

**UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY**

**QUESTIONNAIRE FOR JUDICIAL NOMINEES**

**PUBLIC**

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

Gloria Maria Navarro

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

United States District Judge for the District of Nevada

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

Office of the Clark County District Attorney  
500 South Grand Central Parkway  
Las Vegas, Nevada 89155

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

1967; Las Vegas, Nevada

5. **Education:** List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

1989-1992, Arizona State University College of Law (renamed Sandra Day O'Connor College of Law in 2006); J.D., 1992

1986-1989, University of Nevada Las Vegas; B.A., 1989

1985-1986, University of Southern California; no degree

6. **Employment Record:** List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

2005-Present

Office of the Clark County District Attorney  
500 South Grand Central Parkway  
Las Vegas, Nevada 89155  
Chief Deputy District Attorney (Civil Division)

2001-2004

Office of the Clark County Special Public Defender  
330 South Third Street, Suite 800  
Las Vegas, Nevada 89155  
Deputy Special Public Defender

1996-2001

Gloria M. Navarro, Attorney at Law  
320 South Third Street  
Las Vegas, Nevada 89101  
Sole Practitioner

1994-1996

Kelly & Sullivan, Ltd.  
330 South Third Street, Suite 990  
Las Vegas, Nevada 89101  
Associate Attorney

1993-1994 and 1991

Office of the Federal Public Defender  
411 East Bonneville Avenue, Suite 250  
Las Vegas, Nevada 89101  
Research and Writing Specialist (Law Clerk) (1993-1994)  
Summer Law Clerk (1991)

1993

Law Offices of Scott Bindrup  
330 South Third Street, Suite 800 (Current Address)  
Las Vegas, Nevada 89155  
Contract Law Clerk (Part-time)

1993

Nevada Appellate and Post-Conviction Project  
330 South Third Street  
Las Vegas, Nevada 89101  
Contract Law Clerk (Part-time)

1993  
Fitzsimmons Law Offices  
3216 West Charleston Boulevard, Suite A  
Las Vegas, Nevada 89102  
Mitigation Investigator (Part-time)

1992  
Office of the Attorney General  
555 East Washington Avenue, Suite 3900  
Las Vegas, Nevada 89101  
Law Clerk, Consumer Affairs Division (Part-time)

1991  
Office of the Federal Public Defender  
411 East Bonneville, Suite 250  
Las Vegas, NV 89101  
Summer Law Clerk

1991  
Chambers of Hon. Philip M. Pro  
United States District Court for the District of Nevada  
333 South Las Vegas Boulevard  
Las Vegas, Nevada 89101  
Legal Extern (Full-time / earned law school credits)

1990  
Excalibur Hotel and Casino  
3850 Las Vegas Boulevard South  
Las Vegas, Nevada 89109  
Roundtable Buffet Hostess (Full-time)

1988-1989  
Ujena Swimwear (no longer in business)  
4550 South Maryland Parkway  
Las Vegas, Nevada 89119  
Sales Clerk (Part-time)

2005-Present  
DJs for PJs  
8367 West Flamingo Road, Suite 101  
Las Vegas, Nevada 89147  
Secretary and Member, Board of Directors (unpaid)

2005

Desert Willow Treatment Center  
6171 West Charleston Boulevard, Building 17  
Las Vegas, Nevada 89146  
Member, Governing Board (unpaid)

1991

Las Vegas Jaycees  
1812 Eastern Avenue  
Las Vegas, Nevada 89104  
Member, Executive Board (unpaid)

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

I have not served in the military. I have not registered for selective service.

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

Access to Justice Award (2002), State Bar of Nevada  
Louis Weiner Pro Bono Service Award (2001), Nevada Legal Services  
Academic Scholarship (1989-1992), Arizona State University (ASU) College of Law  
Thurgood Marshall Fellow (1989-1992), Council on Legal Education Opportunity  
Academic Scholarship (1989), Western Interstate Commission for Higher Education  
(declined in favor of ASU Scholarship)  
Academic Scholarship (1986), University of Nevada Las Vegas  
Academic Scholarship (1985), University of Southern California

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Nevada State Bar Association (1994-Present)  
Clark County Bar Association (1994-Present)  
Latino Bar Association (approximately 2000-Present)  
Past-President (2009-2010), President (2008-2009), President-Elect (2007-2008),  
Vice President (2005-2007), Board Member (2002-2005)

10. **Bar and Court Admission:**

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

Nevada, 1994

There have been no lapses in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

United States Court of Appeals for the Ninth Circuit, 1997

United States District Court for the District of Nevada, 1994

Supreme Court of Nevada, 1994

Eighth Judicial District Court of Nevada, 1994

There have been no lapses in membership.

#### 11. Memberships:

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Youth Advocate Programs, Inc., Advisory Board Member (2007-Present)

DJs for PJs, Secretary and Member, Board of Directors (2005-Present)

Desert Willow Treatment Center, Member, Board of Governors (2005)

Las Vegas Jaycees, Member, Executive Board (1991)

- b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

None of the organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, religion, or national origin either through formal membership requirements or the practical implementation of membership policies.

**12. Published Writings and Public Statements:**

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

*Criminal Defense and the Consequences of Immigration Law*, COMMUNIQUE  
(published by Clark County Bar Association), Nov. 1997

*Cultural Factors and the Voluntariness of Statements*, LA LUCHA (newsletter for Criminal Justice Act panel attorneys published by the Office of the Federal Defender for the District of Nevada), Oct. 1994

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

None.

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

None.

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

I have presented to multiple leadership programs run by the Las Vegas Chamber of Commerce. From 2007 to 2009, I co-chaired Criminal Justice Day for the Leadership Las Vegas Program, a full-year course for 40 leaders selected competitively from the community. In other years, I have presented at the Criminal Justice Day. In 2005 and 2006, I also presented as part of a Criminal

Justice Panel at the Chamber's shorter Focus Program. I made the following presentations of which I have no transcripts, recordings, or notes:

February 2009, introductory and other remarks as co-chair  
May 2008, introductory and other remarks as co-chair  
May 2007, introductory and other remarks as co-chair  
October 2006, explained the role of the Public Defender (Focus)  
May 2006, explained the role of the Office of the Special Public Defender  
October 2005, explained the role of the Public Defender (Focus)  
May 2005, moderated panel on law enforcement

Since 2002, I have spoken annually at the Career Day of the University of Nevada Las Vegas, representing the Latino Bar Association. I typically explain that I am a native Las Vegas, bilingual of Cuban descent, who took advantage of opportunities for educational and personal growth to achieve success. I have no transcripts, recordings, or notes of these presentations.

Since 2002, I have moderated many monthly luncheons of the Latino Bar Association in my capacity as board member or officer. As moderator, I called on members for reports. I have no transcripts, recordings, or notes.

In 2004, I was a guest speaker to a social work graduate class at the University of Nevada Las Vegas taught by Soyoung Crabb. I explained the importance of an accurate and complete Life History Chronology and how it is used by the criminal defense team in death penalty cases. I have no transcripts, recordings, or notes.

In 1998, I was a guest speaker to a Business Management 101 class at the Community College of Southern Nevada (now called the College of Southern Nevada). I described my experiences as a small business owner and sole practitioner. I have no transcripts, recordings, or notes.

In 1994, I presented to federal Criminal Justice Act panel attorneys for the District of Nevada (once each in Las Vegas and in Reno). My talk was entitled "How to Effectively Represent Non-English Speaking Clients and/or Clients with a Different Cultural Background."

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Paul Harasim, *Gloria Navarro, Chief Deputy D.A., Tapped For Federal Bench*, LAS VEGAS REVIEW-JOURNAL, Dec. 25, 2009

Carri Geer Thevenot, *U.S. District Judge: Reid List Could be Diverse*, LAS VEGAS REVIEW-JOURNAL, Nov. 28, 2009

One morning in April of each year since 2005, I have appeared on local television and radio news programs in my capacity as an officer of DJs for PJs, describing and inviting participation in the organization's drives to provide pajamas to needy children in Las Vegas. I have no clips or transcripts.

Glenn Puit, *Convicted Killer Turned Down Plea Deal*, LAS VEGAS REVIEW-JOURNAL, May 29, 2002

On January 14, 2000, I gave an interview to Robert Aalberts and Lorne Seidman for a legal academic paper. I have no transcript. The paper was published in 2002. Robert J. Aalberts et al., *Do Race / Ethnicity and Gender Influence Criminal Defendants' Satisfaction with their Lawyers' Services? An Empirical Study of Nevada Inmates*, 2 Nev. L.J. 72 (2002).

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

I have not held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? \_\_\_\_
  - i. Of these, approximately what percent were:  
jury trials? \_\_\_\_%; bench trials \_\_\_\_% [total 100%]  
civil proceedings? \_\_\_\_%; criminal proceedings? \_\_\_\_% [total 100%]
- b. Provide citations for all opinions you have written, including concurrences and dissents.
- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.
- e. Provide a list of all cases in which certiorari was requested or granted.
- f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was



affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.

- g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.
- h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
- i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not served as a judge.

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

15. **Public Office, Political Activities and Affiliations:**

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

I have not held public office. I have had no unsuccessful candidacies for elective office or unsuccessful nominations for appointed office.

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

I have not been a member or officer, or rendered services to, any political party or election committee.

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

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

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

I did not serve as a clerk to a judge.

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

1996-2001  
320 South Third Street  
Las Vegas, Nevada 89101

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

2005-Present  
Office of the Clark County District Attorney  
500 South Grand Central Parkway  
Las Vegas, Nevada 89155  
Chief Deputy District Attorney (Civil Division)

2001-2004  
Office of the Clark County Special Public Defender  
330 South Third Street, Suite 800  
Las Vegas, Nevada 89155  
Deputy Special Public Defender

1996-2001  
Gloria M. Navarro, Attorney at Law  
320 South Third Street  
Las Vegas, Nevada 89101  
Sole Practitioner

1994-1996  
Kelly & Sullivan, Ltd.  
330 South Third Street, Suite 990  
Las Vegas, Nevada 89101  
Associate Attorney

1993-1994 and 1991  
Office of the Federal Public Defender  
411 East Bonneville Avenue, Suite 250  
Las Vegas, Nevada 89101  
Research and Writing Specialist (Law Clerk) (1993-1994)  
Summer Law Clerk (1991)

1993  
Law Offices of Scott Bindrup  
330 South Third Street, Suite 800 (Current Address)  
Las Vegas, Nevada 89155  
Contract Law Clerk (Part-time)

1993  
Nevada Appellate and Post-Conviction Project  
330 South Third Street  
Las Vegas, Nevada 89101  
Contract Law Clerk (Part-time)

1993  
Fitzsimmons Law Offices  
3216 West Charleston Boulevard, Suite A  
Las Vegas, Nevada 89102  
Mitigation Investigator for Death Penalty case (Part-time)

1992  
Office of the Attorney General  
555 East Washington Avenue, Suite 3900  
Las Vegas, Nevada 89101  
Law Clerk, Consumer Affairs Division (Part-time)

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

I have not served as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:

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

I am presently a civil practitioner representing Clark County in a wide range of areas of law including employment law and civil rights law. In my present position since 2005, I have generally served as defense counsel but have had to initiate civil suits as well. As a Chief Deputy District Attorney in the Civil Division, a substantial majority of my civil cases are litigated in the United States District Court for the District of Nevada and the United States Court of Appeals for the Ninth Circuit. I also have defended state tort claims filed against Clark County in state court.

Prior to joining the Office of the District Attorney, I litigated murder and death penalty cases exclusively as a Deputy Special Public Defender from 2001 to 2004. Before I was recruited to join the Office of the Special Public Defender, I had managed a successful solo practice as a full-time litigator from 1996 through 2001. During that time I was awarded both federal and county contracts to provide criminal defense legal representation services. My experience in private practice, both as a sole practitioner and as an Associate with Kelly & Sullivan, Ltd., from 1994 through 1996, included some other general practice litigation such as personal injury suits and divorce petitions. I made daily court appearances on both criminal and civil matters in state and federal court. I litigated several criminal trials.

From 1992 through 1994, I was a Law Clerk providing criminal defense research and writing services, drafting motions and appeals.

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

In my current position as a Chief Deputy District Attorney, I am a full-time litigator for Clark County. I primarily represent and defend the County in civil lawsuit filed in federal courts and, less frequently, in state courts. I also occasionally initiate civil litigation on behalf of Clark County.

As a Deputy Special Public Defender, all of my clients were indigent persons charged with murder. Some also were charged with other state crimes. I have represented six clients facing the death penalty.

As a sole practitioner, most of my clients were individuals who had been charged with federal or state crimes. I also represented both plaintiffs and defendants in state court divorces, child custody disputes and personal injury lawsuits. When I was an Associate, my clients were individual civil litigants or criminal defendants. Most of my civil litigation was in the areas of Family Law and Personal Injury. As a Law Clerk, my clients were typically indigent defendants facing federal criminal charges or appealing criminal convictions.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

My entire practice has been in litigation as both a criminal and civil litigator. I appeared in court daily from 1994 through 2001 and I continue to appear in court frequently.

- i. Indicate the percentage of your practice in:

1. federal courts: 45%
2. state courts of record: 55%
3. other courts:
4. administrative agencies:

- ii. Indicate the percentage of your practice in:

1. civil proceedings: 40%
2. criminal proceedings: 60%

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

I have tried 13 cases to verdict (nine as sole counsel, one as chief counsel, and three as associate counsel).

- i. What percentage of these trials were:

1. jury: 77%
2. non-jury: 23%

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

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

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

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

1. *Lobato v. State*, 96 P.3d 765 (Nev. 2004).

As a Deputy Special Public Defender, I represented a defendant charged with murder and other crimes as both her trial and appellate counsel from 2001 through 2004. At trial, the prosecutors objected to the admissibility of evidence of a jailhouse informant's bias. With that evidence excluded under the then-current interpretation of Nevada law, my client was convicted of first degree murder. The Supreme Court of Nevada granted my appeal and held that, unlike an inquiry into a witness' prior bad acts, evidence concerning a witness' bias or interest is admissible in Nevada. This ruling brought the Nevada Rules of Evidence into conformance with the Federal Rules of Evidence on this issue. On retrial, the defendant was convicted of voluntary manslaughter.

Judge Valerie Vega presided over the trial in the Eighth Judicial District Court. Chief Justice Shearing and Justices Rose and Maupin decided the appeal.

My co-counsel was Philip Kohn, 309 South Third Street, Las Vegas, Nevada 89115, Tel 702-455-4583.

Principal counsel for the State were Chief District Attorney William Kephart and Deputy District Attorney Sandy DiGiacomo, 200 Lewis Avenue, Las Vegas, Nevada 98115, Tel 702-671-2501.

2. *Reddick v. Clark County*, No. 2:05-CV-0021 (D. Nev. Dismissed Mar. 31, 2006).

As a Chief Deputy District Attorney, I represented defendant Clark County in this matter from 2005 to 2006. After plaintiff's employment by the County was terminated for misconduct, she filed this suit alleging she actually had been terminated because she had breast cancer, in violation of the Family Medical

Leave Act (FMLA) and other federal laws. As defense counsel for Clark County, I obtained the plaintiff's original copies of her medical tests, which demonstrated that she had fraudulently altered the word "benign" to "malignant," thus revealing that she had neither had breast cancer nor received the treatments she claimed. Ultimately, Plaintiff voluntarily dismissed her claims.

District Judge Lloyd George and Magistrate Judge Robert Johnston presided over the case.

Plaintiff's counsel was Sharon Nelson, 401 North Buffalo Drive, Suite 210, Las Vegas, Nevada 89145, Tel 702-247-4529.

3. *Cabrera v. Clark County*, No. 2:06-CV-1285 (D. Nev. dismissed October 2009).

As a Chief Deputy District Attorney, I represented defendant Clark County in this matter from 2006 to 2009. A minor two-year-old had been placed in foster care through Clark County on finding by a family court that her natural parents were incapable of caring for her, primarily due to their narcotics addiction. In June 2006, a month after her foster placement, her foster parents reported her missing to police. When the child was not found by the police search, her natural parents filed this federal lawsuit against the County and other defendants, raising Section 1983 and other claims. The natural parents filed an offer of judgment for \$2.3 million dollars against the County and sought to represent the interests of their daughter. I asked the court to appoint an independent guardian ad litem to represent the interests of the missing child because the natural parents' claims presented conflicts with those available to the child. The federal court agreed and appointed a guardian ad litem. I then negotiated a settlement that provided funds for a private investigator to search for plaintiff, nominal amounts for her parents, fees for parents' attorneys, a scholarship fund named for plaintiff to provide for the educational needs of foster children, funds for her surviving brother, funds for plaintiff's attorneys and funds to be paid to the child only if she is found alive before her 25th birthday.

District Judge James Mahan and Magistrate Judge Lawrence Leavitt presided over the case.

Plaintiffs' counsel were J.D. Evans, 3550 West Cheyenne Avenue, Building F, Suite 120, North Las Vegas, Nevada, 89103, Tel 702-880-1211; Eric Dobberstein, 1399 Galleria Drive, Suite 201, Henderson, Nevada 89014, Tel 702-382-4002; Marjorie Hauf, 8950 West Tropicana Avenue, Suite 1, Las Vegas, Nevada 89147, Tel 702-598-4529; and Gregory Mills, 502 South Ninth Street, Las Vegas, Nevada 89101, Tel 702-386-0030.

4. *State v. Paite*, 99-C-161229-C (Nev. Jud. Dist. 1999).

As a sole practitioner, I represented the defendant at trial in 1999. My client was charged with high level drug trafficking and faced a sentence of life in prison. He maintained that the drugs found in his home belonged to his roommates and that he was the one who had called the police to evict them. I was assigned his case shortly before trial because his original counsel withdrew and the defendant refused to continue his trial. The jury found my client Not Guilty. This verdict was instrumental in raising the proof threshold required by the Clark County District Attorney from police investigators before approving prosecutions of drug possession cases involving multiple residents in a shared home.

Judge Jack Lehman presided over the case in the Eighth Judicial District Court.

Principal counsel for the State were Deputy District Attorney Pam Weckerly, 200 Lewis, Las Vegas, Nevada 89155, Tel 702-671-2501; and Deputy District Attorney Liz Bauer (current address unknown).

5. *District Attorney v. Deane*, 06-A-526648-C (Nev. Jud. Dist. 2007).

As a Chief Deputy District Attorney, I prosecuted a civil action from 2006 to 2007 against Frances Deane, the elected Recorder of Clark County, seeking her removal on the basis of criminal misconduct connected with her office. Despite overwhelming evidence against her, Deane had refused to resign. I filed this complaint, premised on 18 different corruption allegations, under the rarely-used Nevada statute for removal public officers. Defense counsel filed counterclaims, including a claim to remove from office the elected District Attorney, and also sought an emergency writ from the Supreme Court of Nevada. I successfully opposed both the counterclaims and the writ. Following a highly-publicized trial that I litigated, Deane was removed from her elected office. Deane appealed to the Supreme Court of Nevada, but later voluntarily withdrew the appeal after her term of office expired. Deane pled guilty to several crimes related to her time in office in January 2009.

Judge Douglas Herndon presided over the case in the Eighth Judicial District Court.

The defendant was represented by C. Conrad Claus, 816 Ogden Avenue, Las Vegas, Nevada 89101, Tel 702-384-4927.

6. *State v. Marroquin-Valle*, C173520 (Nev. Jud. Dist. 2004).

As a Deputy Special Public Defender, I represented this defendant from 2002 to 2004. My client faced the death penalty for murder, sexual assault, and kidnapping. Several circumstances made the collection of evidence particularly challenging. For example, a co-defendant, who was the lesbian ex-girlfriend of



the victim, was captured in Mexico, where authorities refused to allow her extradition and she refused to provide information to assist my client. I litigated multiple legal issues pretrial, particularly regarding the State's forensic sexual assault evidence. Prior to trial we negotiated a plea agreement for my client that spared him the death penalty and provided for the possibility of parole.

Judge Nancy Saitta presided over the case in the Eighth Judicial District Court.

My co-counsel was Assistant Public Defender Daren Richards, 309 South Third Street, Las Vegas, Nevada 89115, Tel 702-455-4561.

Primary counsel for the State was Chief Deputy District Attorney Frank Coumou, 200 Lewis Avenue, Las Vegas, Nevada 89155, Tel 702-671-2501.

7. *State v. Ocanas*, C181465 (Nev. Jud. Dist. 2003).

As a Deputy Special Public Defender, I represented the defendant from 2002 to 2003. My client was charged with first degree murder with use of a deadly weapon and other crimes. I investigated a defense theory that my client's gun had been fired accidentally when he removed it from his backpack, and therefore that he was guilty only of the lesser charge of voluntary manslaughter with use of a deadly weapon. Based on my investigation and my trial preparation, I was able to get the State to permit my client to plea to a single reduced charge, voluntary manslaughter with use of a deadly weapon.

Judge Nancy Saitta presided over the case in the Eighth Judicial District Court.

Primary counsel for the State was Chief Deputy District Attorney Michael O'Callaghan, 601 North Pecos Road, Suite 470, Las Vegas, Nevada 89101, Tel 702-455-2501.

8. *Robichaud v. Clark County*, 310 Fed. Appx. 153 (9th Cir. 2009).

As a Chief Deputy District Attorney, I represented defendant Clark County from 2005 to 2009 in *Robichaud* and a related case, *Hansen v. Clark County*, 310 Fed. Appx. 158 (9th Cir. 2009). Two co-workers filed separate lawsuits in federal court against the County claiming they were not chosen for a particular promotion due to their age and gender in violation of Title VII of the Civil Rights Act of 1964 and other federal and state laws. Plaintiffs challenged essentially every step of the County's competitive promotion process as well as the qualifications of the applicant who was awarded the promotion. I demonstrated in each case that the County's process was not flawed, that Clark County had legitimate nondiscriminatory reasons for not promoting the plaintiffs and that the promoted employee possessed the requisite skills. I won summary judgment in each case. Both plaintiffs appealed and I briefed the appeals. The United States Court of Appeals for the Ninth Circuit affirmed both grants of summary judgment.

District Judge Edward C. Reed, Jr. presided over the *Robichaud* case and District Judge Brian Sandoval presided over the *Hansen* case. Circuit Judges Bright, Hug and Reinhardt decided both appeals.

Opposing counsel was Kirk Kennedy, 815 South Casino Center Boulevard, Las Vegas, Nevada 89101, Tel 702-385-5534.

9. *State v. Goodman*, 00-C-170364-C (Nev. Jud. Dist. 2004).

As a Deputy Special Public Defender, I represented the defendant from 2001 to 2004. My client and his co-defendant were charged with the murder of two men during the commission of a drug deal. The State sought the death penalty for each of the two murders. Upon my filing a successful motion to suppress my client's statement to police on the basis that it was obtained by deceptive practices, the elected District Attorney himself undertook the prosecution of the case. By carefully documenting the defendant's tragic childhood, which included abandonment by his mother, physical child abuse, learning disabilities, and the defendant's own drug addiction, we convinced the District Attorney to withdraw the filed notice of intent to seek the death penalty. I represented the defendant at trial where he was found guilty and sentenced to life imprisonment.

Chief Judge Kathy Hardcastle presided over the case in the Eighth Judicial District Court.

My co-counsel were Deputy Special Public Defender Dayvid Figler, 626 South Third Street, Las Vegas, Nevada 89101, Tel 702-386-0333; and Deputy Special Public Defender Ivette Maningo, 330 South Third Street, 8<sup>th</sup> Floor, Las Vegas, Nevada 89155, Tel 702-455-6265.

Primary counsel for the State was District Attorney David Roger, 200 Lewis Avenue, Las Vegas, Nevada 89155, Tel 702-671-2501; Deputy District Attorney Mark DiGiacomo, 200 Lewis Avenue, Las Vegas, Nevada 89155, Tel 702-671-2501; and Chief Deputy District Attorney Pam Weckerly, 200 Lewis Avenue, Las Vegas, Nevada 89155, Tel. 702-671-2501.

10. *Valerio v. Valerio*, No. 01-D263390, 105 P.3d 822 (Nev. 2001 Table).

As a sole practitioner, I represented the plaintiff from 2001 to 2002. My client was an elderly victim of spousal abuse for several years who was living in a women's shelter when I took on her representation pro bono. I filed for her divorce and obtained for her a temporary spousal support order. The court granted the divorce and ordered the immediate sale of the parties' home and the allocation of their property. The husband-defendant refused to provide the court-ordered financial support, removed the realtor's lockbox to prevent the house sale and rejected my client's request for her pet beagle. On my motion, the defendant

was jailed for contempt. On sale of the house, I arranged for the plaintiff to receive her portion of the sale as well as all the money the defendant had refused to pay. I also established a qualified domestic relation order so that my client could receive her share of her ex-husband's pension directly. The defendant retained counsel for the purpose of filing an appeal, which I successfully opposed when the trial court's decision was affirmed by the Supreme Court of Nevada. I received the Louis Weiner Pro Bono Service Award for my work on this case.

Judge Robert Lueck presided over the case in the Eighth Judicial District Court.

The defendant initially proceeded pro se. On appeal, opposing counsel was Diana D. Hampton (currently Henderson Municipal Court Judge), 243 Water Street, Henderson, Nevada 89015, Tel 702-267-3352.

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

As legal counsel to Clark County agencies, I sometimes am called upon for policy advice and have occasionally reviewed proposed legislation. Throughout my career, I have been actively involved in bar activities, including by serving on the CLE committee and providing instruction to students in the Trial By Peers program of the Clark County Bar Association. I have served as a mentor to young lawyers and law students for the Latino Bar Association and provided job shadowing opportunities to high school students interested in the legal field. I have served as a panel speaker numerous times explaining the role of a public defender within the justice system during Chamber of Commerce programs and have chaired criminal justice programming for annual leadership classes. Recently, through the State of Nevada Office of the Attorney General, I instructed prosecutors from Mexico in a mock trial setting to provide them insight into our adversarial system.

I have not performed lobbying activities on behalf of any client or organization.

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

I was a volunteer instructor in 2002-2003 for low income, fourth grade minority students for Junior Achievement. I followed the curriculum provided, which equipped the students with a fundamental understanding of business, transportation and the community services funded by taxes. I have not retained the syllabus.

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

None.

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

I have no plans, commitments or agreements to pursue outside employment, with or without compensation, during my service with the court.

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

My husband is a Chief Deputy District Attorney for Clark County. Although he does not practice in federal court, individuals who he has prosecuted or may in the future prosecute may be or become party or petitioner in a federal court case. If I am confirmed as a judge, I expect to recuse from any case where my husband has prosecuted a party or petitioner.

As a Chief Deputy District Attorney, I presently defend Clark County and the Board of County Commissioners in lawsuits brought against them. If I am confirmed as a judge, I will recuse for at least two years from any case in which Clark County is an interested party. Following that period, I would continue to

recuse from any Clark County case involving matters I personally litigated or in which I was otherwise involved.

If I am confirmed as a judge, I will recuse from any case where I represented a party in criminal proceedings. Given that I have not handled criminal matters since 2005, I do not anticipate frequent conflicts of interest on this basis.

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

If confirmed as a judge, I will handle all matters involving actual or potential conflicts of interest through the careful and diligent application of the Code of Conduct for United States Judges as well as other relevant Canons and statutory provisions.

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

Throughout my years in private practice, I regularly and frequently performed legal services at no charge or on a reduced fee basis for financially disadvantaged clients. Forms of representation included negotiating disputes without litigation and undertaking representation in simple and complex criminal and civil litigation. I have provided pro bono or reduced fee representation for clients in both federal and state courts.

I also have engaged in pro bono work in areas beyond litigation to benefit disadvantaged people or to educate the community about the legal justice system. Since 2005, I have helped organize an annual event to collect pajamas for children in need as an Executive Board Member of DJs for PJs. Our events are heavily supported by media and corporate sponsors. In 2008 alone, we collected more than 13,000 pajamas and distributed them to Child Haven, Boy's and Girl's Town, Nevada Childhood Cancer Foundation, S.A.F.E. House, Safe Nest, The Shade Tree Shelter, Variety Early Learning Center and Women's Development Center.

I have served on the Executive Board of the Latino Bar Association since 2002 in numerous positions including President. Last year, we collaborated with *La Voz*, the Boyd School of Law Hispanic Law Student Association to launch a mentorship program, called *Huellas* ("footprints" in Spanish). In 2008, this program received the Hispanic National Bar Association (HNBA) Law Student Organization of the Year Award. I also have been an Advisory Board Member of the Nevada branch of the national non-profit Youth Advocacy Program, (YAP, Inc.) since 2007.

I view helping the disadvantaged as an obligation that I have sought to meet through these and other service opportunities, particularly through programs that mentor or assist

young people. I have been honored to receive several awards recognizing my pro bono and community work, including the Access to Justice Public Lawyer Award (2002) and the Louis Wiener Pro Bono Service Award (2001). In December 2001, I received a "100 Hour Club" certificate acknowledging my pro bono service on a case referred by the Nevada Legal Services Pro Bono Project.

**26. Selection Process:**

- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

Nevada does not have a selection commission to recommend candidates for nomination to the federal courts.

Senator Harry Reid contacted me by telephone on September 11, 2009, to ask if I was interested in serving on the federal bench. I told him I would be honored to be considered. I provided materials by e-mail to Senator Reid's staff and subsequently participated in a video conference interview with the Senator himself on September 18, 2009. On September 22, 2009, Senator Reid telephoned me to tell me he was recommending me to President Obama for consideration for the position to which I am now nominated.

Since late September 2009, I have been in contact with pre-nomination officials at the Department of Justice. On October 26, 2009, I was interviewed in Washington, D.C., by attorneys from the Department of Justice and the White House Counsel's Office. My nomination was submitted to the Senate on December 24, 2009, and Senator Reid telephoned me that morning to notify me.

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

No.

AFFIDAVIT

I, Gloria M. Navarro, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

12/28/09  
(DATE)

Gloria M. Navarro  
(NAME)

STATE OF NEVADA )  
( ss.  
COUNTY OF CLARK )

P. C. Ellison  
(NOTARY)

Subscribed and sworn to before me  
this 28th day of December 2009.

