

2011

NINTH CIRCUIT JUDICIAL CONFERENCE

PAST AS PROLOGUE:
CELEBRATING OUR HISTORY, BUILDING OUR FUTURE

PROGRAM BOOK

CARLSBAD, CALIFORNIA

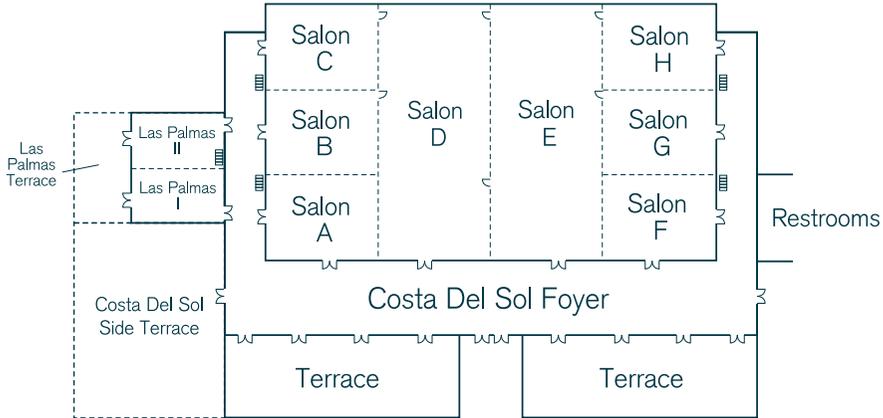
AUGUST 15-18, 2011

LA COSTA RESORT AND SPA

MEETING ROOM MAPS

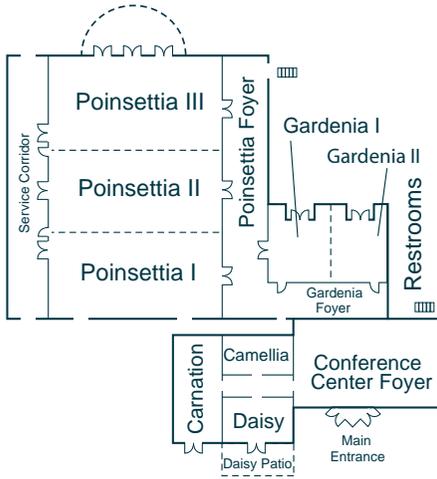
FULL RESORT MAP LOCATED ON INSIDE REAR COVER

COSTA DEL SOL BALLROOM

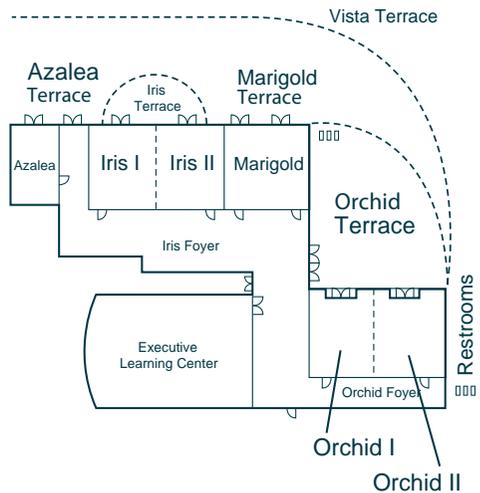


COASTAL EVENT CENTER

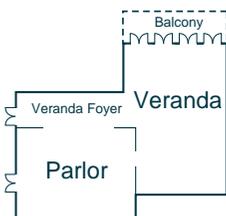
Upper Level



Lower Level



Clubhouse



COLLEAGUES, SPEAKERS, & SPECIAL GUESTS,

On behalf of the Ninth Circuit Conference Executive Committee, welcome to the 2011 Ninth Circuit Judicial Conference. This beautiful resort provides the perfect setting in which to gather together again. Thank you so much for joining us!

This year's program more than matches the setting. You're attending a conference like few you have ever attended. The Conference opens with Associate Justice Anthony M. Kennedy's exclusive presentation for Conference participants and ends with a reenactment of the 1872 *Bradwell v. Illinois* case. Ms. Bradwell will argue for admission to the State Bar of Illinois before Associate Justice Ruth Bader Ginsburg. Justice Ginsburg will then join in a discussion of the status of women in the forty years following the Supreme Court's decision in *Reed v. Reed*. Between these extraordinary presentations provided by two Supreme Court Justices, we will honor our hero, Judge John M. Roll, and you will have the opportunity to engage with some of the nation's and world's brightest scholars, judges, and lawyers.

Our five educational presentations provide variations on the 2011 Conference theme, Past as Prologue: Celebrating our History, Building our Future. On the first day, we will look both to the history and the future of federalism, and then turn our attention to experts in neuroscience as they educate us as to its intersection with the law and the opportunities and challenges that neuroscience has and will present in our courtrooms. On the second day, we will obtain an insider's view of the Supreme Court's decision in *Mapp v. Ohio* and then consider the more recent history and future prospects for the exclusionary rule. On our last day, futurists will look to 2031 so that we can prepare for and shape the future of the Courts. Lastly, we travel to 1872 for our *Bradwell* reenactment and related discussion.

Our annual Breakfast with the Bench also returns, but this year includes both the traditional and the innovative. Lawyer representatives, judges, and other participants first will meet to discuss a topic of general interest: cameras in the courtroom. Then, we will try a new approach as we break into sessions designed for discussion of appellate, bankruptcy, civil, and criminal topics.

We are fortunate that this year's Conference returns to the Southern District of California as San Diego County, the birthplace of naval aviation, celebrates one hundred years of flight by the Navy, Marines, and Coast Guard. You can join in this celebration at Anchors Aweigh Night on the aircraft carrier USS Midway. Our other social activities also offer wonderful opportunities to relax with Ninth Circuit friends and colleagues. In addition, you can enjoy all that La Costa and San Diego County have to offer. In particular, San Diego has great golf. Tuesday's golf tournament allows you to enjoy one of the County's best golf courses.

Okay, you've had the preview. We're ready to go and are so delighted that you are here to join us!



Hon. N. Randy Smith, Circuit Judge
Conference Chair



Hon. Laura S. Taylor, Bankruptcy Judge
Program Chair

NINTH CIRCUIT JUDICIAL CONFERENCE EXECUTIVE COMMITTEE



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NINTH CIRCUIT JUDICIAL CONFERENCE

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 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 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, appellate lawyer representatives, the Advisory Board, United States attorneys, federal and community 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. Breakfast with the Bench, which involves administrative and procedural discussions between the bench and bar, has limited openings for guests accompanying Conference participants. Tickets are \$40 and can be purchased at the Conference Registration and Information Desk. Please make use of the Hospitality Room in Carnation, located in the Coastal Events Center, available Monday, Tuesday and Wednesday from 8:00 a.m. to 11:00 a.m. 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 and Information Desk about the availability of these activities. Want to do some exploring on your own? Any sightseeing or additional recreational opportunities may be arranged by asking for the hotel's concierge service at (800) 854-5000 or (760) 438-9111.

REGISTRATION/INFORMATION DESK

Ninth Circuit staff will be on duty Saturday, August 13, beginning at 3:00 p.m. until 6:00 p.m. in the Lobby Clubhouse, located across from the lobby. On Sunday, August 14, the Conference Registration/Information Desk returns to the Lobby Clubhouse from 12:00 p.m. to 6:00 p.m.

Beginning Monday, August 15, the Registration/Information Desk will move to the Costa Del Sol Foyer in the lobby outside the ballroom where all the general sessions will take place. Hours of operation are: Monday, Tuesday from 7:00 a.m. until 5:00 p.m., Wednesday from 7:00 a.m. until 4:30 p.m., and Thursday, from 7:00 a.m. until 12:30 p.m.

The phone number for La Costa is (800) 854-5000 or (760) 438-9111.

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 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 spouse programs or any social and sports activities of the Conference.

DISCOVERING CARLSBAD AND NORTH COUNTY

La Costa offers guests tranquility and a variety of fitness services that can be rejuvenating. However, for those who want to explore Carlsbad and the surrounding areas, La Costa provides a gateway to beautiful beaches, golf, nature preserves such as Batiquitos Lagoon, unmatched shopping, dining and sporting events and festivals. The highlight of any getaway is the spectacular attractions, including LEGOLAND® California, The SEALIFE Aquarium®, the Flower Fields at Carlsbad Ranch and more. If you are extending your stay past the Conference dates, go south to San Diego where you can visit the Wild Animal Park, Sea World San Diego and the world-renowned San Diego Zoo in addition to sampling excellent restaurants.

SPECIAL GUESTS OF THE CONFERENCE

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

The Honorable Anthony M. Kennedy
Associate Justice, Supreme Court of the United States

The Honorable Ruth Bader Ginsburg
Associate Justice, Supreme Court of the United States

The Honorable Tani Gorre Cantil-Sakauye
Chief Justice, Supreme Court of California

The Honorable Barbara J. Rothstein
Director, Federal Judicial Center

The Honorable John R. Tunheim
District Judge, District of Minnesota

The Honorable Morris J. Fish
Justice, Supreme Court of Canada

The Honorable Juan P. Osuna
Director, Executive Office of Immigration Review

The Honorable James C. Duff
Director, Administrative Office of the United States Courts

Mrs. Maureen Roll
District of Arizona

CONFERENCE AGENDA

Monday, August 15

7:30 a.m. **Chief Bankruptcy Judges Breakfast Meeting**
Center Court Presiding: Hon. Terry L. Myers, *Chief Bankruptcy Judge, ID*

9:00 a.m. **Ninth Circuit Judges Education Program
 A Supreme Court Review**
Veranda Presiding: Hon. Andrew J. Guilford, *District Judge, CAC
 Ninth Circuit Education Committee*

Speaker: Paul D. Clement, *Esq., Partner Bancroft PLLC*

10:45 a.m. **Bankruptcy Judges Education Program**
Poinsettia 1 Presiding: Hon. Margaret M. Mann, *Bankruptcy Judge, CAS
 Chair, Bankruptcy Judges Education Committee*

***The Condition of the Residential Real Estate Market—
 How It Will Affect Your Docket and How Your Docket
 Will Affect It***

Ron Greenspan, Senior Managing Director of FTI Consulting, will assess the economic factors influencing the residential real estate market and the cases that might be filed in the bankruptcy court during the coming years. Mr. Greenspan will address the end game of the mortgage crisis and its effect on the larger macroeconomic recovery. He will discuss how public policy and bankruptcy decisions will affect both the housing market and national economic health. After Mr. Greenspan's presentation, a discussion of the legal issues raised by the economic data will follow. *Members of the bar are invited.*

Speaker: Ronald Greenspan, *Esq., Senior Managing Director,
 FTI Consulting*

Monday, August 15

10:45 a.m.

Poinsettia 2

Magistrate Judges Education Program

Presiding: Hon. Gary S. Austin, *Magistrate Judge, CAE*
Chair, Magistrate Judges Education Committee

The Mortgage Meltdown in the Courts: How did we get here and where do we go from here?

The “mortgage meltdown” or, more accurately, the collapse of the sub-prime lending market, has had worldwide economic implications. For the courts, the implications are straightforward: a barrage of complicated cases, often involving pro se litigants, which require judges to develop a working knowledge of a murky and unwieldy vocabulary, that includes such phrases as “credit bubble,” “shadow bankers” and “credit-default swaps” and peppered with acronyms like “MERS,” “NIVA” and “CODs.” This session will provide background on what caused the current situation, describe how the foreclosure process works, and provide practical assistance for courts to resolve their own “mortgage meltdown.” A panel will discuss what different courts are doing as well as the issues presented by the involvement of pro se litigants. *Members of the bar are invited.*

Introductory Presentation: Talcott J. Franklin
Founder, Talcott Franklin P.C.

Moderator: Hon. Jan M. Adler, *Magistrate Judge, CAS*

Panelists:

Hon. Kevin S.C. Chang, *Magistrate Judge, HI*
Denise P. Brennan, *Senior Counsel, Wells Fargo Home Mortgage Inc.*
Walter H. Hackett III, *Managing Attorney, Inland County Legal Services*

12:00 p.m.

Parlor Room

Spouses’ and Guests’ Welcome Luncheon and Book Review

Enjoy catching up with friends and meet new people attending their first Ninth Circuit Judicial Conference. After lunch, there will be a book review and discussion about *Unbroken*, by Laura Hillenbrand. The story is about Louie Zamperini, whose path to reclaiming his life and unflagging sense of purpose is truly inspiring. You may enjoy the discussion even if you haven’t read the book! *Ticketed event, advance reservations required.*

Monday, August 15

12:15 p.m.

Veranda

New Lawyer Representatives Orientation Meeting and Lunch

Presiding: Debora K. Kristensen, *Esq., ID*

Chair, Lawyer Representatives Coordinating Committee

If this is your first year as a lawyer representative and you're trying to figure out what you should be doing, this is the meeting for you! Become acquainted with the Ninth Circuit, other lawyer representatives and members of the LRCC during this special welcome. *Ticketed event, advance reservations required.*

12:45 p.m.

Poinsettia

Foyer

Bankruptcy Judges Buffet Lunch

Ticketed event, advance reservations required.

12:45 p.m.

Poinsettia

Foyer

Magistrate Judges Buffet Lunch

Ticketed event, advance reservations required.

Business Meetings, 1:30 p.m.

1:30 p.m.

Costa del Sol B

Circuit Judges

Presiding: Hon. Alex Kozinski, *Chief Judge*

U.S. Court of Appeals for the Ninth Circuit

Costa del Sol A

District Judges Association

Presiding: Hon. Irma E. Gonzalez, *Chief District Judge, CAS*

President, District Judges Association

Poinsettia 1

Bankruptcy Judges

Presiding: Hon. Terry L. Myers, *Chief Bankruptcy Judge, ID*

Chair, Conference of Chief Bankruptcy Judges

Poinsettia 2

Magistrate Judges

Presiding: Hon. David K. Duncan, *Magistrate Judge, AZ*

Chair, Magistrate Judges Executive Board

Monday, August 15

Veranda

Lawyer Representatives

Presiding: Debora K. Kristensen, *Esq.*, *ID*
Chair, Lawyer Representatives
Coordinating Committee

Poinsettia 3

District and Bankruptcy Court Clerks

Presiding: Lance S. Wilson, *District Court Clerk, NV*
Michael B. Dowling, *Bankruptcy Court Clerk, HI*

Gardenia 1 & 2
& Foyer

Chief Pretrial Services and Chief Probation Officers

Presiding: Roy Saenz, *Chief Pretrial Services Officer, CAN*
Mr. Mario Moreno, *Chief Probation Officer, AZ*

Center Court

Ninth Circuit Advisory Board

Presiding: Todd D. True, *Esq.*, *WAW*
Chair, Advisory Board Committee

Azalea
Boardroom

Federal Bar Association Chapter Presidents

Camellia

Law School Deans

3:30 p.m.

Break

Monday, August 15

4:30 p.m. Opening Ceremony

*Costa del
Sol Ballroom
D-H*

Welcome: Hon. Alex Kozinski, *Chief Judge*
U.S. Court of Appeals for the Ninth Circuit

Presiding: Hon. N. Randy Smith, *Circuit Judge*
U.S. Court of Appeals for the Ninth Circuit
Chair, Conference Executive Committee

Presentation of Colors

Naval Base Coronado Honor Color Guard

Pledge of Allegiance

Rear Admiral Patrick E. McGrath, *Commander, Naval Air Forces Reserve and Vice Commander, Naval Air Forces*

Welcome to the Conference

Introduction of Special Guests and New Judicial Officers

Recognition of New Senior Judges

Hon. N. Randy Smith, *Circuit Judge*
U.S. Court of Appeals for the Ninth Circuit
Chair, Conference Executive Committee

A Tribute in Memory of The Honorable John M. Roll *Chief District Judge, Arizona*

Introductory Remarks

Hon. Alex Kozinski, *Chief Judge*
U.S. Court of Appeals for the Ninth Circuit

Remembrance

Hon. James L. Teilborg, *District Judge, AZ*

Ninth Circuit Presentation to Mrs. Maureen Roll

Hon. Alex Kozinski, *Chief Judge*
U.S. Court of Appeals for the Ninth Circuit

Monday, August 15

Introduction of The Honorable Anthony M. Kennedy
Associate Justice, U.S. Supreme Court

A Special Presentation by
The Honorable Anthony M. Kennedy*

*Immediately
follows
Opening
Ceremony*

Welcome Reception (No-host)
Get into the Conference spirit by joining friends and other guests for a welcome reception in the Costa del Sol Foyer.

Garden Pool

Opening Night Buffet Dinner & Dance
Festivities continue with La Costa's culinary staff serving up a variety of epicurean delights. Music and dancing will add to the fun! *Ticketed event, advance reservations required.*

****Photographs, audio recordings or video recordings are not permitted.***

Tuesday, August 16

Moderator: Erwin Chemerinsky, *Founding Dean,
University of California, Irvine School of Law*

Panelists: Lynn A. Baker, *Frederick M. Baron Chair in Law,
University of Texas, School of Law*
David Oedel, *Professor of Constitutional Law,
Mercer University Law School*
Edward Rubin, *Professor of Law and Political
Science, Vanderbilt University*
Erin Ryan, *Haiyang Daxue in 2011 and Lewis &
Clark Law School in 2012*

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

10:15 a.m.
*Costa del Sol
D-H*

The Promises and Perils of Neuroscience Evidence in the Courtroom

Neuroscience research now allows the mapping of brain activity, which may offer an unprecedented level of sophistication in the analysis of human behavior. Judges increasingly will encounter such evidence and, as gatekeepers in the use of valid, reliable, and helpful evidence, must understand the principles underlying this rapidly growing area of scientific endeavor. Our distinguished panelists, who are in the vanguard of experts analyzing the nexus between scientific data and the law, will discuss the current status of neuroscience evidence, how it may be used effectively to support legal determinations, and the risks inherent in using evidence of this kind to draw definitive conclusions about complex human behaviors.

Introduction: Judith H. Ramseyer, *Esq.*, *WAW
Member, Conference Executive Committee*

Moderator: Owen D. Jones, *New York Alumni Chancellor's
Chair in Law & Professor of Biological Sciences,
Vanderbilt University; Director, MacArthur
Foundation Law and Neuroscience Project*

Tuesday, August 16

Panelists: Nita A. Farahany, *Associate Professor of Law and Philosophy, Vanderbilt University*
 Hank Greely, *Deane F. and Kate Edelman Johnson Professor of Law, Stanford Law School*
 Stephen J. Morse, *Ferdinand Wakeman Hubbell Professor of Law and Professor of Psychology and Law in Psychiatry, University of Pennsylvania*

12:15 p.m.

Iris I

JCUS Ninth Circuit Representatives Luncheon

Presiding: Hon. Alex Kozinski, *Chief Judge*
U.S. Court of Appeals for the Ninth Circuit

12:15 p.m.

Costa del Sol B

Senior Judges Lunch Meeting

Presiding: Hon. Stephen M. McNamee, *Senior District Judge, AZ*

1:30 p.m.

Camellia

Pacific Islands Committee Meeting

Presiding: Hon. Consuelo B. Marshall, *Senior District Judge, CAC*
Chair, Pacific Islands Committee

7:00 p.m.

District Dinners

Conference members from each district will meet for separate dinners at the location listed on page 80. Prior arrangements have been made for speakers and special guests by their Conference hosts.

Wednesday, August 17

7:15 a.m.

*Costa del Sol
Foyer*

Breakfast with the Bench Buffet Service Begins

Table assignments for the general sessions are printed on your ticket, posted adjacent to the meeting room and on monitors at the Registration and Information Desk. Please report to your assigned table as soon as possible. A list of breakout session table assignments will be available at each table. Since table assignments were made at the close of registration, it was not possible to assign seats to participants who registered on-site. Therefore, we invite you to sit at a table with fewer participants. Thank you!

Ticketed event; advance reservations required.

8:00 a.m.

*Costa del Sol
D-H*

Award Presentations

Presiding: Hon. Laura S. Taylor, *Bankruptcy Judge, CAS,
Program Chair, Conference Executive Committee*

American Inns of Court Award

Ninth Circuit Professionalism Award

In recognition of professionalism, ethics, civility and legal excellence

Presentation: Hon. Mary M. Schroeder, *Circuit Judge
U.S. Court of Appeals for the Ninth Circuit
Board of Trustees, American Inns of Court*

Recipient: Hon. Ronald M. Whyte, *Senior District Judge, CAN*

John P. Frank Award

Recognizing an outstanding lawyer practicing in the Ninth Circuit

Introduction & Presentation: Todd D. True, *Esq.,
Chair, Ninth Circuit
Advisory Board, WAW*

Remarks: Hon. Michael Daly Hawkins, *Senior Circuit Judge,
U.S. Court of Appeals for the Ninth Circuit*

Recipient: Paul F. Eckstein, *Esq., AZ*

Wednesday, August 17

8:15 a.m.

*Costa del Sol
D-H*

Breakfast with the Bench Program

Each year the Conference presents a session for lawyers and judges to discuss issues of common concern regarding the administration of justice within the Ninth Circuit. This year, we are experimenting with the format by leading off with a topic that involves all participants and moving into smaller discussion groups with four practice-oriented breakout sessions. Please let the Conference Executive Committee know what you think about this change.

Introduction: Debora K. Kristensen, *Esq.*, *Chair, LRCC
Member, Conference Executive Committee*

The National Pilot Program for Cameras in the Federal Trial Courts: An Important First Step or a Missed Opportunity?

Discussion Leader: Hon. Robert S. Lasnik, *Chief District Judge, WAW*

9:00 a.m.

Breakout Sessions

All breakout rooms are located adjacent to the Costa del Sol D-H ballroom. In order to refresh the ballroom so the civil breakout session can begin in a timely fashion, please leave the room as soon as possible to arrive in your breakout room within 10 minutes. Thank you for your cooperation!

*Las Palmas
1 & 2*

Appellate Breakout Session

Presiding: Bennett Evan Cooper, *Chair, Appellate Lawyer
Representatives, AZ*

Costa del Sol C

Bankruptcy Breakout Session

Presiding: Madeleine C. Wanslee, *Esq.*, *Member, LRCC, AZ*

*Costa del Sol
D-H*

Civil Breakout Session

Presiding: Andrew Jacobs, *Esq.*, *Chair-Elect, LRCC, AZ
Member, Conference Executive Committee*

Wednesday, August 17

Costa del Sol AB **Criminal Breakout Session**

Presiding: Hon. Robert J. Johnston, *Magistrate Judge, Nevada Member, Conference Executive Committee*

10:30 a.m. **Break**

10:45 a.m. **Search and Seizure in the 21st Century: Developments in the 50 Years Since *Mapp v. Ohio***

Costa Del Sol D-H

Fifty years ago, in *Mapp v. Ohio*, the Supreme Court announced that evidence obtained in violation of the Constitution, already excluded in federal criminal proceedings, was also excluded in state prosecutions. Today, lawyers and judges face increasingly complicated and constantly evolving issues relating to searches and seizures. Smart phones, global positioning devices, and a host of other means of obtaining, communicating, and storing data introduce new problems as to what evidence may constitutionally be obtained and relied on in court proceedings. This panel begins with a discussion of the *Mapp* decision itself by Professor Choper, who was a Supreme Court law clerk, in 1961. The panelists then discuss developments in the law of search and seizure here in the Ninth Circuit in the last half-century, consider the concerns today's practitioners have in litigating search and seizure issues, and examine what would happen if the law had developed differently, as it did in Canada.

Introduction: Joaquin C. Arriola, Jr., *Esq., Guam, Member, Conference Executive Committee*

Moderator: Gerald F. Uelmen, *Professor of Law and Director, Edwin A. Heafey Jr. Center for Trial and Appellate Advocacy, Santa Clara University Law School*

Panelists: Justice Morris J. Fish, *Supreme Court of Canada*
Jesse H. Choper, *Earl Warren Professor of Public Law, University of California at Berkeley School of Law*
Mythili Raman, *Principal Deputy Assistant Attorney General and Chief of Staff, Criminal Division, U.S. Department of Justice*

Wednesday, August 17

12:15 p.m. Optional District Meetings

California Central	<i>Poinsettia 1</i>
California Eastern	<i>Costa del Sol A</i>
California Northern	<i>Iris 1 & 2</i>
Guam	<i>Jasmine</i>
Hawai'i	<i>Las Palmas 2</i>
Idaho	<i>Gardenia 2</i>
Nevada	<i>Costa del Sol C</i>
Oregon	<i>Costa del Sol B</i>

12:15 p.m. Appellate Lawyer Representatives

Las Palmas 1

Presiding: Bennett Evan Cooper, *Esq.*,
Chair, Appellate Lawyer Representatives, AZ

1:30 p.m. Introduction to iPads, Smartphones, Laptops & Netbooks

Poinsettia 2

Presenters: Hon. Gloria M. Navarro, *District Judge, NV*
 Hon. James L. Robart, *District Judge, WAW*

This session is designed to provide less experienced users with information about various electronic devices available to judges. Judge Navarro and Judge Robart will address a range of issues involving:

- Which device or devices are best suited to you?
- Introduction to the use of iPads, Playbook and other tablet devices.
- Getting more from your Blackberry, iPhone, Android or other smart phone.
- Remote access to your chambers and other most commonly asked questions.

You are encouraged to attend if you want to get past the “start-up” phase and move into using mobile technology to make life (and working) easier. *Open to all attendees.*

Wednesday, August 17

1:30 p.m.

Poinsettia 3

Working with the iPad

Presenters: Hon. Percy Anderson, *District Judge, CAC*
Hon. Timothy M. Burgess, *District Judge, AK*

Participants will learn about the more advanced uses of the iPad and are encouraged to bring their own iPads for hands on learning about:

- Basic configuration
- Essential Apps and how they work
- Synchronizing your iPad
- Remotely accessing your desktop computer from your iPad
- Accessing and managing CM/ECF files
- Downloading and managing documents and briefs

Technical staff will be present to provide assistance as the audience follows along with the presenters. Current iPad users are encouraged to attend, as well as those who are considering purchasing the iPad. While the program is intended primarily for court users, many of the applications and features may be of general interest. *Open to all attendees.*

2:00 p.m.

Gardenia 1

ADR Workshop

The goal of this workshop is to consult with participants on creating and expanding district court ADR programs.

Hosts: Hon. Valerie P. Cooke, *Magistrate Judge, NV*
Chair, Alternative Dispute Resolution Committee
Denise Asper, *Esq., Prison Litigation Projects Director,*
Office of the Circuit Executive

Wednesday, August 17

2:00 p.m.
Poinsettia 1

Funding the Budget: Crisis in FY2012 and Beyond

A discussion on the current budget situation, the Judicial Conference's revitalized cost containment program, and steps being taken to convince Congress to provide the Judiciary more funding. This presentation will address actions taken to date by Congress and cover the possible impact, both nationally and specifically, on the Ninth Circuit. Chief District Judges, Chief Bankruptcy Judges and unit executives are encouraged to attend.

Presenter: George H. Schafer, *Assistant Director,
Office of Finance and Budget, Administrative
Office of the U.S. Courts*

4:30 p.m.
*Board buses
in front of
Costa del
Sol Ballroom*

Anchors Aweigh! The Ninth Circuit Lands on USS Midway

Experience life at sea without leaving San Diego Harbor! The Ninth Circuit Judicial Conference will enjoy a spectacular adventure on the USS Midway during an exclusive evening complete with guided docent tours of the museum, flight simulation exercises involving flight avionics and mach combat, over 60 exhibits and 27 restored aircraft. As dusk falls, you will enjoy a buffet dinner on the flight deck and be entertained by The Heroes, one of the USS Midway's preferred entertainment groups. The USS Midway is accessible to all with elevators and wheel chairs available for those with special needs. Round-trip bus transportation is included in the price of this event. **Please observe an important safety requirement: Rubber-soled shoes are a must! (NO Flip Flops or sandals).** Casual attire and slacks are preferred. *Ticketed event; advance reservations required.*

Thursday, August 18

7:15 a.m. Magistrate Judges Executive Board Breakfast Meeting

Costa del Sol A Presiding: Hon. David K. Duncan, *Magistrate Judge, AZ*
Chair, Magistrate Judges Executive Board

7:15 a.m. Marines of the Ninth Circuit Breakfast

Costa del Sol B *Ticketed event; advance reservations required.*

General Session

8:30 a.m. *The Federal Courts in 2031 — Making the Future Happen*

Costa del Sol
D-H

A noted futurist, Dr. John Richardson, has said that, "[w]hen it comes to the future, there are three kinds of people: those who let it happen, those who make it happen, and those who wonder what happened." This distinguished panel will present different perspectives on what the federal courts, and the broader legal system in which it functions, may look like in 20 years. From their unique vantage points, they will also suggest what the courts must do to "make the future happen."

Introduction: Hon. B. Lynn Winmill, *Chief District Judge, ID*
Member, Conference Executive Committee

Moderator: Stuart A. Forsyth, Principal, *The Legal Futurist*

Panelists: Hon. John R. Tunheim, *District Judge, MN*
Fred Dust, *Partner, IDEO*
Larry Kramer, *Richard E. Lang Professor and Dean,*
Stanford Law School
Mark J. Mills, *M.D./J.D., College of Physicians and*
Surgeons, Columbia University
Judith Resnik, *Arthur Liman Professor of Law,*
Yale Law School

10:00 a.m. Break

Thursday, August 18

10:15 a.m.

Costa del Sol
D-H

Bradwell v. Illinois: A Reenactment

Setting the "stage" for the next panel, we will travel back to 1872 and have a chance to observe the oral argument before the United States Supreme Court in *Bradwell v. Illinois*. Myra Bradwell, a married woman, was found qualified to practice law but denied admission to the Bar by the Supreme Court of Illinois on the grounds "[t]hat God designed the sexes to occupy different spheres of action, and that it belonged to men to make, apply, and execute the laws." The United States Supreme Court heard the case. We will have a chance to hear the argument — or a version of it — with Ms. Bradwell arguing her own case. Is she a good advocate? Should women be able to practice law? Does the United States Constitution have anything to say on the subject? Come and find out.

Introduction: Hon. Marsha S. Berzon, *Circuit Judge*
U.S. Court of Appeals for the Ninth Circuit

Reenactment: Members of the U.S. Supreme Court
Hon. Ruth Bader Ginsburg, *Associate Justice*,
U.S. Supreme Court
Hon. Richard R. Clifton, *Circuit Judge*,
U.S. Court of Appeals for the Ninth Circuit
Hon. Sidney R. Thomas, *Circuit Judge*
U.S. Court of Appeals for the Ninth Circuit

Advocates: Myra Bradwell—*Judith Resnik, Arthur Liman*
Professor of Law, Yale Law School
Carter G. Phillips, Esq., Sidley Austin LLP

10:45 a.m.

There will be a short break to re-set the stage.

Thursday, August 18

10:50 a.m.

Forty Years after Reed v. Reed: Where Did the Constitutional Law of Gender Discrimination Come From, and Where has it Taken Us?

In 1971, the United States Supreme Court, in a case concerning an Idaho preference for men over women as executors of estates, for the first time held unconstitutional a state law classification based on sex. At the time, an Equal Rights Amendment to the United States Constitution, proscribing governmental sex discrimination was pending, but it subsequently failed to be adopted. The panel will discuss both the history of these developments and their consequences for the major changes in the role of women in our society which occurred in the next forty years. How did *Brown v. Board of Education* and the civil rights movement affect the effort to turn to the courts for the elimination of sex discrimination? Would it have mattered if the Equal Rights Amendment had been adopted? Were the major changes in female participation in the workplace greatly affected by legal developments, or would they have come about anyway? Where do women now stand as participants in the American workforce? And how has the participation of women in the political arena been affected by and affected these legal and economic developments? During the panel discussion, Justice Ginsburg will comment on the issues covered.

Introduction: Hon. Marsha S. Berzon, *Circuit Judge*
U.S. Court of Appeals for the Ninth Circuit

Moderator: Wendy W. Williams, *Professor of Law Emerita,*
Georgetown University Law Center

Panelists: Serena Mayeri, *Associate Professor,*
University of Pennsylvania Law School
Ronnee Schreiber, *Associate Professor,*
San Diego State University
Betsey Stevenson, *Chief Economist,*
U.S. Department of Labor

Thursday, August 18

Comments: The Honorable Ruth Bader Ginsburg,
Associate Justice, U.S. Supreme Court

12:30 p.m.

Closing Remarks and Adjournment

Hon. N. Randy Smith, *Circuit Judge*
U.S. Court of Appeals for the Ninth Circuit
Chair, Conference Executive Committee

12:30 p.m.

Costa del Sol A

Conference Executive Committee Farewell Luncheon

Presiding: Hon. N. Randy Smith, *Circuit Judge*
U.S. Court of Appeals for the Ninth Circuit
Chair, Conference Executive Committee

Spouse & Guest Activities

HOSPITALITY ROOM

A hospitality room in Carnation, located in the Coastal Events Center, will be available from 8:00 a.m. to 11:00 a.m., Monday, Tuesday and Wednesday for spouses and guests accompanying members of the Ninth Circuit Judicial Conference. You are encouraged to stop by, meet other attendees or relax with a cup of coffee in preparation for the day's activities.

SOCIAL ACTIVITIES

Spouses and guests accompanying Conference members are welcome to attend all general sessions. Breakfast with the Bench, which involves administrative and procedural discussions between the bench and bar, has limited openings for guests who may wish to attend. Tickets are \$40 and can be purchased at the Conference Registration and Information Desk. A number of the optional group activities have been sold out. Check with the Conference Registration and Information desk about possible cancellations. Please note that government funds are not used to pay for any Conference social event or the optional group activities. All these functions are paid with non-appropriated funds.

ACTIVITIES FOR KIDS

Kids of all ages will love the Splash Landing pools and waterslides. A variety of summer camp programs are available, including Golf Camp, Tennis Camp and Surf Camp. **Kidtopia Kids Club** offers half day, full day and hourly sessions for ages 6 months to 12 years. Game lounge **VibZ** offers hours of family fun too! Contact Stacy Rossmann, Director of Recreation, (760) 929-6377 for information about camp activities, childcare and babysitting services.

SPA LA COSTA

For those who want to connect with a world where tranquility and relaxation abound, you're invited to take advantage of the pampering and revitalizing treatments in the spa. To make a reservation, contact Jessica Golub at (800) 729-4772, (760) 929-6383.

Sunday, August 14: Guest Activities

2:00 p.m. **Tennis Clinic**
Tennis Courts *Ticketed event; advance reservations required.*

Monday, August 15: Guest Activities

8:00 a.m. **Spouses' & Guests' Hospitality Room**
Carnation Stop by and meet other guests or relax with a cup of coffee in preparation for the day's activities.
Available from 8:00 a.m. to 11:00 a.m.

9:00 a.m. **Yoga**
Garden Pool *Ticketed event; advance reservations required.*
Lawn

10:00 a.m. **Chocolate Making Class for Children (6-15 years)**
Costa Del *Ticketed event; advance reservations required.*
Sol C

12:00 p.m. **Welcome Luncheon and Book Review for Spouses and Guests**
The Parlor Enjoy catching up with friends and meet new people attending their first Ninth Circuit Judicial Conference. You are encouraged to participate in a book review discussion right after the Welcome Lunch. *Unbroken*, by Laura Hillenbrand, is this year's selection. The story is about Louie Zamperini—a track and field star of the 1930's—who participated in the 1936 Summer Olympics in Berlin. He served in the U.S. Air Force in WWII, was shot down and adrift in the Pacific for over a month, before he was captured and held as a POW by the Japanese. The collapse of Louie's life and his slow path to reclaiming his life and sense of purpose is truly inspiring. You may enjoy the discussion even if you haven't read the book!
Room *Ticketed event; advance reservations required.*

Monday, August 15: Guest Activities

- 2:00 p.m.** **Zumba**
Athletic Club Ditch the workout and join the party! Zumba is an exhilarating, effective, easy to-follow, Latin-inspired calorie burning dance fitness program. Class is one hour and limited to 20 participants. *Ticketed event; advance reservations required.*
Fitness Center
- 4:30 p.m.** **Opening Program**
Costa Del Sol Please join us for a very special opening ceremony and a special presentation by Supreme Court Justice Anthony M. Kennedy.
D-H
- 6:15 p.m.** **Welcoming Reception (No-host)**
Immediately Get into the Conference spirit by joining friends and other
follows Opening guests for a welcome reception in the Costa del Sol Foyer.
Ceremony
- 7:00 p.m.** **Opening Night Buffet Dinner and Music**
Garden Pool Festivities continue by the pool (*Poinsettia Ballroom in case of rain*) with La Costa's culinary staff serving up a variety of epicurean delights. Music and dancing will add to the fun!
Ticketed event, advance reservations required.

Tuesday, August 16: Guest Activities

- 6:00 a.m. –** **5K Run (No Fee)**
7:00 a.m. Gather at 5:45 a.m. on the Costa del Sol lawn located in front of the Costa del Sol Ballroom.
- 8:00 a.m.** **Spouses' & Guests' Hospitality Room**
Carnation Stop by and meet other guests or relax with a cup of coffee in preparation for the day's activities.
Available from 8:00 a.m. to 11:00 a.m.
- 9:00 a.m.** **Yoga**
Garden Pool *Ticketed event; advance reservations required.*
Lawn

Tuesday, August 16: Guest Activities

9:00 a.m. –

3:00 p.m.

*Buses depart
from front of
Costa del Sol
Ballroom*

Great News Cooking School Class

Food is not just for sustenance, it's an art form. Go to San Diego's finest cooking school where you will be guided in preparing a customized menu by Executive Chef Katherine Emmenegger, work with chef assistants and a hostess to take care of your needs. In addition to learning about artistic food presentation and other culinary techniques, you can compare notes and enjoy your meal family style when you're finished. Bon appétit! Round-trip bus transportation is included in the package. *Ticketed event; advance reservations required.*

10:30 a.m. –

12:30 p.m.

Costa Del Sol C

Floral Design Workshop

Michael Gaffney is a world leading floral designer who is a frequent television guest and has designed weddings and flower shows all around the world. He is the Director of the San Diego School of Flower Design. All materials are provided. Class is two hours and participation is limited to 20. *Ticketed event; advance reservations required.*

12:00 p.m.

*Buses depart
from front of
Costa del Sol
Ballroom*

Golf Tournament

Transportation, courtesy of La Costa, will be provided to Aviara, one of the most beautiful courses on the coast. *Advance reservations required.*

1:00 p.m.

*La Costa
Tennis Club*

Tennis Tournament

Join the fun at the Ninth Circuit Judicial Conference Tennis Tournament. Players at all levels are encouraged. Rank is according to the USTA Designations 1-5; 1=beginner; 5=professional. *Ticketed event; advance reservations required.*

Tuesday, August 16: Guest Activities

1:00 p.m.

Center Court

Painting (watercolor) Class

In her paintings Cris Weatherby displays a deep love of color, light and the beauty in ordinary elements of everyday life. Ninth Circuit artists will benefit from her expertise as she provides critique and guidance on improving your painting skills. Cris has displayed her work in numerous shows throughout San Diego and currently is an invited member of the artist's guild for the San Diego Museum of Art. Class is two hours and limited to 20 participants. All painting supplies will be provided. *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 80.

Wednesday, August 17: Guest Activities

7:15 a.m.

*Costa del Sol
Foyer*

Breakfast with the Bench

Breakfast with the Bench, which involves administrative and procedural discussions between the bench and bar, has limited openings for guests. Tickets are \$40 and can be purchased at the Conference Registration and Information Desk.

8:00 a.m.

Carnation

Spouses' & Guests' Hospitality Room

Stop by and meet other guests or relax with a cup of coffee in preparation for the day's activities.

Available from 8:00 a.m. to 11:00 a.m.

9:00 a.m.

*Garden Pool
Lawn*

Yoga

Ticketed event; advance reservations required.

Wednesday, August 17: Guest Activities

**11:00 a.m. -
2:00 p.m.**

Parlor Room

Chocolate Workshop for Adults

The chocolatier Amanda, aka “the chocolate goddess,” returns to give the adults a chance to learn how to make her Sinful Creations. If you think you’ve tasted the world’s best chocolates, wait till you sample the treats you will make under Amanda’s guidance! The class is fully supplied and is limited to 20 participants. *Ticketed event; advance reservations required.*

4:30 p.m.

*Board buses
in front of
Costa del
Sol Ballroom*

anchors Aweigh! The Ninth Circuit Lands on USS Midway

Experience life at sea without leaving San Diego Harbor! The Ninth Circuit Judicial Conference will enjoy a spectacular adventure on the USS Midway during an exclusive evening complete with guided docent tours of the museum, flight simulation exercises involving flight avionics and mach combat, over 60 exhibits and 27 restored aircraft. As dusk falls, you will enjoy a buffet dinner on the flight deck and be entertained by The Heroes, one of the USS Midway’s preferred entertainment groups. The USS Midway is accessible to all with elevators and wheel chairs available for those with special needs. Round-trip bus transportation is included in the price of this event. **Please observe an important safety requirement: Rubber-soled shoes are a must! (NO Flip Flops or sandals).** Casual attire and slacks are preferred. *Ticketed event; advance reservations required.*

Thursday, August 18: Guest Activities

9:00 a.m.

*Garden Pool
Lawn*

Yoga

Ticketed event, advance reservations required.

No Hospitality Room or other optional group activities are scheduled for this final day of the Conference. You are encouraged to attend the general session programs with the Honorable Ruth Bader Ginsburg in the *Bradwell v. Illinois* reenactment and later listen to her comments on perspectives offered by the participants in the panel discussion about the progress women have made in the 40 years since the historic *Reed v. Reed* decision.

AWARD RECIPIENTS

AMERICAN INNS OF COURT 2011 NINTH CIRCUIT PROFESSIONALISM AWARD

Ronald M. Whyte, *District Judge, CAN*



Hon. Ronald M. Whyte of the United States District Court for the Northern District of California is highly regarded for his understanding and application of federal law pertaining to intellectual property, patents and technology. His chambers are located in San Jose in the heart of the Silicon Valley.

Nominated by President George Bush, Judge Whyte was appointed to the federal bench in 1992 after having served three years as a judge of the Santa Clara County (California) Superior Court. Prior to coming onto the bench, he worked with a Silicon Valley law firm, Hoge, Fenton, Jones and Appel, Inc., in San Jose, from 1971 to 1989, where he gained substantial trial experience.

Judge Whyte currently serves on the Dean's High Tech Advisory Council at Santa Clara Law School; the Intellectual Property Advisory Board at George Washington University Law School; the Patent Rules and Patent Jury Instructions committees of the U.S. District Court for the Northern District of California; and the National Jury Instruction Project. He has been invited to lecture in the U.S. and overseas by the Department of Commerce, the Federal Judicial Center, the Federal Circuit Bar Association, the American Intellectual Property Law Association, Stanford Law School, Berkeley Center for Law & Technology, and George Washington Law School.

Judge Whyte has been a member of the Santa Clara American Inn of Court and the San Francisco Bay Area Intellectual Property American Inn of Court. He has served on the executive committee of the Santa Clara Inn since 1992 and was its president in 1997–1998. He served on the original executive committee of the San Francisco Bay Area Intellectual Property American Inn of Court.

Judge Whyte has received the Santa Clara County Trial Lawyers Association's Judge of the Year Award; Berkeley Center for Law and Technology's Distinguished Service Award; the Santa Clara County Trial Lawyers Association's Federal Judge of the Year Award; and a special recognition award from the Santa Clara County Trial Lawyers Association. He was invited to be a Distinguished Visitor at Lewis and Clark Law School.

Born in Pomona, California, Judge Whyte received his A.B. from Wesleyan University in 1964 and his J.D. from the University of Southern California Law School in 1967. He served in the U.S. Navy JAG Corps from 1968 to 1971.

JOHN P. FRANK AWARD**Paul F. Eckstein, Esq.**

Considered one of the deans of the Arizona bar, Paul F. Eckstein is a partner in the Phoenix office of Perkins Coie LLP. He has practiced law since 1965, when he joined the Phoenix law firm of Brown & Bain upon graduating from Harvard Law School. He became a partner and later served as chairman of the firm, which undertook a merger with Perkins Coie, beginning in 2004. His practice focuses on civil litigation (including appellate matters) involving commercial, legal malpractice, constitutional, Indian law and political law issues. He also frequently serves as a mediator and arbitrator.

During his distinguished career, Mr. Eckstein has argued cases before the U.S. Court of Appeals for the Ninth Circuit, federal trial courts in Arizona, California and Texas, and the Arizona Supreme Court and Court of Appeals. He has represented major corporations, including Intel, Honeywell and Price Waterhouse; government, including Arizona Governor Janet Napolitano and the League of Arizona Cities and Towns; Indian tribes; and the media, including the *Arizona Republic* newspaper in a major libel case. He also was selected to serve as co-prosecutor in the 1988 impeachment trial of Governor Evan Mecham before the Arizona Senate.

Mr. Eckstein has been widely recognized for his professional accomplishments and community service. He is a fellow of the American College of Trial Lawyers; was elected to the Maricopa County Bar Association Hall of Fame; and received significant awards from the Arizona Foundation for Legal Services & Education, the Arizona Center for Law in the Public Interest, the American Civil Liberties Union of Arizona, the Arizona Press Club, the American Jewish Committee and the Jewish National Fund. He also represented Arizona as a lawyer representative to the Ninth Circuit Judicial Conference from 2000 to 2002.

Mr. Eckstein has served on the governing boards of the Arizona Town Hall; the Morrison Institute for Public Policy; the Lawyers Committee for Civil Rights Under Law; the Phoenix Children's Hospital; the Arizona selection committee for Rhodes Scholarships; the Arizona State University Law Society; and the Arizona Center for Law in the Public Interest. He also sits on the Board of Trustees of Pomona College, where he received his B.A. in 1962, graduating *cum laude* and Phi Beta Kappa.

ADDITIONAL AWARDS NOT PRESENTED AT THE CONFERENCE:

ROBERT F. PECKHAM AWARD FOR EXCELLENCE IN ADR **Sujean Park, Director of ADR and Pro Bono Programs, CAE**

Sujean Park was appointed in 2009 to the newly created position of director of ADR and *Pro Bono* Programs for the U.S. District Court for the Eastern District of California. She is responsible for developing resources to assist the court in dealing with a large number of *pro se* litigants, many of them inmates in state and federal prisons located within the district.

Ms. Park is credited with revitalizing the court's *pro bono* program. She has more than doubled the number of attorneys willing to provide representation, organized training opportunities for them, and drafted policies for use of non-appropriated funds for *pro bono* purposes. She has significantly expanded the use of ADR in prisoner cases, including drafting proposed orders and writs and making logistical arrangements for settlement conferences, and exploring use of "live" settlement conferences at correctional institutions, and via videoconferencing. And she has worked closely with faculty members at the McGeorge School of Law at the University of the Pacific to establish a mediation clinic involving prisoner rights. Students staff the clinic, collect information about the case, prepare a presettlement memorandum, and participate in the settlement conference as co-mediators.

As a result of her success with the *pro bono* program and prisoner mediation, Ms. Park has been put in charge of all of the court's ADR program, including the Voluntary Dispute Resolution Program available in all non-*pro se* civil cases.

Ms. Park holds both a J.D. and M.B.A. from Pepperdine University. She previously worked for the California Department of Corrections and Rehabilitation and has been in private practice.

NINTH CIRCUIT ADR EDUCATION AWARD
University of Southern California, Gould School of Law
Robert K. Rasmussen, *Dean*

The Gould School of Law at the University of Southern California, already considered a leader in the ADR field, has broadened and expanded its programs and course offerings. The ADR program at USC currently includes mediation and advanced mediation clinics in which students develop skills by mediating cases before the Los Angeles Superior Court. The university also has entered into a new partnership with JAMS in which advanced mediation students are paired with JAMS neutrals for shadowing and mentoring. The school's core curriculum includes a basic class in negotiations and ADR, and additional classes in international negotiation, mediation and commercial arbitration that attract students enrolled in the international LL.M. program. Several faculty members also are involved in high-level research in ADR and have recently published papers in various legal reviews and other publications.

SPEAKERS, PANELISTS & SPECIAL GUESTS



Joaquin C. Arriola, Jr., is a partner with the law firm of Arriola, Cowan & Arriola. As a trial attorney, his practice emphasizes criminal defense and civil litigation, and also includes family and probate law. He received his B.A. from Rutgers College, Rutgers University, in 1986 and his J.D. from Santa Clara University, School of Law, in 1989. Before returning home to Guam, he worked as a public defender in San Jose and San Diego, California. Mr. Arriola also is admitted to practice law in the Commonwealth of the Northern Mariana Islands and the State Bar of California. He served as the president of the Guam Bar Association for eight years and currently is the Guam Bar delegate to the American Bar Association. He is a member of the Conference Executive Committee.



Lynn A. Baker holds the Frederick M. Baron Chair in Law and is co-director of the Center on Lawyers, Civil Justice, and the Media at the University of Texas, School of Law, in Austin, Texas. She is a leading academic defender of federalism and the rights of states, and regularly teaches a course on state and local government law. Professor Baker is a graduate of Yale College and Yale Law School, where she was an article and book review editor of the *Yale Law Journal*. She also holds a degree from Oxford University, which she attended as a Marshall Scholar. Prof. Baker is the co-author of a leading law school text, *Local Government Law: Cases and Materials* (Foundation Press, 4th ed. 2010, with Clayton P. Gillette), and is the author or co-author of dozens of articles and book chapters on issues dealing with federalism.



Circuit Judge Marsha S. Berzon is a graduate of Radcliffe College and of the University of California at Berkeley School of Law, where she was articles editor of the *California Law Review*. She served as a law clerk to Justice William J. Brennan, Jr., of the U. S. Supreme Court and for Judge James R. Browning of the U.S. Court of Appeals for the Ninth Circuit. Before her confirmation to the U.S. Ninth Circuit Court of Appeals on March 9, 2000, Judge Berzon worked as an appellate and Supreme Court advocate at Altshuler, Berzon, Nussbaum, Rubin & Demain, a San Francisco law firm. She filed briefs in dozens of cases in the U.S. Supreme Court, appearing four times as an oral advocate before the court. She

has received numerous awards including the Faye Stender Award from the California Women Lawyers' Association for her contribution to establishing the legal rights of women; the Alumna of the Year award from the *California Law Review*; the American Jewish Committee's Learned Hand Award; and the American Bar Association's Margaret Brent Award.



Chief Justice Tani Gorre Cantil-Sakauye was appointed to the California Supreme Court by Governor Arnold Schwarzenegger. Following her confirmation hearing and statewide election, she was sworn into office on January 3, 2011 as the first Asian-Filipina-American and the second woman to serve as Chief Justice of California. She chairs the Judicial Council of California, the administrative

policymaking body of state courts, and the Commission on Judicial Appointments. Chief Justice Cantil-Sakauye served for more than 20 years on California appellate and trial courts before her appointment to the California Supreme Court. She received her B.A., with honors, from the University of California at Davis, in 1980 and her J.D. from U.C. Davis, School of Law, in 1984.



Erwin Chemerinsky is the founding dean and distinguished professor of law at the University of California, Irvine School of Law, with a joint appointment in political science. Previously, he taught at Duke Law School for four years, during which time he won the Duke University Scholar Teacher of the Year Award in 2006. Before that, he taught for 21 years at the University of Southern California, School of

Law, and served for four years as director of the Center for Communications Law and Policy. Dean Chemerinsky has also taught at UCLA School of Law and DePaul University College of Law. His areas of expertise are constitutional law, federal practice, civil rights and civil liberties, and appellate litigation. He is the author of seven books, most recently, *The Conservative Assault on the Constitution* (October 2010, Simon & Schuster), and nearly 200 articles in law reviews. Dean Chemerinsky holds a law degree from Harvard Law School and a bachelor's degree from Northwestern University.



Jesse H. Choper is the Earl Warren Professor of Public Law at the University of California at Berkeley School of Law. He received his B.S. degree from Wilkes University, his J.D. from the University of Pennsylvania, and an honorary Doctor of Humane Letters from Wilkes University. He was research editor of the University of Pennsylvania Law Review and served as law clerk to Chief Justice Earl Warren from 1960 to 1961. Professor Choper has taught at The Wharton School of the University of Pennsylvania and at the University of Minnesota Law School, and has been teaching since 1965 at the Berkeley School of Law, where he served as dean from 1982 to 1992. Prof. Choper teaches in the fields of constitutional law and corporation law. His major publications include the books, *Judicial Review and the National Political Process* and *Securing Religious Liberty*. He is also a co-author of two widely used casebooks, *Constitutional Law* (now in its 10th edition) and *Corporations Law* (now in its seventh edition), as well as the editor of *The Supreme Court and Its Justices*. Professor Choper has been widely recognized for his achievements and is a member of the American Academy of Arts & Sciences (vice-president 1997-1999, 2004-2009), the American Law Institute, and The Order of the Coif (national president 1992-1995).



Circuit Judge Richard R. Clifton was appointed to the U.S. Court of Appeals for the Ninth Circuit on July 18, 2002. Prior to his appointment, he engaged in private practice as a partner at Cades, Schutte, Fleming & Wright in Honolulu from 1982 to 2002, and as an associate from 1977 to 1982. Judge Clifton received his A.B. from Princeton University in 1972 and his J.D. from Yale Law School in 1975. He clerked for Circuit Judge Herbert Y.C. Choy of the U.S. Court of Appeals for the Ninth Circuit from 1975 to 1976, and was an adjunct professor at the University of Hawaii, William S. Richardson School of Law, from 1978 to 1980, and from 1983 to 1989. Judge Clifton maintains chambers in Honolulu.



Bennett Evan Cooper is chair of the Appellate Lawyer Representatives to the Ninth Circuit Judicial Conference. He is a partner in the Phoenix office of Steptoe & Johnson LLP and a member of the Washington, D.C.-based firm's Appellate Group. His appellate practice covers a broad range of substantive fields and focuses on complex civil litigation, insurance, state and local taxation, intellectual property and e-commerce, labor and employment law, and environmental law. Mr. Cooper is the lead author of the *Arizona Trial Handbook* (West 2010-2011) and a contributing author of the *Arizona Appellate Handbook* (State Bar of Arizona 2011). A former law

clerk to Judge Alex Kozinski of the U.S. Court of Appeals for the Ninth Circuit, he graduated with honors from Harvard College and Harvard Law School.



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.

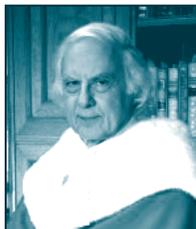


Fred Dust is a partner at IDEO, where he leads Systems at Scale, a group that assists clients with large, systemic questions about infrastructure, from governmental shifts to behavioral change and beyond. He has taken Nike executives shopping; helped guide the realization of a future-focused education center at Stanford University; and worked with patients and staff to build innovative service models for the Mayo Clinic and Kaiser Permanente. More recently, he has worked with the Gates Foundation, Rockefeller Foundation, U.S. Social Security Administration, U.S. Agency for International Development, U.S. Office of Personnel Management, and the University of Phoenix. Mr. Dust serves on the board of governors at Parsons The New School for Design, and on the Advisory Board of the Aspen Institute. He lectures widely on various topics from design methodology to future experience trends and the potential of business on social innovation. He has taught classes at California College of the Arts and at the School of Environmental Design at the University of California at Berkeley. Mr. Dust holds a B.A. in art history from Reed College and a master's in architecture from the School of Environmental Design, University of California at Berkeley.



Nita A. Farahany is an associate professor of law and philosophy at Vanderbilt University. She is presently a visiting associate professor of law at Stanford Law School. In 2010, President Obama appointed her to the Presidential Commission for the Study of Bioethical Issues. Her research focuses on the legal, philosophical, and social issues arising from developments in the biosciences, particularly behavioral genetics and neuroscience. Dr. Farahany is currently examining how these emerging scientific developments inform agency and responsibility theory, and challenge existing doctrines in constitutional law. Dr. Farahany is a member of the New York Bar,

the American Academy for the Advancement of Science, and the International Neuroethics Society. Before joining the Vanderbilt faculty, Dr. Farahany clerked for Judge Judith W. Rogers on the U.S. Court of Appeals for the D.C. Circuit. She graduated from Dartmouth College with a B.A. in genetics, cell and developmental biology, and from Harvard University with an A.L.M. in biology. She earned her J.D., M.A., and Ph.D. in philosophy of biology and jurisprudence at Duke University.



Justice Morris J. Fish was elevated to the Supreme Court of Canada on August 5, 2003. Previously, Justice Fish served on the Québec Court of Appeal to which he was appointed in 1989. He received a B.A. from McGill University and a B.C.L. from the Faculty of Law at McGill. Justice Fish was called to the bars of Québec in 1964, Prince Edward Island in 1968 and Alberta in 1974. He was an associate and partner in the Montréal law firm of Cohen, Leithman, Kaufman, Yarosky and Fish (and successors firms), and was created a Queen's Counsel in 1984. As adjunct professor in the Faculty of Law at McGill University, Justice Fish taught criminal evidence and procedure from 1973 to 1980 and advanced criminal law from 1986 to 1989. He taught *Les crimes économiques* at the Faculty of Law, University of Ottawa, from 1971 to 1974, and *Droit pénal*, at the Université de Montreal, from 1969 to 1971. In 2001, Justice Fish received an honorary LL.D. from McGill University. He was elected an honorary fellow of the American College of Trial Lawyers in 2006; awarded the F.R. Scott Medal by the Faculty of Law at McGill in 2006; and the Medal of Recognition of the International Society for the Reform of Criminal Law in 2008. He delivered the HLA Hart Memorial Lecture at Oxford University in 2007 and the Goodman Fellowship Lecture at the Faculty of Law, University of Toronto, in 2004.



Stuart A. Forsyth is owner and principal of The Legal Futurist, an independent consulting practice, providing long-range strategic planning and visioning services to all components of the justice system, including courts, bar associations, law firms, CLE providers, lawyers, judges and educators. Mr. Forsyth served as consultant to the American Bar Association's Committee on Research about the Future of the Legal Profession and was a founding member of the Association of Professional Futurists. He served five years as executive director of the Los Angeles County Bar Association, where he focused on creating products and services to meet the professional needs of lawyers in the 21st Century. Mr. Forsyth also served as executive director of the State Bar of Arizona for three years, in various legal and senior management positions at the State Bar of California for 24 years, and as president of the Executives of California Lawyers'

Associations and the National Organization of Bar Counsel. He obtained his B.S. in physics from Occidental College in Los Angeles and his J.D. from Georgetown University in Washington, D.C.

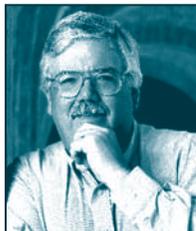


Associate Justice Ruth Bader Ginsburg was nominated by President Clinton to the U.S. Supreme Court in June 1993 and took the oath of office on August 10, 1993. Prior to her appointment to the Supreme Court, she served from 1980 to 1993 on the bench of the U.S. Court of Appeals for the D.C. Circuit. From 1972 to 1980, Justice Ginsburg was a professor at Columbia University School of Law; from 1963 to 1972, she served on the law faculty of Rutgers, the State University of New Jersey. She has taught at the University of Amsterdam, Harvard Law School, New York University Law School, the University of Strasbourg, the Salzburg Seminar in American Studies, and the Aspen Institute for Humanistic Studies. In 1978, she was a fellow at the Center for Advanced Study in the Behavioral Sciences in Stanford, California. Justice Ginsburg has a B.A. degree from Cornell University, attended Harvard Law School, and received her LL.B. (J.D.) from Columbia Law School. She holds numerous honorary degrees from universities and law schools. In 1971, then-Professor Ginsburg was instrumental in launching the Women's Rights Project of the American Civil Liberties Union. Throughout the 1970s she litigated a series of cases solidifying a constitutional principle against gender-based discrimination. Her bar association activities have included service on the board of editors of the American Bar Association Journal, and as secretary, board member, and Executive Committee member of the American Bar Foundation. Justice Ginsburg served on the Council of the American Law Institute, and is a member of the Council on Foreign Relations, the American Academy of Arts and Sciences, and the American Philosophical Society. She has written widely in the areas of civil procedure, conflict of laws, constitutional law, and comparative law.

**Photo credit*

***Justice Ruth Bader Ginsburg's photograph:**

Steve Petteway, Collection of the Supreme Court of the United States. This photograph may not be used for any advertising or commercial endorsement purposes, or in any way convey a false impression of the Supreme Court sponsorship or approval.



Hank Greely is the Deane F. and Kate Edelman Johnson Professor of Law and professor, by courtesy, of genetics at Stanford University. He specializes in ethical, legal, and social issues arising from advances in the biosciences, including genetics, neuroscience, and human stem cell research, among other things. Professor Greely chairs the California Advisory Committee on Human Stem Cell Research and the steering committee of the Stanford University Center for Biomedical Ethics, and directs the Stanford Center for Law and the Biosciences. From 2007 to 2010, he was a co-director of the Law and Neuroscience Project. In 2006, he was elected a fellow of the American Association for Advancement of Science. Prof. Greely graduated from Stanford University in 1974 and from Yale Law School in 1977. He served as a law clerk for Judge John Minor Wisdom of the U.S. Court of Appeals for the Fifth Circuit and for Justice Potter Stewart of the U.S. Supreme Court. After working during the Carter administration in the Departments of Defense and Energy, he entered private practice in Los Angeles in 1981 as a litigator with the law firm of Tuttle & Taylor, Inc. He began teaching at Stanford in 1985.



Senior Circuit Judge Michael Daly Hawkins was appointed to the U.S. Court of Appeals for the Ninth Circuit on September 15, 1994, and assumed senior status on February 12, 2010. Prior to his appointment to the bench, he engaged in private practice in Phoenix from 1980 to 1994 and from 1973 to 1976. He served as a special prosecutor, The Navajo Nation, from 1985 to 1989 and as a U.S. attorney for the District of Arizona from 1977 to 1980. He served as a 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.



Andrew M. Jacobs is a civil litigator in the Tucson office of Snell and Wilmer where his practice includes telecommunications, land use, contract, patent, class action, insurance coverage and appellate matters. He is chair-elect of the Lawyer Representatives Coordinating Committee and also serves on the Conference Executive Committee. Mr. Jacobs is engaged in public service and heads up the firm's pro bono committee. As a lawyer representative, he founded and co-chaired the District of Arizona's pro bono program, modeled on the Ninth Circuit's program. He has taught civil rights and legal writing at the University of Arizona, and was a teaching fellow at Harvard College. He was appointed by the Arizona Supreme Court to serve on the Judicial Performance Review Panel of the State of

Arizona, and completed a term as LRCC liaison to the Ninth Circuit's Advisory Committee on Civil Rules and Practice. He received his J.D., *magna cum laude*, from Harvard Law School in 1992 and his B.A., *cum laude*, from the University of Illinois at Urbana-Champaign in 1989.



Magistrate Judge Robert J. Johnston has served as a U.S. magistrate judge in the U.S. District Court in Las Vegas, Nevada, since 1987. He graduated from the University of the Pacific's McGeorge School of Law in 1977, and then clerked for Judge Merlyn H. Hoyt in the Seventh Judicial District in Ely, Nevada. Prior to his appointment to the bench, Judge Johnston was chief of the Civil Section of the U.S. Attorney's Office. From 1979 to 1982, Judge Johnston served as district attorney for White Pine County and also maintained a private practice. Judge Johnston participates in a variety of professional and social organizations. He was recently elected to a second term on the Ninth Circuit Conference Executive Committee. Additionally, he served on the Ninth Circuit Magistrate Judges Executive Board from 2003 to 2006. Judge Johnston recently completed six years on the Court Administration and Case Management Committee of the Judicial Conference of the U.S. He is also a board member of the Nevada Judicial Historical Society and the Ninth Judicial Circuit Historical Society.



Owen D. Jones has joint academic appointments in both law and biology at Vanderbilt University, where he holds the New York Alumni Chancellor's Chair in Law and regularly co-teaches a course on law and neuroscience. He also serves as director of the MacArthur Foundation Law and Neuroscience Project. A graduate of Yale Law School, Mr. Jones is a leading scholar on issues at the intersection of law and behavioral biology. In recent empirical work, for example, he and colleagues at Vanderbilt used brain-scanning techniques (fMRI) to discover the brain activity underlying decisions of whether to punish someone; and if so, how much. From 2007 to 2010, Mr. Jones was co-director of MacArthur Foundation research network on legal decision making, which explored the relevance of neuroscience to criminal law. He also is director and former president of the Society for Evolutionary Analysis in Law (S.E.A.L.), an international interdisciplinary scholarly organization whose members focus on issues at the intersection of law, biology, and behavior. Before joining the legal academy, Mr. Jones clerked for Judge Thomas Penfield Jackson of the U.S. District Court for the District of Columbia, and practiced law with the D.C. law firm of Covington & Burling.



Associate Justice Anthony M. Kennedy was born in Sacramento, California, on July 23, 1936. He married Mary Davis and has three children. He received his B.A. from Stanford University and the London School of Economics, and his LL.B. from Harvard Law School. He was in private practice in San Francisco, California from 1961 to 1963, as well as in Sacramento, California, from 1963 to 1975. From 1965 to 1988, he was a professor of constitutional law at the McGeorge School of Law, University of the Pacific. He has served in numerous positions during his career, including a member of the California Army National Guard in 1961, the board of the Federal Judicial Center from 1987 to 1988, and two JCUS committees: the Advisory Panel on Financial Disclosure Reports and Judicial Activities, subsequently renamed the Advisory Committee on Codes of Conduct, from 1979 to 1987, and the Committee on Pacific Territories from 1979 to 1990, which he chaired from 1982 to 1990. He was appointed to the U.S. Court of Appeals for the Ninth Circuit in 1975. President Reagan nominated him as an associate justice of the Supreme Court, and he took his seat on February 18, 1988.

**Photo credit*



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 November 30, 2007. He graduated from UCLA, receiving an A.B. degree in 1972, and from UCLA Law School, receiving a J.D. in 1975. Prior to his appointment to the appellate bench, Judge Kozinski served as Chief Judge of the United States Claims Court, 1982 to 1985; Special Counsel, Merit Systems Protection Board, 1981 to 1982; Assistant Counsel, Office of Counsel to the President, 1981; Deputy Legal Counsel, Office of President-Elect Reagan, 1980 to 1981; Attorney, Covington & Burling, 1979 to 1981; Attorney, Forry Golbert Singer & Gelles, 1977 to 1979; Law Clerk to Chief Justice Warren E. Burger, 1976 to 1977; and Law Clerk to Circuit Judge Anthony M. Kennedy, 1975 to 1976.

***Justice Anthony M. Kennedy's photograph:**

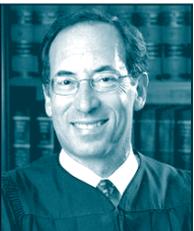
Steve Petteway, Collection of the Supreme Court of the United States. These photographs may not be used for any advertising or commercial endorsement purposes or in any way convey a false impression of the Supreme Court sponsorship or approval.



Larry Kramer joined Stanford Law School in 2004 as Richard E. Lang Professor and Dean. As dean, he has spearheaded significant educational reforms, dramatically expanding joint degree programs as part of a multi-disciplinary approach to legal studies, enlarging the clinical education program to promote reflective lawyering, revamping programs to foster a public service ethos, and building the international law program to support a growing emphasis on globalization in legal practice. Dean Kramer has written and taught in such varied fields as conflict of laws, civil procedure, federalism and its history, and most recently, the role of courts in society. Before joining the Stanford faculty, Dean Kramer served as associate dean for research and academics, and as Russell D. Niles Professor of Law at New York University School of Law; professor of law at the University of Chicago and University of Michigan law schools; and consultant for Mayer, Brown, Rowe & Maw LLP. Early in his career, Dean Kramer clerked for Justice William J. Brennan, Jr., of the U.S. Supreme Court and for Judge Henry J. Friendly of the U.S. Court of Appeals for the Second Circuit.



Debora K. Kristensen a partner in the Boise, Idaho, law firm of Givens Pursley, LLP, practices in all areas of civil litigation and administrative law, with a particular emphasis in commercial litigation, media and employment law. Ms. Kristensen represents a wide variety of businesses and industries ranging from agricultural, environmental and construction interests to health care, manufacturing and high tech companies. She also regularly represents major media and communications clients in the region. She received her B.A. from the University of California at Berkeley in 1987 and her J.D. in 1990 from the University of Santa Clara, School of Law, where she served as editor-in-chief of the law review. Ms. Kristensen is a past president of the Idaho State Bar and a former lawyer representative for the District of Idaho. She is chair of the Lawyer Representatives Coordinating Committee and also serves on the Conference Executive Committee.



Chief District Judge Robert S. Lasnik is chief judge of the U.S. District Court for the Western District of Washington. He was appointed to the U.S. district court by President Clinton in 1998. Prior to that, he served as a King County Superior Court judge for nine years. He formerly was chief of staff in the King County Prosecutor's Office. Judge Lasnik graduated from Brandeis University with a degree in psychology and sociology and later obtained two master's degrees from

Northwestern University in journalism and in counseling. He is a graduate of the University of Washington, School of Law, and was an instructor there in interviewing and counseling for lawyers. In 2010, Judge Lasnik was elected by the district judges of the Ninth Circuit to represent them on the Judicial Conference – the governing body of the federal courts which is chaired by Chief Justice John G. Roberts, Jr. He just completed a five-year term on the Judicial Conference of the U.S. Budget Committee and chaired its Congressional Outreach Subcommittee. He chaired the Ninth Circuit’s Public Information and Community Outreach Committee for four years, served as program chair for the 2006 Ninth Circuit Judicial Conference and conference chair in 2007 and served on the circuit’s governing body, the Judicial Council, from 2007 to 2009.



Serena Mayeri is an assistant professor of law and history at the University of Pennsylvania Law School. Professor Mayeri’s scholarship focuses on the historical impact of progressive and conservative social movements on legal and constitutional change. Her history of feminist legal advocacy in the 1960s and 1970s, *Reasoning from Race: Feminism, Law, and the Civil Rights Revolution*, was published by Harvard University Press in 2011. She has taught courses in women’s legal history, social movements and the law in American history, employment discrimination law, and family law. Prior to coming to Penn in 2006, Prof. Mayeri was a Samuel I. Golieb Fellow in legal history at the New York University School of Law (2004-06), and served as a law clerk to Judge Guido Calabresi on the U.S. Court of Appeals for the Second Circuit (2003-04). An alumna of Harvard/Radcliffe College (1997), she graduated from Yale Law School (2001) and earned her Ph.D. in history from Yale (2006).



Rear Admiral Patrick E. McGrath assumed command of Naval Air Force Reserve in August 2007. He is a 1979 graduate of the U.S. Naval Academy and a native of New York City. Rear Adm. McGrath was designated as a naval aviator in 1981, reporting to the Helicopter Antisubmarine Squadron (Light) (HSL) 35. He completed tours as a flight instructor in HSL-41, and then as in HSL-45, completing a deployment to the Persian Gulf aboard USS Kinkaid (DD-965). During this tour, he pursued his studies at the University of San Diego, School of Law, and completed his J.D. in 1991. He left active duty in August 1990 and was commissioned in the Navy Reserve. Rear Adm. McGrath held numerous billets at HSL-84 before assuming command. In his civilian career, Rear Adm. McGrath serves his community as a deputy district attorney in the San Diego District Attorney’s Office.



Mark J. Mills is a forensic psychiatrist and professor of clinical psychiatry, College of Physicians and Surgeons, Columbia University. A graduate of Harvard Law School and Stanford Medical School, Dr. Mills has been a full-time forensic practitioner for more than two decades, throughout the United States and abroad. His scholarly interests include malingering, the treatment of the violent and/or threatening patient, the right to refuse treatment where he was the petitioner (while Commissioner of Mental Health in Massachusetts, 1982) on the only right to-refuse case granted certiorari, the right to treatment, the use of somatic therapies (such as ECT or psychosurgery) and the effects of brain damage/injury on behavior. Dr. Mills regularly consults with the Department of Justice, both to its “main” and to its U.S. Attorney’s offices. Recently, he was the sole expert for the ACLU, which sued Immigration and Customs Enforcement (ICE) to block the use of forcible neuroleptic injection on non-consenting deportees; ICE agreed to permanently abandon its previous policy. Dr. Mills is board certified in psychiatry and forensic psychiatry and is a Distinguished Life Fellow of the American Psychiatric Association.



Stephen J. Morse is an expert in criminal and mental health law whose work emphasizes individual responsibility and the relation of the behavioral sciences and neurosciences to responsibility and social control. Dr. Morse has published numerous works and he is currently working on a book, *Desert and Disease: Responsibility and Social Control*. Dr. Morse was co-director of the MacArthur Foundation Law and Neuroscience Project, and he co-directed the project’s Research Network on Criminal Responsibility and Prediction. Among numerous professional affiliations, he is a diplomat in forensic psychology of the American Board of Professional Psychology and a past president of Division 41 of the American Psychological Association (the American Psychology-Law Society). Prior to joining the Penn faculty in 1988, Dr. Morse was the Orrin B. Evans Professor of Law, Psychiatry and the Behavioral Sciences, and Psychology at the University of Southern California. He has served as a visiting professor at a number of institutions, including the California Institute of Technology (Law and Social Science), Cardozo School of Law, Georgetown Law Center, and University of Virginia School of Law.



David Oedel is a lawyer, policy analyst and professor of constitutional law at Georgia’s Mercer University Law School. In 2010, Mr. Oedel was appointed by Georgia’s governor to help represent that state in deciding whether to join in the multi-state constitutional challenge to the federal healthcare reform act. After Georgia joined the healthcare act challenge, he helped represent Georgia in the case, and in 2011, was appointed by Georgia’s newly-elected attorney general to continue assisting to represent Georgia in what is now a 26-state case. In his work apart from healthcare, he heads a research team conducting empirical testing to determine if excessive partisanship in political life can be reduced by independent redistricting. Mr. Oedel has represented several high-profile public-arena clients, including members of the judiciary and senior elected officials of both major parties. In the private arena, he has represented an array of diverse clients ranging from the Christian Science Church to medical doctors. As a policy analyst, Mr. Oedel has served as a senior advisor to elected officials at the local, state and federal levels.



Carter G. Phillips is the managing partner of the Washington, D.C., office of Sidley Austin LLP and is a member of the firm’s management committee. He served as a law clerk to both Judge Robert Sprecher of the U.S. Court of Appeals for the Seventh Circuit and Chief Justice Warren E. Burger of the U.S. Supreme Court. Mr. Phillips served as assistant to the solicitor general for three years, during which time he argued nine cases on behalf of the federal government in the Supreme Court. Since joining Sidley Austin LLP, Mr. Phillips has argued 62 cases and has a career total of 71 appearances before the Supreme Court, the most of any lawyer in private practice. He has also argued over 80 cases in the federal courts of appeals. Mr. Phillips is a member of the American Law Institute, the American Academy of Appellate Lawyers and a fellow in the American College of Trial Lawyers. In September 2007, he received the Lewis F. Powell Award for Business Advocacy from the National Chamber Litigation Center, the public policy law firm of the U.S. Chamber of Commerce. In March 2010, Mr. Phillips was named one of “The Decade’s Most Influential Lawyers” in appellate law by the *National Law Journal*.



Mythili Raman has served as principal deputy assistant attorney general and chief of staff in the Criminal Division of the U.S. Department of Justice since 2009. In 1996, Ms. Raman joined the Criminal Division's Narcotic and Dangerous Drug Section, where, for three years, she prosecuted cases in districts around the country. In 1999, she moved to the U.S. Attorney's Office for the District of Maryland where she prosecuted and supervised numerous cases across a broad spectrum, including violent crime, fraud, narcotics, child exploitation, and civil rights. She came to Main Justice on detail in 2006 as senior counsel to the deputy attorney general. In that capacity, she advised the deputy attorney general on a variety of criminal law matters, including the department's death penalty prosecutions, victim-witness issues, identity theft initiatives, the coordination of explosives and other violent crime investigations and numerous other policy proposals. In 2007, Ms. Raman returned to the U.S. Attorney's Office in Maryland, where she served for one year as the appellate chief, and then re-joined Main Justice in 2008 on detail as acting chief of staff in the Criminal Division. She began her legal career as a law clerk to Judge Francis D. Murnaghan, Jr., of the U.S. Court of Appeals for the Fourth Circuit and was an associate with the law firm of Ropes & Gray in Boston from 1995 to 1996. She graduated from Yale University in 1991 and from the University of Chicago Law School in 1994.



Judith H. Ramseyer is a sole practitioner, having opened her own firm in Seattle, Washington, in 2006. Her practice focuses on commercial and business litigation, as well as complex family law matters. Ms. Ramseyer began her legal career as the first judicial law clerk for Judge William L. Dwyer of the U.S. District Court for the Western District of Washington. Early in her practice, she litigated federal habeas corpus and death penalty cases, but since then has worked primarily in complex commercial litigation, mainly in the areas of securities, consumer protection and class actions. She co-chairs the Federal Bar Association of the Western District of Washington's Pro Bono Program and is a member of the Ninth Circuit's Conference Executive Committee.



Judith Resnik is the Arthur Liman Professor of Law at Yale Law School, where she teaches about federalism, procedure, courts, equality, and citizenship. She has also recently received an appointment for a five-year term as an honorary professor, Faculty of Laws, University College London. Professor Resnik is the author of numerous books and publications, most recently *Representing Justice: Invention, Controversy, and Rights in City-States and Democratic Courtrooms* (with

Dennis Curtis, Yale University Press, 2011). Prof. Resnik is a managerial trustee of the International Association of Women Judges and the founding director of Yale's Arthur Liman Public Interest Program and Fund, which funds fellowships for law graduates and undergraduates at certain colleges, and runs colloquia and seminars. An occasional litigator, she argued *Mohawk Industries, Inc., v. Carpenter*, decided in 2009 by the U.S. Supreme Court. Prof. Resnik has received numerous awards including the Margaret Brent Women Lawyers of Achievement Award in 1998 from the Commission on Women of the American Bar Association. She received her B.A. from Bryn Mawr and her J.D. from New York University, School of Law, where she was an Arthur Hays Fellow.



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.



Edward Rubin is University Professor of Law and Political Science at Vanderbilt University. He received his B.A. from Princeton and his J.D. from Yale. After clerking for Second Circuit U.S. Court of Appeals Judge Jon Newman and practicing entertainment law in New York City, in 1982 he joined the University of California at Berkeley, Boalt Hall School of Law, where he served as associate dean for two years. In 1998, Professor Rubin moved to the University of Pennsylvania Law School. He became dean of Vanderbilt Law School in 2005 and led an initiative to reform the law school curriculum. Prof. Rubin was appointed to his current position in 2009 when his deanship ended. His research focuses on administrative law, modern government, constitutional law and morality, and legal education. He is the author and editor of numerous books and publications. Prof. Rubin has served as a consultant on administrative law to the People's Republic of China and on commercial law to the Russian Federation.



Erin Ryan teaches and publishes on topics in federalism, environmental law, property and land use, and negotiation. She has presented on federalism theory at academic and administrative venues including the United Nations Institute for Training and Research, the U.S. Department of Agriculture, and the University of Texas 2011 Conference on Federalism and Its Future. Ms. Ryan is a graduate of Harvard Law School, where she was an editor of the *Harvard Law Review* and a Hewlett Fellow at the Harvard Negotiation Research Project. She clerked for Chief Judge James R. Browning of the U.S. Court of Appeals for the Ninth Circuit before practicing environmental, land use, and local government law in San Francisco. She began her teaching career at the University of California, Hastings College of the Law, and then joined the full-time faculty at the Marshall-Wythe School of Law at the College of William & Mary. Ms. Ryan was awarded a Fulbright grant in 2011 to study multijurisdictional governance in China, where she will be teaching at Haiyang Daxue. She will begin teaching at Lewis & Clark Law School in 2012. Prior to law school, she was a U.S. Forest Service ranger on the Mono Basin National Forest Scenic Area, east of Yosemite National Park. She graduated from Harvard College with a degree in East Asian languages and civilizations and received a master's degree in ethnomusicology from Wesleyan University.



Ronnee Schreiber is an associate professor in the Department of Political Science at San Diego State University. Her research interests are in the area of women and American political institutions. Her book, *Righting Feminism: Conservative Women and American Politics* was published by Oxford University Press in 2008. Professor Schreiber's other publications have appeared in *Political Communication*, *the Journal of Urban Affairs*, *Sex Roles, Politics and Gender* and several edited volumes. Her new research examines conservative women and the political construction of motherhood. Prof. Schreiber earned her Ph.D. from Rutgers University in 2000.



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 nominated by President George W. Bush on February 14, 2006. Rated “Well Qualified” by the American Bar Association’s Standing Committee on the Federal Judiciary, he was unanimously confirmed by the United States Senate on May 16, 2006, and his commission was issued on May 18, 2006. Judge Smith took the oath of office as U.S. circuit judge on June 30, 2006. He was an honors graduate of Brigham Young University, B.A., *cum laude*, 1966, and received his J.D., 1969, from the University of Chicago Law School where he received a full tuition National Honor Scholarship from 1966 to 1969. While in private practice, Judge Smith was an associate with O’Melveny & Myers, Los Angeles from 1969 to 1972; vice chair, California Fair Employment and Housing Commission from 1987 to 1991; general counsel, 1991 to 2006; founding and managing partner, Smith & Hilbig, LLP, 1972 to 1996; managing partner, Smith Crane Robinson and Parker, LLP, 1996 to 2006. He was chair, Real Property Finance Subsection of the Real Property Section of the State Bar of California from 1982 to 1983. He maintains chambers in El Segundo, California. Judge Smith is a member of the Conference Executive Committee.



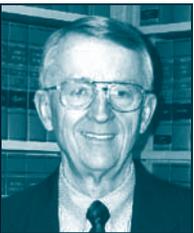
Circuit Judge N. Randy Smith was appointed a circuit judge for the U.S. Court of Appeals for the Ninth Circuit on March 19, 2007. Previously, he married La Dean Egbert. He attended Utah State University and Brigham Young University, receiving his B.S. from Brigham Young University in 1974 and his J.D. from the J. Reuben Clark School of Law at Brigham Young University in 1977. Prior to his appointment to the appellate bench, he served as corporate counsel to the J.R. Simplot Company, 1977-1981; as partner, Merrill & Merrill, Chartered, 1982-1995; as Idaho Sixth district judge, 1996-2007; Idaho Sixth District administrative judge, (2004-2007); Sixth District Felony Drug Court judge (2002-2007) and was awarded the George G. Granada Award (highest Idaho judicial award for outstanding professionalism) in 2004; and was named Idaho Statesman of the Year in 2005. Throughout his career, he has taught on College of Business faculties at Brigham Young University (1973-77), Boise State University (1977-1982), and Idaho State University (1984 to present), teaching accounting, tax law, legal environment of business, and business law and was awarded the Outstanding Teaching Award (2004-2005). He maintains his chambers in Pocatello, Idaho. This is Judge Smith’s second term on the Conference Executive Committee (having previously served as a lawyer representative (1991-1995), and is now chair of the 2011 Ninth Circuit Judicial Conference.



Betsey Stevenson is currently serving as the chief economist of the U.S. Department of Labor and is on leave from her position as an assistant professor of business and public policy at the University of Pennsylvania's Wharton School. Dr. Stevenson is also a research associate with the National Bureau of Economic Research, affiliated with both the Labor Studies and Law and Economics programs. She is also a fellow of the Ifo Institute for Economic Research in Munich and a visiting scholar at the San Francisco Federal Reserve. She serves on the board of directors of the American Law and Economics Association. Dr. Stevenson has published widely in leading economics journals about the impact of public policies on the labor market, with a focus on women and families. She has also written widely on subjective well-being. Dr. Stevenson earned a B.A. in economics and mathematics from Wellesley College and an M.A. and Ph.D. in economics from Harvard University.



Bankruptcy Judge Laura S. Taylor was appointed to the U.S. Bankruptcy Court for the Southern District of California on January 10, 2008. Prior to her appointment, Judge Taylor was a partner, associate and special counsel at Sheppard, Mullin, Richter & Hampton, where she practiced in the banking and finance practice group and specialized in commercial and bankruptcy law. She is program chair of the 2011 Ninth Circuit Judicial Conference, member of the Bankruptcy Judges Education Committee, founder of the San Diego Volunteer Lawyer Program's Special Education Project, and a former board member and board chair of the San Diego Regional Center for the Developmentally Disabled. Judge Taylor received her B.A., *summa cum laude*, from the University of North Carolina at Chapel Hill in 1979, and her J.D. from Duke University in 1983. She maintains chambers in San Diego.



District Judge James A. Teilborg was appointed a U.S. district judge on the U.S. District Court for the District of Arizona on October 13, 2000. Prior to his appointment, he was a member of the Phoenix law firm of Teilborg, Sanders & Parks, a firm he helped found in 1972. In 2006 he was appointed by Chief Justice John G. Roberts, Jr., to the Committee on Rules of Practice and Procedure of the Judicial Conference of the U.S. He serves on the Ninth Circuit Education and Wellness committees. Judge Teilborg graduated from the University of Arizona, College of Law, in 1966 and was admitted to the Arizona bar that same year. He served on active duty with the U.S. Air Force while attending undergraduate navigator training, flew as a navigator with the Arizona Air National Guard, and served as an Air Force Academy admissions counselor with Air Force Reserve, retiring as a colonel in 1997 after 31 years of service. Judge Teilborg is a fellow of the American College of Trial

Lawyers. He served as president of the Maricopa County Bar Association in 1982. On October 22, 2008, he was inducted into the first class of the Maricopa County Bar Hall of Fame and as such was one of 38 lawyers in the history of Maricopa County (only 12 of whom are living) to be included.



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.



Todd D. True joined Earthjustice in January 1987 as one of two staff attorneys and has been managing attorney since 1994. Mr. True has successfully litigated cases under a wide variety of federal and state environmental laws. He is currently engaged in extensive litigation to protect Northwest water quality and salmon from logging, road building, hydropower dams, and other activities that threaten these resources. From 1984 to 1987, Mr. True was an associate with Riddell, Williams, Bullitt & Walkinshaw in Seattle. He graduated in 1981 from the University of Oregon, School of Law, where he was Order of the Coif and executive editor of the *Oregon Law Review*. After graduation, he clerked with Judge Betty Binns Fletcher of the U.S. Court of Appeals for the Ninth Circuit. He is chair of the Ninth Circuit Advisory Board.



District Judge John R. Tunheim was nominated by President William Clinton, as a U.S. district judge for the District of Minnesota in 1995. He graduated from Concordia College in Moorhead, Minnesota, in 1975 and served as a staff assistant to U.S. Senator Hubert H. Humphrey. In 1980, he graduated from the University of Minnesota Law School where he served as president of the *Minnesota Law Review*. Judge Tunheim served one year as a law clerk to Judge Earl Larson of the U.S. District Court for the District of Minnesota and worked in private practice at the St. Paul law firm of Oppenheimer, Wolff and Donnelly. In 1986, after serving for two years as the state's solicitor general, he was appointed Minnesota chief deputy attorney general and served until his

appointment to the federal bench. Judge Tunheim is the former chair of the U.S. Judicial Conference Committee on Court Administration and Case Management (CACM). He was president from 2007 to 2008 and is a long time member of the board of directors of the American Judicature Society. Judge Tunheim is also a member and former board member of the Federal Judges Association. Judge Tunheim is a member of the ABA House of Delegates Committee on Drafting and Nominating. He is also currently serving as the chair of the Standards Task Force on the Prosecution and Defense Function for the ABA Criminal Justice Section; vice-chair of the Council for the National Conference of Federal Trial Judges in the ABA Judicial Division and serves on the ABA Advisory Committee to the Standing Committee on Election Law.



Gerald F. Uelmen is professor of law at Santa Clara University School of Law, where he served as dean from 1986 to 1994. He currently teaches courses in evidence, criminal procedure and drug abuse law. He served as the executive director of the California Commission on the Fair Administration of Justice from 2004 to 2008. He is an active appellate practitioner, and served as co-counsel for the defense in the cases of *People v.*

O.J. Simpson and *People v. Christian Brando*. He chairs the Editorial Advisory Board of California Lawyer Magazine and is the author of *Drug Abuse and the Law Sourcebook* (2006); *Lessons from the Trial* (1997); *The Wizard's Guide to California Evidence* (2005) and a one-man play on the life of William Jennings Bryan which was produced in Omaha, Chicago and San Jose. Prof. Uelmen is co-author of two collections of legal humor, *Disorderly Conduct and Supreme Folly*. He is currently co-authoring a biography of Justice Stanley Mosk.

*Photo credit: Santa Clara University School of Law



Madeleine C. Wanslee is a member of Gust Rosenfeld P.L.C.'s Phoenix office where her practice focuses on bankruptcy, creditors' rights and related appeals. She works extensively with individuals and institutions in the financial services industry. Ms. Wanslee has handled over 25 appeals in state and federal courts, including arguing a case before the U.S. Supreme Court. She is board certified in consumer

bankruptcy law by the American Board of Certification, an ABA-approved entity. Ms. Wanslee is currently chair of the Arizona Lawyer Representatives to the Ninth Circuit Judicial Conference (2010-2011); a member of the Arizona Bar's Bankruptcy Advisory Commission, which certifies bankruptcy specialists (since 2005); and past chair of the Bankruptcy Section for the State Bar of Arizona (2007-2008). Ms. Wanslee received her law degree from Gonzaga University and joined Gust Rosenfeld after clerking for Judge Robert Clive Jones of the U.S. District Court for the District of Nevada.



Wendy W. Williams is best known for her work in the area of gender and law, especially concerning issues of work and family, and is the co-author of a 1996 casebook on gender and law. She helped draft and testified before congressional committees on the Pregnancy Discrimination Act of 1978 and the Family and Medical Leave Act of 1993. Before joining the Georgetown University Law Center faculty in 1976, she was a law clerk for Justice Raymond Peters of the California Supreme Court, a Reginald Heber Smith Fellow, and a founder of Equal Rights Advocates, a public interest law firm in San Francisco. While at Equal Rights Advocates, Professor Williams litigated *Geduldig v. Aiello*, 417 U.S. 484 (1974), in which the U.S. Supreme Court rejected her argument that pregnancy discrimination is sex discrimination under the Equal Protection Clause. She served on the National Research Council Panel on Employer Policies and Working Families and the Blue Ribbon Advisory Committee to the Yale Bush Center Project on Infant Care Leaves. She also served as associate dean of the Georgetown University Law Center from 1989 to 1993. She retired from teaching in 2009 to work full-time on a biography of Justice Ruth Bader Ginsburg.



Chief District Judge B. Lynn Winmill was appointed a U.S. district judge for the District of Idaho by President William J. Clinton on August 14, 1995. He practiced law in Denver, Colorado, from 1977 to 1979, and in Pocatello, Idaho, from 1979 to 1987. Judge Winmill was appointed a district judge for the Sixth Judicial District of the State of Idaho in 1987 and served as an administrative district judge for the Sixth Judicial District from 1992 to 1995. He was an adjunct professor at Idaho State University from 1991 to 1995, teaching courses in criminal procedure and legal history. In addition to his regular chief judge duties within the District of Idaho, Judge Winmill has previously served on the Information Technology Committee for the Judicial Conference of the U.S. He currently serves as chair of the Ninth Circuit Information Technology Committee. This committee provides general policy recommendations, planning, and oversight for the Ninth Circuit's information technology program. He graduated from Idaho State University in 1974 and from Harvard Law School in 1977.

ADD-ON PROGRAM SPEAKERS



Magistrate Judge Jan M. Adler has served as a U.S. magistrate judge for the Southern District of California since 2003. Prior to his appointment, Judge Adler was a member of the law firm of Milberg Weiss Bershad Hynes & Lerach LLP, where he specialized in securities class action and derivative litigation. While in private practice, Judge Adler served as a lawyer representative to the Ninth Circuit Judicial Conference from 2000-2003, and as co-chair of the Southern District of California lawyer representatives from 2002-2003. He served as a member of the board of governors of the San Diego chapter of the Association of Business Trial Lawyers from 2000-2008 and was the president of the San Diego chapter in 2007. Judge Adler has been a master in the William B. Enright Inn of Court since 2003. He is a member of the Ninth Circuit Magistrate Judges Executive Board and the Ninth Circuit Judicial Conference Magistrate Judges Education Committee. Judge Adler is a frequent speaker and panelist on programs concerning complex civil litigation and federal practice. He received an A.B. from Cornell University in 1975 and J.D. from Duke University School of Law in 1978.



District Judge Percy Anderson was appointed to the U.S. District Court for the Central District of California on May 1, 2002. Prior to joining the bench, Judge Anderson engaged in private practice with the law firm of Sonnenschein, Nath & Rosenthal from 1985 to 2001. He served as an assistant U.S. attorney for the Central District of California from 1979 to 1985. Judge Anderson was a lecturer at the University of California at Los Angeles in 1977 and 1978, and was a directing attorney for San Fernando Valley Neighborhood Legal Services, Inc., from 1975 to 1978. He received an A.B. from UCLA in 1970 and his J.D. from the UCLA School of Law in 1975. Judge Anderson serves on the Ninth Circuit's Information Technology Committee.



Magistrate Judge Gary S. Austin was appointed a magistrate judge for the Eastern District of California on October 12, 2007. Prior to his appointment to the federal bench, Judge Austin served as a Fresno County Superior Court judge, from 1988 to 2007, and was a Fresno Municipal Court judge, from 1986 to 1988. He served as a deputy district attorney, Fresno County, from 1977 to 1986, and was promoted to senior deputy district and lead attorney in the Career Criminal Unit in 1984. Judge Austin received his B.A. from the California State University at Fresno in 1972, and his J.D. from San Joaquin College of Law in 1976.

Denise Peters Brennan joined Wells Fargo Home Mortgage, Inc., in October 1995. Ms. Brennan's primary responsibilities were litigation management and legal and regulatory support for the production side of the business. She has also had responsibility for providing legal services to the servicing side of the business. Currently, Ms. Brennan handles litigation for the consumer side of Wells Fargo Bank, N.A. Wells Fargo operates the country's largest mortgage network and services loans for more than 8 million customers nationwide. Ms. Brennan received her J.D. from the University of Detroit Law School in 1983 and was admitted to the State Bar of Michigan and U.S. District Court for the Western District of Michigan. She is also admitted to practice in the states of Minnesota and Iowa. Following several years of private practice as a criminal defense attorney, Ms. Brennan moved to Detroit and began a career in real estate lending. She worked for Regency Savings and Loan providing legal and regulatory compliance support as well as running the payoff/lien release department. Later, she worked for Comerica Bank as primary legal support for the mortgage division. Ms. Brennan also worked for Briggs and Morgan of Minneapolis providing class action defense to a variety of mortgage lenders.



District Judge Timothy M. Burgess was born in San Francisco and came to Alaska to play basketball for the University of Alaska, where he received his B.A. and M.B.A. Judge Burgess was appointed to the U.S. District Court for the District of Alaska in January 2006 by President George W. Bush. Prior to his appointment to the bench, Judge Burgess had served as co-chair since 2004 of the Alaska Rural Justice and Law Enforcement Commission, a commission created by Congress for the purpose of improving law enforcement, judicial responses to crime, domestic violence, child abuse and illegal alcohol in Alaskan rural communities. He joined the Department of Justice as an assistant U.S. attorney in 1989 and was appointed U.S. attorney for the District of Alaska in 2001. Prior to that, he worked as a legislative assistant to U.S. Senator Frank Murkowski and was in private practice in Anchorage, Alaska, with the law firm of Gilmore & Feldman. Judge Burgess serves on the Judicial Conference of the U.S. Resources Committee and the Ninth Circuit IT Committee.



Magistrate Judge Kevin S.C. Chang has served as a U.S. magistrate judge for the District of Hawaii since 2000. Prior to his appointment to the federal bench, Judge Chang served as the civil administrative judge, First Circuit Court, State of Hawaii; as a circuit judge of the Hawaiian First Circuit Court; and as a civil trial judge. Judge Chang attended Punahou School, and received his undergraduate degree from Lewis and Clark College in Portland, Oregon. He received his law degree from Lewis and Clark College, Northwestern School of Law, in 1978. After graduation, he served as a law clerk to the late Judge Robert C. Belloni of the U.S. District Court for the District of Oregon from 1978 to 1980. In 1980, Judge Chang returned to Hawaii and worked as a deputy prosecuting attorney for the City and County of Honolulu from 1980 to 1981. In March 1981, he joined the law firm of Kobayashi, Watanabe, Sugita & Kawashima as an associate attorney. Judge Chang became a partner with the law firm of Watanabe Ing & Kawashima in 1986. While in private practice, Judge Chang represented clients in litigation and regulatory matters. He remained in private practice until his appointment to the state court.



Paul D. Clement is a partner at Bancroft PLLC. Mr. Clement served as the 43rd solicitor general of the United States from June 2005 until June 2008. Prior to his confirmation as solicitor general, he served as acting solicitor general for nearly a year and as principal deputy solicitor general for over three years. His more than seven years of service in the Office of the Solicitor General is the longest period of continuous service in the office

by a solicitor general since the 19th century. He has argued over 50 cases before the U.S. Supreme Court, including many of the government's most important cases in the lower courts, such as *Walker v. Cheney* and the successful appeal in *United States v. Moussaoui*. Mr. Clement's practice focuses on appellate matters, constitutional litigation and strategic counseling. Mr. Clement is a native of Cedarburg, Wisconsin, and a graduate of the Cedarburg public schools. He received his B.A., *summa cum laude*, from the Georgetown University School of Foreign Service, and an M.A. in economics from Cambridge University. He graduated *magna cum laude* from Harvard Law School, where he was the Supreme Court editor of the Harvard Law Review. Following graduation, Mr. Clement clerked for Circuit Judge Laurence H. Silberman of the U.S. Court of Appeals for the D.C. Circuit, and for Associate Justice Antonin Scalia of the U.S. Supreme Court.



Talcott J. Franklin is the co-author of the *Mortgage and Asset Backed Securities Litigation Handbook* (Thomson West 2008) and *Emergency Economic Stabilization Act Handbook* (West 2009). In 2010, he founded Talcott Franklin P.C., which, through its RMBS Investors Clearing House, represents clients holding nearly half of the outstanding balance of non-agency RMBS certificates. For nearly a decade, his primary practice has involved litigating claims involving loan repurchases, servicing standards, and other issues related to asset-backed securities, and working with numerous trustees and servicers to enforce the rights of investors. Prior to forming Talcott Franklin P.C., he was an equity partner at Patton Boggs LLP, where he was also deputy chair of litigation firm-wide and head of litigation in the Dallas office. Mr. Franklin graduated *magna cum laude* from Washington & Lee University School of Law, where he was editor-in-chief of the *Washington & Lee Law Review* and a member of the Order of the Coif. He holds an M.A. and a B.A. from the University of Washington.



Ronald Greenspan is senior managing director and West Region leader of FTI's Corporate Finance practice and leader of its National Real Estate Restructuring Practice. During his 32-year career, he has participated in a wide variety of consulting, litigation and restructuring engagements, including some of the largest corporate turnarounds and out-of-court and in-court reorganizations. Mr. Greenspan is a frequent contributor to the *ABI Journal*, *American Banker*, *Daily Bankruptcy Review* and a frequent speaker on a variety of real estate and reorganization topics. He is the co-author of the introductory chapter of *The Mortgage Litigation Handbook*, in which he details the development and current status of the residential mortgage securitization industry. After leading many of the mortgage company restructurings in the late 1990s, he accurately foretold the current mortgage meltdown in his 1999 article in the *American Banker*, "The Next Industry Crisis Could Be Even Bigger." He held pivotal roles in two high profile recent real estate bankruptcies that spawned notable court decisions, as chief restructuring officer and as corporate financial advisor for Yellowstone Club and Transeastern Homes (the major subsidiary of TOUSA), respectively. Mr. Greenspan holds a J.D., *magna cum laude*, from Harvard Law School and a B.A., *summa cum laude*, in economics from the University of California at Los Angeles. He is a fellow of the American College of Bankruptcy and past president and current board member of the Los Angeles Bankruptcy Forum.



District Judge Andrew Guilford was appointed a U.S. district judge for the Central District of California on June 26, 2006. For his entire career prior to his appointment to the bench, Judge Guilford was a business trial lawyer with Sheppard Mullin Richter & Hampton, handling cases involving a wide variety of issues, particularly relating to intellectual property, unfair competition, and finance. He received his A.B. in economics, *summa cum laude*, in 1972, and his J.D. in 1975, both from the University of California at Los Angeles, where he was elected to Phi Beta Kappa and was an associate editor of the law review. In 2000, Judge Guilford served as president of the State Bar of California. He also served on a Supreme Court Task Force examining multijurisdictional practice. In 1992, he was elected to the American College of Trial Lawyers. He was selected five times by the Daily Journal as one of California's Top 100 Lawyers. With his strong commitment to community service and as a strong advocate for volunteer legal services for indigents, Judge Guilford served as president of the Public Law Center from 2004 to 2006, and was awarded his firm's Pro Bono Attorney of the Year Award, the State Bar President's Pro Bono Service Award, and the Poverty Law Center Outstanding Service Award. He serves on the State Bar Commission on Access to Justice.



Walter H. Hackett, III, is a seventh generation Californian who began working in the banking industry in May 1980. Shortly after beginning his banking career, Mr. Hackett began working in a Bank of America Note Department drafting loan documents and servicing loans. Shortly thereafter, he was accepted into the bank's management training program and remained in the financial services industry until mid-April 2007. During his tenure, he was heavily involved in all aspects of loan operations including overseeing due diligence activities, loan documentation, lending compliance and loan servicing. He also spent significant time working as a senior business analyst for multiple mortgage lenders. Mr. Hackett's last formal position was as a first vice president/loan center manager for a California Community Bank. While working in the industry, he decided to obtain a law degree, initially with the thought that he would seek a position as in-house counsel; however, witnessing the genesis of the mortgage meltdown led him to take a different track and in 2007, he decided to try his hand representing consumers against banks. In May 2010, Mr. Hackett started working as a staff attorney at Inland Counties Legal Services and now serves at its Riverside office as managing attorney. In his spare time, he founded the Metropolitan Housing Bank following the 1994 Northridge earthquake. The bank was formed to assist efforts to find homes for individuals and families displaced by the earthquake. It was credited with assisting over 13,000 families find a home.



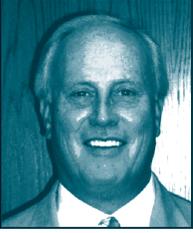
Bankruptcy Judge Margaret M. Mann was appointed a U.S. bankruptcy judge for the Southern District of California on April 2, 2010. She is chair of the Bankruptcy Judges Education Committee. Prior to her appointment, Judge Mann was a partner at Sheppard Mullin Richter & Hampton LLP and from 2003 to 2008, she served as chair of the Restructuring and Insolvency Practice and national hiring chair, for Heller Ehrman, LLP. Judge Mann received her B.A. in finance, *cum laude*, from the University of Illinois in 1978; attended the Tilburg School of Economics in The Netherlands in 1978; and received her J.D. from the University of Southern California, Gould School of Law, in 1981. She is a member of the American College of Bankruptcy and has been involved in numerous organizations dealing with bankruptcy throughout her career.



District Judge Gloria M. Navarro was nominated as U.S. district judge for the District of Nevada by President Barack Obama on December 24, 2009. She was confirmed by a unanimous vote of the U.S. Senate on May 5, 2010 (*Cinco de Mayo*) and took the oath as a U.S. district judge on May 25, 2010. Previously, she was chief deputy district attorney for Clark County in the Civil Division where she defended Clark County and the Board of County Commissioners from various civil lawsuits, including section 1983 civil rights cases and employment law cases from 2005 to 2010. She litigated cases primarily in federal court and the Ninth Circuit and also litigated a civil trial in state court using a rarely used statute and successfully removed the Clark County Recorder from elected office for acts of criminal misconduct. Prior to joining the District Attorney's Office, Judge Navarro was a Clark County deputy special public defender from 2001 to 2005, exclusively representing indigent clients charged with murder and facing the death penalty. She received her B.A. from the University of Nevada at Las Vegas in 1989 and her J.D. from Arizona State University College of Law in 1982. Judge Navarro is a Las Vegas native of Cuban descent who is fluent in Spanish.



District Judge James L. Robart was nominated as U.S. district judge for the Western District of Washington on December 9, 2003 and was confirmed by the Senate on June 17, 2004. After earning his J.D. in 1973 from Georgetown University Law Center, where he was administrative editor of Georgetown Law Journal from 1972 to 1973, Judge Robart practiced law at Lane Powell, Moss & Miller, where he took on various leadership positions and was managing partner from 2003 to 2004. He has been active in the Ninth Circuit's IT Committee and involved on the boards of civic organizations dealing with child welfare, currently serving as chair of the board of trustees of his alma mater, Whitman College.



George H. Schafer is Assistant Director for the Office of Finance and Budget at the Administrative Office of the U.S. Courts and Chief Financial Officer for the Judiciary. He is a 1972 graduate of the University of Maryland, with a Bachelor of Sciences Degree in Economics and a 1978 graduate of Central Michigan University, with a Masters Degree in Business Management. Mr. Schafer is in the unique position of having

worked for all three branches of the federal government. He began his career as a budget analyst with the Department of the Air Force. He was then appointed to a position on the professional staff of the House Appropriations Committee. Mr. Schafer has been with the Administrative Office since 1995, initially as the head of the Financial Liaison Office, then as Deputy Assistant Director and now as Assistant Director. He and his staff are responsible for formulating, obtaining and executing the annual budget of the Judiciary.

NEW JUDGES & LAWYER REPRESENTATIVES†

CIRCUIT JUDGES

Mary H. Murguia
Phoenix, AZ

DISTRICT JUDGES

Anthony J. Battaglia
Southern District of California
Edward M. Chen
Northern District of California
Edward J. Davila
Northern District of California
Marco A. Hernandez
District of Oregon
Leslie E. Kobayashi
District of Hawaii
John A. Kronstadt
Central District of California
Kimberly J. Mueller
Eastern District of California
Michael H. Simon
District of Oregon

BANKRUPTCY JUDGES

Bruce T. Beesley
District of Nevada
Scott C. Clarkson
Central District of California
Timothy W. Dore
Western District of Washington
Stephen L. Johnson
Northern District of California
Wayne E. Johnson
Central District of California
Sandra R. Klein
Central District of California

William J. Lafferty, III
Northern District of California
Mark S. Wallace
Central District of California

MAGISTRATE JUDGES

Jacqueline Scott Corley
Northern District of California
Nathanael M. Cousins
Northern District of California
Mitchell D. Dembin
Southern District of California
Paul Singh Grewal
Northern District of California
Richard Puglisi
District of Hawaii
Sheri Pym
Central District of California
Michael R. Wilner
Central District of California

LAWYER REPRESENTATIVES

APPELLATE LAWYERS

Matthew Campbell
Karen L. Landau
Stacey M. Leyton
Georgia K. McMillen
Kathleen M. O'Sullivan

DISTRICT OF ALASKA

Brewster Jamieson

DISTRICT OF ARIZONA

Bridget S. Bade
Steven N. Berger
D. Douglas Metcalf

† List is current as of July 7, 2011

Georgia A. Staton
Angela Walker Woolridge

CENTRAL DISTRICT OF CALIFORNIA

Manuel A. Abascal
William C. Beall
Catherine M. Castaldi
Victor de Gyarfas
Sandra Fujiyama
Robert F. Hinton
Christopher Kim
Matthew J. Lombard
Aaron J. Malo
Kenneth M. Miller
Jean Mohrbacher Nelson
Stephen B. Sadowsky

EASTERN DISTRICT OF CALIFORNIA

Deborah Barnes
T. Scott Belden
Stephen Lau

NORTHERN DISTRICT OF CALIFORNIA

Trenton H. Norris
Ismail J. Ramsey
Benjamin K. Riley
Steven J. Saltiel
Joseph R. Saveri
Stephanie P. Skaff

SOUTHERN DISTRICT OF CALIFORNIA

Allison H. Goddard
John L. Haller
Robert D. Rose

DISTRICT OF HAWAII

Sharon V. Lovejoy
Howard G. McPherson

DISTRICT OF IDAHO

Trudy Hanson Fouser

DISTRICT OF MONTANA

Robert F. James

DISTRICT OF NEVADA

Margaret G. Foley
James Patrick Shea
Lori C. Teicher

DISTRICT OF OREGON

Brent H. Hall
Jennifer Middleton
Laura Renee Salerno Owens
Edward H. Talmadge

EASTERN DISTRICT OF WASHINGTON

Salvador Mendoza, Jr.

WESTERN DISTRICT OF WASHINGTON

Desa Gese Conniff
Floyd G. Short
James F. Williams

APPENDIX†

Members, Guests, and Spouses of the 2011 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
William C. Canby, Jr. (Jane)
Robert Boochever (Rosemary)
Stephen Reinhardt (Ramona Ripston)
Robert R. Beezer (Hazlehurst)
John T. Noonan, Jr. (Mary Lee)
Diarmuid F. O'Scannlain (Maura N.)
Edward Leavy (Eileen H.)
Stephen S. Trott (Carol)
Ferdinand F. Fernandez (Priscilla)
Pamela Ann Rymer
Andrew J. Kleinfeld (Judith S.)
Michael Daly Hawkins (Phyllis)
A. Wallace Tashima (Kiyo 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)
*Mary H. Murguía

DISTRICT JUDGES

DISTRICT OF ALASKA

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

DISTRICT OF ARIZONA

Roslyn O. Silver
Susan R. Bolton (F.G. [Bud])
Robert C. Broomfield (Cuma C.)
David C. Bury (Debby)
David G. Campbell (Stacey)
Earl H. Carroll (Louise R.)
Raner C. Collins (Theresa)
Cindy K. Jorgenson (Don)
Frederick J. Martone (Jane)
Stephen M. McNamee (Elizabeth)

* *Appointed since 2010 Judicial Conference*

† *List is current as of July 7, 2011*

Paul G. Rosenblatt (Shannon C.)
 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
 Cormac J. Carney (Mary Beth)
 David O. Carter (Mary Ellen)
 Valerie Baker Fairbank (Bob)
 Gary A. Feess (Deborah)
 Dale S. Fischer (Allan Grossman)
 Dolly M. Gee (Albert Wong)
 Andrew J. Guilford (Loreen)
 Philip S. Gutierrez (Anna)
 Terry J. Hatter, Jr. (Trudy)
 Robert J. Kelleher
 William D. Keller
 George H. King (Pamala)
 R. Gary Klausner (Linda)
 *John A. Kronstadt (Helen Bendix)
 J. Spencer Letts (Ginger)
 Ronald S.W. Lew (Mamie)
 Consuelo B. Marshall (George E.)
 A. Howard Matz (Jane Balkin)
 Margaret M. Morrow
 Jacqueline H. Nguyen (Pio Kim)
 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 J. Timlin (Caroline)
 Josephine S. Tucker

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)
 Frank C. Damrell, Jr. (Ludy)
 Morrison C. England, Jr. (Torie)
 Edward J. Garcia (Joanne)
 Lawrence K. Karlton (Sue)
 John A. Mendez (Susan)
 *Kimberly J. Mueller (Bob Slobe)
 Lawrence J. O'Neill (Kathleen)
 William B. Shubb (Sandy)
 Oliver W. Wanger (Lorrie A.)

NORTHERN DISTRICT OF CALIFORNIA

James Ware
 William Alsup (Suzan)
 Saundra Brown Armstrong
 (Rev. Melvin Graham)
 Charles R. Breyer (Sydney Goldstein)
 *Edward M. Chen (Janet L.)
 Maxine M. Chesney (Hon. Edward Stern)
 Samuel Conti (Dolores)
 *Edward J. Davila (Mary Greenwood)
 Jeremy Fogel (Kathleen Wilcox)
 Phyllis J. Hamilton (Stephen Rowell)
 Thelton E. Henderson
 Susan Y. Illston
 D. Lowell Jensen
 Lucy Haeran Koh
 (Mariano-Florentino Cuellar)
 Richard G. Seeborg
 Jeffrey S. White (Jane)
 Ronald M. Whyte (Ann)
 Claudia Wilken (Hon. John M. True)

* *Appointed since 2010 Judicial Conference*

SOUTHERN DISTRICT OF CALIFORNIA

Irma E. Gonzalez (Robert S. Brewer, Jr.)
Michael M. Anello (Pamela)
*Anthony J. Battaglia (Carol)
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)
M. James Lorenz (Marcia)
Jeffrey T. Miller (Jada Corbett)
Barry Ted Moskowitz (Rita B.)
Dana Makoto Sabraw
(Summer S. Stephan)
Janis Lynn Sammartino
(Herbert B. Hoffman)
Gordon Thompson, Jr. (Jean P.)
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.)
*Leslie E. Kobayashi
(Hon. Clarence A. Pacarro)
J. Michael Seabright (Margaret S. Ahn)

DISTRICT OF IDAHO

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

DISTRICT OF MONTANA

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