jury convicted Mr. Robinson of all counts, and I sentenced him to a twelve-year prison term. Mr. Robinson appealed on multiple grounds: 1) it was error to deny his request during trial to suspend the proceedings and order a competency evaluation; 2) it was an abuse of discretion to deny his *Marsden* request for a new attorney; and 3) it was error to deny his request to give a jury instruction on unconsciousness and his amnesia deprived him of his due process rights to effective assistance of counsel and a fair trial. The California Court of Appeal affirmed my judgment in full, concluding there was no abuse of discretion or error in any of my decisions. Thereafter, the California Supreme Court denied review.

Counsel for State:

Allison Pace
Office of the District Attorney
30755-D Auld Road, Suite 3221
Murrieta, CA 92563
(951) 304-5400

Counsel for Defendant:

John Borrego (formerly with County of Riverside Public Defender's Office)
(retired)

10. *Bledsoe v. Monster Beverage*, No. RIC1412551 (Riverside Cty. Sup. Ct. Dec. 23, 2014), *aff'd*, No. E072569, 2021 WL 1134834 (Cal. App. March, 25, 2021)

After suffering a cardiac arrest which caused permanent brain damage, Plaintiff filed a lawsuit against Monster Beverage Corp. alleging consumption of the energy drink caused his injuries. I was assigned the matter for trial. The parties filed extensive pre-trial motions addressing matters such as expert witnesses and the preclusion of evidence. After ruling on all motions, I sua sponte asked the parties to address whether the trial should be bifurcated to litigate the issue of causation separate from the issue of damages. After giving the parties an opportunity to be heard on the issue of bifurcation, I ordered the trial bifurcated and the issue of causation to be tried first. I also excluded several experts from relying on several pieces of evidence. The jury trial spanned fifteen days and resulted in a defense verdict. Following the verdict, the Plaintiff filed a motion for a new trial based upon the decision I made to bifurcate and exclude expert

testimony prior to trial. After reviewing the briefing and conducting oral argument, I denied the motion. The Plaintiff appealed and the California Court of Appeal affirmed in full, concluding there was no abuse of discretion or error in any of my decisions.

Counsel for Plaintiff:

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David Burrage
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Counsel for Defendant:

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(949) 475-1500

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

1. *People of State of California v. Superior Court*, No. APRI2100008 (Riverside Cty. Sup. Ct. July 27, 2021) (opinion supplied)

Counsel for Petitioner:

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Counsel for Real Party:

Jason Cox
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Indio, CA 92201

(760) 863-8908

2. *Tchen v. Superior Court of California*, No. APP1900119 (Riverside Cty. Sup. Ct. June 22, 2020) (opinion supplied in response to Question 13c)

Counsel for Petitioner:

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(951) 682-5110

Counsel for Real Party:

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3. *Jurupa Unified Sch. Dist. v. Comm'n on Prof'l Competence*, No. RIC1801174 (Riverside Cty. Sup. Ct. Aug. 29, 2018) (opinion supplied in response to Question 13c), *aff'd*, No. E071552, 2019 WL 5884706 (Cal. App. Nov. 12, 2019)

Counsel for Petitioner:

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Counsel for Real Party:

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4. *People of State of California v. Kimsey*, No. APP1700200 (Riverside Cty. Sup. Ct. July 30, 2018) (opinion supplied in response to Question 13c)

Counsel for Appellant:

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Counsel for Respondent:

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5. *Home Depot USA, Inc. v. Occupational Safety & Health*, No. APP1700200 (Riverside Cty. Sup. Ct. March 2, 2018) (opinion supplied in response to Question 13c)

Counsel for Petitioner:

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Counsel for Respondent:

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(916) 274-5751

6. *Cullen v. County of Riverside*, No. RIC1708630 (Riverside Cty. Sup. Ct. Nov. 2, 2017) (opinion supplied in response to Question 13c), *aff'd*, No. E070636, 2019 WL 2754788 (Cal. App. July 2, 2019)

Counsel for Petitioner:

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Counsel for Respondent:

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7. *Webb v. City of Riverside*, No. RIC1605106 (Riverside Cty. Sup. Ct. Mar. 27, 2017) (opinion supplied), *aff'd*, 23 Cal. App. 5th 244 (2018)

Counsel for Plaintiff:

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Counsel for Defendant:

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8. *Lopez v. County of Riverside*, No. RIC1616022 (Riverside Cty. Sup. Ct. Dec. 6, 2016) (opinion supplied)

Counsel for Petitioner:

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Counsel for Respondent:

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9. *Alkayali v. Boukhari*, No. RIC1309291 (Riverside Cty. Sup. Ct. Apr. 26, 2016) (opinion supplied in response to Question 13c), *aff'd*, No. E066230, 2019 WL 1499478 (Cal. App. April 29, 2019)

Counsel for Plaintiff:

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Counsel for Defendants:

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10. *Ore. Mut. Ins. Co. v. Prudential Overall Supply*, No. RIC1110561 (Riverside Cty. Sup. Ct. July 3, 2014) (opinion supplied)

Counsel for Plaintiff:

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(818) 888-0820

Counsel for Defendant:

Kyle Smith
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(949) 375-3077

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

I have searched electronic databases to determine whether certiorari was requested or granted in any of my cases. I did not find any 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.

I reviewed my files and legal databases, and identified the below cases in which I was reversed by the California Court of Appeal.

Jaimes v. Dourbetas, No. RIC1704394 (Riverside Cty. Sup. Ct. Mar. 21, 2019) (opinion supplied), *rev'd*, No. E072908, 2021 WL 1812575 (Cal. App. May 6, 2020). In this case, the plaintiff alleged breach of contract, breach of the covenant of good faith and fair dealing, quiet title, and declaratory relief. During

a bench trial, I concluded that the plaintiff's complaint was founded on an illegal contract to purchase real property, in furtherance of an illegal short sale scheme. Based upon the same I granted a request for dismissal midtrial. The plaintiff appealed. The California Court of Appeal concluded that I did not err in finding the 2016 agreement illegal, but that I abused my discretion in prematurely terminating the trial without determining whether the plaintiff was entitled to equitable relief. The matter was remanded and is set for a bench trial on the issue of equitable relief.

Mosley v. Pac. Specialty Ins. Co., No. RIC1615549 (Riverside Cty. Sup. Ct. July 19, 2018) (opinion supplied), *rev'd*, 49 Cal. App. 5th 417 (May 26, 2020). The plaintiffs, Mr. and Ms. Mosley, rented out a home that they owned that was insured by defendant Pacific Specialty Insurance Company ("PSIC") under a homeowners' policy. The Mosleys' tenant started growing marijuana in the property. To support his marijuana-growing operation, the tenant re-routed the property's electrical system to steal power from a main utility line, which started a fire that damaged the property. The Mosleys sought coverage from PSIC, but it denied coverage, citing a provision in the policy that excluded any loss associated with "[t]he growing of plants" or the "manufacture, production, operation or processing of . . . plant materials." The Mosleys sued PSIC for denying coverage. I granted summary judgment in PSIC's favor, concluding that PSIC properly denied coverage because the Mosleys had control over their tenant's conduct. The Mosleys appealed. On appeal, the California Court of Appeal affirmed my grant of summary judgment on the Mosleys' cause of action for breach of the implied covenant of good faith and fair dealing and my denial of the Mosleys' motion for summary adjudication on the issue of whether PSIC properly denied coverage. The Court of Appeal, however, reversed my granting of summary judgment for PSIC on the Mosleys' cause of action for breach of contract finding, as a matter of first impression, an insured increases a hazard "within its control" under standard form fire insurance policy only if the insured is aware of the hazard or reasonably could have discovered it through exercising ordinary care or diligence. As such there was a genuine issue of material fact as to whether the marijuana grow operation was "within the control" of the landlords within meaning of standard fire insurance policy. The matter was remanded and the case settled.

Coon v. Ford Motor Co., No. MCC1300767 (Riverside Cty. Sup. Ct. Mar. 26, 2018), *rev'd*, No. E069775, 2018 WL 1313101 (Cal. App. March 18, 2018). The case involved allegations of a products defect of an allegedly faulty diesel engine in a Ford F-350 pickup. Counsel for Ford filed a summary motion to recuse me from hearing the case. In a summary order, I denied the request on the ground that it was untimely due to the request being made after the assignment came from the master calendar and after I held pre-trial discussions including reviewing voluminous pre-trial motions. The California Court of Appeals disagreed, granting a writ finding the motion was timely. The matter was remanded and reassigned to another judge.

Lopez v. Nurick, No. RIC1409338 (Riverside Cty. Sup. Ct. Sept. 20, 2016) (opinion supplied), *rev'd*, No. E067324, 2018 WL 2112147 (Cal. App. May 8, 2018). In this medical malpractice case, the plaintiff Mr. Lopez alleged that Dr. Lara and Dr. Nurick failed to diagnose and treat his steal syndrome which resulted in the loss of the use of his three fingers and continued pain and suffering. I granted summary judgment for the defendants, concluding that they had introduced expert testimony that Dr. Nurick was not negligent, and that the testimony of Mr. Lopez's experts that Dr. Nurick was negligent was not sufficiently supported by the medical records. Plaintiff Lopez appealed. The California Court of Appeal largely affirmed, except that it held there was a triable issue of fact as to whether the defendants were vicariously liable for Dr. Lara's negligence. The matter was remanded and the case settled.

Coyle v. Historic Mission Inn Corp., No. RIC1409402 (Riverside Cty. Sup. Ct. Apr. 20, 2016) (opinion supplied), *rev'd*, 24 Cal. App. 5th 627 (June 15, 2018). In this case, the plaintiff, Ms. Coyle, sued defendant Mission Inn for negligence and premises liability after she was bit by a spider while dining at the Inn's outside patio. I granted the Inn's motion for summary judgment, concluding that Ms. Coyle failed to establish that the Inn failed to exercise reasonable care to protect her from potential insect bites. Ms. Coyle appealed, and the California Court of Appeal reversed, concluding that the Inn did owe Ms. Coyle such a duty and failed to demonstrate reasonable care. The matter was remanded and assigned to a different judge for trial. A jury trial was conducted, and the jury found in favor of the defendant that the Inn was not negligent in the use and maintenance of the property.

Torricellas v. Burkhardt, No. RIC1509979 (Riverside Cty. Sup. Ct. Mar. 18, 2016), *rev'd*, No. E065723, 2016 WL 3353755, (Cal. App. June 10, 2016). In this case, a self-represented litigant filed a motion seeking the court's recusal, alleging that two judges, including myself, were biased against her. In response, I filed an order striking the statement of disqualification, as there was no basis alleged for my disqualification. I did not write an opinion. The California Court of Appeal reversed, concluding that my motion to strike was untimely as it was not filed within ten days of the petitioners' filing of her statement of disqualification. The Court of Appeal did not reach the merits of the request for recusal. The matter was remanded and reassigned to another judge.

JohnRe Care, LLC v. Sicat, No. RIC1509818 (Riverside Cty. Sup. Ct. Nov. 16, 2015) (opinion supplied), *rev'd*, No. E065191, 2017 WL 6276550 (Cal. App. Dec. 12, 2017). Mr. Brain—a minority owner of plaintiffs JohnRe Care, LLC, and JohnRe Management, LLC—brought a derivative action on behalf of the two companies alleging that defendants Mr. Sicat and Ms. Sicat—who jointly owned 75 percent of both companies—had mismanaged their business operations. The Sicats filed an anti-SLAPP motion, arguing that the suit was an effort to interfere with their right of petition in an unrelated suit brought by Mr. Brain for

involuntary dissolution of JohnRe Care and JohnRe Management. I granted the Sicats' anti-SLAPP motion, concluding the suit was an effort to interfere with their right of petition in an unrelated suit brought by Brain for involuntary dissolution of JohnRe Care and JohnRe Management. The California Court of Appeal reversed, holding that the suit did not arise from the Sicats' right to petition within the meaning of California's anti-SLAPP statute. The matter was remanded and the case settled.

De La Rosa v. Nelson, No. RIC1504201 (Riverside Cty. Sup. Ct. Sept. 22, 2015) (opinion supplied), *rev'd*, No. E064871, 2017 WL 2953690 (Cal. App. July 11, 2017). The complaint alleged the defendants breached a settlement agreement and fraudulently stole money from them in business dealings. The defendants filed a demurrer arguing that all causes of action were barred by relevant statutes of limitations. I sustained the demurrer without leave to amend finding, in the absence of a continuing or recurring breach of any continuing or recurring obligation, the causes of actions were time-barred. The California Court of Appeal reversed, finding the matter was timely filed. Upon remand, the case settled.

Cent. Pac. Bank v. Pony Exp., RIC527384 (Riverside Cty. Sup. Ct. June 4, 2015), *rev'd*, No. D069652, 2016 WL 3530991 (Cal. App. June 21, 2016). Plaintiff Continental East Fund IV, LLC ("Continental") obtained a judgment against defendant Mr. Crockett and a co-defendant for the amount of \$4,157,480.90. In proceedings to enforce the judgment, I issued a "turnover order" requiring Merrill Lynch to transfer to Continental's counsel all of the funds (approximately \$3,900,000) held in a Merrill Lynch account owned by Mr. Crockett. I did not write an opinion. Bank of America claimed it held a perfected first priority security interest in approximately \$3,087,000 of the funds in the account under a loan agreement. Merrill Lynch and Bank of America accordingly appealed the turnover order. The California Court of Appeal reversed, concluding that Bank of America deserved a right to be heard prior to the turnover order. The matter was remanded and the case settled.

Crawn v. Gonzalez, No. RIC1200606 (Riverside Cty. Sup. Ct. Feb. 20, 2015), *rev'd*, No. E064564, 2017 WL 2180485 (Cal. App. May 18, 2017). This case involved a personal injury action stemming from an automobile accident. After several hearings and attempts to move the case forward, I issued an order that the plaintiff show cause why the matter should not be dismissed for failure to prosecute. I also ordered the plaintiff's attorney to file a declaration by a certain date and to personally appear at the order to show cause hearing. Plaintiff's counsel did not take either action, so I dismissed the case. I did not write an opinion. The California Court of Appeal reversed, concluding the late filing and failure to personally appear did not warrant a dismissal. Thereafter, the case was remanded and settled.

Pinto v. Orcutt, No. RIC1309053 (Riverside Cty. Sup. Ct. July 23, 2014), *rev'd*,

No. E061844, 2014 WL 6806800 (Cal. App. Dec. 2, 2014). In this car accident case involving a driving under the influence incident, I ordered the defendant to respond to several requests for interrogatories, including a form interrogatory that asked her to “state how the incident occurred.” I did not write an opinion. The California Court of Appeal granted the defendant’s petition for writ of mandate in part, finding that the challenged interrogatory touched upon her Fifth Amendment rights and so she was entitled not to answer.

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

As a Superior Court Judge, I have issued approximately 150 opinions, all of which are unpublished. My decisions are stored in the Riverside County Superior Court’s case management system.

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

Given the nature of the Riverside County Superior Court docket, I have not had occasion to draft any significant opinions on federal or state constitutional issues.

- 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 any 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.

California Code of Civil Procedure (“CCP”) § 170.6 allows for any party or attorney to an action to file a peremptory challenge against a judicial officer. No showing of actual bias is required under CCP § 170.6. Recusal under CCP § 170.6 is mandatory if the movant meets the procedural standards set forth under that section. I denied such requests in the following two cases based on the movants’ failure to satisfy the procedural requirements.

Coon v. Ford Motor Co., No. MCC1300767 (Riverside Cty. Sup. Ct. Mar. 26, 2018), *rev’d*, No. E069775, 2018 WL 1313101 (Cal. App. March 18, 2018). The case, including five consolidated cases, involved allegations of a products defect of an allegedly faulty diesel engine in a Ford F-350 pickup. Counsel for Ford filed a summary motion to recuse me from hearing the case. In a summary order, I denied the request on the ground that it was untimely due to the request being made after the assignment came from the master calendar and after I held pre-trial discussions including reviewing voluminous pre-trial motions. The California Court of Appeals disagreed, granting a writ finding the motion was timely. The matter was remanded and reassigned to another judge.

Torricellas v. Burkhardt, No. RIC1509979 (Riverside Cty. Sup. Ct. Mar. 18, 2016), *rev’d*, No. E065723, 2016 WL 3353755, (Cal. App. June 10, 2016). In this case, a self-represented litigant filed a motion seeking the court’s recusal, alleging that two judges, including myself, were biased against her. In response, I filed an order striking the statement of disqualification, as there was no basis alleged for my disqualification. I did not write an opinion. The California Court of Appeal reversed, concluding that my motion to strike was untimely as it was not filed within ten days of the petitioners’ filing of her statement of disqualification. The Court of Appeal did not reach the merits of the request for recusal. The matter was remanded and reassigned to another judge.

A different section of the CCP, § 170.1, governs challenges for cause. To the best of my knowledge, no party has asked me to recuse myself for cause pursuant to CCP § 170.1. Based on my recollection, I have, however, *sua sponte* recused myself pursuant to CCP § 170.1 in two types of circumstances. First, pursuant to CCP § 170.1(a)(9)(A), I recused myself for a period of six years after my election in 2014 in a handful of cases where a party or attorney in the proceeding had donated more than a certain amount to my campaign. Second, under CCP § 170.1(a)(2)(A), I recused myself in a few matters filed by County Counsel where I had helped draft complaints on identical issues as a government lawyer prior to my becoming a judge. I am unable to recall or identify the names or docket numbers for these cases.

15. Public Office, Political Activities and Affiliations:

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

elective office or unsuccessful nominations for appointed office.

I have not held public office other than judicial 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.

With the exception of my own 2014 retention election, I have not held any position or played any role in any political campaign, nor have I held office in or rendered services to any political party or election committee.

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 have never served as a clerk to a judge.

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

I have not practiced alone.

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

2001 – 2003
California Indian Legal Services
117 J Street, Suite 201
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Staff Attorney (2001 – 2003)

2003 – 2005
Juvenile Defense Panel
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Contract Attorney

2005 – 2013
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2013 – present
Superior Court of Riverside County
4050 Main Street
Riverside, California 92501
Superior Court Judge

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

I have not served as a mediator or arbitrator.

b. Describe:

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

Throughout my career as a lawyer, my practice focused on legal services, juvenile dependency, and civil litigation.

After graduating from law school in 2001, I received a two-year post-graduate fellowship from Equal Justice Works to work at California Indian Legal Services addressing domestic violence issues in rural and urban Native communities. I worked with American Indian Tribes and tribal organizations to help create community solutions to domestic violence. I also provided direct representation to American Indian domestic violence victims in obtaining restraining orders. Additionally, I managed a large caseload of Indian Child Welfare Act (“ICWA”) cases in which I represented numerous tribes in juvenile dependency cases throughout California. Further, I represented American Indian Tribes regarding Federal Tribal Recognition, the development of Tribal Courts, the preservation of cultural resources, and various general counsel issues such as drafting contracts, leases, ordinances, tribal resolutions, and memoranda of understanding.

In 2003, I moved to Riverside, California and became a contract attorney for the Juvenile Defense Panel. In that role, I managed a caseload of over 250 matters, providing direct representation to parents and minors in juvenile dependency and juvenile delinquency cases. I specialized in cases involving the ICWA. Given that experience, I also served as an advisor to other panel members and the court on ICWA-related issues.

In 2005, I was hired by the County of Riverside, Office of County Counsel. As a Deputy County Counsel, I continued my juvenile dependency practice, representing the Department of Public Social Services (“DPSS”) on matters concerning abused or neglected children. I managed a daily court calendar of between five to twelve cases. I also conducted multi-day, trial-like hearings, which included direct and cross-examination of witnesses, presentation of evidence, and oral argument. In addition, I filed all sorts of motions and briefs. Further, I conducted numerous trainings on the ICWA for attorneys, judges, and social workers throughout California. And I participated in the Riverside County Tribal Alliance, a group that seeks to minimize state intervention in child welfare matters and increase tribal participation and control by developing culturally appropriate services for American Indian children and families.

In 2011, after six years in the Office of County Counsel’s juvenile dependency practice, I moved to a newly formed civil litigation unit. There, I had a variety of assignments, including enforcing subdivision bonds and agreements; assessing risk management cases; representing DPSS in recovery actions and Public Records Act requests; and handling bail bond enforcement actions in the Riverside County Superior Court. I also continued conducting trainings on ICWA-related issues and participating in the Riverside County Tribal Alliance.

Since 2013, I have served as a Superior Court Judge on the Riverside County Superior Court.

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

At California Indian Legal Services, I represented individuals and Tribes. At the Juvenile Defense Panel, I represented individuals and specialized in juvenile dependency and the Indian Child Welfare Act. At the County Counsel’s Office, I represented governmental agencies, including the Department of Public Social Services, and specialized in juvenile dependency and the Indian Child Welfare Act.

- 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.

Prior to becoming a California Superior Court Judge, I was an experienced litigator at the trial level. As a juvenile dependency attorney and Deputy County Counsel, the entirety of my practice was in litigation, and I appeared in court every day of the week handling daily hearings, motion practice, and trials.

i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|------|
| 1. federal courts: | 0% |
| 2. state courts of record: | 100% |
| 3. other courts: | 0% |
| 4. administrative agencies: | 0% |

ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 98% |
| 2. criminal proceedings: | 2% |

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

As a juvenile dependency attorney and Deputy County Counsel, I handled hundreds of cases to final disposition. At least 25 percent of those cases reached final disposition through a contested bench trial. I was sole counsel in all of these matters.

i. What percentage of these trials were:

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

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:

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

principal counsel for each of the other parties.

Although I worked on hundreds of litigation matters during my time as a juvenile dependency attorney and as a Deputy County Counsel for the County of Riverside, I no longer have records of the matters upon which I worked. In addition, all juvenile dependency cases are confidential and cannot be released absent court order. As to those cases, I was only able to obtain and recall the limited case information as provided below.

1. *County of Riverside v. LB/L-CHP Providence, LLC*, No. RIC1212928 (Riverside Cty. Sup. Ct. 2012)

The case involved a subdivision improvement agreement and bond enforcement action for breach of contract. I represented the County of Riverside which sought to recover from the developer and the surety the penal sum of the bonds issued to secure the work required under the subdivision improvement agreements. I drafted and filed the complaint in August of 2012. The matter was assigned to Judge Ronald Taylor, but was settled before the first hearing was conducted. I negotiated a settlement agreement with American Motorists Insurance Company to resolve the matter without trial and the case was dismissed in April of 2013. I represented the County of Riverside at all hearings and in all settlement discussions.

Opposing Counsel:

Craig E. Guenther
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2. *County of Riverside v. WL Homes, LLC*, Nos. RIC 1116900, RIC1203106 & RIC1203721 (Riverside Cty. Sup. Ct. 2011) (Thatcher, Taylor & Holmes, JJ.)

These cases involved subdivision improvement agreements and bond enforcement actions for breach of contract. Collectively the amount at issue was more than six million dollars. I represented the County of Riverside which sought to recover from the developer and the surety the penal sum of the bonds issued to secure the work required under the subdivision improvement agreements. I drafted and filed the complaint in 2011. The matters were heard before Judge Pamela Thatcher, Judge Ronald Taylor, and Judge Dallas Holmes. Over the next two years, I litigated the cases, propounding discovery, appearing at status conferences, and at the same time working with opposing counsel to try to resolve the cases. I was able to successfully negotiate a settlement agreement with Arch Insurance Company to resolve all matters without trial and the cases were dismissed in 2013. I represented the County of Riverside at all hearings and in all settlement discussions.

Opposing Counsel:

John Immordino

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(213) 443-5100.

3. *Hollingsworth v. City of Riverside*, No. RIC1105349 (Riverside Cty. Sup. Ct. 2011)
(Ottolia, J.)

The case involved a Government Tort claim of premises liability against the City of Riverside. I represented the County of Riverside between 2011 and 2013. The County of Riverside was not named in the original complaint and was later added as a Doe amendment. At the time the County was added the statute of limitations had lapsed. Counsel for the Plaintiff claimed clerical error. I drafted, filed, and argued a demurrer to the complaint arguing that the statute of limitations had lapsed. The Court agreed and sustained the County's Demurrer without leave to amend, finding the statute of limitations issue could not be cured. The matter was dismissed.

Opposing Counsel:

Eric Panitz
Panitz Law Group APC
18000 Studebaker Road, Suite 575
Cerritos, CA 90703
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4. *In re V.R. Minor*, No. RIJ119962 (Riverside Juv. Ct. 2010) (Perantoni, J.)

The case involved an eleven-year old child who gave birth to a little girl. There were several contested issues throughout the case: whether the baby could be safely maintained with the minor mother; whether the minor mother would benefit from reunification services; whether the minor mother should receive additional reunification services; whether parental rights should be terminated to the minor mother. I represented the Department of Public Social Services between 2010 and 2012 and advocated that the minor mother should continue to receive reunification services as she had participated in services and wanted to maintain a relationship with her child. At a contested six-month review hearing, I presented evidence, cross-examined witnesses, and provided a closing statement. The Court terminated reunification services to the minor mother against the recommendation by all parties to continue services. A Writ of Mandate was filed by the minor mother in the California Court of Appeal, No. E053164, 2011 WL 2157780 (Cal. App. June 2, 2011), and the decision of the Court was upheld denying the minor mother reunification services.

Minor's Counsel:

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Mother's Counsel:

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Father's Counsel:

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Guardian Ad Litem:

Bruce Williams
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5. *In re T.B. Minor*, No. RIJ118943 (Riverside Juv. Ct. 2009) (Perantoni, J.)

The case involved the murder of the minor's mother and brother by the father. The murder occurred while the minor was in the home. The father sought reunification services and placement of the minor with his family. I represented the Department of Public Social Services from 2009 to 2011 and advocated on their behalf that it was not in the best interest of the minor to provide reunification services for the father. At the contested jurisdictional hearings, the Contested Dispositional hearing, and the Contested Selection and Implementation hearing I presented evidence, cross-examined witnesses, and provided a closing statement. These hearings spanned multiple days, after which the court agreed that reunification services for the father were not in the best interest of the minor and subsequently terminated parental rights.

Minor's Counsel:

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Father's Counsel:

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6. *In re AFW Minor*, No. RIJ100392 (Riverside Juv. Ct. 2008) (Fernandez, J.).

This case involved a dispute about the placement of a minor child between two sets of “de facto parents” and the potential termination of parental rights. From 2008 to 2010, I served as sole counsel for the Department of Public Social Services (“DPSS”), which sought to terminate parental rights and maintain the child’s current placement in order to serve the child’s best interest. In that capacity, I handled a contested review hearing, a contested de facto parent hearing, a contested placement hearing, a contested change of circumstance hearing, and a contested termination of parental rights hearing. During the five-day contested change of circumstance and contested termination of parental rights bench trial, I presented evidence, cross-examined witnesses, and provided a closing statement. Thereafter, the trial court followed DPSS’s recommendation—terminating parental rights and maintaining the child’s current placement. The child’s mother appealed the termination of parental rights. The California Court of Appeal affirmed. No. E048674, 2010 WL 1360986 (Cal. App. April 7, 2010).

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Father’s Counsel:

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De Facto Parent #1 Counsel:

William Sullivan
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De Facto Parent #2 Counsel:

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7. *County of Riverside v. Cap. Pac. Holdings, LLC*, No. RIC1114214 (Riverside Cty.

Sup. Ct. 2008) (Trask, J.)

The case involved a subdivision improvement agreement and bond enforcement action for breach of contract. The amount at issue was more than a million dollars. I represented the County of Riverside, which sought to recover from the developer and the surety the penal sum of the bonds issued to secure the work required under the subdivision improvement agreements. I drafted and filed the complaint in August of 2011. The matter was heard before Judge Gloria Conner Trask. Over the next two years, I litigated the case, propounding discovery, appearing at status conferences, and at the same time working with opposing counsel to try to resolve the case. In 2013, I negotiated a settlement agreement with American Motorists Insurance Company to resolve the matter without trial and the case was dismissed. I represented the County of Riverside at all hearings and in all settlement discussions.

Opposing Counsel:

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8. *In re Evans Minors*, No. RIJ112811 (Riverside Juv. Ct. 2008) (Perantoni, J.)

The case involved whether the parental relationship exception and the sibling relationship exception found in California Welfare and Institutions Code Section 366.26 applied to prevent the termination of parental rights to one sibling and the issuance of a legal guardianship as to the other. The matter was contested by the parents. The 10-year-old minor testified at trial that although she loved her mother, she understood what adoption meant and wanted to be adopted despite her relationship with her mother and her sibling. I represented the Department of Public Social Services between 2008 and 2010 at all hearings, including a contested removal hearing and a contested termination of rights hearing. At each contested hearing I presented evidence, cross-examined witnesses, and provided closing arguments. Each of the contested hearings spanned two-days. After each hearing the Court followed the Department's recommendations which culminated in termination of reunification services and termination of parental rights to the 10-year-old minor. The matter was appealed to the California Court of Appeal, No. E050727, 2011 WL 62823 (Cal. App. Jan. 10, 2011), and the decision of the Court was upheld.

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Father's Counsel:

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9. *In re Jobe Minors*, No. RIJ111574 (Riverside Juv. Ct. 2008) (Fernandez, J.)

From 2008 to 2010, I served as sole counsel for the Department of Public Social Services ("DPSS") in this matter. On June 25, 2009, a Contested Hearing was held in regards to the caretakers of the minors obtaining De Facto Parent status. On September 30, 2009, a Contested Request to Change a Court Order (JV-180) hearing was conducted. On October 26, 2009, the Contested Selection and Implementation hearing was conducted. The case involved removal of the minors from the home of their caretaker due to neglect and whether or not a Welfare and Institutions Code Section 387 Petition needed to be filed. It also involved a dispute as to placement of the minors in a non-relative home and whether those caretakers could be designated as De Facto parents. The parents also disputed termination of their parental rights. I represented the Department of Public Social Services at each stage of the proceedings advocating that the court follow the social worker's recommendations as being in the best interest of the children. During the several-day contested change of circumstance and contested termination of parental rights bench trial, I presented evidence, cross-examined witnesses, and provided a closing statement. The court ultimately followed the recommendation of the social worker and terminated parental rights.

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

In addition to the significant litigation and judicial experience described above, I have consistently engaged in other legal and community work throughout my legal career.

During my Equal Justice Works fellowship at California Indian Legal Services, I spent a significant amount of my time working with American Indian tribes, tribal organizations, and non-Indian domestic violence service providers to help create community solutions to domestic violence in both rural and urban American Indian communities. I also spent a significant amount of time providing training on the Indian Child Welfare Act to social workers, attorneys, and judges throughout the State of California. These efforts have extended throughout my career as an attorney and as a judge.

Since May 2012, I have served on the California Judicial Council's Tribal Court/State Court Forum, an advisory committee of tribal and state court stakeholders that seeks to address areas of mutual importance to tribal and state court justice systems. As a member of the Forum, I participate in discussions regarding issues facing tribal and state courts, provide training on the Indian Child Welfare Act, and have helped foster working relationships between tribal and state courts in California. I am also the Co-Chair of our local Riverside County Tribal Alliance, a group dedicated to increasing communication and understanding between the courts and Tribal communities in serving Native American children and families. I have been a member of the committee since 2006, and currently as a Co-Chair help organize and plan our quarterly meetings.

Additionally, I am currently working with tribal judges to develop a Tribal Youth Court that will serve tribal youth who are charged with misdemeanor crimes or simple infractions. Riverside County's Youth Court—through which offenders are tried by a jury of their peers and given rehabilitative opportunities—has been extremely successful. We hope to create an analogous Tribal Youth Court that will perform a similar function, while ensuring that tribal youth are held accountable according to tribal cultural values and enabled to participate in community service that directly benefits their tribe.

Since 2018, I have also devoted a substantial amount of time to the court's Personnel Committee. In that capacity, I have reviewed hundreds of court commissioner applications and conducted numerous interviews. Also since 2018, I have been part of the Judicial Selection Advisory Committee for the Inland Empire. In that capacity I have reviewed numerous judicial applications for the California courts and conducted extensive vetting that concluded in writing multiple reports.

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

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

None.

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.

None.

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.

None.

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

I am not aware of any family member or other person, party, category of

litigation, or financial arrangement that is likely to present a potential conflict of interest if I am confirmed.

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

If confirmed, I will resolve any potential conflict of interest by adhering to the Code of Conduct for United States Judges, 28 U.S.C. § 455, and any and all relevant laws, canons, and rules. I will also utilize the district court's automated conflict checking system. And in cases where any uncertainty exists, I would err on the side of recusal.

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

As a California Superior Court Judge and formerly as a Deputy County Counsel, I have been restricted in my ability to represent individual clients in a pro bono or any other capacity. Nevertheless, I regularly contribute my time to public interest activities of other types. For instance, I devote a substantial portion of my time to speaking at schools, opening up my courtroom to youth, and mentoring high school and college students, including one who has been integral to my efforts to establish the Tribal Youth Court. Moreover, my entire legal career prior to becoming a judge was devoted to public interest law. Further, during law school, I volunteered at the East Palo Alto Law Clinic, where I provided various legal services to victims of domestic violence.

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.

I submitted an application for the United States District Court for the Central District of California to Senator Dianne Feinstein on January 31, 2021, and to Senator Alex Padilla on February 23, 2021. On April 22, 2021, I interviewed with Senator Padilla's Committee. On April 29, 2021, I interviewed with Senator Feinstein's Committee. On May 4 and May 28, 2021, I interviewed with staff from Senator Padilla's office. On June 24, 2021, I interviewed with Senator

Padilla. On June 28, 2021, I interviewed with Senator Feinstein's Statewide Chair. On September 13, 2021, I interviewed with attorneys from the White House Counsel's Office. Since that date, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On December 15, 2021, my nomination was submitted to the Senate.

- b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.