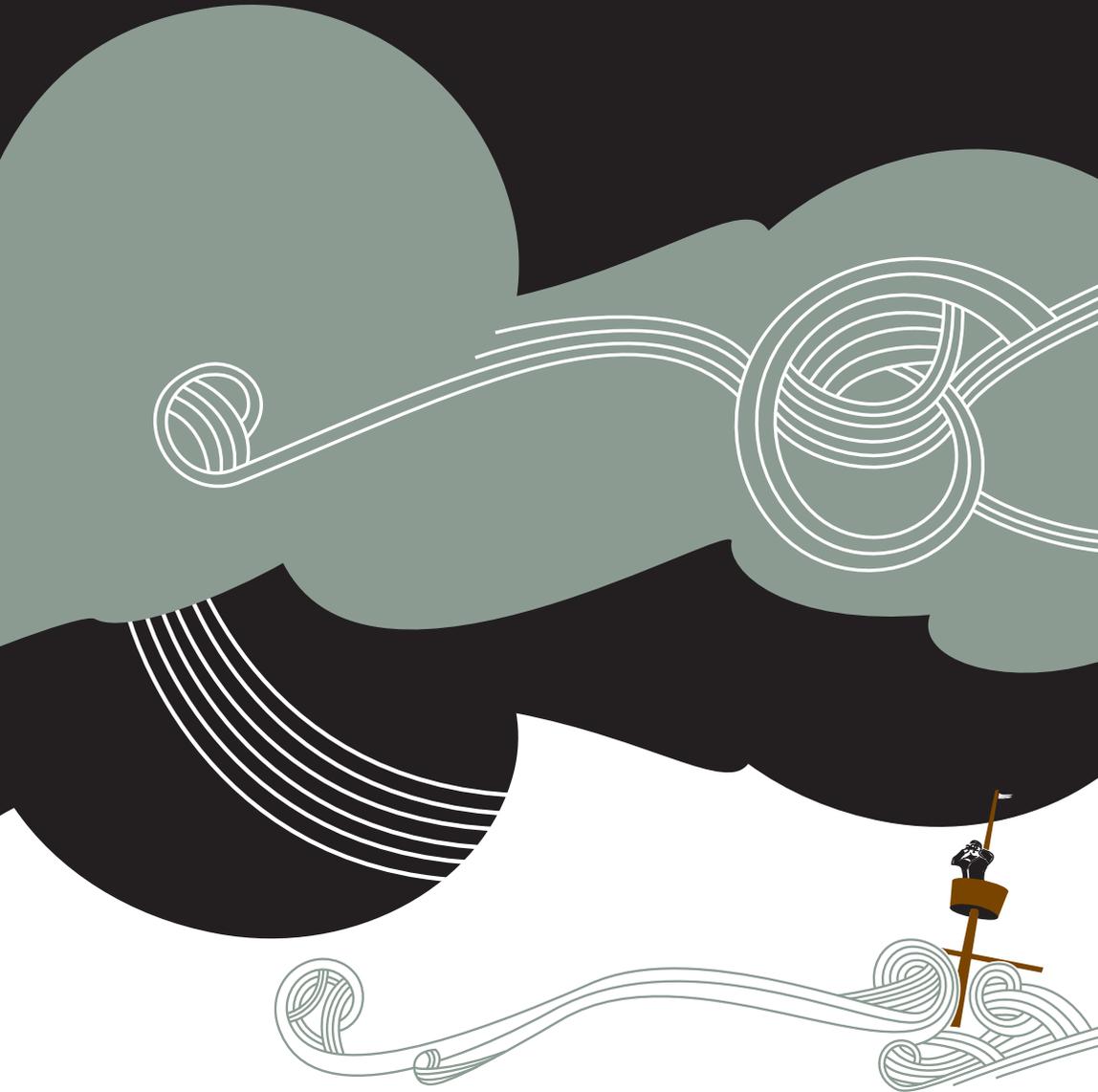


2009 NINTH CIRCUIT JUDICIAL CONFERENCE



Navigating Through Turbulent Times

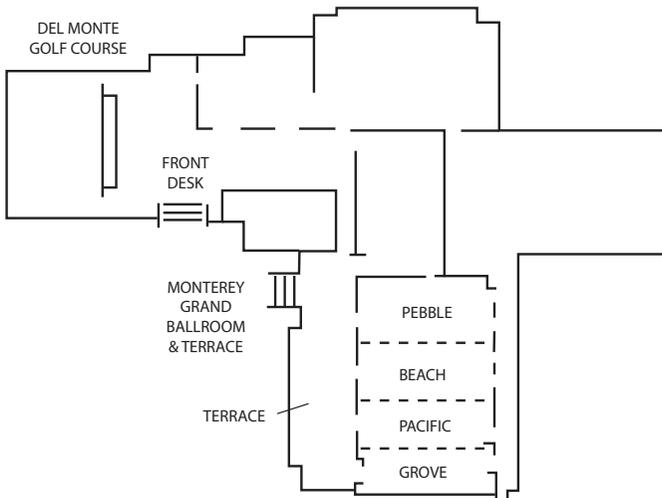
july 20-23, 2009 monterey, california

REGENCY CONFERENCE CENTER



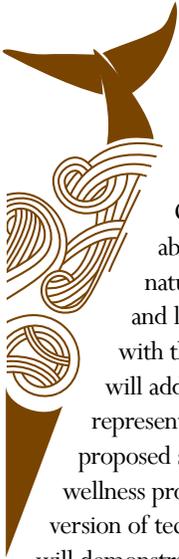
CONFERENCE REGISTRATION is located in the Regency Grand Ballroom foyer.

HOTEL REGISTRATION & Meeting Rooms



Colleagues, Speakers, & Special Guests,

Welcome to the 2009 Ninth Circuit Judicial Conference. We hope the conference acts as a catalyst for you to engage in stimulating discussions, meet new colleagues, renew acquaintances, and learn how the courts are doing throughout the circuit. This is the first time in the history of the circuit that women have served as both conference chair and program chair for the annual conference, and we are delighted to be part of this historic occasion.



The theme of this summer's conference is "Navigating Through Turbulent Times." During the opening session, Judge Michael Hawkins, playing the part of General Ulysses S. Grant and Judge Stephen Trott, playing the part of President Abraham Lincoln will examine a difficult time in our history. Moving to present day issues, the Conference Executive Committee has developed an outstanding program that includes sessions about the current economic crisis and its impact on the courts; the changing nature of journalism and the effects on reporting about the judicial system; and legal issues relating to climate change. Be sure not to miss the Breakfast with the Bench program, where panelists from all branches of the judiciary will address the top problems cited in an extensive survey of the circuit's lawyer representatives. Following the panel, members of the bench and bar will discuss proposed solutions to these problems. Our circuit's tradition of presenting science and wellness programs includes a science program that will examine whether Hollywood's version of technological threats are "Fact or Fiction," and the program on mental fitness will demonstrate that you can exercise your brain, just like you exercise your body, and slow down the aging process. In addition to the general sessions, you are welcome to attend additional programs, including the ever-popular Supreme Court review, a presentation on ethical issues relating to *ex parte* communications, a bankruptcy education program, and a technology awareness and training program.

Guests accompanying conference members are encouraged to attend the general sessions and avail themselves of the hospitality room. Optional activities may also be available by inquiring at the Conference Registration Desk. We hope that everyone will attend the opening night festivities and see the first-ever Ninth Circuit Talent Show! Enjoy your district dinners on Tuesday night and take advantage of the opportunity to be the only guests in the nation's #1 aquarium, the Monterey Bay Aquarium, on Wednesday night.

Special thanks to Alex Kozinski, Chief Judge, and the Conference Executive Committee for their hard work and diligence to ensure the success of this conference. We hope your time at the conference will be an enriching and positive experience.

With best wishes,

Kelli L. Sager, Esq.
Chair, Conference Executive Committee

Hon. Irma E. Gonzalez, Chief District Judge, CAS
Program Chair, Conference Executive Committee

Ninth Circuit Judicial Conference Executive Committee



Kelli L. Sager, Esq., Conference Chair, Central District of California
Hon. Irma E. Gonzalez, Program Chair, Chief District Judge, Southern District of California
Hon. Mary M. Schroeder, Circuit Judge, Phoenix
Hon. Milan D. Smith, Jr., Circuit Judge, El Segundo
Hon. N. Randy Smith, Circuit Judge, Pocatello
Hon. Anthony W. Ishii, Chief District Judge, Eastern District of California
Hon. William Alsup, District Judge, Northern District of California
Hon. Susan R. Bolton, District Judge, District of Arizona
Hon. Leslie J. Tchaikovsky, Bankruptcy Judge, Northern District of California
Hon. Leslie E. Kobayashi, Magistrate Judge, District of Hawaii
Cathy A. Catterson, Esq., Circuit and Court of Appeals Executive, San Francisco
Richard H. Weare, Esq., Liaison, District Court Clerk, District of Arizona
Christopher B. Latham, Esq., Chair, LRCC, Southern District of California
Robbin L. Itkin, Esq., Chair-Elect, LRCC, Central District of California
Debora K. Kristensen, Esq., Vice Chair, LRCC, District of Idaho
Gary G. Grimmer, Esq., At-Large Member, District of Hawaii
Wendy Holton, Esq., At-Large Member, District of Montana
Jo Saxe Levy, Esq., At-Large Member, District of Oregon
Lloyd B. Miller, Esq., At-Large Member, District of Alaska
Judith H. Ramseyer, Esq., At-Large Member, Western District of Washington
Leonard B. Simon, Esq., At-Large Member, Southern District of California
Robert T. Torres, Esq., At-Large Member, District of Northern Mariana Islands
Roxanne L. Farra, Esq., Liaison, Ninth Circuit Advisory Board, District of Oregon

2009 NINTH CIRCUIT JUDICIAL CONFERENCE

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General Information

The Purpose of the Conference

The Ninth Circuit Judicial Conference meets annually pursuant to Section 333 of Title 28 of the United States Code:

The chief judge of each circuit may summon biennially, and may summon annually, the circuit, district, magistrate, and bankruptcy judges of the circuit, in active service, to a conference at a time and place that he designates, for the purpose of considering the business of the courts and advising means of improving the administration of justice within such circuit. He may preside at such conference, which shall be known as the Judicial Conference of the circuit. The judges of the District Court of Guam, the District Court of the Virgin Islands, and the District Court of the Northern Mariana Islands may also be summoned biennially, and may be summoned annually, to the conferences of their respective circuits. Every judge summoned may attend.

The court of appeals for each circuit shall provide by its rules for representation and active participation at such conference by members of the bar of such circuit. The Order of the Judicial Council of the Ninth Circuit sets forth three purposes of the conference:

To consider the business of the courts in the Ninth Circuit.

To advise means of improving the administration of justice in the Ninth Circuit.

To assist in implementing decisions made by competent authority as to the administration of the business of the courts in the Ninth Circuit.

The names of the Judicial Council members are listed in the Appendix. All conference members are expected to participate actively in the business of the conference.

Organization of the Conference

The governing body of the conference is the Conference Executive Committee, consisting of elected representatives from each group comprising the conference. The current members are listed in the Appendix.

The Composition of the Conference

The conference is composed of circuit, district, bankruptcy, and magistrate judges of the circuit; circuit, district and bankruptcy court clerks, together with the Lawyer Representatives Coordinating Committee (LRCC), lawyer representatives, the Advisory Board, United States attorneys, federal public defenders, chief pretrial services and chief probation officers.

Hospitality and Optional Guest Activities

Spouses and guests accompanying conference members are welcome to attend all general sessions except Breakfast with the Bench which involves assigned seating and procedural discussions between the bench and bar. Please check the schedule at the Conference Registration Desk for daily events planned in the Spouses' and Guests' Hospitality Room. Conference-wide social functions are scheduled for Monday and Wednesday evenings. Optional guest activities have been reserved in advance. Please inquire at the Conference Registration Desk for information about the availability of these activities. The Hyatt Regency Monterey provides complimentary round-trip shuttle service into the downtown area if you want to explore Monterey on your own. Any sightseeing or additional recreational opportunities may be arranged by contacting the hotel's concierge service at **(831) 372-1234**.

Registration/Information Desk

The main Conference Registration Desk is located in the Regency Grand Ballroom Foyer, Second Floor of the Regency Conference Center at the Hyatt Regency Monterey. Ninth Circuit staff members will be on duty Sunday, July 19, beginning at 1:00 p.m. until 5:00 p.m. In addition to Sunday, hours of operation are: Monday and Tuesday, from 7:00 a.m. until 5:00 p.m., Wednesday, from 7:30 a.m. until 5:00 p.m., and Thursday, from 7:00 a.m. until 12:30 p.m.

The phone number for the Hyatt Regency Monterey is **(831) 372-1234**.

The Ninth Circuit Judicial Conference staff may be reached by telephone through the hotel switchboard. Staff will be able to respond to your inquiries about the official business, social and sports activities of the conference.

United States Marshals Service

The United States Marshals Service will provide security 24-hours a day from its command post in the resort. The U.S. Marshals can be reached through the hotel switchboard.

A Note on Government Funding

The Ninth Circuit has been allocated a limited amount of federal government funds to conduct the business portions of the annual circuit conference. These funds are restricted to covering the travel and lodging of business speakers, the printing and production of business materials and publications, and the rental of audiovisual equipment for business meetings and general sessions. Government funds are not used for guests' programs, or any conference social and sport activities.

The Monterey Peninsula

The Monterey Peninsula and surrounding region offer a unique California experience. Step outside the Downtown Monterey Convention Center and you will discover an abundance of attractions, amenities, and recreational opportunities.

Cannery Row...

Made famous by John Steinbeck's novels, Cannery Row was comprised of working sardine canneries serving Monterey's nearby fishing fleet. When the sardine population waned in the 1940s, the canneries closed. The Monterey Bay Aquarium is now the main attraction on Cannery Row. The shops, restaurants, and hotels lining the row retain some of the original flavor of the old canneries.

Fisherman's Wharf...

Here you will find open fresh seafood markets and eateries in addition to a variety of curio shops, tour boats, and fishing guides. The wharf is a great place to people-watch and to observe California sea lions and otters.

Other Attractions...

Regarded as the golf capital of the world, the Monterey Peninsula offers a selection of 28 exceptional courses. Excursions to the City of Carmel, touring and wine tasting through Steinbeck Country, and driving along the coastline through Big Sur and past dramatic seascapes, are a few of the wonderful things to see and do in Monterey.

Special Guests of the Conference

The conference is honored by the attendance of these special guests:

The Honorable Janet A. Napolitano

Secretary, United States Department of Homeland Security

The Honorable Barbara J. Rothstein

Director, Federal Judicial Center

The Honorable Elena Kagan

Solicitor General of the United States, U.S. Department of Justice

The Honorable James C. Duff

Director, Administrative Office of the U.S. Courts

Conference Agenda

Monday, July 20

- 7:30 a.m. **Chief Bankruptcy Judges Breakfast Meeting**
Spyglass 1-2 Presiding: Hon. Robert J. Faris, *Chief Bankruptcy Judge, HI*
- 9:00 a.m. **Ninth Circuit Judges Education Program**
Pebble Beach *Decisions 2008-2009: A Supreme Court Review*
Presiding: Hon. Marsha J. Pechman, *District Judge, WAW,*
Chair, Ninth Circuit Education Committee
Speaker: Kathleen M. Sullivan, Esq., *Stanley Morrison Professor of*
Law, Stanford Law School
- 10:45 a.m. **Bankruptcy Judges Education Program**
Grove Presiding: Hon. Roger L. Efremsky, *Bankruptcy Judge, CAN*
Chair, Bankruptcy Judges Education Committee
- A Look at the State of the Mortgage Crisis*
This panel will look at the current state of the mortgage crisis,
including loan modification trends both inside and outside of
bankruptcy. We also will highlight some specific foreclosure-
related issues that commonly arise in bankruptcy cases.
- Panelists: Hon. Eugene R. Wedoff, *Bankruptcy Judge, Northern*
District of Illinois
Richardo I. Kilpatrick, Esq., *President, Kilpatrick & Associates, P.C.*
Tara Twomey, Esq., *Lecturer, Stanford Law School and Of Counsel,*
National Consumer Law Center

Monday, July 20

10:45 a.m.

Magistrate Judges Education Program

Pacific

Presiding: Hon. Cathy Ann Bencivengo, *Magistrate Judge, CAS*
Chair, *Magistrate Judges Education Committee*

Can You Hear Me Now? Ethical Issues Relating to Ex Parte Judicial Communications

All judges and their staffs are confronted with *ex parte* communications at times. This program offers insight and guidance in the avoidance and/or management of such communications. The program explores the propriety of *ex parte* contacts between the bench and the bar in both the civil and criminal practice areas. The materials include references to the Code of Conduct for United States Judges and the ABA Model Code of Judicial Conduct.

Panelists: Hon. Celeste F. Bremer, *Magistrate Judge, Southern District of Iowa*
Hon. Karen K. Klein, *Magistrate Judge, District of North Dakota*

12:00 p.m.

New Lawyer Representatives Orientation Program and Lunch

Pebble Beach

Presiding: Christopher B. Latham, Esq., *Asst. U.S. Attorney, CAS*
Chair, *LRCC*

Is this your first year as a lawyer representative? Confused about what you should be doing? Learn about various opportunities to become active on circuit committees. Get acquainted with the Ninth Circuit, other lawyer representatives and members of the LRCC during this special welcome.

12:30 p.m.

Spouses' & Guests' Welcome Luncheon

*Highlands Inn
Carmel*

A gourmet lunch in the Pacific's Edge Restaurant at the famous Highlands Inn, Carmel. Buses depart at 11:30 a.m. from outside the Regency Conference Center. [Ticketed Event]

Monday, July 20

12:45 p.m. **Bankruptcy Judges Buffet Lunch**
Terrace/Grove [Ticketed Event]

12:45 p.m. **Magistrate Judges Buffet Lunch**
Terrace/Grove [Ticketed Event]

Business Meetings

1:30 p.m. **Circuit Judges & Appellate Lawyer Representatives**
Regency Presiding: Hon. Alex Kozinski, *Chief Judge,*
Ballroom 4-5 *U.S. Court of Appeals for the Ninth Circuit*

Spyglass 1-2 **District Judges Association**
Presiding: Hon. Stephen M. McNamee, *Senior District Judge, AZ*
President, District Judges Association

Grove **Bankruptcy Judges**
Presiding: Hon. Robert J. Faris, *Chief Bankruptcy Judge, HI*
Chair, Conference of Chief Bankruptcy Judges

Pacific **Magistrate Judges**
Hon. Karen L. Strombom, *Chief Magistrate Judge, WAW*
Chair, Magistrate Judges Executive Board

Cypress 1-2 **Advisory Board**
Presiding: Paul T. Friedman, Esq., *Chair, CAN*

Pebble Beach **Lawyer Representatives**
Presiding: Christopher B. Latham, Esq., *Asst. U.S. Attorney, CAS,*
Chair, LRCC

Windjammer 1-2 **District & Bankruptcy Court Clerks**
Presiding: Victoria C. Minor, *District Court Clerk, CAE*
Jon D. Ceretto, *Bankruptcy Court Clerk, CAC*

Monday, July 20

Big Sur 1-2

Chief Pretrial Services and Chief Probation Officers

Tim McTighe, *Chief Pretrial Services Officer, WAW*

Yador J. Harrell, *Chief Probation Officer, CAN*

Cypress 3

United States Attorneys Meeting

Presiding: Joseph P. Russoniello, *U.S. Attorney, CAN*

Big Sur 3

Federal Public Defenders and Community Defenders

Presiding: Franny Forsman, *Federal Public Defender, NV*

3:30 p.m.

Break

5:00 p.m.

Opening Program

*Regency Grand
Ballroom*

Welcome & Introduction

Presiding: Kelli L. Sager, Esq., *CAC*

Chair, Conference Executive Committee

Introduction of Special Guests & New Judicial Officers

Recognition of New Senior Judges

Kelli L. Sager, Esq., *CAC*,

Chair, Conference Executive Committee

Introduction

Hon. Mary M. Schroeder, *Circuit Judge*,

Member, Conference Executive Committee

Guest Speaker

The Honorable Janet A. Napolitano, *Secretary of Homeland Security*

Monday, July 20

Special Program

Introduction: Hon. Leslie E. Kobayashi, *Magistrate Judge, HI Member, Conference Executive Committee*

Scene: A conversation between General Ulysses S. Grant and President Abraham Lincoln five days after General Robert E. Lee's surrender to Grant's Union Army at Appomattox Courthouse.

Abraham Lincoln had no formal schooling. Essentially self-taught, he read for the Bar and became one of the most able litigators in Central Illinois. Nothing about his clientele would have foretold his later role as the Great Emancipator. He assumed the presidency at one of the nation's most difficult moments. Most of the Southern States had left the Union and South Carolina attacked the garrison at Ft. Sumpter shortly after he took office. During the Civil War that followed, he suspended the Writ of Habeas Corpus, used military tribunals and martial law to prosecute American citizens who disagreed with him, and confiscated private property without due process or just compensation.

A West Point graduate (27th in a class of 32), Grant had served in the Mexican War with Robert E. Lee. Frustrated with generals, both too timid and too ambitious, Lincoln turned to Grant to lead the Army of the Potomac and quickly became Lincoln's favorite commander. Lincoln had a two word response to the general's many critics: "He fights."

How did this self-educated country lawyer come to write some of the more familiar and enduring phrases of our political lexicon? How did he succeed as president? Learn the answers as Judge Michael Hawkins, playing the part of the future president General Ulysses S. Grant, and Judge Stephen Trott, playing the part of President Lincoln, meet at the White House on the last day of Lincoln's life, April 14, 1865.

Monday, July 20

Immediately
follows
Opening

Welcoming Reception (No-host)

Help kick off the 2009 Ninth Circuit Judicial Conference by joining fellow attendees and guests for a welcome reception to mix, mingle and get into the conference spirit!

*Regency Garden
Terrace*

*Regency Garden
Terrace*

Dinner, Talent Show and Dancing

Relax in the Hyatt Regency's beautiful surroundings as you enjoy a variety of food sure to offer something for every palate. Come to the first Ninth Circuit Talent Show and cheer your talent of choice: from spouses to judges to lawyers, no one brave enough will be left out. Judge Stephen Trott emcees and may have a few surprises up his sleeve. The evening ends with dancing to the music of the Kwame Copeland Band, a favorite in San Francisco since two of the members' day jobs are at the Court of Appeals. An evening you won't want to miss!

Ticketed event; advance reservations required.

Tuesday, July 21

7:00 a.m. **Chief District Judges Breakfast Meeting**
Spyglass 2 Presiding: Hon. John W. Sedwick, *Chief District Judge, AK*

7:00 a.m. **Bankruptcy Appellate Panel Breakfast Meeting**
Windjammer 1 Presiding: Hon. Dennis Montali, *Chief Bankruptcy Judge of the BAP, CAN*

7:15 a.m. **Wellness Committee Breakfast Meeting**
Cypress 1 Presiding: Hon. Philip M. Pro, *District Judge, Chair, NV*

General Session

8:30 a.m. **Where Have All the Reporters Gone?**

*Regency Grand
Ballroom*

With traditional press and media outlets merging, consolidating or disappearing altogether, there are fewer and fewer reporters covering the courts. Meanwhile, blogs and other digital media have proliferated. As methods of news coverage continue to evolve, will the public be better or less informed?

Introduction:

Hon. Mary M. Schroeder, *Circuit Judge*

Moderator:

Linda Greenhouse, *Knight Distinguished Journalist-in-Residence and Joseph Goldstein Senior Fellow in Law, Yale Law School*

Panelists:

Hon. Robert S. Lasnik, *Chief District Judge, WAW*

Harold W. Fuson, Jr., *Executive Vice President, Copley Press*

David Lat, *Founding Editor, Above the Law*

Nina Totenberg, *Legal Affairs Correspondent, National Public Radio*

10:00 a.m. **Break**

Tuesday, July 21

10:30 a.m.

*Regency Grand
Ballroom*

The Economy in Crisis: The Practical and Legal Limits to Government Intervention

The U.S. is in the midst of a financial crisis that will likely be the defining economic event of the first half of the 21st century. Congress, the White House, and federal agencies have aggressively intervened in the economy in ways not seen since the days of Franklin Roosevelt and the New Deal. The Federal Reserve has expanded the money supply to an unprecedented level. Will these measures prove successful or harmful? What are the practical and constitutional limits upon the executive, legislative and judicial branches of the federal government in this crisis?

Introduction:

Hon. Milan D. Smith, Jr., *Circuit Judge*
Member, Conference Executive Committee

Moderator:

David A. Kaplan, *Contributing Editor, Newsweek*

Panelists:

J. Bradford DeLong, *Professor of Economics, University of California, Berkeley*

Richard A. Epstein, *James Parker Hall Distinguished Service Professor,
University of Chicago Law School*

Joseph A. Grundfest, *William A. Franke Professor of Law and Business,
Stanford Law School*

Ronald D. Sugar, Ph.D., *Chief Executive Officer and Chairman of the
Board, Northrop Grumman Corporation*

12:15 p.m.

Grove

JCUS Ninth Circuit Representatives Luncheon

12:15 p.m.

Big Sur 1-2

Senior Judges Lunch Meeting

Presiding: Hon. Terry W. Hatter, Jr., *Senior District Judge, CAC*

Tuesday, July 21

- 12:15 p.m.
Cypress 1-2
- LRCC/Advisory Board Lunch Meeting**
This luncheon meeting is open to all outgoing and incoming LRCC chairs and co-chairs.
Presiding: Christopher B. Latham, Esq., *Asst. U.S. Attorney, CAS Chair, Lawyer Representatives Coordinating Committee*
- 12:15 p.m.
Big Sur 3
- Pacific Islands Committee Meeting and Lunch**
Presiding: Hon. Consuelo B. Marshall, *Senior District Judge, Chair, CAC*
- 1:30 p.m.
Regency 1-2
- Appellate Electronic Case Filing**
Presentation by Susan Soong, Esq., *Supervising Staff Attorney, Ninth Circuit Court of Appeals*
- 1:30 p.m.
Windjammer 1-4
- Best Practices for Developing Performance Management Plans—The Why, When and How**
Presentation and training for court unit executives.
Richard Donovan, *Clerk of Court, First Circuit*
Ken Gardner, *Clerk of Court, U.S. Bankruptcy Court Northern District of Illinois*
- 2:30 p.m.
Spyglass
- Criminal Justice Act Oversight Committee Meeting**
Presiding: Hon. Richard C. Tallman, *Circuit Judge, Chair*
- 7:00 p.m.
- District Dinners**
Conference members from each district will meet for separate dinners at the location listed on page 65. Prior arrangements have been made for conference speakers and special guests by their hosts.

Wednesday, July 22

7:30 a.m.

Breakfast with the Bench and Buffet Service

Regency Foyer

Please report to your assigned table as soon as possible.
Table assignments are posted adjacent to the meeting room.

8:00 a.m.

Introduction

*Regency Grand
Ballroom*

Hon. Irma E. Gonzalez, *Chief District Judge, Program Chair, CAS*

Award Presentations

American Inns of Court Award

Ninth Circuit Professionalism Award

In recognition of professionalism, ethics, civility and legal excellence.
Recipient: Harry H. Schneider, Jr., Esq., *Partner, Perkins Coie, Seattle*

Presenter: Hon. Mary M. Schroeder, *Circuit Judge*

Robert F. Peckham Award for Excellence in Alternative Dispute Resolution

Recognizing judiciary employees who have significantly advanced
the delivery of effective court-based ADR programs in the circuit.

Recipient: Dawn M. Osborne-Adams, Esq., *ADR Program
Manager, CAC*

Ninth Circuit ADR Education Award

In recognition of law schools that have significantly advanced
ADR scholarship and research.

Recipient: Stanford Law School Gould Center for Conflict
Resolution Programs

Accepted by Janet Martinez, *Senior Lecturer and Director of the
Gould Center*

Presenter: Hon. Dorothy W. Nelson, *Senior Circuit Judge
Chair, Alternative Dispute Resolution Committee*

John P. Frank Award

Recognizing an outstanding lawyer practicing in the Ninth Circuit

Recipient: Thomas J. McDermott, Jr., Esq., *CAS*

Award presentation will be made at a later date.

Wednesday, July 22

General Session

8:15 a.m.

*Regency Grand
Ballroom*

Breakfast with the Bench Program

*Improving the Administration of Justice in the Ninth Circuit:
A Frank Discussion Between the Bench and Bar*

Ninth Circuit lawyer representatives were asked to respond to a survey sent by the Lawyer Representatives Coordinating Committee. Survey questions were:

1. *What are the problems, issues and concerns you perceive pertaining to circuit, district and bankruptcy courts within the Ninth Circuit, and your proposed solutions to address them?*
2. *Please list any problems, issues, and concerns you perceive regarding the Ninth Circuit court system as a whole and your proposed solutions to address them.*
3. *Please list any positive comments or thoughts you would like to share regarding the Ninth Circuit Federal Judicial System.*

The survey resulted in extensive responses from the far reaches of the circuit. The top three “problems” were delay, judicial temperament and demeanor, and inconsistency in “local” rules. Panelists will discuss what is being done to address these concerns. After the panel discussion, members of the bench and bar will be asked to discuss these same issues at their tables. We hope that these discussions will not stop at the circuit conference but that these topics will be reviewed throughout the next year in district conferences.

Introduction:

Hon. N. Randy Smith, *Circuit Judge*
Member, Conference Executive Committee

Panelists:

Hon. Sidney R. Thomas, *Circuit Judge*
Hon. Neil V. Wake, *District Judge, AZ*
Hon. Peter W. Bowie, *Chief Bankruptcy Judge, CAS*
Hon. Karen L. Strombom, *Chief Magistrate Judge, WAW*
Cathy A. Catterson, Esq., *Circuit and Court of Appeals Executive*
Richard H. Weare, Esq., *District and Court Executive, AZ*
Robbin Itkin, Esq., *LRCC Chair-Elect, CAC*

Wednesday, July 22

10:15 a.m. **Break**

10:30 a.m. **Hollywood Cyber-Crime: Fact or Fiction?**

*Regency Grand
Ballroom*

A brilliant criminal cyber-expert takes over the nation’s computer system. Banks, businesses—even traffic signals, power grids, and the government’s security operations—are at his mercy. Hollywood fiction or real threat? Join our panel of experts who will share their inside views on what is technically possible and discuss which Hollywood scenarios are likely to become part of the real world.

Introduction:

Jo S. Levy, Esq., *OR, Member, Conference Executive Committee*

Moderator:

Jim Newton, *Editorial Page Editor, Los Angeles Times*

Panelists:

Scott Borg, *Director and Chief Economist, U.S. Cyber Consequences Unit*

Ovie Carroll, *Director, Cybercrime Lab, Computer Crime and Intellectual Property Section, United States Department of Justice*

Dorothy Denning, *Professor, Naval Post Graduate School*

Sean Varah, Ph.D., *Chief Executive Officer, MotionDSP*

12:15 p.m. **Optional District Meetings**

Central California	<i>Pebble Beach</i>
Eastern California	<i>Big Sur</i>
Hawaii	<i>Cypress 2</i>
Idaho	<i>Windjammer 2</i>
Nevada	<i>Big Sur 1</i>
Oregon	<i>Spyglass 2</i>

Wednesday, July 22

1:30 p.m.

IT Awareness for Judges

Regency Main

Judges on the Ninth Circuit IT Committee will present the second annual IT Awareness session at the circuit conference where you can join your colleagues to learn about a variety of subjects tailored to the specific interests of judges including:

- Using your BlackBerry as an Internet connection for your laptop;
- Using West BriefTools to insert hyperlinks to cases and statutes into briefs, draft opinions and research memoranda (and learn what “hyperlinks” are);
- Using People Finder on a BlackBerry to locate addresses, telephone numbers and e-mail addresses for members of the judicial branch, and for COOP Plan emergency contacts;
- Accessing and using the FJC’s website for self-study IT training; and back by popular demand, the “Introduction to Blackberry Basics and Additional Features” that judges will find helpful—but you have to attend to find out what they are!

Speakers:

Hon. Dennis Montali, *Chief Bankruptcy Judge of the BAP, CAN*

Hon. Leo S. Papas, *Magistrate Judge, CAS*

Hon. Paul B. Snyder, *Bankruptcy Judge, WAW*

Judges and lawyers are encouraged to attend, and, while not mandatory, are also encouraged to bring their BlackBerrys.

1:30 p.m.

Federal Public Defenders Standing Committee

Cypress 1

Presiding: Hon. Harry Pregerson, *Circuit Judge, Chair*

2:30 p.m.

Appellate Electronic Case Filing

Regency 1-2

Presentation by Susan Soong, Esq., *Supervising Staff Attorney, Ninth Circuit Court of Appeals*

Wednesday, July 22

7:00 p.m.

Evening at the Monterey Bay Aquarium

Buses depart Hyatt Regency Conference Center

7:30 p.m.

Conference members and their guests will have the rare opportunity to be the only visitors in the nation's #1 aquarium. Sample a variety of fine foods while exploring the large variety of sea life exhibits. Not only will you have a wonderful time, but you will be helping the Aquarium sustain their programs to protect our oceans' sea life.

9:00 p.m.

Buses begin to return to Hyatt Regency

Thursday, July 23

7:00 a.m. **Magistrate Judges Executive Board Breakfast Meeting**
Spyglass 2 Presiding: Hon. Karen L. Strombom, *Chair, WAW*

General Session

8:30 a.m. **Waiting to Exhale: The Law of Climate Change**

*Regency Grand
Ballroom*

The ongoing debate about climate change has included calls for stricter environmental regulation. The federal government has responded with a variety of sweeping proposals to regulate greenhouse gas emissions from virtually all sectors of the economy, while state regulators are endeavoring to protect their interests. Who has authority to regulate this area and what, if any, are the appropriate bounds of such efforts? A distinguished panel of experts will explore these questions and examine the recent trends in civil litigation arising from allegations about climate change.

Introduction:

Hon. Anthony W. Ishii, *Chief District Judge, CAE*
Member, Conference Executive Committee

Moderator:

Richard Frank, *Lecturer in Residence, Berkeley School of Law*
Executive Director, CLEE

Panelists:

David Bookbinder, *Chief Climate Counsel, Sierra Club*
Sam Kazman, *General Counsel, Competitive Enterprise Institute*
Ellen Peter, *Chief Counsel, California Air Resources Board*
Robert A. Wyman, Jr., *Partner, Latham & Watkins LLP*

10:00 a.m. **Break**

Thursday, July 23

10:15 a.m.

Use it or Lose It: Mental Fitness at the Brain Gym

*Regency Grand
Ballroom*

Recent advances in technology and research have shown that the brain is not hardwired in childhood and we are not doomed by our DNA. On the contrary, our brains are pliable, plastic, and changeable throughout our lives – regardless of our age or genetics. You can exercise your brain, just like you exercise your body, and slow down the aging process. The Brain Fitness Program is based on the brain’s ability to change, adapt, and even rewire itself to compensate for injuries, impairments or changes from normal healthy aging.

Introduction:

Wendy Holton, Esq., *MT, Member, Conference Executive Committee*

Speaker:

Dr. Michael Merzenich, Ph.D., *Co-Founder and Chief Scientific Officer, Posit Science*

11:15 a.m.

Break

11:30 a.m.

Conversation with The Solicitor General Elena Kagan

*Regency Grand
Ballroom*

Conversation Participants

Hon. Alex Kozinski, *Chief Judge*

Kelli L. Sager, Esq., *CAC, Chair, Conference Executive Committee*

12:15 p.m.

Closing Remarks and Adjournment

Kelli L. Sager, Esq., *CAC, Chair, Conference Executive Committee*

12:30 p.m.

Conference Executive Committee Farewell Luncheon

Big Sur 1

Spouses' & Guests' Hospitality Room

A Hospitality Room will be available for guests to meet other guests, relax before the next event or enjoy less formal group events. Please check the schedule at the Conference Registration Desk for daily events planned in the Spouses' and Guests' Hospitality Room.

Social Activities

Spouses and guests accompanying conference members are welcome to attend all general sessions except Breakfast with the Bench which involves assigned seating and procedural discussions between the bench and bar. A number of the optional group activities are sold out. Check with the Conference Registration Desk about cancellations. Please note that government funds have not been used to pay for any conference social events or any optional group activities. All these functions are paid with non-appropriated funds.

Monday, July 20

- | | |
|--|--|
| 9:00 a.m.
<i>Oaktree Terrace</i> | Yoga
<i>Ticketed event; advance reservations required.</i> |
| 12:30 p.m.
<i>Highlands Inn
Carmel</i> | Spouses' & Guests' Welcome Luncheon
A gourmet lunch in the Pacific's Edge Restaurant at the famous Carmel Highlands Inn, Carmel. Buses depart at 11:30 a.m. from outside the Regency Conference Center. [Ticketed Event] |
| 2:00 p.m. -
3:30 p.m.
<i>Oaktree 1-3</i> | Spouses' & Guests' Hospitality Room
Continue the conversation and relax before the evening's social events. |
| Immediately
follows
Opening

<i>Regency Garden
Terrace</i> | Welcoming Reception (No-host)
Help kick off the 2009 Ninth Circuit Judicial Conference by joining fellow attendees and guests for a welcoming reception to mix, mingle and get into the conference spirit! |

Monday, July 20

*Regency Garden
Terrace*

Dinner, Talent Show and Dancing

Relax in the Hyatt Regency's beautiful surroundings as you enjoy a variety of food sure to offer something for every palate. Come to the first Ninth Circuit Talent Show and cheer your talent of choice: from spouses to judges to lawyers, no one brave enough will be left out. Judge Stephen Trott emcees and may have a few surprises up his sleeve. The evening ends with dancing to the music of the Kwame Copeland Band, a favorite in San Francisco since two of the members' day jobs are at the Court of Appeals. An evening you won't want to miss! *Ticketed event; advance reservations required.*

Tuesday, July 21

8:30 a.m. -
12:00 p.m.
Oaktree 1-3

Spouses' & Guests' Hospitality Room

Hang out and meet other guests before starting your day. If you have not signed up for any activities, you might connect with others who want to take a trip into Monterey.

9:00 a.m.
Oaktree Terrace

Yoga

Ticketed event, advance reservations required.

10:00 a.m.
*Bus departs
from Regency
Conference
Center*

Cooper-Molera Adobe Gardens Watercolor Class

Plein air painting with Jane Flury. The watercolor class is three hours and has a 25 person maximum.

Ticketed event; advance reservations required.

1:00 p.m.

Tennis Tournament

Tuesday, July 21

1:30 p.m. -
4:00 p.m.
Oaktree 1-3

Spouses' & Guests' Hospitality Room

Special Presentation:

Protecting the Family Jewels

A Discussion of Estate Planning Considerations

Kathleen D. Crane, Esq.

- Avoiding Probate
- Maximizing Estate Tax Exemptions
- Choosing the Right Financial and Health Care Agents
- Blended Families
- Essential Documents
- Beneficiary Designations

A great opportunity to ask questions.

Kate's website is www.katelaw.com

2:30 p.m.
Oaktree Terrace

Introduction to Tai Chi

Ticketed event; advance reservations required.

7:00 p.m.

District Dinners

Conference members and their guests will meet for district dinners at the location listed on page 65.

Wednesday, July 22

8:30 a.m. -
12:00 p.m.
Oaktree 1-3

Spouses' & Guests' Hospitality Room

Book Review: *Three Cups of Tea* by Greg Mortenson

Three Cups of Tea is a truly inspiring adventure about Greg Mortenson's dangerous and difficult quest to build schools in the wildest parts of Pakistan and Afghanistan. It is proof that one ordinary person, with the right combination of character and determination, really can change the world. Even if you have not read the book, you are encouraged to participate.

Wednesday, July 22

9:00 a.m. **Yoga**
Oaktree Terrace Ticketed event, advance reservations required.

10:00 a.m. **Hike and Sketch Watercolor Class and Picnic**
Bus departs Ticketed event; advance reservations required.
from Regency
Conference Center

1:30 p.m. - **Spouses' & Guests' Hospitality Room**
4:00 p.m.
Oaktree 1-3

2:30 p.m. **Tai Chi**
Oaktree Terrace Ticketed event; advance reservations required.

7:00 p.m. **Evening at the Monterey Bay Aquarium**
Buses depart Hyatt Regency Conference Center

7:30 p.m. Conference members and their guests will have the rare opportunity to be the only visitors in the nation's #1 aquarium. Sample a variety of fine foods while exploring the large variety of sea life exhibits. Not only will you have a wonderful time, but you will be helping the Aquarium sustain their programs to protect our oceans' sea life.

9:00 p.m. **Buses begin to return to Hyatt Regency**

Thursday, July 23

9:00 a.m. **Yoga**
Oaktree Terrace Ticketed event, advance reservations required.

No Hospitality Room activities or other optional group activities are scheduled.

Speakers, Panelists & Special Guests



David Bookbinder is the Sierra Club's chief climate counsel. After joining the Sierra Club in 2002, he served as counsel in the Cheney Energy Task Force case, after which he initiated and then managed the *Massachusetts v. EPA* litigation. He represents the environmental community (including as trial counsel) in the four auto industry suits against California's greenhouse gas vehicle standards, and in the challenge to the EPA's denial of the Clean Air Act waiver necessary to enforce these standards. He is also responsible for bringing and managing the *Bonanza* litigation, which has effectively imposed the moratorium on new coal-fired power plants in the United States, and for overseeing Sierra Club's climate litigation throughout the U.S. Mr. Bookbinder graduated *summa cum laude* from Princeton University in 1982 and from the University of Chicago Law School in 1985. He joined the litigation department at Paul, Weiss, Rifkind, Wharton & Garrison, where until 1992 he handled securities, mergers and acquisitions, product liability, intellectual property and other matters.

Photo credit: Scott Suchman



Scott Borg is the director and chief economist of the U.S. Cyber Consequences Unit (US-CCU), an independent, non-profit research institute that investigates the strategic and economic consequences of possible cyber-attacks. He is responsible for many of the concepts that are currently being used to understand the implications of cyber-attacks in business contexts. In collaboration with John Bumgarner, he is author of the US-CCU Cyber-Security

Check List, the most comprehensive survey to date of cyber vulnerabilities. He regularly advises a number of different U.S. government departments and industry associations on emerging cyber threats, on how to quantify cyber risks, and on assessing possible counter-measures. Before being asked by government officials to tackle cyber-security issues, Mr. Borg was one of the principal developers of Value Creation Analysis, a set of business strategy models for understanding how much value can be created by various types and components of value chains. He did pioneering work on pricing theory and on the application of cooperative-game-theory-based economic concepts to information. He has been a guest lecturer at Harvard, Yale, Columbia, and other leading universities. He is currently a senior research fellow in international security studies at the Fletcher School of Law and Diplomacy of Tufts University.



Chief Bankruptcy Judge Peter W. Bowie was appointed to the U.S. Bankruptcy Court for the Southern District of California on March 2, 1988. He was reappointed to a second 14-year term and was elevated to chief bankruptcy judge in 2002. In 1995 he was appointed by the late Chief Justice Rehnquist to the Codes of Conduct Committee of the Judicial Conference of the United States. After serving eight years with that committee he was appointed by the JCUS as a liaison to the American Bar Association's Joint Commission to Evaluate the Model Code of Judicial Conduct, which concluded its work in 2007. Judge Bowie graduated from Wake Forest College (now University) in 1964, served four years in the Navy with two Vietnam tours, then attended the University of San Diego School of Law. After graduating *magna cum laude* in 1971 he was a trial attorney in the Honors Program in the U.S. Department of Justice, followed by 14 years in the U.S. Attorney's Office for the Southern District of California, the last six of which he served as the chief assistant U.S. attorney.



Ovie Carroll is the director for the Cybercrime Lab at the Department of Justice, Computer Crime and Intellectual Property Section (CCIPS) and is an adjunct professor at George Washington University, teaching computer crimes investigation. He has over 20 years of law enforcement experience. Prior to joining the DOJ, Mr. Carroll was the special agent in charge of the Computer Crimes Unit at the U.S. Postal Service, Office of Inspector General, responsible for all computer intrusion investigations, computer forensic analysis and all deployment, installation and monitoring of technical surveillance equipment in support of criminal investigations. The Cybercrime Lab is responsible for providing computer forensic and other technical support to the DOJ attorneys throughout the U.S. as it applies to implementing the department's national strategies in combating cyber crimes and intellectual property crimes worldwide.



Cathy A. Catterson was appointed the circuit and court of appeals executive for the U.S. Court of Appeals for the Ninth Circuit on December 5, 2007. Previously, Ms. Catterson served as chief deputy clerk prior to her appointment as clerk in 1985. She also was a law clerk to District Judge Edward J. Devitt of the District of Minnesota from 1977 to 1979. In that capacity, Ms. Catterson provided staff support to the JCUS Committee on Attorney Admission Standards. She also served as legislative secretary/staff assistant to U.S. Senator Jacob K. Javits from 1971 to 1977. Ms. Catterson has served on numerous

national committees involving federal appellate court administration and as a consultant in judicial administration, to the Supreme Courts of Israel, India, Guam, and Thailand, as well as the European Court for Human Rights. She graduated from the Catholic University of America and received her J.D. from George Mason University.



J. Bradford DeLong is a professor of economics at the University of California, Berkeley, chair of the political economy of industrial societies major, and a research associate of the National Bureau of Economic Research. He received his Ph.D. from Harvard University in 1987. He joined U.C. Berkeley as an associate professor in 1993 and became a full professor in 1997. Dr. DeLong also served as deputy assistant secretary for the U.S. Department of the Treasury, Office of Economic Policy, from 1993 to 1995. He worked on the Clinton Administration's 1993 budget, on the Uruguay Round of the General Agreement on Tariffs and Trade, on the North American Free Trade Agreement, on macroeconomic policy, and on the unsuccessful health care reform effort. Before joining the Treasury Department, Dr. DeLong was Danziger associate professor in the Department of Economics at Harvard University.



Dorothy E. Denning is professor of defense analysis at the Naval Postgraduate School. Her current research and teaching encompass the areas of conflict and cyberspace; trust, influence and networks; terrorism and crime; and information operations and security. She is author of *Information Warfare and Security* and over 140 articles, and has testified before Congress on encryption policy and cyberterrorism. Dr. Denning is a fellow

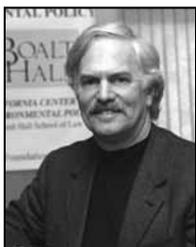
of the Association for Computing Machinery (ACM) and International Information Systems Security Certification Consortium, Inc. (ISC)². She is a recipient of the Augusta Ada Lovelace Award, the Harold F. Tipton Award, the National Computer Systems Security Award, the Special Interest Group on Security, Audit, and Control (SIGSAC) Outstanding Innovation Award, and several other security awards. She was a featured security innovator in *Time* magazine. She received B.A. and M.A. degrees in mathematics from the University of Michigan and a Ph.D. degree in computer science from Purdue University, which later awarded her a Distinguished Science Alumnus.



James C. Duff is the director of the Administrative Office of the U.S. Courts. Prior to his appointment, he was a managing partner at the law firm of Baker Donelson in Washington, D.C. Director Duff has been an adjunct faculty member since 1998 at Georgetown University. He served as an administrative assistant to Chief Justice William H. Rehnquist from 1996 to 2000. He has been a trustee of the Supreme Court Historical Society since 1996. Director Duff received his B.A. from the University of Kentucky in 1975 and his J.D. from Georgetown University Law Center in 1981.



Richard A. Epstein is the James Parker Hall distinguished service professor of law at the University of Chicago, where he has taught since 1972. He is director of the John M. Olin Program in Law and Economics, and he has also been the Peter and Kirstin Bedford senior fellow at the Hoover Institution since 2000. Prior to joining the University of Chicago Law School faculty, he taught law at the University of Southern California from 1968 to 1972. He served as interim dean from February to June, 2001. He received an LL.D., h.c., from the University of Ghent in 2003. He has been a member of the American Academy of Arts and Sciences since 1985 and has been a senior fellow of the Center for Clinical Medical Ethics at the University of Chicago Medical School since 1983. He served as editor of the *Journal of Legal Studies* from 1981 to 1991, and of the *Journal of Law and Economics* from 1991 to 2001. Professor Epstein received his A.B. in 1964 from Columbia College; his B.A. from Oxford University in 1966; and his LL.B. from Yale Law School in 1968.



Richard Frank joined Boalt Hall in 2006 from the California Department of Justice, where he served as the chief deputy attorney general for legal affairs. Professor Frank was the attorney general's principal liaison to state government, the Legislature and judiciary. He is an expert in environmental law, land use, energy issues and property rights. He serves as the executive director of the California Center for Environmental Law & Policy (CCELP). Following law school, Professor Frank worked as a staff attorney for the U.S. Federal Energy Administration in Washington, D.C., for two years. In 1976, he embarked on a 30-year career in California government when he joined the California Energy Commission as a staff counsel. The following year he began his association with the California Department of Justice as a deputy attorney general in the Land Law Section. In 2003, as chief deputy, he became the

top legal adviser to the attorney general, overseeing all civil and criminal litigation within the state Department of Justice. Professor Frank received his B.A. from the University of California, Santa Barbara, in 1971 and his J.D. from the University of California, Davis School of Law, in 1974.



Harold W. "Hal" Fuson, Jr., is executive vice president and chief operating officer of The Copley Press, Inc., a privately held newspaper company that publishes *The San Diego Union-Tribune*. Previously, Mr. Fuson served as Copley's general counsel from 1983 to 2007 and as a staff lawyer for The Times Mirror Company from 1979 to 1983. He taught journalism at the University of Illinois from 1976 to 1979; Cuyahoga Community College from 1970 to 1976; and Texas Southern University from 1968 to 1970. Mr. Fuson is vice president and director of the California Newspaper Publishers Association and chair of its Government Affairs Committee; member of the Advisory Board of the *Media Law Reporter* and a former chair of the Media Law Resource Center. He is the author of *Telling it All: A Legal Guide to the Exercise of Free Speech*. Mr. Fuson received his J.D., *magna cum laude*, from Cleveland State University in 1975; his M.S. from Columbia University Graduate School of Journalism in 1968; and his B.A. from Grinnell College in 1967.



Chief District Judge Irma E. Gonzalez was appointed to the U.S. District Court for the Southern District of California on August 12, 1992. She was elevated to chief district judge on January 24, 2005. Prior to her appointment to the federal bench, Judge Gonzalez served as a California Superior Court judge, San Diego County, from 1991 to 1992. She served as a magistrate judge for the U.S. District Court for the Southern District of California from 1984 to 1990. Judge Gonzalez received her B.A. from Stanford University in 1970, and her J.D. from the University of Arizona School of Law in 1973. Following law school, Judge Gonzalez served as a law clerk to District Judge William C. Frey of the District of Arizona from 1973 to 1975. She served as an assistant U.S. attorney, for the District of Arizona and Central District of California. Judge Gonzalez maintains chambers in San Diego.



Linda Greenhouse is the Knight distinguished journalist-in-residence and Joseph Goldstein senior fellow in law at Yale Law School., a position she assumed in January 2009 following a 40-year career at *The New York Times*. From 1978 until 2008, she was the newspaper's Supreme Court correspondent. Ms. Greenhouse received several major journalism awards while covering the Supreme Court, including the Pulitzer Prize in 1998 and the Goldsmith Career Award for Excellence in Journalism from Harvard University's Kennedy School in 2004. In 2002, the American Political Science Association gave her its Carey McWilliams Award for "a major journalistic contribution to our understanding of politics." In 2008, she received the annual award for constitutional commentary from the non-partisan Constitution Project. Her biography of Justice Harry A. Blackmun, *Becoming Justice Blackmun*, was published in 2005. She is a 1968 graduate of Radcliffe College (Harvard), where she was elected to Phi Beta Kappa. She earned an M.S.L. degree from Yale Law School in 1978, which she attended on a Ford Foundation fellowship.



Joseph A. Grundfest is the William A. Franke professor of law and business at Stanford Law School and co-director of the Rock Center on Corporate Governance at Stanford University. He joined Stanford's faculty in 1990 after having served for more than four years as a commissioner of the U.S. Securities and Exchange Commission. While at the SEC, Professor Grundfest dealt extensively with matters related to capital markets, finance, and enforcement of federal securities laws, corporate governance, takeover regulation, market volatility, and internationalization of U.S. capital markets. Professor Grundfest received his B.S. from Yale University in 1973 and completed the M.Sc. program in mathematical economics and econometrics at the London School of Economics in 1972. He received his law degree from Stanford in 1978, where he also completed all requirements for a doctorate in economics. Professor Grundfest is founder and director of Directors' College at Stanford Law School, and principal investigator for Stanford Law School's Securities Litigation Clearinghouse.



Circuit Judge Michael Daly Hawkins was appointed to the U.S. Court of Appeals for the Ninth Circuit on September 15, 1994. Prior to his appointment, he served as special prosecutor, The Navajo Nation, from 1985 to 1989. He engaged in private practice in Phoenix from 1980 to 1994. Judge Hawkins was the U.S. attorney for the District of Arizona from 1977 to 1980. He served as judge on the U.S. Marine Corps Special Courts Martial from 1970 to 1973. Judge Hawkins received his B.A. from Arizona State University in 1967; his J.D. from Arizona State University College of Law in 1970; and his LL.M. from the University of Virginia School of Law in 1998. He maintains chambers in Phoenix.



Wendy Holton is a solo practitioner in Helena, Montana, practicing criminal defense in state and federal courts. She is a member of the Conference Executive Committee, the Montana Criminal Jury Instructions Commission, the Montana Evidence Commission, and is president-elect of the Montana Association of Criminal Defense Attorneys. Ms. Holton served on the Montana Public Defender Commission from 2005 to 2008, the Ninth Circuit Advisory Rules Committee from 2004 to 2007, and was president of the Montana Chapter of the Federal Bar Association from 2004 to 2005. She received her J.D. in 1984 from the University of Montana School of Law and her L.L.M. from the Georgetown University Law Center, where she was a Prettyman fellow.



Chief District Judge Anthony W. Ishii was appointed to the U.S. District Court for the Eastern District of California on October 9, 1997. He received his A.S. from the University of the Pacific's School of Pharmacy in 1970 and his J.D. from the University of California, Boalt Hall, in 1973. Before going into private practice, Judge Ishii worked in Sacramento as a deputy city attorney from 1975 to 1979 and was a deputy public defender in Fresno County from 1979 to 1983. He was appointed to the Central Valley Municipal Court, Fresno County, in 1994 and served as a presiding judge in 1997. He maintains chambers in Fresno.



Robbin L. Itkin is a partner in the Century City office of Steptoe & Johnson LLP, where she is a member of the Business Solutions Department. Ms. Itkin is the chair-elect of the Lawyer Representatives Coordinating Committee and a member of the Ninth Circuit Judicial Conference Executive Committee. Ms. Itkin represents debtors, creditors, equity and bondholders committees, purchasers and trustees in corporate restructurings

and bankruptcies in a wide variety of industries, including entertainment, retail, transportation, and hospitality, and advises high profile individuals and corporations in out-of-court workouts and financial transactions. She is responsible for launching the West Coast Restructurings Group. She is a fellow of the American College of Bankruptcy.



Solicitor General Elena Kagan was confirmed as the 45th Solicitor General of the United States in March 2009. Prior to her confirmation, Solicitor General Kagan was the Charles Hamilton Houston professor of law and the 11th dean of Harvard Law School. During her nearly six-year tenure as dean, Harvard Law School expanded and enhanced its faculty, modernized its curriculum, developed new campus facilities

and promoted public service. While on the faculty, she taught administrative law, constitutional law, civil procedure, and seminars on issues involving the separation of powers. From 1995 to 1999, Solicitor General Kagan served in the White House first as an associate counsel to the president from 1995 to 1996 and then as deputy assistant to the president for domestic policy and deputy director of the Domestic Policy Council from 1997 to 1999. She clerked for Judge Abner Mikva of the U.S. Court of Appeals for the D.C. Circuit from 1986 to 1987. She clerked for Justice Thurgood Marshall of the Supreme Court in 1988. She received her B.A., *summa cum laude*, from Princeton University in 1981. She attended Worcester College, Oxford, as Princeton's Daniel M. Sach's graduating fellow, and received an M.Phil. in 1983. She then attended Harvard Law School, where she was supervising editor of the Harvard Law Review, and graduated *magna cum laude* in 1986.



David A. Kaplan is an award-winning contributing editor at *Newsweek*, where he has worked for 20 years. His cover stories have included profiles of Justices William Brennan and Clarence Thomas, George Steinbrenner, George Lucas and Rudy Giuliani, along with analyses of Supreme Court politics and the flaws of the capital punishment system. His 2006 cover story, “The Boss Who Spied on Her Board,” broke the Hewlett-Packard

boardroom scandal, which forced the resignation of HP’s chairwoman and led to congressional investigations. Over the past decade, Kaplan has written three books. His last book, *Mine’s Bigger* (2007) was a biography of the largest private sailing yacht in the world and the Silicon Valley venture capitalist who built it; the book won the Gerald Loeb Award for best business book of the year. Kaplan is currently at work on *The Age of Avarice*, a look at the financial culture of the last 30 years. Prior to joining *Newsweek*, Kaplan practiced law on Wall Street, served as an intern for the U.S. Attorney’s Office in Manhattan and was a White House intern.



Sam Kazman is general counsel of Competitive Enterprise Institute and heads CEI’s Death by Regulation project. This project focuses on raising public awareness of the often hidden costs of government overregulation. In 1992, Mr. Kazman won a federal appeals court ruling that the National Highway Traffic Safety Administration had illegally concealed the lethal effects on highway safety of its auto fuel economy standards. This

marked the first judicial overturning of a fuel economy standard in the program’s history. He has also recently been involved in litigation on such issues as advertising restrictions, property rights and environmental regulation. Mr. Kazman received his J.D. from the State University of New York at Buffalo.



Magistrate Judge Leslie E. Kobayashi was appointed to the District of Hawaii on August 2, 1999 and reappointed in 2007. She received her B.A. from Wellesley College in 1979 and her J.D. from Boston College School of Law in 1983. Prior to her appointment, Judge Kobayashi served as a deputy prosecuting attorney for the City and County of Honolulu and then spent 17 years in private practice in the law firm of Fujiyama, Duffy &

Fujiyama, where she was a trial attorney and a managing partner. She has served on the Magistrate Judges Executive Board for the Ninth Circuit and as a bencher for the American Inns of Court, Aloha Inn. She maintains chambers in Honolulu.



Chief Circuit Judge Alex Kozinski was appointed United States Circuit Judge for the Ninth Circuit on November 7, 1985. He was elevated to chief judge of the circuit on December 1, 2007. He graduated from UCLA, receiving an A.B. degree in 1972, and from UCLA Law School, receiving a J.D. degree in 1975. Prior to his appointment to the appellate bench, Judge Kozinski served as Chief Judge of the U.S. Claims Court, 1982 to 1985; Special Counsel, Merit Systems Protection Board, 1981-82; Assistant Counsel, Office of Counsel to the President, 1981; Deputy Legal Counsel, Office of President-Elect Reagan, 1980-81; Attorney, Covington & Burling, 1979-81; Attorney, Forry Golbert Singer & Gelles, 1977-79; Law Clerk to Chief Justice Warren E Burger, 1976-77; and Law Clerk to Circuit Judge Anthony M. Kennedy, 1975-76.



Chief District Judge Robert S. Lasnik was appointed to the U.S. District Court for the Western District of Washington on October 22, 1998, and has been chief district judge since September 2004. Prior to his appointment, he served as a Washington Superior Court judge, King County, for nine years. Judge Lasnik received his A.B. from Brandeis University; his master's degrees in journalism and counseling from Northwestern University; and his J.D. from the University of Washington School of Law. He serves on the Ninth Circuit Judicial Council and is a member of the Judicial Conference of the U.S. Budget Committee, where he chairs the Congressional Outreach Subcommittee. Judge Lasnik chaired the Ninth Circuit's Public Information and Community Outreach Committee for four years and served as program chair for the 2006 Ninth Circuit Judicial Conference and conference chair in 2007.



David Lat is the founding editor of *Above the Law*, an award-winning legal blog that receives over 10 million page views per month. He founded *Underneath Their Robes*, a blog about federal judges, and served as editor of *Wonkette*, the widely read politics blog. His writing has also appeared in the *New York Times*, the *New York Observer*, *Portfolio*, *New York Magazine*, and *Washingtonian Magazine*. Before entering the media world, David worked as a federal prosecutor in Newark, New Jersey; a litigation associate at Wachtell, Lipton, Rosen & Katz, in New York; and a law clerk to the Honorable Diarmuid F. O'Scannlain, of the U.S. Court of Appeals for the Ninth Circuit. David graduated from Harvard College and Yale Law School.



Christopher B. Latham is an assistant U.S. attorney for the Southern District of California. He is chair of the Lawyer Representatives Coordinating Committee and a member of the Ninth Circuit Judicial Conference Executive Committee. Mr. Latham was formerly with the San Diego office of Pillsbury Winthrop Shaw Pittman LLP, where his practice focused on

business disputes, antitrust and class action suits alleging unfair competition. Mr. Latham has shown a longstanding dedication to *pro bono* work, with a special emphasis on representing seniors in elder abuse cases. He is a former member of the ABA House of Delegates. Following college, Mr. Latham was a graduate student in anthropology. His studies, which culminated in an M.Phil. degree, centered on traditional modes of subsistence and land use in the Pacific Islands. After receiving his J.D. from Yale Law School in 1992, Mr. Latham was a judicial clerk to District Judge Earl B. Gilliam of the U.S. District Court for the Southern District of California.



Jo Saxe Levy is associate director of litigation at Intel Corporation, where she manages a wide variety of litigation including patent, antitrust, class action, and other commercial matters. She received her undergraduate degree from Brandeis University in 1985 and her law degree from Harvard Law School in 1988. Before joining Intel, she was a litigation partner at Crosby Heafey Roach & May in Northern California. In 2005, she moved to Portland, Oregon, where she lives with her husband and five children.



Michael Merzenich, Ph.D., is professor emeritus at the University of California, San Francisco, and co-founder and chief scientific officer of Posit Science, where he heads the company's global team. For more than three decades, he has been a leading pioneer in brain plasticity research. He was on the team that invented the cochlear implant in the late 1980s, now distributed by Advanced Bionics. In 1996 Dr. Merzenich was the founding

CEO of Scientific Learning Corporation, which markets and distributes software that applies principles of brain plasticity to assist children with language learning and reading. Dr. Merzenich is widely published and often covered in the popular press. He has also appeared extensively on television, and his work was featured on the PBS specials "The Brain Fitness Program" and "Brain Fitness 2: Sight and Sound." Dr. Merzenich earned his BS at the University of Portland and his Ph.D. at Johns Hopkins. He was elected to the National Academy of Sciences in 1999 and will be inaugurated into the Institute of Medicine this year.

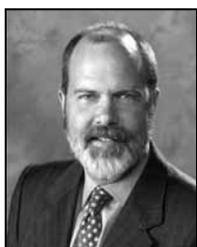


Secretary Janet Napolitano was sworn in as the third Secretary of the Department of Homeland Security on January 21, 2009. Prior to joining the Obama Administration, Secretary Napolitano was mid-way through her second term as governor of the State of Arizona. While governor, she became the first woman to chair the National Governors Association, where she was instrumental in creating the Public Safety Task Force and the

Homeland Security Advisors Council. Secretary Napolitano previously served as the attorney general of Arizona and the U.S. attorney for the District of Arizona. Her homeland security background is extensive. As U.S. attorney, she helped lead the domestic terrorism investigation into the Oklahoma City Bombing. As Arizona attorney general, she helped write the law to break up human smuggling rings. As governor, she implemented one of the first state homeland security strategies in the nation, opened the first state counter-terrorism center and spearheaded efforts to transform immigration enforcement. She has also been a pioneer in coordinating federal, state, local and bi-national homeland security efforts, and presided over large scale disaster relief efforts and readiness exercises to ensure well-crafted and functional emergency plans. Secretary Napolitano graduated from Santa Clara University in 1979, where she won a Truman Scholarship, and received her J.D in 1983 from the University of Virginia School of Law. After law school, she served as a law clerk for Circuit Judge Mary M. Schroeder of the U.S. Court of Appeals for the Ninth Circuit before joining the law firm of Lewis and Roca.



Senior Circuit Judge Dorothy W. Nelson was appointed to the U.S. Court of Appeals for the Ninth Circuit on December 20, 1979, and assumed senior status on January 1, 1995. Prior to her appointment, Judge Nelson was dean of the University of Southern California Law School from 1969 to 1980. She is chair of the Ninth Circuit's Alternative Dispute Resolution Committee. She maintains her chambers in Pasadena.



Jim Newton is editorial page editor of the *Los Angeles Times* with responsibilities for the editorial page, letters, op-ed and Sunday opinion sections. He has been responsible for overseeing local government and political coverage in Los Angeles and Orange counties. He was a staff writer for the *Atlanta Journal & Constitution* from 1987 to 1989; a clerk for the New York Times foreign desk from 1986 to 1987; and a clerk for James Reston from 1985 to 1986. He graduated with honors with a B.A. from Dartmouth

College in 1985, where he was publisher of the college newspaper. He was part of the Pulitzer Prize winning team for coverage of the 1994 Los Angeles earthquake and has been recognized with a number of media awards. He is author of *Justice for All: Earl Warren and the Nation He Made*, published in 2006 by Riverhead Books, Penguin USA. He is at work on a presidential biography of Dwight D. Eisenhower for Doubleday Books.



Ellen M. Peter was appointed chief counsel of the California Air Resources Board in May 2008. She and her staff in the Office of Legal Affairs provide legal advice to the board and its executive staff on the development and implementation of air pollution control regulations and other matters. As a member of the board's executive staff, Ms. Peter helps formulate policy recommendations to the board and its executive officer, including the implementation of California's comprehensive greenhouse gas reduction mandates. In addition, she manages the Enforcement Division with more than 125 investigators and air pollution enforcement specialists. Previously, Ms. Peter was a supervising deputy attorney general in California's Office of the Attorney General. Ms. Peter received her B.A. from the University of California, Santa Barbara, and her J.D. from the George Washington University's National Law Center in Washington, D.C.



District Judge Barbara J. Rothstein has been the director of the Federal Judicial Center since 2003. She was appointed to the U.S. District Court for the Western District of Washington on February 20, 1980, and served as chief district judge from 1987 to 1994. Prior to her appointment, Judge Rothstein was a Washington Superior Court judge, King County, from 1977 to 1980. She was an adjunct professor at the University of Washington Law School from 1975 to 1977. Judge Rothstein received her B.A. from Cornell University in 1960 and her LL.B. from Harvard Law School in 1966.



Kelli Sager is a partner in the Los Angeles office of Davis Wright Tremaine, LLP, and is the chair of the firm's nationwide media and entertainment practice. She has more than 20 years of litigation experience in intellectual property and First Amendment-related litigation, including representation of television and radio broadcasters, cable companies, motion picture producers and distributors, production companies, newspaper and magazine publishers, book authors, and web site owners, both at

the trial and appellate level of federal and state courts. Ms. Sager also serves on a number of non-profit boards and organizations, currently serving on the governing board of the ABA forum on communications law, and acting as vice chair of the Media committee for the International Bar Association, among others. She is the chair of the Conference Executive Committee.



Circuit Judge Mary M. Schroeder is the first woman to serve as chief judge of the Ninth Circuit from 2000 to 2007. Nominated to the U.S. Court of Appeals for the Ninth Circuit by President Carter, she was confirmed by the Senate in 1979. Prior to coming onto the federal bench, Judge Schroeder sat on the Arizona Court of Appeals from 1975 to 1979. She engaged in private practice with the law firm of Lewis and Roca in Phoenix, where she was the first woman to become a partner in a major law firm. She maintains chambers in Phoenix.



Circuit Judge Milan D. Smith, Jr., was appointed to the U.S. Court of Appeals for the Ninth Circuit on May 18, 2006. Prior to his appointment, Judge Smith was a managing partner, Smith Crane Robinson and Parker, LLP, from 1996 to 2006, and was a founding and managing partner at Smith & Hilbig, LLP, from 1972 to 1996. Judge Smith was president of the Los Angeles State Building Authority from 1983 to 1991 then general counsel from 1991 to 2006. He was vice chair of the California Fair Employment and Housing Commission from 1987 to 1991, and was an associate at O'Melveny & Myers in Los Angeles from 1969 to 1972. Judge Smith received his B.A. from Brigham Young University, *cum laude*, in 1966 and his J.D. in 1969 from the University of Chicago Law School, where he received a full tuition National Honor Scholarship from 1966 to 1969. He maintains chambers in El Segundo.



Circuit Judge N. Randy Smith was appointed to the U.S. Court of Appeals for the Ninth Circuit on March 19, 2007. Prior to his appointment to the federal bench, Judge Smith served as a district judge for the State of Idaho Sixth Judicial Circuit from 1995 to 2007. Judge Smith was an associate then partner at Merrill & Merrill, Chartered, in Pocatello, Idaho, from 1982 to 1995. He has been an adjunct professor at Boise State University since 1984. He was an adjunct professor at Boise State University from 1979 to 1981 and an associate then assistant general counsel at J.R. Simplot

Company from 1977 to 1981. Judge Smith received his B.S. from Brigham Young University in 1974 and his J.D. from Brigham Young University J. Reuben Clark School of Law in 1977. He maintains chambers in Pocatello.



Chief Magistrate Judge Karen L. Strombom was appointed to the U.S. District Court for the Western District of Washington on April 4, 2003. She was in private practice with the Tacoma firm of Burgess, Kennedy, Fitzer & Strombom from 1978 until she was appointed to the Washington Superior Court, Pierce County in 1990. She is the chair of the Ninth Circuit Magistrate Judges Executive Board. Judge Strombom received her B.S. from the University of Wisconsin, Stevens Point in 1974 and her J.D. from the University of Wisconsin, Madison, in 1978.



Ronald D. Sugar, Ph.D., is chairman of the board and chief executive officer of Northrop Grumman Corporation, a leader in global security. Northrop Grumman provides innovative systems, products, and solutions in aerospace, electronics, information systems, shipbuilding and technical services to government and commercial customers worldwide. Northrop Grumman is headquartered in Los Angeles, California with sales of \$34B, and employs 120,000 people in all 50 states and 25 countries. Dr. Sugar previously served as Litton Industries, Inc., president and chief operating officer prior to its acquisition by Northrop Grumman. He graduated *summa cum laude* from the University of California, Los Angeles, where he also received his master's degree and doctorate. Dr. Sugar is a member of the National Academy of Engineering, a fellow of the American Institute of Aeronautics and Astronautics, and a fellow of the Royal Aeronautical Society.



Circuit Judge Sidney R. Thomas was appointed to the U.S. Court of Appeals for the Ninth Circuit on January 4, 1996. Judge Thomas received his B.A., with honors, from Montana State University in 1975 and his J.D., *cum laude*, from the University of Montana School of Law in 1978. He was an administrative and legislative intern with the Montana Commissioner of Higher Education from 1974 to 1978 and a legal intern for District Judge

W.W. Lessley, Montana State District Court, in 1976. He was director of Montana Legal Services Association from 1978 to 1981. Judge Thomas was in private practice and a shareholder with the firm of Mouton, Bellingham, Longan and Mather in Billings from 1978-1996. He maintains chambers in Billings.



Nina Totenberg is NPR's award-winning legal affairs correspondent. Her reports air on NPR's critically acclaimed news magazines *All Things Considered*, *Morning Edition* and *Weekend Edition*. Ms. Totenberg's coverage of the Supreme Court and legal affairs has won her widespread recognition and numerous awards. She was the first winner of the American Judicature Society Tony House Award. She received Columbia University's prestigious Alfred I. Dupont Award, the Long Island University George Polk Award for excellence in journalism, and the Joan S. Barone Award for excellence in Washington-based national affairs and public policy reporting. She has been honored seven times by the ABA for continued excellence in legal reporting and has received a number of honorary degrees. She has written articles for the *Harvard Law Review*, the *New York Times Magazine*, *New York Magazine*, and numerous other publications. *Photo credit: ©2007 NPR, by Steve Barrett*



Circuit Judge Stephen Trott was appointed to the U.S. Court of Appeals for the Ninth Circuit on March 25, 1988, and assumed senior status on December 31, 2004. Prior to his appointment, he served as an assistant attorney general then associate attorney general, Department of Justice, Criminal Division, from 1983 to 1986 and from 1986 to 1988, respectively. He was the U.S. attorney for the Central District of California from 1981 to 1983. Judge Trott received his B.A. from Wesleyan University in 1962 and his LL.B. from Harvard Law School in 1965. He maintains chambers in Boise.



Sean Varah, Ph.D., is founder and CEO of MotionDSP, a San Mateo, California-based startup that develops "CSI-style" video enhancement technology. The company offers its patented multi-frame video enhancement in software products for video forensics, and has recently launched a consumer product, "vReveal," released in partnership with NVIDIA in March 2009. MotionDSP's investors include InQTel, the strategic investment arm of U.S. intelligence agencies, and NVIDIA, the leading manufacturer of discrete computer graphics chips. Dr. Varah has worked on both sides of the table in venture capital, having both funded and co-founded several startup companies. An investment in Keyhole Inc., which was acquired by Google in 2004, is now Google Earth. Before his career in Silicon Valley, Dr. Varah was an active composer and academic. In 1994, he built the Harvard Computer Music Center, and served there as the associate director and lecturer on music for three years. His compositions

have been performed in Carnegie Hall, the National Arts Center in Ottawa, Canada, and broadcast on NPR and the Canadian Broadcasting Corporation. Dr. Varah received a bachelor's degree from Stanford University and a doctorate in composition from Columbia University.



District Judge Neil V. Wake was appointed to the U.S. District Court for the District of Arizona on March 15, 2004. He received his B.A. from Arizona State University in 1971 and his J.D. from Harvard University in 1974. He is admitted to practice in Arizona, Colorado, and the Navajo Nation. From 1974 to 2004, he engaged in a litigation practice in Phoenix, primarily in the fields of business, administrative, constitutional, election, Indian law, and appellate litigation. He practiced in several law firms, including his own firm. Judge Wake was listed in *The Best Lawyers in America* for business litigation from 1989 until leaving law practice and has been a fellow of the American Academy of Appellate Lawyers since 1993. He served on the State Bar of Arizona's Civil Practice and Procedure Committee for nearly 20 years, authored chapters on administrative law in the *Arizona Appellate Handbook* since 1980, and was chair of the State Bar Appellate Practice Section from 2003 to 2004. He is the chair of the Committee on Local Rules of Practice, Arizona U.S. District Court, from 2006 to present, and of the Case Management Committee of the Conference of Chief District Judges of the Ninth Circuit.



Richard H. Weare is the district court executive and clerk of court for the District of Arizona. He has served as a federal court administrator for 32 years, beginning with eight years in the Eastern District of New York from 1977 to 1985 and continuing to the District of Arizona from 1985 to present. Mr. Weare received his B.A. from Creighton University in 1970; his M.P.A. from the University of Nebraska in 1974; and his M.S.

from the University of Denver Law School in 1975. Mr. Weare was the recipient of the Administrative Office of the U.S. Courts' Director's Award for Outstanding Leadership. He is a member of the Executive Compensation Working Group and of the Ninth Circuit Judicial Conference Executive Committee.



Robert A. Wyman, Jr., is a partner in the Los Angeles office of Latham & Watkins and is the firm's Global co-chair of the Climate Change Practice Group. Mr. Wyman's experience includes practicing in the areas of air quality, climate change, energy and transportation. He represents businesses and trade associations in a wide variety of sectors (e.g., aerospace, automotive, cement, cosmetics, energy, entertainment, land development) on regulatory, judicial and legislative matters. He has designed several market-based programs, including the South Coast Regional Clean Air Incentives Market (RECLAIM), the clean air investment fund (contained in President Clinton's Directive to EPA regarding the new ozone and fine particulate standards) and EPA's clean air communities program. He has advised clients on a variety of other emissions trading programs, including the California Air Resources Board's low emissions vehicle regulation and federal and state versions of the Clean Air Act's New Source Review (NSR) program. Mr. Wyman received his B.A. from Princeton University in 1976 and his J.D. from the University of Virginia School of Law in 1980.

Additional Program Speakers



Magistrate Judge Cathy Ann Bencivengo was appointed to the U.S. District Court for the Southern District of California on December 5, 2005. Prior to her appointment, Judge Bencivengo was in private practice as an associate and partner at DLA Piper Rudnick Gray Cary LLP in San Diego (formerly Gray Cary Ware & Friedenrich), from 1985 to 2005. She was a national co-chair of the firm's Patent Litigation Practice Group. Judge Bencivengo received her B.A. and her M.A. from Rutgers University in 1980 and 1981, respectively, and her J.D. from the University of Michigan Law School in 1988. Judge Bencivengo serves as chair of the Ninth Circuit Magistrate Judges Education Committee. She maintains chambers in San Diego.



Magistrate Judge Celeste F. Bremer was appointed to the U.S. District Court for the Southern District of Iowa in 1985. She has managed complex litigation such as asbestos, tobacco and major products liability cases, specializes in alternate dispute resolution, and carries a full civil and criminal caseload in addition to her responsibilities on the JCUS Space & Facilities Committee. She teaches ADR and other topics for the Federal Judicial Center, and has been an adjunct professor of law at Drake University and teaches leadership

for the Drake School of Education. Judge Bremer has served as a consultant for international ADR projects and judicial education. Prior to her judicial service, she was corporate counsel, in private practice, and a prosecutor. She holds a doctorate in adult education. She maintains chambers in Des Moines.



Kathleen D. Crane is a certified specialist in estate planning, trust and probate law, the State Bar of California Board of Legal Specialization. Her focus is on estate planning, probate, post death trust administration, related business issues, and business succession. She also engages in business entity formation and maintenance. Ms. Crane is admitted to practice in California, the District of Columbia, South Carolina, Georgia, Ohio and before the United States Tax Court. She received her B.A. from Boston College, *summa cum laude*, in 1975; her J.D. from Emory University in 1980; and her LLM in taxation, with highest honors, from George Washington University in 1984.



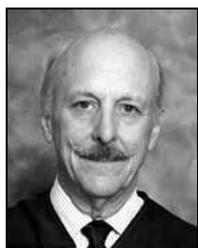
Bankruptcy Judge Roger L. Efremsky was appointed to the U.S. Bankruptcy Court for the Northern District of California on August 1, 2006. He is chair of the Bankruptcy Judges Education Committee. Prior to his appointment, Judge Efremsky was a partner with the law firm of Efremsky & Nagel representing corporate clients throughout California and served as advisory counsel to the Chapter 13 Standing Trustees for the Oakland, San Francisco, San Jose and Santa Rosa divisions of the U.S. Bankruptcy Court for the Northern District of California. Judge Efremsky received his B.S. from Menlo College in 1978 and his J.D. from Santa Clara University School of Law in 1983. He maintains chambers in San Jose.



Richardo I. Kilpatrick specializes in creditors' rights and insolvency law while also focusing on commercial litigation and bankruptcy. He is currently a member of the board of directors for the American College of Bankruptcy. Mr. Kilpatrick was inducted as a fellow into the American College of Bankruptcy in March 1999 and appointed to the board of directors in July 2001. He received his B.A. from Harvard University in 1973 and his J.D. from the University of Michigan Law School in 1982. He is a frequent lecturer on consumer and commercial bankruptcy.



Magistrate Judge Karen K. Klein was appointed to the U.S. District Court for the District of North Dakota in 1985. She presently serves as a member of the JCUS Committee on Information Technology, and formerly served on the JCUS Committee on the Administration of the Magistrate Judges System. Judge Klein recently completed a term on the FJC Board and formerly served as chair of the FJC's Magistrate Judge Education Committee, through which she participated in planning and presenting judicial education programs. Judge Klein is a past president of the Federal Magistrate Judges Association. She maintains chambers in Fargo.



Chief Bankruptcy Judge Dennis Montali was appointed to the U.S. Bankruptcy Court for the Northern District of California on April 23, 1993, and was reappointed to a second 14-year term in 2007. He was elevated to chief bankruptcy judge of the Ninth Circuit's Bankruptcy Appellate Panel on a vote by his fellow judges on the BAP, and his term will run through 2010, when he is scheduled to step down from the BAP after 10 years of service. Prior to coming onto the bench, he headed the Creditors Rights and Bankruptcy Group at the law firm of Pillsbury, Madison & Sutro. He is a fellow of the American College of Bankruptcy and a former member of the National Bankruptcy Conference. A native of San Francisco, Judge Montali received his bachelor's degree in 1961 from the University of Notre Dame, and his juris doctorate in 1968 from the University of California at Berkeley Boalt Hall School of Law. He served on active duty with the Naval Reserve from 1961 to 1965. He maintains chambers in San Francisco.



Magistrate Judge Leo S. Papas was appointed to the U.S. District Court for the Southern District of California on June 26, 1991, serving as presiding magistrate judge from 2002 to 2006. Prior to his appointment to the bench, Judge Papas was in sole practice for 17 years, specializing in business, real estate and professional negligence litigation. He served as a prosecutor, defense counsel and review officer, U.S. Marine Corps Office of the Staff Judge Advocate (JAG), from 1969 to 1973. Judge Papas attended Northwest Missouri State University and the University of Nebraska, graduating with an A.B. in 1966 and received his J.D. from Drake University Law School in 1969. While serving in the military, he also attended and received degrees from the Naval Justice School and the National College of District Attorneys. Judge Papas was chosen as

Outstanding Judge of the Year in 2003 by the San Diego County Bar Association and in 2007 by the Consumer Attorneys of San Diego. He is an advisor to the San Diego County Ethics Committee and an active member of the San Diego County Bar Association Children at Risk Committee. He is also a master in the Enright Inn of Court, serves on the Ninth Circuit Automation Committee, and the U.S. Forms Working Group Committee. He maintains chambers in San Diego.



District Judge Marsha J. Pechman was appointed to the U.S. District Court for the Western District of Washington on September 9, 1999. She has served on the Ninth Circuit Jury Instructions Committee, currently sits on the Ninth Circuit Education Committee, and also served as a member of the Rules Committee which revised the Western District's local rules. In 2004 and 2005, she traveled to Uganda and Malawi to instruct

native practitioners in trial advocacy skills as part of a teaching team sponsored by the National Institute for Trial Advocacy. Prior to her appointment to the federal bench, she sat for 11 years as a Washington Superior Court Judge, King County, serving on the Executive Committee and as a member of the court's committees devoted to ethics, education, jury, mental health and personnel issues. She received her B.A. from Cornell University in 1973 and her J.D. from Boston University Law School in 1976. She maintains chambers in Seattle.



Bankruptcy Judge Paul B. Snyder was appointed to the U.S. Bankruptcy Court for the Western District of Washington on November 1, 1996. Prior to joining the bench, Judge Snyder was a partner at the Tacoma law firms of Davies Pearson, P.C., and McGavick Graces, P.S., specializing in creditor/debtor issues, commercial litigation, and health care law. Judge Snyder is a past member of the Creditor-Debtor Executive Committee

of the Washington Bar Association. He is a member of the Ninth Circuit Information Technology Committee, emeritus member of the Hon. Robert J. Bryan Inns of Court and on several subcommittees of the National Conference of Bankruptcy Judges. He maintains chambers in Tacoma.



Susan Soong is a supervising staff attorney at the U.S. Court of Appeals for the Ninth Circuit and has been with the court since 1994. Since 2007, Susan has been the legal liaison in the court's move to appellate CM/ECF. She has trained over 600 attorneys and their staff on how to electronically file in the Ninth Circuit. Susan has been a legal writing and research instructor at the University of California, Hastings College of the Law, and has served on the State Bar of California's Committee on Appellate Courts. She received her J.D. from the University of Buffalo Law School.



Kathleen M. Sullivan is partner and chair of the national appellate practice at Quinn Emanuel Urquhart Oliver & Hedges, the nation's largest business litigation firm. She served as the 11th dean of Stanford Law School from 1999 to 2004, and remains on the Stanford faculty as the Stanley Morrison professor of law. Prior to joining the Stanford law faculty in 1993, she was a professor of law at Harvard Law School for nearly a decade. A widely known constitutional scholar, Ms. Sullivan edits the classic casebook *Constitutional Law* and has published a wide range of law review articles on constitutional law and theory. She has argued five cases before the Supreme Court, most recently obtaining a 5-4 win for California wineries in the interstate direct shipment of wine and an 8-1 victory for Shell Oil Company limiting CERCLA arranger liability. She has also argued numerous cases in the United States Courts of Appeals for the First, Second, Fifth, Federal and especially the Ninth Circuit, as well as various cases in state courts including the New York Court of Appeals and the Delaware Chancery Court. Ms. Sullivan holds a B.A. from Cornell University, where she was a Telluride Scholar, an M.A. from Oxford University, which she attended as a Marshall Scholar, and a J.D. from Harvard Law School, where she won the Ames Moot Court Competition. She is an elected fellow of the American Academy of Arts and Sciences and the American Philosophical Society.



Tara Twomey is a lecturer in law at Stanford Law School and is of counsel with the National Consumer Law Center. She is co-author of the National Consumer Law Center's *Bankruptcy Basics* (2007) and *Foreclosures* (2d ed. 2007). She is also the amicus project director for the National Association of Consumer Bankruptcy Attorneys and a contributing author for *Collier Bankruptcy Practice Guide*. Ms. Twomey received her B.A.

from the University of California at San Diego and her J.D., *summa cum laude*, from Boston College Law School. Formerly a clinical instructor at the Hale and Dorr Legal Services Center of Harvard Law School, Ms. Twomey was also a lecturer in law at Harvard Law School and an adjunct faculty member at Boston College Law School.



Bankruptcy Judge Eugene R. Wedoff has served as a bankruptcy judge in the Northern District of Illinois for 20 years and served as chief judge from 2002 to 2007.

After graduating from the College and Law School of the University of Chicago, Judge Wedoff became a partner and member of the Executive Committee at the Chicago law firm of Jenner & Block. Since 2004, Judge Wedoff has served on

the Advisory Committee on Bankruptcy Rules. He is currently serving as the American Bankruptcy Institute's vice president for Communication & Information Technology and as secretary of the National Conference of Bankruptcy Judges. He is a fellow of the American College of Bankruptcy and a member of the National Bankruptcy Conference. He maintains chambers in Chicago.

New Judges & Lawyer Representatives

DISTRICT JUDGES

Michael M. Anello
Southern District of California
G. Murray Snow *District of Arizona*

MAGISTRATE JUDGES

Ronald E. Bush *District of Idaho*
John Richard Creatura
Western District of Washington
Douglas Thomas Ferraro, Jr.
District of Arizona

LAWYER REPRESENTATIVES

● APPELLATE

Susan K. Alexander
Ahilan T. Arulanantham
Helen J. Brunner
Mark R. Caldwell
Danny Y. Chou
Bennett E. Cooper
Steven A. Hirsch
Steven F. Hubachek
Anthony Johnstone
Heather Kendall-Miller
AJ Kutchins
Douglas N. Letter
Elizabeth A. Olson
Peggy S. Ruffra
David A. Schlesinger
Anne R. Traum
Barbara J. Valliere
Paul J. Watford

● DISTRICT OF ALASKA

Sara Gray
Frank Pfiffner

● DISTRICT OF ARIZONA

Rob Charles
Geoffrey T. Cheshire
Kelly J. Flood
Geoffrey M.T. Sturr
Madeleine C. Wanslee

● CENTRAL DISTRICT OF CALIFORNIA

Wylie A. Aitken
David M. Axelrad
Marc S. Cohen
Daniel Paul Collins
Don A. Hernandez
Brian M. Hoffstadt
John W. Holcomb
John C. Hueston
Evan A. Jenness
Robert C. O'Brien
Dominique R. Shelton

● EASTERN DISTRICT OF CALIFORNIA

Darcie L. Houck
Marc A. Levinson

● NORTHERN DISTRICT OF CALIFORNIA

Tracie L. Brown
Reed R. Kathrein
Adam A. Lewis
Edwin Prather
James E. Towery
Bobbie J. Wilson

● **SOUTHERN DISTRICT OF CALIFORNIA**

Radmila A. Fulton
Randy S. Grossman
Meryl Maneker
Alan M. Mansfield
Monty McIntyre
Stephen Swinton

● **DISTRICT OF IDAHO**

Alan C. Stephens

● **DISTRICT OF MONTANA**

Scott Gratton
Ross P. Richardson

● **DISTRICT OF NEVADA**

Paul Georgeson
Robert Gower
Beau Sterling

● **DISTRICT OF OREGON**

Thomas M. Christ
Lynn Hampton

● **EASTERN DISTRICT OF WASHINGTON**

J. Christopher Lynch
Brendan V. Monahan

● **WESTERN DISTRICT OF WASHINGTON**

Stuart Dunwoody
Kelly L. Harris
Jane Pearson

Appendix[†]

Members, Guests, and Spouses of the 2009 Judicial Conference

CIRCUIT JUDGES

Alex Kozinski (Marcy Tiffany)
James R. Browning (Marie-Rose)
Alfred T. Goodwin (Mary Ellin)
J. Clifford Wallace (Jenee)
Procter Hug, Jr. (Barbara)
Otto R. Skopil (Janet)
Mary M. Schroeder (Milton)
Betty Binns Fletcher (Robert)
Jerome Farris
Harry Pregerson (Bernardine)
Arthur L. Alarcón (Sandra)
Dorothy W. Nelson (James)
William C. Canby, Jr. (Jane)
Robert Boochever (Rosemary)
Stephen Reinhardt (Ramona Ripston)
Robert R. Beezer (Hazlehurst)
Cynthia Holcomb Hall
Melvin Brunetti (Gail)
John T. Noonan, Jr. (Mary Lee)
David R. Thompson (Arna L.)
Diarmuid F. O'Scannlain (Maura N.)
Edward Leavy (Eileen H.)
Stephen S. Trott (Carol)
Ferdinand F. Fernandez (Priscilla)
Pamela Ann Rymer
Thomas G. Nelson (Sharon)
Andrew J. Kleinfeld (Judith S.)
Michael Daly Hawkins (Phyllis)
A. Wallace Tashima (Kiyu I.)
Sidney R. Thomas (Martha Sheehy)
Barry G. Silverman (Georgy)
Susan P. Graber (William June)
M. Margaret McKeown (Peter Cowhey)

Kim McLane Wardlaw (William)
William A. Fletcher (Linda)
Raymond C. Fisher (Nancy Leigh)
Ronald M. Gould (Suzanne)
Richard A. Paez (Diane Erickson)
Marsha S. Berzon (Stephen P.)
Richard C. Tallman (Cynthia)
Johnnie B. Rawlinson (Dwight)
Richard R. Clifton (Teresa M.)
Jay S. Bybee (Dianna G.)
Consuelo M. Callahan (Randy Haight)
Carlos T. Bea (Louisa)
Milan D. Smith, Jr. (Kathleen D. Crane, Esq.)
Sandra S. Ikuta (Ed)
N. Randy Smith (La Dean)

DISTRICT JUDGES

● DISTRICT OF ALASKA

John W. Sedwick (Deborah B.)
Ralph R. Beistline (Peggy Ann)
Timothy M. Burgess (Joanne Grace)
James M. Fitzgerald (Karin R.)
H. Russel Holland (Diane C.)
James K. Singleton (Sandra)
James A. Von der Heydt (Verna)

● DISTRICT OF ARIZONA

John M. Roll (Maureen)
Susan R. Bolton (F.G. [Bud])
Robert C. Broomfield (Cuma C.)
David C. Bury (Debby)
David G. Campbell (Stacey)

[†] List is current as of June 1, 2009.

Earl H. Carroll (Louise R.)
Raner C. Collins (Theresa)
Cindy K. Jorgenson (Don)
Frederick J. Martone (Jane)
Stephen M. McNamee (Elizabeth)
Mary H. Murguia
Paul G. Rosenblatt (Shannon C.)
Roslyn O. Silver
*G. Murray Snow (Cheri)
Roger G. Strand (Joan W.)
James A. Teilborg (Connie)
Neil V. Wake (Shari Capra)
Frank R. Zapata (Josefina L.)

● **CENTRAL DISTRICT OF CALIFORNIA**

Audrey B. Collins (Dr. Tim)
Percy Anderson
Valerie Baker Fairbank (Bob)
Cormac J. Carney (Mary Beth)
David O. Carter (Mary Ellen)
Florence-Marie Cooper (Les Peckins)
Gary Feess (Deborah)
Dale S. Fischer
Andrew J. Guilford (Loreen)
Philip S. Gutierrez (Anna)
Terry J. Hatter, Jr. (Trudy)
Robert J. Kelleher (Sigrid Draper)
William D. Keller
George H. King (Pamela J.)
R. Gary Klausner (Linda)
J. Spencer Letts (Ginger)
Stephen G. Larson (Dena)
Ronald S.W. Lew (Mamie)
Consuelo B. Marshall (George E.)
A. Howard Matz (Jane Balkin)
Margaret M. Morrow
S. James Otero (Jill)
Mariana R. Pfaelzer
Virginia A. Phillips

Dean D. Pregerson (Sharon D.)
Manuel L. Real (Tao)
James V. Selna (Harriet G.)
Christina A. Snyder (Marc M. Seltzer)
Alicemarie H. Stotler (James A.)
Robert M. Takasugi (Dodie)
Robert J. Timlin (Caroline)
John F. Walter (Joyce)
Stephen V. Wilson (Claudia)
Otis D. Wright II (Evelyn)
George H. Wu

● **EASTERN DISTRICT OF CALIFORNIA**

Anthony W. Ishii (Jeanette)
Garland E. Burrell, Jr. (Karen)
Robert E. Coyle (Faye)
Frank C. Damrell, Jr. (Ludy)
Morrison C. England, Jr. (Torie)
Edward J. Garcia (Joanne)
Lawrence K. Karlton (Sue)
John A. Mendez (Susan)
Lawrence J. O'Neill (Kathleen)
William B. Shubb (Sandy)
Oliver W. Wanger (Lorrie A.)

● **NORTHERN DISTRICT OF CALIFORNIA**

Vaughn R. Walker
William Alsup (Suzan)
Saundra Brown Armstrong
(Reverend Melvin Graham)
Charles R. Breyer (Sydney Goldstein)
Maxine M. Chesney (Hon. Edward Stern)
Samuel J. Conti (Dolores)
Jeremy Fogel (Kathleen Wilcox)
Phyllis J. Hamilton (Stephen Rowell)
Thelton E. Henderson
Susan Y. Illston
D. Lowell Jensen
Marilyn Hall Patel (Magan C.)

* *Appointed since 2008 Judicial Conference*

Ninth Circuit Judicial Conference

James Ware (Susan)
Jeffrey S. White (Jane)
Ronald M. Whyte (Ann)
Claudia A. Wilken (John M. True)

● SOUTHERN DISTRICT OF CALIFORNIA

Irma E. Gonzalez (Robert S. Brewer, Jr.)
*Michael M. Anello (Pamela)
Roger T. Benitez (Cathryn)
Rudi M. Brewster (Gloria)
Larry A. Burns (Kristi)
William B. Enright (Bette)
William Q. Hayes (Julia Jáuregui)
John A. Houston (Charlotte C.)
Marilyn L. Huff (William S. Boggs)
Napoleon A. Jones, Jr.
(Dr. Rosalyn P. Baxter-Jones)
M. James Lorenz (Marcia)
Jeffrey T. Miller (Jada Corbett)
Barry Ted Moskowitz (Rita B.)
Dana Makoto Sabraw (Summer S. Stephan)
Janis Lynn Sammartino
Gordon Thompson, Jr. (Jean P.)
Howard B. Turrentine (Marlene)
Thomas J. Whelan (Cathy)

● DISTRICT OF GUAM

Frances Marie Tydingco-Gatewood
(Dr. Robert R. Gatewood)

● DISTRICT OF HAWAII

Susan Oki Mollway
David A. Ezra (Judith A.)
Helen W. Gillmor (John P.)
Alan C. Kay (Patricia P.)
Samuel P. King (Anne)
J. Michael Seabright (Margaret S. Ahn)

● DISTRICT OF IDAHO

B. Lynn Winmill (Judy)
Edward J. Lodge (Patti Anne)

● DISTRICT OF MONTANA

Richard F. Cebull (Linda)
Sam E. Haddon (Betty)
Charles C. Lovell (Catherine)
Donald William Molloy (Judy)
Jack D. Shanstrom (Audrey)

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CONFERENCE STAFF

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for Conference and Education*

Susan A. Newell

Meetings & Events Planner

AzizA Bledsoe

Conference & Education Assistant

Sally Pym

Education Specialist

Phyllis M. Riddell

Conference and Education Assistant

Alex Clausen

Graphic Artist

Dawn Danzig

Automation Specialist

Joan Gee

Executive Secretary

Hank Herbert

Network Administrator

Rob Leung

Human Resources Assistant

Katherine P. Monterola

Communications Assistant

Chandan Toor

Internet / Intranet Developer

SPECIAL THANKS

Alex Clausen

Graphic Artist

David Madden

Assistant Circuit Executive for Public Information

Katherine P. Monterola

Communications Assistant

Chandan Toor

Internet / Intranet Developer

District Dinners

TUESDAY, JULY 21, 2009

7:00 P.M.

Alaska

(Gregory S. Fisher, LRCC Chair)

PortaBella Restaurant

Arizona

(Andrew M. Jacobs, Ann E. Harwood, LRCC Co-Chairs)

Stokes Restaurant

Central California

(Samantha C. Grant, Paula D. Pearlman LRCC Co-Chairs)

**La Playa Hotel
Poseidon Room**

Eastern California

(Riley Walter, Melissa Ann Jones, LRCC Co-Chairs)

**Monterey Peninsula
Country Club**

Northern California

(Sarah G. Flanagan, Haywood S. Gilliam, LRCC Co-Chairs)

**Casanova Restaurant
Carmel**

Southern California

(Margaret M. Mann, John B. Scherling, LRCC Co-Chairs)

**Chateau Julien
Carmel**

Hawaii, Nevada, Guam, Northern Mariana Islands

*(Larry Butrick, Nancy Koppe, John F. Murtha,
Joaquin C. Arriola, Sean E. Frink, LRCC Chairs)*

Will's Fargo

Idaho and Montana

*(Steven B. Andersen, Barry W. McHugh, Robert M. Carlson,
Dana L. Christensen, LRCC Co-Chairs)*

Montrio Bistro

Oregon

*(Suzanne Bradley Chanti, Richard J. Vangelisti,
LRCC Co-Chairs)*

Tarpy's Roadhouse

Eastern and Western Washington

*(John Ray Nelson, David Bukey, Tracy M. Morris,
LRCC Co-Chairs)*

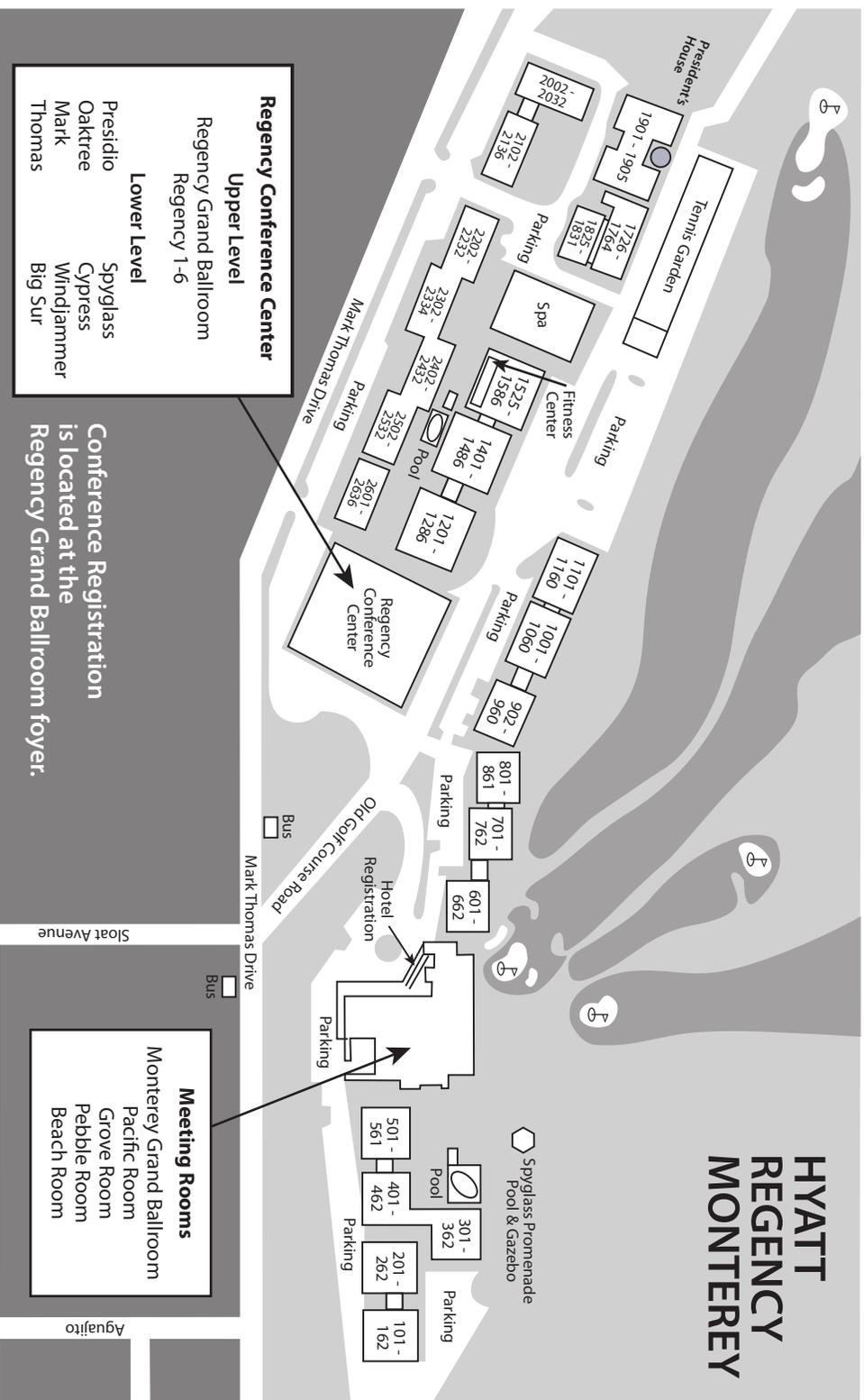
**Monterey Plaza Hotel
Monterey Bay**







HYATT REGENCY MONTEREY



Regency Conference Center

Upper Level

Regency Grand Ballroom
Regency 1-6

Lower Level

Spyglass
Cypress
Windhammer
Big Sur

Presidio
Oaktree
Mark
Thomas

Conference Registration
is located at the
Regency Grand Ballroom foyer.

Meeting Rooms

Monterey Grand Ballroom
Pacific Room
Grove Room
Pebble Room
Beach Room

Sloat Avenue

Mark Thomas Drive

Aguajito



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