

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Lucy Haeran Koh
(middle name also has been spelled as Haerun)

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

United States Circuit Judge for the Ninth Circuit

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: United States District Court for the Northern District of California
280 South First Street
San Jose, California 95113

Residence: Menlo Park, California

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

1968; Washington, District of Columbia

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

1990 – 1993, Harvard Law School; J.D., 1993

1986 – 1990, Harvard University; B.A. (*magna cum laude*), 1990

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.

2010 – present

United States District Court for the Northern District of California

280 South First Street
San Jose, California 95113
United States District Judge

2008 – 2010
Superior Court of California, County of Santa Clara
191 North First Street
San Jose, California 95113
Judge

2002 – 2008
McDermott Will & Emery LLP
275 Middlefield Road, Suite 100
Menlo Park, California 94025
Partner

2000 – 2002
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, California 94304
Senior Associate

1997 – 2000
Office of the United States Attorney, Central District of California
312 North Spring Street, Suite 1200
Los Angeles, California 90012
Assistant United States Attorney

1994 – 1997
United States Department of Justice
950 Pennsylvania Avenue, Northwest
Washington, District of Columbia 20530
Special Assistant to the Deputy Attorney General (1996 – 1997)
Special Counsel, Office of Legislative Affairs (1994 – 1996)

1993 – 1994
United States Senate, Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, District of Columbia 20510
Women's Law and Public Policy Fellow

1991 – 1993
Harvard Law School
1525 Massachusetts Avenue
Cambridge, Massachusetts 02138
Research Assistant to Professor Charles Haar (Summer 1993)

Research Assistant to Professor Christopher Edley, Jr. (1991 – 1993)

1992

NAACP Legal Defense & Educational Fund, Inc.
99 Judson Street, Suite 1600
New York, New York 10013
Summer Intern

1992

Dewey Ballantine LLP
1301 Avenue of the Americas
New York, New York 10019
Summer Associate

1991

American Civil Liberties Union, Immigrants' Rights Project
125 Broad Street
New York, New York 10004
Summer Intern

1991

Natural Resources Defense Council
40 West 20th Street
New York, New York 10011
Summer Intern

1990

Prabhassorn Viddhaya School
80/90 Sukhumvit Road
Chonburi, Thailand 20000
English Teacher

Other affiliations (uncompensated):

2016 – present

American Bar Association
Business Law Section
321 North Clark Street
Chicago, Illinois 60654
Advisors Committee Vice Chair (2019 – present)
Cyberspace Law Committee Co-Director of Programs (2018 – present)
Advisor (2016 – 2018)

2014 – present

American Law Institute
4025 Chestnut Street

Philadelphia, Pennsylvania 19104
Data Economy Project Adviser (2018 – present)
Data Privacy Project Adviser (2014 – 2019)

2014 – present
Association of Business Trial Lawyers
115 Northwood Commons
Livermore, California 94551
Board of Governors

2011 – 2018
Harvard University
Board of Overseers
17 Quincy Street
Cambridge, Massachusetts 02138
Law School Visiting Committee

2011 – 2013
St. Thomas More Society of Santa Clara County
830 The Alameda
San Jose, California 95126
Board of Directors

2011 – 2012
Santa Clara University School of Law
High Tech Law Institute
Bannan Hall, Room 301H
500 El Camino Real
Santa Clara, California 95053
Advisory Board

2012
Santa Clara County Bar Association
31 North Second Street, Suite 400
San Jose, California 95113
Fair Judicial Election Practices Commission

2006 – 2008
Asian Pacific American Bar Association of Silicon Valley
3000 El Camino Real
Five Palo Alto Square, Ninth Floor
Palo Alto, California 94306
Board of Directors

2003 – 2004
Korean American Coalition, San Francisco Chapter

3695 Stevenson Boulevard, Unit 225
Fremont, California 94538
Board of Directors

2001 – 2003
Korean American Bar Association of Northern California
575 Market Street, Suite 3700
San Francisco, California 94105
Board of Directors

2000
Harvard-Radcliffe Club of Southern California
627 Aviation Way
Manhattan Beach, California 90266
Board of Directors

2000
Korean American Bar Association of Southern California
9107 Wilshire Boulevard, Suite 450
Beverly Hills, California 90210
Board of Directors

1999 – 2000
Asian Pacific American Bar Association of Los Angeles
1145 Wilshire Boulevard, Second Floor
Los Angeles, California 90017
Board of Governors

1999 – 2000
Korean American Coalition, Los Angeles Chapter
3540 Wilshire Boulevard, Suite 911
Los Angeles, California 90010
Board of Directors

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 was not required to register for the selective service.

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

Orange County Korean American Bar Association, Trailblazer Award (2020)

Korean American Bar Association of Southern California, Trailblazer Award (2019)

Asian Law Alliance, Legal Impact Honoree (2018)

Santa Clara County Trial Lawyers Association, Federal Judge of the Year (2017)

American Bar Association, IP Law Section, Mark T. Banner Award (2017)

Asian American Bar Association of the Greater Bay Area, President's Award (2017)

American Academy in Berlin, John Kluge Distinguished Visitor (2017)

Honorary Degree of Doctor of Laws, Santa Clara University School of Law (2016)

Council of Korean Americans, Public Service Award (2016)

WIRED Magazine, *20 Unsung Geniuses Revolutionizing the Business World* (2015)

Above the Law, *Judging The Judges: Who Are the Most-Cited New Jurists On The Federal Bench?* (2015)

Above the Law, *Seven Rising Star Judges You Want to Clerk For* (2015)

Popular Mechanics, *The 12 Most Influential People in Tech You've Never Heard Of* (2014)

California State Bar Intellectual Property Law Section, IP Vanguard Award—Judiciary Award (2013)

The American Lawyer Litigation Daily, *Four Judges Who Made a Mark* (2012)

The American Lawyer & Corporate Counsel, *Judges to Watch: Ready to Step Up – Ten Recent Appointees to the Federal Bench Who Are Making Their Mark* (2012)

RCR Wireless News, *Top Ten Women in Wireless* (2012)

California Asian Pacific Islander Legislative Caucus, Asian Pacific Islander Heritage Award for Excellence in Law (2011)

Bay Area Asian Pacific American Law Students Association, Outstanding Leadership Award (2011)

Institute for Corean-American Studies Liberty Foundation, Institute for Corean-American Studies Liberty Award (2011)

San Francisco La Raza Lawyers Association, Judge of the Year (2010)

National Asian Pacific American Bar Association, Women's Leadership Award (2010)

Asian Pacific American Bar Association of Silicon Valley, Trailblazer Award (2010)

National Asian Pacific American Bar Association, Trailblazer Award (2009)

National Association of Professional Asian American Women, Asian American Woman of Achievement Award (2009)

Silicon Valley/San Jose Business Journal, Women of Influence in Silicon Valley (2008)

Korean American Bar Association of San Diego and Korean American Coalition of San Diego, Mugunghwa Award for achievements in law and community service (2008)

McDermott Will & Emery LLP, Client Service Award for *Seagate Tech.* case (2007)

Silicon Valley/San Jose Business Journal, *40 Under 40* (2007)

Federal Bureau of Investigation, Director Louis J. Freeh Award for demonstrated excellence in prosecuting a major criminal case (2000)

Federal Bureau of Investigation, Award in appreciation of outstanding accomplishments in the prosecution of a multi-defendant telemarketing fraud case (2000)

United States Postal Inspection Service, Certificate of Appreciation (2000)

United States Secret Service, Letter of Recognition (1999)

United States Attorney's Office, Sustained Superior Performance Award (1998)

Georgetown University Law Center Women's Law and Public Policy Fellowship (1993)

Harvard Law School Irving R. Kaufman Public Service Fellowship (1993)

Harvard Law School Ames Moot Court, Semifinal Round, Best Brief Award (1992)

Harry S. Truman Scholarship (1988)

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.

American Bar Association, Business Law Section
Advisor (2016 – 2018)

Advisors Committee Vice Chair (2019 – present)
Cyberspace Law Committee Co-Director of Programs (2018 – present)

American Law Institute

Data Economy Project Adviser (2018 – present)

Data Privacy Project Adviser (2014 – 2019)

Asian American Bar Association of the Greater Bay Area

Mentor Judge (2009 – 2011)

Asian Pacific American Bar Association of the Greater Washington, D.C. Area

Asian Pacific American Bar Association of Los Angeles

Board of Governors (1999 – 2000)

Asian Pacific American Bar Association of Silicon Valley

Board of Directors (2006 – 2008)

Civil Rights Committee Co-Chair (2005 – 2008)

Association of Business Trial Lawyers

Board of Governors (2014 – present)

Bench Bar Coalition

Bench Bar Media Police Committee

California Asian American Judges Association (now known as California Asian Pacific
American Judges Association)

California Judges Association

Edward J. Devitt Distinguished Service to Justice Award

Selection Panel Member (2018 – 2019)

Federal Circuit Advisory Council, Model Order Committee

Harvard Law School Association of Southern California

Harvard University Board of Overseers Law School Visiting Committee

Hispanic National Bar Association

Korean American Bar Association of Northern California

Board of Directors (2001 – 2003)

Mentorship Program Group Leader (2008 – 2010)

Korean American Bar Association of Southern California
Board of Directors (2000)

La Raza Lawyers Association of Santa Clara County

Los Angeles County Bar Association

National Association of Women Judges, Annual Convention Education Committee

National Association of Women Lawyers, Amicus Committee

Ninth Circuit District Judges Association

Ninth Circuit Education Committee

Chair (2020 – present)

Chair Elect (2019 – 2020)

San Francisco Bay Area Intellectual Property American Inn of Court

Santa Clara County Bar Association

Fair Judicial Election Practices Commission (2012)

Federal Courts Committee Co-Chair (2011)

Judiciary Committee

Santa Clara County Superior Court

Amicus (Social) Committee Chair (2010)

Civil Courts Committee

Criminal Courts Committee

Domestic Violence Coordinating Committee

Education Committee

Law Books Committee

Legislative and Executive Branch Outreach Committee

Self-Represented Litigants Committee

South Asian Bar Association of Northern California

United States-China First Judicial Exchange

United States Judicial Representative (2016)

United States District Court for the Northern District of California

Beyond May 1st Task Force

Education Committee Chair (2018 – present)

Executive Committee (2012 – 2013, 2020 – present)

Patent Pilot Program Committee Chair (2011 – 2021)

Practice Program

William A. Ingram Inn of Court
Executive Committee (2009 – 2011)
Outreach Committee Chairperson (2009 – 2010)
Team Leader/Mentor Judge (2008 – 2010)

Women Lawyers Association of Los Angeles

10. **Bar and Court Admission:**

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

California, 1997
Massachusetts, 1994

There have been no lapses in membership. In California, a person serving as a judge is not considered a member of the State Bar. Similarly, my Massachusetts bar membership became inactive when I began service as a judge.

- 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 Court of Appeals for the Federal Circuit, 2006
United States District Court for the Central District of California, 1997
United States District Court for the Eastern District of California, 2000
United States District Court for the Northern District of California, 2000
United States District Court for the Southern District of California, 2000
United States District Court for the Northern District of Illinois, 2002

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.

Asian Pacific American Leadership Institute, Senior Fellow (2008 – 2011)

Center for Asian American Media (2004 – 2008)

Conference on Asian Pacific American Leadership (1993 – 1997)
Dinner Committee (1993 – 1995)

Harvard-Radcliffe Club of Southern California (1997 – 2000)
Board of Directors (2000)

Korean American Alliance, District of Columbia Area (1995 – 1997)
Task Force for the Preservation of Immigrant Rights (1995 – 1996)

Korean American Coalition (approximately 1997 – 2000, 2003 – 2004)
Los Angeles Chapter Board of Directors (1999 – 2000)
San Francisco Chapter Board of Directors (2003 – 2004)

Korean American Professional Society (2000 – 2002)

Korean Americans for Political Empowerment (2000 – 2001)

Santa Clara University School of Law, High Tech Law Institute
Advisory Board (2011 – 2012)

Silicon Valley Asian Pacific American Democratic Club (2002 – 2007)

St. Denis Parish Outreach Committee (2017 – present)

St. Thomas More Society of Santa Clara County (2008 – present)
Board of Directors (2011 – 2013)

- 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.

To the best of my knowledge, none of the organizations listed in response to Question 11a 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.

Why Would Someone Volunteer to Serve Meals at Loaves & Fishes?, LOAVES & FISHES FAMILY KITCHEN (Summer 2010). Copy supplied.

With Brian E. Ferguson, *Litigating Doctrine of Equivalents Cases in the Age of Festo*, IP REV. (Spring 2004). Copy supplied.

Combating Inequality, in PUBLIC INTEREST JOB SEARCH GUIDE (Harv. L. Sch. 6th ed. 1995). Copy supplied.

With Julie Su, *CCR Debunks Wareings's Myths*, HARV. L. REC. (Mar. 12, 1993). Copy supplied.

With multiple co-authors, *Yearning: Race, Gender, and Cultural Politics*, 14 HARV. WOMEN'S L.J. 255 (1991) (book review). Copy supplied.

Letter to the Editors, HARV. CRIMSON (Mar. 1, 1990). Copy supplied.

Letter to the Editors, HARV. CRIMSON (Nov. 18, 1989). Copy supplied.

Mexico Memoir, IV HARV. DEV. F. 11 (1989). Copy supplied.

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

A Model Order Limiting Excess Patent Claims and Prior Art, Federal Circuit Advisory Council (2013). Copy supplied.

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

On July 13, 2016, I testified at my confirmation hearing before the Judiciary Committee of the United States Senate to be a United States Circuit Judge for the Ninth Circuit Court of Appeals. I also answered written Questions for the Record. Video of the hearing is available at www.judiciary.senate.gov/meetings/07/13/2016/nominations and a copy of my responses to the written questions is supplied.

On February 11, 2010, I testified at my confirmation hearing before the Judiciary Committee of the United States Senate to be a United States District Judge for the Northern District of California. I also answered written Questions for the Record. Video of the hearing is available at www.judiciary.senate.gov/meetings/date-and-time-change_nominations and a copy of my responses to the written questions is supplied.

- 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 notes, furnish a copy of any outline or notes from which you spoke.

The following list of speeches includes those I was able to locate after a diligent review of my records. It is possible that there are additional speeches to which I no longer have access or for which I did not prepare formal remarks or notes.

July 12, 2021: Speaker, Brown Bag Lunch with Summer Interns from the United States Attorney's Office and the Federal Public Defender's Office, San Jose, California. We had a conversation about where the interns grew up and their childhoods and what they hoped to do with their law degrees. I have no notes, transcript, or recording. The address of the United States Attorney's Office is 150 Almaden Boulevard, Suite 900, San Jose, California 95113. The address of the Federal Public Defender's Office is 55 South Market Street, Suite 820, San Jose, California 95113.

June 23, 2021: Panelist, "Women in IP: Beyond the Robe Fireside Chat," San Francisco Intellectual Property Law Association and Los Angeles Intellectual Property Law Association, Joint Program and 2021 Annual Seminar (virtual). Notes supplied.

May 20, 2021: Panelist, "Reflections from the Bench," Harvard Law School Asian American Law Students Association (virtual). Notes supplied.

May 7, 2021: Panelist, "Trailblazers! APA Judges on the Federal Bench," Georgia Asian Pacific American Bar Association and National Asian Pacific American Bar Association (virtual). Notes supplied.

May 6, 2021: Speaker, Congratulatory Video Recording, Virtual Installation of 2021 Board of Governors and Officers, Korean American Bar Association of Southern California, Asian Pacific American Bar Unity Night (virtual). Notes supplied.

April 30, 2021: Speaker, California Community Colleges, Law Day with California LAW Pathways (virtual). Notes supplied.

March 23, 2021: Panelist, Clerkship Panel, University of Pennsylvania Carey Law School (virtual). Notes supplied.

February 24, 2021: Speaker, Welcoming Remarks, Annual Meeting of Members and Mentorship Program Kickoff, Korean American Bar Association of Southern California (virtual). Notes supplied.

February 22, 2021: Panelist, "Navigating the Clerkship Process: A Talk with Justice Goodwin Liu (CA Supreme Court) & Judge Lucy Koh (N.D. Cal.)," Harvard Law School Asian Pacific American Law Students Association (virtual). Notes supplied.

February 11, 2021: Administrator of Oath and Speaker, Swearing-In Ceremony, Harvard Law School Association of Northern California (virtual). Notes supplied.

January 29, 2021: Administrator of Oath, 117th Congressional Swearing-in Ceremony for AAPI Members of Congress, Asian Pacific American Institute for Congressional Studies (virtual). I administered the oath and congratulated the Members. I have no notes, transcript, or recording. The address of the Asian Pacific American Institute for Congressional Studies is 1001 Connecticut Avenue, Northwest, Suite 320, Washington, District of Columbia 20036.

November 12, 2020: Speaker, Video Tribute to Justice Ruth Bader Ginsburg, Asian American Bar Association of the Greater Bay Area Annual Gala (virtual). Notes supplied.

November 5, 2020: Panelist, "Incorporating Science, As Scientists Practice It, Into Patent Law: A Conversation with Judges," NAPABA National Convention 2020 (virtual). Notes supplied.

October 15, 2020: Keynote Speaker, Orange County Korean American Bar Association 15th Annual Installation (virtual). Notes supplied.

August 27, 2020: Panelist, "Judges Provide Tips on Effective Virtual Advocacy in the Age of COVID-19," San Francisco Bay Area Chapter of the Association of Corporate Counsel (virtual). Notes supplied.

August 18, 2020: Speaker, United States Attorney's Office Conversation (virtual). Notes supplied.

July 30, 2020: Speaker, Asian Pacific American Institute for Congressional

Studies (APAICS) in Conversation with the Honorable Lucy H. Koh, APAICS and APAICS Women's Collective Summit (virtual). Video available at <https://www.youtube.com/watch?v=uegVkt0M0HM>.

July 16, 2020: Speaker, Question and Answer Session with Summer Interns, Law in Technology Diversity Collaborative (virtual). Notes supplied.

July 14, 2020: Speaker, "Discussion with Judge Lucy H. Koh," New York Intellectual Property Law Association Webinar (virtual). Notes supplied.

March 5, 2020: Panelist, "Consumer Class Actions," Class Action Law Forum 2020, University of San Diego School of Law and Western Alliance Bank, San Diego, California. Notes supplied.

February 15, 2020: Judge, Cornell Moot Court, Ithaca, New York. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of Cornell Law School is 260 Myron Taylor Hall, Ithaca, New York 14853.

January 26, 2020: Panel Moderator, "Abacus: Small Enough to Jail," 2020 Mid-Winter Workshop for Judges of the Ninth Circuit, Palm Springs, California. Notes supplied.

January 24, 2020: Judge, Marion Rice Kirkwood Moot Court Competition Semifinal Round, Stanford Law School, Stanford, California. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

October 24, 2019: Speaker, Red Mass Dinner, St. Thomas More Society of Santa Clara County, Santa Clara, California. Notes supplied.

August 23, 2019: Panelist, Federal Court Panel, "So, You Want to be a Judge? Pathways to the Bench," California Women Lawyers and the California Lawyers Association Litigation Section, San Francisco, California. Notes supplied.

July 12, 2019: Speaker, Brown Bag Lunch Question and Answer Session with Summer Interns from the United States Attorney's Office and the Federal Public Defender's Office, San Jose, California. I spoke about the differences between the U.S. District Court and the California Superior Court, particularly the differences in the practice of criminal law in federal and state court. I have no notes, transcript, or recording. The address of the United States Attorney's Office is 150 Almaden Boulevard, Suite 900, San Jose, California 95113. The address of the Federal Public Defender's Office is 55 South Market Street, Suite 820, San Jose, California 95113.

June 13, 2019: Keynote Speaker, Seventh Annual Women Lawyer's Symposium: Raising the Bar, Santa Clara County Bar Association, Mountain View, California. Notes supplied.

May 25, 2019: Panel Moderator, "What Should Government and Platforms Do (or Not Do) About Fake News?," Stanford Constitutional Law Center, Free Speech and the Internet Conference, Stanford, California. Notes supplied.

May 15, 2019: Panelist, Fourth Annual Criminal Law Symposium, Northern District of California Practice Program, San Francisco, California. Notes supplied.

May 14, 2019: Speaker, Tribute to United States District Judge Edward Davila, Federal Judge of the Year Award Recipient, Judges Night 2019, Santa Clara County Trial Lawyers Association, San Jose, California. Notes supplied.

May 14, 2019: Speaker, Tribute to California Superior Court Judge Thang Nguyen Barrett, John D. Foley Trial Judge of the Year Award Recipient, Judges Night 2019, Santa Clara County Trial Lawyers Association, San Jose, California. Notes supplied.

May 6, 2019: Speaker, Essentials of U.S. and California Government Class, San Jose State University, San Jose, California. Notes supplied.

April 25, 2019: Speaker, Question and Answer Session with Stanford Law School Advanced Legal Writing Class and Oral Argument Class Following Court Observation, San Jose, California. I discussed what makes an oral argument or a brief effective or ineffective. I have no notes, transcript, or recording. The address of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

April 13, 2019: Panel Moderator, Resolving Class Actions, Northern District of California 2019 District Conference, Napa, California. Notes supplied.

April 10, 2019: Keynote Speaker, Keynote Address and 2019 Trailblazer Award Acceptance Speech, Korean American Bar Association of Southern California, 39th Annual Board of Governors Installation and Awards Dinner, Los Angeles, California. Notes supplied.

March 21, 2019: Speaker, Question and Answer Session with Santa Clara University Law School Civil Procedure Class Following Court Observation, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of Santa Clara University Law School is 500 El Camino Real, Santa Clara, California 95053.

January 3, 2019: Administrator of Oath to Santa Clara County Sheriff Laurie Smith, San Jose, California. Notes supplied.

November 10, 2018: Judge, Thomas Tang International Moot Court Competition Final Round, National Asian Pacific American Bar Association, Chicago, Illinois. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of the National Asian Pacific American Bar Association is 1612 K Street, Northwest, Suite 510, Washington, District of Columbia 20006.

October 28, 2018: Speaker, “Lightning Talks—Lessons from the Edge,” Harvard Asian American Alumni Alliance Summit 2018, Cambridge, Massachusetts. Notes supplied.

October 11, 2018: Panelist, “Judicial Independence and the Challenges of Complexity,” A Symposium Honoring Judge Jeremy Fogel, Federal Bar Association and Stanford Law School, Stanford, California. Notes supplied.

September 12, 2018: Speaker, Question and Answer Session with University of California, Berkeley, School of Law Visiting Scholars and LL.M. Students from South Korea Following Court Observation, San Jose, California. I spoke about my jobs prior to becoming a federal judge and my role as a judge. I have no notes, transcript, or recording. The address of the University of California, Berkeley, School of Law is Boalt Hall #7200, Berkeley, California 94720.

June 28, 2018: Speaker, Question and Answer Session with Santa Clara University Katharine & George Alexander Community Law Center Students Following Court Observation, San Jose, California. I spoke about how I became a judge, do’s and don’t’s for oral and written advocacy, advice for new lawyers, and the dockets of federal courts. I have no notes, transcript, or recording. The address of the Katharine & George Alexander Community Law Center is 1030 The Alameda, San Jose, California 95126.

June 18, 2018: Speaker, Brown Bag Lunch Question and Answer Session with Summer Interns from the United States Attorney’s Office and the Federal Public Defender’s Office, San Jose, California. I spoke about the differences between the U.S. District Court and the California Superior Court, the differences in the practice of criminal law in federal and state court, and advice for law students. I have no notes, transcript, or recording. The address of the United States Attorney’s Office is 150 Almaden Boulevard, Suite 900, San Jose, California 95113. The address of the Federal Public Defender’s Office is 55 South Market Street, Suite 820, San Jose, California 95113.

May 30, 2018: Speaker, Santa Clara County Trial Lawyers Association, Judges’ Night 2018, Introduction of Federal Judge of the Year U.S. Magistrate Judge Nathanael Cousins, San Jose, California. Notes supplied.

April 26, 2018: Judge, University of Chicago Edward W. Hinton Moot Court Competition Final Round, Chicago, Illinois. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of the University of Chicago Law School is 1111 East 60th Street, Chicago, Illinois 60637

April 26, 2018: Panelist, Lunch Question and Answer Session with American Constitution Society and Federalist Society, University of Chicago, Hyde Park, Illinois. Notes supplied.

March 23, 2018: Speaker, Legal Impact Award Acceptance Speech, Asian Law Alliance, 41st Anniversary Dinner, San Jose, California. Notes supplied.

March 14, 2018: Panelist, "Pretrial Management: Sizing up the Litigation, Creating a Game Plan, and Managing Discovery and Motions Practice," Federal Judicial Center Managing Multi-district and Other Complex Litigation Workshop, Washington, District of Columbia. Notes supplied.

March 1, 2018: Panelist, "The Evolving Challenge of Judging: 2018 Edition," 32nd Annual National Institute on White Collar Crime, American Bar Association, San Diego, California. Notes supplied.

January 26, 2018: Judge, Marion Rice Kirkwood Moot Court Competition Semifinal Round, Stanford Law School, Stanford, California. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

November 18, 2017: Interview by Karen Korematsu, U.S. Citizenship and Immigration Services Naturalization Ceremony, National Council for the Social Studies Annual Conference, San Francisco, California. Video available at <https://www.youtube.com/watch?v=HUwlgJWDYA>.

November 16, 2017: Panelist, Lunch Question and Answer Session with San Jose Judges, Federal Bar Association, San Jose, California. Notes supplied.

November 4, 2017: Judge, Thomas Tang International Moot Court Competition Final Round, National Asian Pacific American Bar Association, Washington, District of Columbia. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of the National Asian Pacific American Bar Association is 1612 K Street, Northwest, Suite 510, Washington, District of Columbia 20006.

October 30, 2017: Speaker, "Issues in Data Breach and Consumer Privacy Cases" Plenary Session, 2017 Multi-District Litigation Transferee Judges' Conference, Palm Beach, Florida. Notes supplied.

October 2, 2017: Keynote Speaker, Asian/Pacific Bar Association of Sacramento 2017 Gala Dinner, Sacramento, California. Notes supplied.

September 27, 2017: Panelist, Female Firsts Panel, Asian American Bar Association of the Greater Bay Area Women's Committee, San Francisco, California. Notes supplied.

September 27, 2017: Speaker, American Bar Association Intellectual Property Law Section, Women in IP Task Force Monthly Call, San Jose, California. Notes supplied.

September 14, 2017: Speaker, "View from the Bench on Data Breach and Privacy Litigation," American Bar Association Business Law Section Annual Meeting, Cyberspace Law Committee Meeting, Chicago, Illinois. Notes supplied.

September 7, 2017: Panelist, District Judges Panel, "General Counsel & The Courts: A Dialogue," Federal Bar Association Northern District of California Chapter and Stanford Law School, Stanford, California. Notes supplied.

August 1, 2017: Speaker, Question and Answer Session with High School Government and History Teachers, Gilder Lehrman Institute of American History, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of the Gilder Lehrman Institute of American History is 49 West 45th Street, Sixth Floor, New York, New York 10036.

July 22, 2017: Panelist, "Pursuing Career Paths in the Judiciary," National Asian Pacific American Bar Association Western Regional Conference, San Jose, California. Notes supplied.

July 22, 2017: Panelist, "IP Career Management for APA Attorneys: Growing with Business & Technology," National Asian Pacific American Bar Association Western Regional Conference, San Jose, California. Notes supplied.

June 23, 2017: Speaker, Brown Bag Lunch Question and Answer Session with Summer Interns from the United States Attorney's Office and the Federal Public Defender's Office, San Jose, California. I spoke about the process for becoming a federal judge, changes in the U.S. District Court, and changes in my caseload over time. I have no notes, transcript, or recording. The address of the United States Attorney's Office is 150 Almaden Boulevard, Suite 900, San Jose, California 95113. The address of the Federal Public Defender's Office is 55 South Market Street, Suite 820, San Jose, California 95113.

June 20, 2017: Speaker, U.S. Courthouse Summer Extern Brown Bag Lunch

Presentation, San Jose, California. Notes supplied.

May 31, 2017: Speaker, Federal Judge of the Year Award Acceptance Speech, Santa Clara County Trial Lawyers Association, Judges' Night 2017, San Jose, California. Notes supplied.

May 24, 2017: Speaker, Question and Answer Session with Graduate Patent Program Students from the Korea Advanced Institute of Science and Technology Following Court Observation, San Jose, California. I spoke about our high tech and intellectual property docket. I have no notes, transcript, or recording. The address of the Korea Advanced Institute of Science and Technology is 291 Daehak-ro, Yuseong-gu, Daejeon 34141, Republic of Korea.

May 14, 2017: Speaker, William & Mary Law School Diploma Ceremony, Williamsburg, Virginia. Video available at <https://www.youtube.com/watch?v=U1D3hu7y4Rg>.

April 20, 2017: Speaker, Meet and greet with members of Harvard Law School's Asian Pacific American Law Students Association, Cambridge, Massachusetts. I spoke about how to become a state and federal judge, legal careers, and life at Harvard Law School. I have no notes, transcript, or recording. The address of the Harvard Law School Asian Pacific American Law Students Association is 3039 Wasserstein Hall, 1585 Massachusetts Avenue, Cambridge, Massachusetts 02138.

April 20, 2017: Speaker, "Portrait of Silicon Valley Litigation," Harvard Law School Journal on Law and Technology, Asian Pacific American Law Students Association, and American Constitution Society, Cambridge, Massachusetts. Notes supplied.

April 7, 2017: Panelist, "Legal Snarls in the World Wide Web Panel," ABA Business Law Section Spring Meeting, New Orleans, Louisiana. Notes supplied.

April 6, 2017: Speaker, ABA Business Law Section Spring Meeting High School Outreach, Lake Area New Tech Early College High School, New Orleans, Louisiana. Notes supplied.

April 5, 2017: Speaker, Mark T. Banner Award Acceptance Speech, American Bar Association Intellectual Property Law Section, Crystal City, Virginia. Notes supplied.

March 23, 2017: Speaker, AABA President's Award Acceptance Speech, Asian American Bar Association of the Greater Bay Area 41st Annual Dinner, San Francisco, California. Notes supplied.

March 10, 2017: Guest Speaker, Asian Pacific American Bar Association of Los Angeles Installation Dinner, Los Angeles, California. Notes supplied.

March 1, 2017: Speaker, Question and Answer Session with High School Students Following Court Observation, Castilleja School, San Jose, California. I spoke about the setting of trial dates and the role of counsel in criminal cases. I have no notes, transcript, or recording. The address of the Castilleja School is 1310 Bryant Street, Palo Alto, California 94301.

February 24, 2017: Participant, Breakfast Conversation with Justice Cuellar, American Academy in Berlin, Berlin, Germany. I spoke about the process of becoming a federal judge in the United States, the level of experience of federal judges in the United States, working at the United States Department of Justice, patent litigation, and data breach litigation. I have no notes, transcript, or recording. The address of the American Academy in Berlin is Am Sandwerder 17-19, 14109 Berlin, Germany.

February 22, 2017: Speaker, "Portrait of Silicon Valley Litigation," John W. Kluge Distinguished Visitor Lecture, American Academy in Berlin, Berlin, Germany. Notes supplied.

December 7, 2016: Speaker, Swearing-In Ceremony, Class of 2016, Stanford Law School, Stanford, California. Notes supplied.

November 3, 2016: Panelist, "Managing Antitrust and Complex Business Trials: A Discussion with Three Federal District Judges," California State Bar Section on Antitrust, Unfair Competition, and Privacy, 2016 Golden State Antitrust, Unfair Competition, and Privacy Law Institute, San Francisco, California. Transcript supplied.

November 1, 2016: Breakout Presenter, Data Breach Multi-District Litigations Breakout Discussion, 2016 Multi-District Litigation Transferee Judges' Conference, Palm Beach, Florida. Notes supplied.

October 18, 2016: Panelist, Northern District of California District Judges Panel, The Honorable Ronald M. Whyte Symposium, Stanford, California. Video available at <https://www.youtube.com/watch?v=0fXqk0eqJUo>.

October 14, 2016: Speaker, Public Service Award Acceptance Speech, 2016 Gala and Awards Dinner, Council of Korean Americans, Washington, District of Columbia. Video available at <https://www.youtube.com/watch?v=KiVGXIHKQAI>.

August 4, 2016: Panelist, "Precedent, Guiding Cases, and Amicus Briefs and Their Use in Judicial Decision Making," United States-China Judicial Dialogue, Beijing, China. Notes supplied.

August 3, 2016: Panelist, "Efficiency and Justice in Commercial Cases," United

States-China Judicial Dialogue, Beijing, China. Notes supplied.

July 26, 2016: Speaker, Question and Answer Session with High School Government and History Teachers, Gilder Lehrman Institute of American History, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of the Gilder Lehrman Institute of American History is 49 West 45th Street, Sixth Floor, New York, New York 10036.

May 21, 2016: Speaker, Commencement, Santa Clara University Law School, Santa Clara, California. Notes supplied.

April 30, 2016: Panel Moderator, "Sexual Misconduct: Definitions," Civil Liberties on Campus Conference, Stanford Constitutional Law Center, Stanford Law School, Stanford, California. Notes supplied.

April 12, 2016: Panelist, "Effect of the Recent Civil Rules Amendments on Patent Cases and the Heightened Importance of Active Case Management," Federal Judicial Center-U.S. Patent and Trademark Office Patent Law Seminar for Judges, Alexandria, Virginia. Notes supplied.

April 11, 2016: Panelist, Judges Panel, Patent and Trademark Breakout Session, Federal Circuit Judicial Conference, Washington, District of Columbia. Notes supplied.

March 2, 2016: Speaker, Question and Answer Session with High School Students Following Court Observation, Castilleja School, San Jose, California. I spoke about plea colloquies in criminal cases. I have no notes, transcript, or recording. The address of the Castilleja School is 1310 Bryant Street, Palo Alto, California 94301.

February 23, 2016: Panelist, "Juror Management Challenges and Opportunities: During Service," Juror Management and Utilization Workshop, Federal Judicial Center, Redondo Beach, California. Notes supplied.

February 20, 2016: Keynote Speaker, "Tino and Lucy's 10 Personal and Professional Tips to Make Your Life Less Crazy," 16th Annual Conference, Bay Area Asian Pacific American Law Students Association, Berkeley, California. Notes supplied.

February 11, 2016: Speaker, Question and Answer Session with Law Students Following Court Observation, American Constitution Society of Stanford Law School, San Jose, California. I spoke about the Northern District of California's docket, the patent pilot program, multi-district litigation, and opportunities for new lawyers to argue in court. I have no notes, transcript, or recording. The

address of the American Constitution Society of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

January 14, 2016: Panelist, State of Law and Technology Roundtable, Berkman Center for Internet & Society at Harvard University, Cambridge, Massachusetts. The panel discussed the prevalence of algorithms in decision-making. I have no notes, transcript, or recording. The address of the Berkman Center for Internet & Society at Harvard University is 23 Everett Street, Second Floor, Cambridge, Massachusetts 02138.

November 10, 2015: Speaker, Question and Answer Session with LL.M. International Students, Santa Clara University Law School, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of Santa Clara University Law School is 500 El Camino Real, Santa Clara, California 95053.

November 9, 2015: Speaker, Question and Answer Session with Third Graders, Las Lomitas Elementary School, Menlo Park, California. I spoke about career paths in the law and federal and state courts. I have no notes, transcript, or recording. The address of Las Lomitas Elementary School is 299 Alameda de las Pulgas, Atherton, California 94027.

November 6, 2015: Panelist, “Shattering Double Ceilings: How to Increase APA Women Leaders in Law,” National Convention, National Asian Pacific American Bar Association, New Orleans, Louisiana. Notes supplied.

November 6, 2015: Panelist, “Litigating High-Profile Cases,” National Convention, National Asian Pacific American Bar Association, New Orleans, Louisiana. Notes supplied.

October 28, 2015: Speaker, Judicial Best Practices Committee Announcement, Women in IP Global Summit 2015, Chiefs of Intellectual Property (ChIPs), Washington, District of Columbia. Notes supplied.

October 28, 2015: Panelist, Trial Judges Panel, Women in IP Global Summit 2015, Chiefs of Intellectual Property (ChIPs), Washington, District of Columbia. Notes supplied.

October 27, 2015: Speaker, Brown Bag Lunch with Office of the Solicitor General, U.S. Department of Justice, Washington, District of Columbia. Notes supplied.

May 30, 2015: Panelist, “Making Technology Work for You,” Harvard Class of 1990, 25th Reunion, Cambridge, Massachusetts. Notes supplied.

May 11, 2015: Judge, Fifth Grade Mock Trial, Oak Avenue School, San Jose, California. I was a volunteer judge. I have no notes, transcript, or recording. The address of the Oak Avenue School is 1501 Oak Avenue, Los Altos, California 94024.

May 8, 2015: Speaker, Question and Answer Session, Working Group on Intellectual Property, Innovation, and Prosperity, "From Trolls to Thickets: The Patent System and the US Economy" Conference, Hoover Institution, Stanford University, Stanford, California. Notes supplied.

January 30, 2015: Speaker, Question and Answer Session with Students, Introduction to Environmental Law Class, San Jose State University, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of San Jose State University is One Washington Square, San Jose, California 95192.

January 7, 2015: Panelist, "Challenging Careers and Family Life: Striking the Balance," William A. Ingram Inn of Court, Santa Clara University School of Law, Santa Clara, California. Notes supplied.

September 24, 2014: Speaker, "Empowering and Advancing Female APA Attorneys: The Trailblazer's Perspective," Asian Pacific American Bar Association of Silicon Valley's Women in Law Committee and Stanford Law School Asian and Pacific Islander Law Students Association, Stanford, California. Notes supplied.

September 5, 2014: Speaker, Question and Answer Session with Students, Introduction to Environmental Law Class, San Jose State University, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of San Jose State University is One Washington Square, San Jose, California 95192.

July 28, 2014: Speaker, "Perspectives on the American Judicial System," 2014 Draper Hills Summer Fellows Program on Democracy and Development, Stanford University Center on Democracy, Development, and the Rule of Law, Stanford, California. Notes supplied.

March 6, 2014: Speaker, "A Conversation with Judge Lucy H. Koh," Harvard Law School Journal on Law and Technology, Asian Pacific American Law Students Association, and Asia Law Society, Cambridge, Massachusetts. Notes supplied.

January 27, 2014: Speaker, Brown Bag Lunch with Students, American Constitution Society of Stanford Law School, San Jose, California. I spoke about

my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of the American Constitution Society of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

January 26, 2014: Welcome Speech, Annual Retreat, Asian Pacific American Bar Association of Silicon Valley, Palo Alto, California. I spoke about the importance of the board's and committee chairs' work. I have no notes, transcript, or recording. The address of the Asian Pacific American Bar Association of Silicon Valley is P.O. Box 60988, Palo Alto, California 94306.

December 6, 2013: Speaker, Swearing-In Ceremony for New Bar Admits, University of San Francisco School of Law, San Francisco, California. Notes supplied.

November 8, 2013: Speaker, Acceptance Speech for IP Vanguard Award—Judiciary Award, California State Bar, Intellectual Property Law Section, Berkeley, California. Notes supplied.

November 1, 2013: Speaker, Assembly, The Harker School, San Jose, California. Notes supplied.

October 22, 2013: Speaker, "A Discussion with the Honorable Lucy Koh '93," Harvard Law School Association Recent Graduates Council and Stanford Law School, Stanford, California. Notes supplied.

October 12, 2013: Speaker, "San Jose's Federal Judges Address Hot-Button Litigation Topics," Federal Courts Committee, State Bar of California Annual Meeting, San Jose, California. Notes supplied.

September 27, 2013: Panelist, "My Brilliant but Unusual Career," Leaders for Change, Celebration 60, Women Transforming Our Communities & the World, Harvard Law School, Cambridge, Massachusetts. Notes supplied. (My 2016 Questionnaire provided a link to video of the event. That video is no longer available.)

September 20, 2013: Speaker, Question and Answer Brown Bag Lunch with Summer Interns, Asian Law Alliance, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of the Asian Law Alliance is 991 West Hedding Street, Suite 202, San Jose, California 95126.

July 30, 2013: Speaker, Question and Answer Session with High School Government and History Teachers, Gilder Lehrman Institute of American History, San Jose, California. I spoke about my professional background, career

paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of the Gilder Lehrman Institute of American History is 49 West 45th Street, Sixth Floor, New York, New York 10036.

July 23, 2013: Speaker, "Perspectives on the American Judicial System," 2013 Draper Hills Summer Fellows Program on Democracy and Development, Stanford University Center on Democracy, Development, and the Rule of Law, Stanford, California. Notes supplied.

June 24, 2013: Speaker, Brown Bag Lunch Question and Answer Session with Summer Interns from the United States Attorney's Office and the Federal Public Defender's Office, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of the United States Attorney's Office is 150 Almaden Boulevard, Suite 900, San Jose, California 95113. The address of the Federal Public Defender's Office is 55 South Market Street, Suite 820, San Jose, California 95113.

June 21, 2013: Speaker, Question and Answer Brown Bag Lunch with Summer Interns, Asian Law Alliance, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of the Asian Law Alliance is 991 West Hedding Street, Suite 202, San Jose, California 95126.

June 18, 2013: Speaker, "Trolls, Traders, and Wizards – Understanding the Market for Innovation," Association of Business Trial Lawyers, East Palo Alto, California. Notes supplied.

June 17, 2013: Speaker, "If a Little Knowledge Can Be Dangerous, How About a Lot of Knowledge?," Federal Courts Committee, Santa Clara County Bar Association, Palo Alto, California. Notes supplied.

June 14, 2013: Speaker, "A View from the Bench," National Convention, American Constitution Society, Washington, District of Columbia. Video available at https://www.youtube.com/watch?v=hh_vOcRVDo.

May 8, 2013: Speaker, "View from the Bench," The Recorder, San Jose, California. Notes supplied.

May 3, 2013: Panelist, Judicial Panel, 2013 Advanced Complex Litigation Series, Federal Circuit Bar Association, Santa Clara, California. I spoke about district court patent case management and litigation. I have no notes, transcript, or recording. The address of the Federal Circuit Bar Association is 1620 I Street, Northwest, Suite 801, Washington, District of Columbia 20006.

April 27, 2013: Speaker, "Beyond Your Limits," Korean-American Youth Forum, San Francisco Korean Education Center, San Jose, California. Notes supplied.

April 13, 2013: Panel Moderator, "China's Economic Development: the Impact in Federal Court," 2013 Northern District of California Judicial Conference, Napa, California. Notes supplied.

April 11, 2013: Speaker, Question and Answer Session with Law Students Following Court Observation, Federal Litigation Class, Stanford Law School, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

March 21, 2013: Speaker, Question and Answer Session with Law Students Following Court Observation, Civil Procedure Class, Santa Clara University Law School, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of Santa Clara University Law School is 500 El Camino Real, Santa Clara, California 95053.

March 15, 2013: Speaker, Brown Bag Lunch, Federal Public Defender's Office, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of the Federal Public Defender's Office is 55 South Market Street, Suite 820, San Jose, California 95113.

March 9, 2013: Speaker, Keynote Address, Second Annual Banquet, University of California, Davis, School of Law Asian Pacific American Law Student Association, Sacramento, California. Notes supplied.

March 2, 2013: Speaker, A Conversation with Federal Judges, Student Convention 2013, American Constitution Society of Stanford Law School, Stanford, California. Video available at <https://www.youtube.com/watch?v=oLmrKXsXg2M>.

February 28, 2013: Speaker, Question and Answer Session with Law Students, Civil Procedure Class, Santa Clara University Law School, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of Santa Clara University Law School is 500 El Camino Real, Santa Clara, California 95053.

February 1, 2013: Speaker, Question and Answer Session with College Students, Introduction to Environmental Law Class, San Jose State University, San Jose, California. I spoke about my professional background, career paths in the law,

how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of San Jose State University is One Washington Square, San Jose, California 95192.

January 25, 2013: Speaker, Keynote Speech, Sixth Annual Dale Minami Public Interest Fellowship Dinner, University of California, Berkeley, School of Law Asian Pacific American Law Students Association, San Francisco, California. Notes supplied.

November 28, 2012: Panelist, Judges' Panel, Intellectual Property Inn of Court, San Jose, California. Notes supplied.

November 16, 2012: Panelist, "Judges' Views on Litigating Complex Cases," National Convention, National Asian Pacific American Bar Association, Washington, District of Columbia. Notes supplied.

October 13, 2012: Speaker, "State Court Practitioner's Playbook for Mastering Federal Court," Annual Meeting, California State Bar, Monterey, California. Notes supplied.

October 5, 2012: Speaker, Jay Koh Memorial Service, Sunnyvale, California. Notes supplied.

July 24, 2012: Speaker, Question and Answer Session with High School Government and History Teachers, Gilder Lehrman Institute of American History, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of the Gilder Lehrman Institute of American History is 49 West 45th Street, Sixth Floor, New York, New York 10036.

July 10, 2012: Speaker, Question and Answer Brown Bag Lunch with Summer Interns, Asian Law Alliance, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of the Asian Law Alliance is 991 West Hedding Street, Suite 202, San Jose, California 95126.

June 25, 2012: Speaker, Question and Answer Brown Bag Lunch with Summer Interns from the United States Attorney's Office and the Federal Public Defender's Office, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of the United States Attorney's Office is 150 Almaden Boulevard, Suite 900, San Jose, California 95113. The address of the Federal Public Defender's Office is 55 South Market Street, Suite 820, San Jose, California 95113.

June 23, 2012: Panelist, Law Panel, "Mentoring the Next Generation: Career Pathways," Council of Korean Americans, Stanford, California. Notes supplied.

June 23, 2012: Keynote Speaker, "Mentoring the Next Generation: Career Pathways," Council of Korean Americans, Stanford, California. Notes supplied.

May 22, 2012: Speaker, "Patent Local Rules, Pre-Trial Orders, and Early Case Management Philosophy, Context, Logic, and Departures," Intellectual Property in the New Technological Age: Conference for Federal Judges, Federal Judicial Center and the Berkeley Center for Law & Technology, Berkeley, California. Notes supplied.

May 21, 2012: Panelist, "The Federal Circuit/District Court Interface," Patent Institutions Summit: Bringing Together the PTO, Federal Circuit, District Courts, and the ITC, Stanford Program in Law, Science & Technology and Berkeley Center for Law & Technology, Stanford, California. Video available at <https://www.youtube.com/watch?v=ni9NZo5yWpM>.

May 19, 2012: Speaker, Distinguished Speaker Dinner, Network of Korean-American Leaders Fellowship Program, School of Social Work, Center for Asian Pacific Leadership, University of Southern California, Palo Alto, California. Notes supplied.

May 17, 2012: Speaker, "The Judicial Viewpoint: Judicial Panel on Hot Topics in Patent and Trademark Law," Federal Circuit Court of Appeals Judicial Conference, Washington, District of Columbia. Notes supplied.

May 9, 2012: Speaker, "Changing Venue: A Conversation with Judge Lucy H. Koh and Judge Edward J. Davila," William A. Ingram Inn of Court, San Jose, California. Notes supplied.

May 3, 2012: Speaker, Tribute to Magistrate Judge Paul Grewal, Judge of the Year, Judges' Night 2012, Santa Clara County Trial Lawyers Association, San Jose, California. Notes supplied.

April 28, 2012: Speaker, Introduction of Mariano-Florentino Cuellar, Northern District of California Judicial Conference, Monterey, California. Notes supplied.

April 18, 2012: Speaker, "One Judge's Perspective on High Tech Litigation in the Northern District of California," MCLE Brown Bag, High Technology Section, Santa Clara County Bar Association, San Jose, California. Notes supplied.

April 3, 2012: Panelist, Panel on Clerking, University of California, Berkeley, School of Law Women of Color Collective, Coalition for Diversity, and Men of Color Alliance, Berkeley, California. Notes supplied.

March 1, 2012: Panelist, Patent Law Roundtable Discussion, Northern District of California Practice Program, San Francisco, California. Notes supplied.

February 25, 2012: Speaker, 25th Anniversary Video, Pro Bono Project of Silicon Valley, Palo Alto, California. Notes supplied.

February 3, 2012: Speaker, Question and Answer Session with College Students, Introduction to Environmental Law Class, San Jose State University, San Jose, California. I spoke about my professional background, career paths in the law, how to become a judge, and the dockets of federal courts. I have no notes, transcript, or recording. The address of San Jose State University is One Washington Square, San Jose, California 95192.

January 18, 2012: Panelist, District Judges Panel, The New Northern District of California Patent Pilot Program, Federal Bar Association, Federal Circuit Bar Association, and Stanford Law School Program in Law, Science & Technology, Stanford Law School, Stanford, California. Notes supplied.

January 12, 2012: Panelist, Technology and Law Discussion Panel, 2012 Students' Silicon Valley Trip, Claremont McKenna College, Information Technology Advisory Board, East Palo Alto, California. Notes supplied.

December 8, 2011: Panelist, Judicial Panel, Advanced Patent Law Institute, East Palo Alto, California. Notes supplied.

December 5, 2011: Speaker, Swearing-In Ceremony and Reception, Santa Clara University, Santa Clara County Bar Association, Santa Clara, California. Notes supplied.

November 15, 2011: Speaker, Remedies Class and Student Intellectual Property Law Association, Santa Clara University School of Law, Santa Clara, California. Notes supplied.

October 24, 2011: Speaker, American Constitution Society, San Francisco, California. Notes supplied.

October 12, 2011: Attendee, Judges' Dinner, Asian American Bar Association of the Greater Bay Area Judiciary Committee, San Francisco, California. I do not recall specifics, but I believe I may have spoken about how to become a judge. I have no notes, transcript, or recording. The address of the Asian American Bar Association of the Greater Bay Area is 575 Market Street, Suite 2125, San Francisco, California 94105.

September 3, 2011: Speaker, Luncheon Keynote Speech, National Convention, Hispanic National Bar Association, Dallas, Texas. Notes supplied.

August 20, 2011: Speaker, Grand Opening, Silicon Valley Korean Community Center, San Jose, California. Notes supplied.

August 6, 2011: Speaker, Liberty Award Acceptance Speech, Institute for Corean-American Studies Liberty Foundation, Bluebell, Pennsylvania. Notes supplied.

May 5, 2011: Speaker, Tribute to Judge Jeremy Fogel, Federal Judge of the Year, Judges' Night 2011, Santa Clara County Trial Lawyers Association, San Jose, California. Notes supplied.

April 16, 2011: Speaker, Brunch, American Constitution Society of Stanford Law School, Federalist Society, and Asian Pacific Islander Law Students Association, Stanford, California. Notes supplied.

April 13, 2011: Panelist, "Building Bridges: Connecting Women of Color in Law," University of California, Berkeley, School of Law Women of Color Collective, Berkeley, California. Notes supplied.

April 10, 2011: Panel Moderator, "Managing Mega and High Profile Cases: Opportunities and Traps," Northern District Judicial Conference, Monterey, California. Notes supplied.

March 18, 2011: Panelist, "Intellectual Property in the Courtroom: Issues District Judges Face with Significant IP Dockets," Intellectual Property Panel Symposium, George Washington University Law School, San Francisco, California. Notes supplied.

March 15, 2011: Panelist, "New Judicial Assignments in Northern California Courtrooms," Association of Business Trial Lawyers, San Francisco, California. Notes supplied.

February 11, 2011: Judge, Galloway Moot Court Competition Final Round, Santa Clara University School of Law, Santa Clara, California. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of Santa Clara University School of Law is 500 El Camino Real, Santa Clara, California 95053.

February 5, 2011: Keynote Speaker, Bay Area Asian Pacific American Law Students Association Conference, Golden Gate University School of Law, San Francisco, California. Notes supplied.

January 21, 2011: Judge, Marion Rice Kirkwood Moot Court Competition Semifinal Round, Stanford Law School, Stanford, California. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford,

California 94305.

December 14, 2010: Speaker, 2010 Judge of the Year Award, San Francisco La Raza Lawyers Association, San Francisco, California. Notes supplied.

December 9, 2010: Panelist, Judges Panel, 11th Annual Silicon Valley Advanced Patent Law Institute, East Palo Alto, California. Notes supplied.

December 7, 2010: Speaker, Swearing-In Ceremony for New Bar Admits, Santa Clara County Bar Association, East Palo Alto, California. Notes supplied.

December 3, 2010: Speaker, Swearing-In Ceremony for New Bar Admits, University of San Francisco School of Law, San Francisco, California. Notes supplied.

December 1, 2010: Panelist, "A View from the Bench: A Candid Discussion with Your Federal Judges and Magistrates," Santa Clara County Bar Association, San Jose, California. Notes supplied.

November 20, 2010: Panelist, "Convincing the Judge – Best Practices," National Convention, National Asian Pacific American Bar Association, Los Angeles, California. Notes supplied.

November 20, 2010: Panelist, "California Inspires! Tales of Making It to the Top," National Convention, National Asian Pacific American Bar Association, Los Angeles, California. Notes supplied.

November 20, 2010: Judge, Thomas Tang International Moot Court Competition, National Asian Pacific American Bar Association, Los Angeles, California. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of the National Asian Pacific American Bar Association is 1612 K Street, Northwest, Suite 510, Washington, District of Columbia 20006.

November 20, 2010: Speaker, 2010 Women's Leadership Award, National Convention, National Asian Pacific American Bar Association, Los Angeles, California. Notes supplied.

November 19, 2010: Speaker, Korean American Bar Associations of Southern California and Northern California and International Association of Korean Lawyers Reception, National Convention, National Asian Pacific American Bar Association, Los Angeles, California. Notes supplied.

November 10, 2010: Panelist, Bay Area Judges Panel, Asian American Bar Association of the Greater Bay Area, San Francisco, California. The panel discussed how to become a judge. I have no notes, transcript, or recording. The address of the Asian American Bar Association of the Greater Bay Area is 575

Market Street, Suite 2125, San Francisco, California 94105.

November 5, 2010: Panelist, "Judicial Perspectives on the Effective Use of Interpreters in the Courtroom," 17th Annual Judges Panel, Asian Pacific American Bar Association of Silicon Valley, San Jose, California. Notes supplied.

October 23, 2010: Judge, Thomas Tang International Moot Court Competition San Francisco Regionals Semifinal Round, National Asian Pacific American Bar Association, San Francisco, California. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of the National Asian Pacific American Bar Association is 1612 K Street, Northwest, Suite 510, Washington, District of Columbia 20006.

October 18, 2010: Panelist, "Judicial Perspectives on Patent Damages," Federal Circuit Bar Association and the Berkeley Center for Law & Technology, Berkeley, California. Notes supplied.

October 15, 2010: Speaker, 2010 Trailblazer Award, Annual Scholarship Banquet, Asian Pacific American Bar Association of Silicon Valley, East Palo Alto, California. Notes supplied.

October 14, 2010: Panel Moderator, "Best Practices in Presiding Over Patent Cases," National Convention, National Association of Women Judges, San Francisco, California. Notes supplied.

September 30, 2010: Speaker, Induction Ceremony Speech, United States District Court for the District of Northern California, San Jose, California. Notes supplied.

November 21, 2009: Judge, Thomas Tang International Moot Court Competition, National Asian Pacific American Bar Association, Boston, Massachusetts. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of the National Asian Pacific American Bar Association is 1612 K Street, Northwest, Suite 510, Washington, District of Columbia 20006.

November 20, 2009: Speaker, Trailblazer Award Ceremony, National Convention, National Asian Pacific American Bar Association, Boston, Massachusetts. Notes supplied.

November 18, 2009: Panelist, Judicial Externship Panel, Santa Clara University Law School Black Law Students Association, Santa Clara, California. Notes supplied.

November 17, 2009: Panelist, "An Evening of Insightful Conversation with Some of the Most IP-Savvy Judges in California," Chiefs of Intellectual Property

(ChIPs), Menlo Park, California. Notes supplied.

November 6, 2009: Panelist, Judges Panel, Asian Pacific Bar Association of Silicon Valley, San Jose, California. Notes supplied.

October 1, 2009: Visiting Instructor, Trial Advocacy Workshop, Stanford Law School, Stanford, California. I have no notes, transcript, or recording. The address of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

September 24, 2009: Panelist, Judges Panel on the State Judicial Appointment Process, Santa Clara County Bar Association, San Jose, California. Notes supplied.

August 8, 2009: Panelist, Diversity Career Fair Panel, Bar Association of San Francisco and Orrick Herrington & Sutcliffe LLP, San Francisco, California. Notes supplied.

August 4, 2009: Speaker, Discussion of Law School Application Process and Legal Careers, Youth Leadership Academy, Asian Pacific American Leadership Institute, De Anza Community College, Cupertino, California. I do not recall specifics, but I believe I spoke about how to apply to law school and career paths in the law. I have no notes, transcript, or recording. The address of De Anza Community College is 21250 Stevens Creek Boulevard, Cupertino, California 95014.

July 10, 2009: Panelist, Career Panel, Pre-Law Diversity Day at Court, Santa Clara County Superior Court, San Jose, California. I spoke about career paths in the law. I have no notes, transcript, or recording. The address of Santa Clara County Superior Court is 191 North First Street, San Jose, California 95113.

June 5, 2009: Panelist, "Developing Your Oral Argument Style," California Women Lawyers' Conference, Half Moon Bay, California. Notes supplied.

April 30, 2009: Keynote Speaker, Korean Community Center of the East Bay, Oakland, California. Notes supplied.

April 21, 2009: Judge, Trial Techniques Class, Santa Clara University School of Law, San Jose, California. I was a volunteer judge for this class. I have no notes, transcript, or recording. The address of Santa Clara University School of Law is 500 El Camino Real, Santa Clara, California 95053.

April 14, 2009: Keynote Speaker, National Association of Professional Asian American Women and Center for Medicare & Medicaid Services/Health and Human Services, National Training Conference & Small Business Exposition, Baltimore, Maryland. Notes supplied.

April 1, 2009: Judge, Marion Rice Kirkwood Moot Court Competition Quarterfinal Round, Stanford Law School, Stanford, California. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

March 12, 2009: Judge, Speak and Lead with Pride Program High School Speech Contest, Organization of Chinese Americans, Inc. Peninsula Chapter of San Mateo County, San Mateo, California. I was a volunteer judge of this contest. I have no notes, transcript, or recording. The address of the Organization of Chinese Americans, Inc. Peninsula Chapter of San Mateo County is P.O. Box 218, San Mateo, California 94401.

February 22, 2009: Panelist, "Asian Americans and the Judiciary," Bay Area Asian Pacific American Law Students Association, San Francisco, California. Notes supplied.

February 5, 2009: Judge, Santa Clara County High School Mock Trial, Santa Clara County Bar Association and Santa Clara County Office of Education, San Jose, California. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of the Santa Clara County Bar Association is 31 North Second Street, Suite 400, San Jose, California 95113. The address of the Santa Clara County Office of Education is 1290 Ridder Park Drive, San Jose, California 95131.

November 21, 2008: Judge, Thomas Tang International Moot Court Competition, National Asian Pacific American Bar Association, Seattle, Washington. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of the National Asian Pacific American Bar Association is 1612 K Street, Northwest, Suite 510, Washington, District of Columbia 20006.

November 12, 2008: Panelist, Judges Panel on Judicial Careers, Asian American Bar Association of the Greater Bay Area, San Francisco, California. I do not recall specifics, but I believe I spoke about how to become a judge. I have no notes, transcript, or recording. The address of the Asian American Bar Association of the Greater Bay Area is 575 Market Street, Suite 2125, San Francisco, California 94105.

November 11, 2008: Speaker, Brief Remarks After Administering Oath of Office to Trustees, San Jose/Evergreen Community College District, San Jose, California. Notes supplied.

November 7, 2008: Panelist, Views from the Bench: Effective Written & Oral Advocacy, Asian Pacific Bar Association of Silicon Valley, San Jose, California. Notes supplied.

November 3, 2008: Visiting Instructor, Trial Advocacy Workshop, Stanford Law School, Stanford, California. I spoke about what makes an effective closing argument. I have no notes, transcript, or recording. The address of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

October 23, 2008: Panelist, Career Panel, Korean American Bar Association of Northern California and University of California-Hastings' Korean-American Law Students Association, San Francisco, California. Notes supplied.

September 20, 2008: Panelist, Oral Presentation Skills, Women's Leadership Summit, Harvard Law School, Cambridge, Massachusetts. Notes supplied.

September 19, 2008: Speaker, Mugunghwa Award, Inaugural Annual Dinner and Installation Ceremony, Korean American Bar Association of San Diego & Korean American Coalition of San Diego, San Diego, California. Notes supplied.

September 13, 2008: Panelist, Judges Panel on Judicial Careers and Trial Skills, Annual Conference, International Association of Korean Lawyers, Philadelphia, Pennsylvania. Notes supplied.

May 9, 2008: Panelist, Law Day School Visits, Santa Clara County Superior Court and After-School All-Stars, San Jose, California. I spoke about careers in the law to students at Joseph George Middle School. I have no notes, transcript, or recording. The address of the Santa Clara County Superior Court is 191 North First Street, San Jose, California 95113. The address of After-School All-Stars is 5900 Wilshire Boulevard, Suite 2000, Los Angeles, California 90036.

April 16, 2008: Judge, Trial Techniques Class, Santa Clara University School of Law, San Jose, California. I was a volunteer judge for this class. I have no notes, transcript, or recording. The address of Santa Clara University School of Law is 500 El Camino Real, Santa Clara, California 95053.

April 1, 2008: Judge, Marion Rice Kirkwood Moot Court Competition Preliminary Round, Stanford Law School, Stanford, California. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of Stanford Law School is Crown Quadrangle, 559 Nathan Abbott Way, Stanford, California 94305.

February 5, 2008: Judge, Santa Clara County High School Mock Trial, Santa Clara County Bar Association and Santa Clara County Office of Education, San Jose, California. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of the Santa Clara County Bar Association is 31 North Second Street, Suite 400, San Jose, California 95113. The address of the Santa Clara County Office of Education is 1290 Ridder Park Drive, San Jose,

California 95131.

November 8, 2007: Panelist, Path to Success Career Panel, University of San Francisco Korean American Law Students Association, San Francisco, California. Notes supplied.

September 27, 2007: Speaker, Introduction of Award Recipient and Scholarship Reception Keynote Speaker, Asian Pacific Bar Association of Silicon Valley, San Jose, California. Notes supplied.

February 17, 2007: Panelist, Women in the Law Panel, North American South Asian Law Student Association, San Francisco, California. I spoke about careers in the law. I have no notes, transcript, or recording. The North American South Asian Law Student Association has no mailing address.

October 2006: Judge, Thomas Tang International Moot Court Regional Competition, National Asian Pacific American Bar Association, Palo Alto, California. I was a volunteer judge at the competition. I have no notes, transcript, or recording. The address of the National Asian Pacific American Bar Association is 1612 K Street, Northwest, Suite 510, Washington, District of Columbia 20006.

March 9, 2006: Panelist, Career Panel, Women's Leadership & Mentoring Luncheon, McDermott Will & Emery LLP, Palo Alto, California. I spoke about work-life balance. I have no notes, transcript, or recording. The address of McDermott Will & Emery LLP is 275 Middlefield Road, Suite 100, Menlo Park, California 94025.

October 27, 2005: Panelist, Diversity Panel, Santa Clara University Asian Pacific American Law Students Association, Santa Clara, California. Notes supplied.

February 10, 2001: Panelist, Public Interest and Government Career Panel, Bay Area Asian Pacific American Law Students Association, Stanford, California. I spoke about careers in the law. I have no notes, transcript, or recording. The Bay Area Asian Pacific American Law Students Association has no mailing address.

April 4, 1998: Panelist, Career Panel, 1998 Asian American Career Day, Asian Professional Exchange, Los Angeles, California. I spoke about careers in the law. I have no notes, transcript, or recording. The address of the Asian Professional Exchange is 1137 Wilshire Boulevard, Los Angeles, California 90017.

November 2, 1996: Panelist, Career Paths to Consider in Law and Public Policy Panel, Women and the Law Public Leadership Career Conference, Public Leadership Education Network, Washington, District of Columbia. I spoke about careers in the law and public policy. I have no notes, transcript, or recording. The address of the Public Leadership Education Network is 1875 Connecticut

Avenue, Northwest, Tenth Floor, Washington, District of Columbia 20009.

March 30, 1996: Panelist, Immigrant Legislation, Korean American Students Conference, University of Texas, Austin, Texas. Notes supplied.

March 3, 1996: Panelist, Asian Pacific American Issues Roundtable, Organization of Chinese Americans and Japanese American Citizens League Leadership Conference, Washington, District of Columbia. I spoke about immigration legislation. I have no notes, transcript, or recording. The address of the Organization of Chinese Americans is 1322 18th Street, Northwest, Washington, District of Columbia 20009. The address of the Japanese American Citizens League is 1629 K Street, Northwest, Washington, District of Columbia 20006.

November 4, 1995: Panelist, Career Paths to Consider in Law and Public Policy Panel, Women and the Law Public Leadership Career Conference, Public Leadership Education Network, Washington, District of Columbia. I spoke about careers in the law and public policy. I have no notes, transcript, or recording. The address of the Public Leadership Education Network is 1875 Connecticut Avenue, Northwest, Tenth Floor, Washington, District of Columbia 20009.

October 18, 1995: Panelist, Annual Career Panel, Korean Association of Harvard Law School, Cambridge, Massachusetts. I spoke about careers in the law. I have no notes, transcript, or recording. The address of Harvard Law School is 1563 Massachusetts Avenue, Cambridge, Massachusetts 02138.

October 23, 1992: Panelist, Panel on Diversity, Harvard Law School Alumni Reunion, Harvard Law School, Cambridge, Massachusetts. I spoke about careers in the law. I have no notes, transcript, or recording, but press coverage is supplied. The address of Harvard Law School is 1563 Massachusetts Avenue, Cambridge, Massachusetts 02138.

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

Susan Oki Mollway, *THE FIRST FIFTEEN: HOW ASIAN AMERICAN WOMEN BECAME FEDERAL JUDGES 68–76* (Chapter 5) (forthcoming publication expected Sept. 30, 2021). Copy supplied.

Alumni Voices, Committee on Degrees in Social Studies Website, Harv. Univ. (Oct. 9, 2018). Copy supplied.

Sheri Qualters, *Model Order Would Cut Patent Fights Down to Manageable Size*, NAT'L L.J. (July 23, 2013). Copy supplied.

John Roemer, *Pilot Program Just in Time for Red-Hot Patent Cases*, DAILY J. (Sept. 6, 2012). Copy supplied.

2008 Women of Influence in Silicon Valley, SILICON VALLEY/SAN JOSE BUS. J.: SPECIAL SUPP. (Feb. 29, 2008). Copy supplied.

Evan Hill, *Bench Pick Limits S.C. Race*, RECORDER (Jan. 28, 2008). Copy supplied.

President's Profiles, ASIAN AM. BAR ASS'N OF GREATER BAY AREA NEWSL. (Nov. 2007). Copy supplied.

Zanto Peabody, *Agoura Hills Man Pleads Guilty in Federal Court in Stock Fraud Case*, L.A. TIMES (Aug. 8, 2000). Copy supplied.

Woman Charged with Fraud in Equity-Skimming Case, L.A. TIMES (Aug. 5, 2000). Copy supplied.

Rob O'Neil, *Valley Roundup; Westlake Village; Woman Indicted in Federal Fraud Case*, L.A. TIMES (Valley Ed.) (Aug. 5, 2000). Copy supplied.

Ostrich Scam, CITY NEWS SERV. (Mar. 8, 2000). Copy supplied.

Cecilia Chan, *Grand Jury Indicts Pair in Tax Case*, DAILY NEWS OF L.A. (Apr. 16, 1999). Copy supplied.

Eleanor Kerlow, *POISONED IVY: HOW EGOS, IDEOLOGY, AND POWER POLITICS ALMOST RUINED HARVARD LAW SCHOOL* 281–82, 290 (1994). Copy supplied.

Rajath Shourie, *Law Faculty Gives Tenure to Ogletree*, HARV. CRIMSON (June 7, 1993). Copy supplied.

Rajath Shourie, *Law School Graffiti Addresses Diversity*, HARV. CRIMSON (Mar. 5, 1993). Copy supplied.

Rajath Shourie, *Law Students Hold Vigil for MacKinnon*, HARV. CRIMSON (Feb. 27, 1993). Copy supplied.

Evan J. Eason, *Law School Will Hire Woman Prof*, HARV. CRIMSON (Feb. 6, 1993). Copy supplied.

Toy Chandler, *CCR Holds Discussion with Rudenstine*, HARV. L. REC. (Nov. 20, 1992). Copy supplied.

Rob Weissman, *Students Hold Silent Vigil: Protesters Later Meet with President Rudenstine*, HARV. L. REC. (Oct. 23, 1992). Copy supplied.

Rajath Shourie, *Ad Board Votes to Warn Law School Protesters*, HARV. CRIMSON (May 11, 1992). Copy supplied.

Elizabeth A. Brown, *Harvard School of Law Sued Lack of Teachers from Minorities Is Said to Deprive Students of a 'Variety of Perspectives' Needed for the 'Best Possible' Law Education New Impetus for Campus Rights*, CHRISTIAN SCI. MONITOR (Dec. 26, 1990). Copy supplied.

Grande Lum, *Harvard Hosts Napalsa*, HARV. L. REC. (Nov. 2, 1990). Copy supplied.

Philip M. Rubin, *Law Students Picket Interviews*, HARV. CRIMSON (Oct. 10, 1990). Copy supplied.

Philip M. Rubin, *Seniors Give More to E4D, Less to Class Gift*, HARV. CRIMSON (June 6, 1990). Copy supplied.

Jeffrey C. Wu, *Council Avoids a Sticky Constitutional Debate: Alternative Parents Weekend*, HARV. CRIMSON (Mar. 3, 1990). Copy supplied.

Maggie S. Tucker, *Students Rally for Minority Hiring as Visiting Parents Look On*, HARV. CRIMSON (Mar. 3, 1990). Copy supplied.

Arnold E. Franklin, *Council Plans Different Parents Weekend Events*, HARV. CRIMSON (Feb. 23, 1990). Copy supplied.

Daniel B. Baer, *Where Is Faculty Hiring This Fall?*, HARV. CRIMSON (Nov. 14, 1989). Copy supplied.

Council Elections Begin, HARV. CRIMSON (Oct. 5, 1989). Copy supplied.

Evolution to Activism Falls Short in the End: The Undergraduate Council, HARV. CRIMSON (June 8, 1989). Copy supplied.

John T. Dickson, *Protesters Court Faculty*, HARV. CRIMSON (May 3, 1989). Copy supplied.

The Benefit of Scholarship Aid: Students Report the Ways Scholarships Have Helped Them, HARV. COLL. FUND REP. (Spring 1989). Copy supplied.

Harvard: The Flames of Student Protest Still Flicker, N.Y. TIMES (Mar. 19, 1989). Copy supplied.

Emily Huang, *Report Urges Hiring Reform*, HARV. INDEP. (Mar. 9, 1989). Copy supplied.

Joseph R. Palmore, *'No Room for Student Input,' Activists Say*, HARV. CRIMSON (Mar. 4, 1989). Copy supplied.

Joanne Ball, *Harvard Poised for Report on Minorities; Undergraduates Fault Faculty Recruitment*, BOS. GLOBE (Jan. 31, 1989). Copy supplied.

Susan B. Glasser, *Committee Debates Hiring of Women, Minority Profs*, HARV. CRIMSON (Dec. 8, 1988). Copy supplied.

Judy Williams, *UC Enters Minority Hiring Debate*, HARV. INDEP. (Dec. 1988). Copy supplied.

Jeremy L. Hirsh, *College to Pay Student for Collecting Papers*, HARV. CRIMSON (Dec. 7, 1988). Copy supplied.

Joseph R. Palmore, *Council Calls for More Minority, Women Faculty*, HARV. CRIMSON (Dec. 5, 1988). Copy supplied.

Joseph R. Palmore, *Council Joins Debate on Faculty Diversity*, HARV. CRIMSON (Dec. 1, 1988). Copy supplied.

Joseph R. Palmore, *Council to Increase Divestment Pressure*, HARV. CRIMSON (Nov. 21, 1988). Copy supplied.

Joseph R. Palmore, *Council Asks Harvard to Recognize Union*, HARV. CRIMSON (Oct. 31, 1988). Copy supplied.

Prasad Jallepalli, *Council Asks University to Drop Union Challenge*, HARV. INDEP. (Oct. 27, 1988). Copy supplied.

Mark David Williams, *What UC Is What U Got* (Fall 1988). I do not know whether this article is from the Harvard Crimson or the Harvard Independent. Copy supplied.

I have been interviewed on several occasions by Korean language media for human interest stories about my appointments to the bench and my public service as a federal prosecutor. Please see the English-language translations of the titles of responsive articles below. I do not have English-language versions of these articles.

First Korean American Woman Federal Judge Ceremony, KOREA DAILY (San Francisco) (Oct. 2, 2010). Copy supplied.

Asian Women Should Overcome Their Challenges with Self-Development and Enthusiastic Activity, KOREA DAILY (Los Angeles) (Apr. 15, 2009). Copy

supplied.

'Wishing to Preside and Administer Justice Correctly': The Appointment Celebration of Santa Clara County Superior Court Judge Lucy Koh, KOREA TIMES (Mar. 22, 2008). Copy supplied.

Birth of a Korean Woman Judge, Celebration for Minorities: Ceremony on [March] 20th for Lucy Koh's Inauguration Day for Judgeship... 400 Korean and American Attendees at Momentous Celebration, KOREA DAILY (Mar. 22, 2008). Copy supplied.

'Even Having Ten Bodies Would Be Insufficient': Last Month's Appointed Santa Clara County Judge Lucy Koh, KOREA DAILY (Feb. 14, 2008). Copy supplied.

Choosing the Judiciary Path and Surrendering High Annual Salary: Santa Clara County Court Judge Lucy Koh, KOREA DAILY (San Francisco) (Feb. 1, 2008). Copy supplied.

Swearing-In Ceremony of Santa Clara County Superior Court Judge Lucy Koh, KOREA TIMES (Los Angeles) (Jan. 30, 2008). Copy supplied.

Choosing the Judiciary Path and Surrendering High Annual Salary: Santa Clara County Court Judge Lucy Koh, KOREA DAILY (Los Angeles) (Jan. 30, 2008). Copy supplied.

Santa Clara County – Birth of the First Korean Woman Judge, KOREA DAILY (San Francisco) (Jan. 28, 2008). Copy supplied.

'Concerned About Human Problems and Public Service': Santa Clara County Superior Court Judge Appointee, Lucy Koh, KOREA TIMES (San Francisco) (Jan. 28, 2008). Copy supplied.

The Birth of a Korean Woman Judge: Attorney Lucy Koh Appointed, KOREA DAILY (Los Angeles) (Jan. 26, 2008). Copy supplied.

News Interview: Prosecution of Tax Fraud Case, FM Seoul Radio Broadcast (Apr. 15, 1999). I am unable to locate any notes, transcript, or recording from the interview.

'I Try to Do My Utmost in Enforcing the Law and Making Sure Justice Is Achieved': (Los Angeles-Based) U.S. Federal Prosecutor Lucy Koh, KOREA TIMES (Los Angeles) (Jan. 26, 1999). Copy supplied.

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

I have served as a United States District Judge for the Northern District of California since June 9, 2010. A U.S. District Court is an Article III court of general jurisdiction consistent with the Constitution and statutes of the United States.

In January 2008, Governor Arnold Schwarzenegger appointed me to the California Superior Court for the County of Santa Clara. I served as a Superior Court Judge until my appointment to the U.S. District Court. The California Superior Courts have unlimited jurisdiction in criminal, civil, juvenile delinquency, juvenile dependency, and family law matters.

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

As a U.S. District Judge, I have presided over 48 trials that have gone to verdict or judgment. As a Santa Clara County Superior Court Judge, I presided over 223 trials that went to verdict or judgment.

- i. Of these, approximately what percent were:

jury trials:	20%
bench trials:	80%
civil proceedings:	87.5%
criminal proceedings:	12.5%

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

See attached lists of opinions.

- 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).

1. *In Re: Yahoo! Inc. Customer Data Sec. Breach Litig.*, No. 16-MD-02752-LHK (N.D. Cal.)

This is a Multi-District Litigation involving 32 data breach class action lawsuits filed against Yahoo nationwide. I appointed lead plaintiffs' counsel in February 2017. I granted in part and denied in part motions to dismiss in 2017 and 2018. The parties filed their first motion for preliminary approval of class action settlement in October 2018. I denied this motion on several grounds. Among other things, I found that the settlement's release of claims was inadequately

disclosed and overbroad. Accordingly, the parties amended their settlement and filed a second motion for preliminary approval of a \$117.5 million class action settlement. I preliminarily approved and then finally approved this amended settlement in 2019 and 2020, respectively. To maximize class members' recovery, I trimmed the plaintiffs' attorneys' fees.

The orders on the motions to dismiss are 2017 WL 3727318 (N.D. Cal. Aug. 30, 2017), and 313 F. Supp. 3d 1113 (N.D. Cal. 2018). The order initially denying preliminary approval is 2019 WL 387322 (N.D. Cal. Jan. 30, 2019). The order granting final approval and reducing the requested attorneys' fees is 2020 WL 4212811 (N.D. Cal. July 22, 2020).

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2. *Daniel Miranda and Landmark Protection, Inc. v. U.S. Sec. Assocs., Inc.*, No. 18-CV-734-LHK (N.D. Cal.)

This case involved nonpayment of wages, breach of employment agreement, and open book account claims under California law as well as breach of asset purchase agreement and breach of covenant of good faith and fair dealing claims under Delaware law. In 2019, I denied the defendant's motion for summary judgment, ruled on motions in limine and evidentiary objections, presided over a jury trial, and denied the defendant's motions for judgment as a matter of law. After the jury verdict, I awarded prejudgment interest and waiting time penalties. The parties settled as to the plaintiff's attorneys' fees and stipulated to dismiss the case with prejudice.

The order denying the defendant's motion for summary judgment is 2019 WL 1960351 (N.D. Cal. May 2, 2019). The order ruling on the parties' motions in limine is 2019 WL 2929966 (N.D. Cal. July 8, 2019). The order denying the defendant's motion for judgment as a matter of law is *Miranda v. U.S. Sec. Assocs., Inc.*, No. 18-CV-00734-LHK, No. 161 (N.D. Cal. Aug. 8, 2019) (copy supplied). The order awarding prejudgment interest and waiting time penalties is *Miranda v. U.S. Sec. Assocs., Inc.*, No. 18-CV-00734-LHK, No. 183 (N.D. Cal.

Aug. 15, 2019) (copy supplied).

Plaintiff's Counsel:

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3. *Apple, Inc. v. Samsung Elecs. Co. Ltd.*, No. 11-CV-01846-LHK (N.D. Cal.)

This dispute involved claims of patent and trademark infringement, trade dress dilution, antitrust and contractual violations, and unfair competition. In 2011, I ordered expedited discovery and denied a preliminary injunction. After ruling on motions to dismiss, claim construction, *Daubert* motions, spoliation of evidence motions, summary judgment motions, and pre-trial motions, I presided over a jury trial in 2012 that resulted in a damages award of over \$1 billion. In 2012 to 2013, I ruled on numerous post-trial motions including one ordering a damages retrial for certain patents and certain products and another denying a permanent injunction. The Federal Circuit reversed and remanded both injunction orders. In 2013, I presided over a damages jury retrial. In 2014, I ruled on numerous post-trial motions and denied a permanent injunction. The parties did not appeal the denial of the permanent injunction. In 2015, the Federal Circuit invalidated Apple's trade dresses. As a result, I scheduled a March 2016 retrial on patent damages for five products. However, I stayed the case when the Supreme Court of the United States granted certiorari in March 2016.

In December 2016, the U.S. Supreme Court reversed the Federal Circuit's method of calculating design patent damages and remanded. In February 2017, the Federal Circuit remanded the case to determine if Samsung had waived the design patent damages issue, and if not, to determine the proper method of calculating design patent damages and whether a new trial was necessary. In July 2017, I found that Samsung had not waived the design patent damages issue.

In October 2017, I held that a new trial with the correct method of calculating design patent damages was necessary. After ruling on summary judgment, motions to exclude expert reports and testimony, and on motions in limine, I presided over a jury trial in May 2018. The jury awarded design patent damages

totaling over \$538 million. The parties settled and stipulated to dismissal in June 2018 before I ruled on post-trial motions.

In total, I have issued approximately 120 substantive orders in this case. Below are citations to significant orders. The orders on motions to dismiss are 2011 WL 4948567 (N.D. Cal. Oct. 18, 2011), and 2012 WL 1672493 (N.D. Cal. May 14, 2012). The claim construction order is 2012 WL 1123752 (N.D. Cal. Apr. 4, 2012). The order granting-in-part and denying-in-part the parties' motions to exclude experts is 2012 WL 2571332 (N.D. Cal. June 30, 2012). The order finding that both parties spoliated evidence is 888 F. Supp. 2d 976 (N.D. Cal. 2012). The summary judgment orders are 2012 WL 2571719 (N.D. Cal. June 30, 2012) (order denying Samsung's motion for summary judgment), and 876 F. Supp. 2d 1141 (N.D. Cal. 2012) (order granting-in-part and denying-in-part Apple's motion for summary judgment). The post-trial orders from the previous trials are 909 F. Supp. 2d 1147 (N.D. Cal. 2012) (order denying permanent injunction), *aff'd in part, vacated in part*, 735 F.3d 1352 (Fed. Cir. 2013); 2012 WL 6574785 (N.D. Cal. Dec. 17, 2012) (order regarding juror misconduct); 2013 WL 11675 (N.D. Cal. Jan. 1, 2013) (order denying motion to stay); 932 F. Supp. 2d 1076 (N.D. Cal. 2013) (order regarding indefiniteness); 920 F. Supp. 2d 1079 (N.D. Cal. 2013) (order granting-in-part and denying-in-part Samsung's motion for judgment as a matter of law), *aff'd in part, rev'd in part*, 786 F.3d 983 (Fed. Cir. 2015); 920 F. Supp. 2d 1116 (N.D. Cal. 2013) (order granting-in-part and denying-in-part Apple's motion for judgment as a matter of law); 2013 WL 412862 (N.D. Cal. Jan. 29, 2013) (order denying damages enhancements); 926 F. Supp. 2d 1100 (N.D. Cal. 2013) (order regarding damages); 2014 WL 549324 (N.D. Cal. Feb. 7, 2014) (order denying cross-motions for judgment as a matter of law); and 2014 WL 976898 (N.D. Cal. Mar. 6, 2014) (order denying permanent injunction).

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4. *In re Anthem, Inc. Data Breach Litig.*, No. 15-MD-2617 LHK (N.D. Cal.)

This was a Multi-District Litigation involving 129 data breach class action

lawsuits filed against Anthem and Blue Cross Blue Shield insurance companies nationwide. In 2015, I appointed lead plaintiffs' counsel, granted a motion to remand, and denied two motions to remand. In 2016, I granted in part and denied in part two motions to dismiss. The parties fully briefed the issue of class certification, but reached a class action settlement for \$115 million prior to the class certification ruling. In 2017, I granted preliminary approval of the class action settlement. The plaintiffs then moved for final approval of the class action settlement and for attorneys' fees. I appointed a Special Master to conduct a review of the plaintiffs' billing records. In 2018, I granted final approval of the class action settlement and reduced the plaintiffs' attorneys' fees in order to maximize class members' recovery.

The orders on the motions to dismiss are 162 F. Supp. 3d 953 (N.D. Cal. 2016), and 2016 WL 3029783 (N.D. Cal. May 27, 2016). The order granting preliminary approval is 2017 WL 3730912 (N.D. Cal. Aug. 25, 2017). The order granting final approval is 327 F.R.D. 299 (N.D. Cal. 2018). The order adopting in part the Special Master's report and recommendation regarding the motion for attorneys' fees and costs is 2018 WL 3960068 (N.D. Cal. Aug. 17, 2018).

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5. *Apple, Inc. v. Samsung Elecs. Co. Ltd.*, No. 12-CV-00630 LHK (N.D. Cal.)

This dispute involved cross-claims of patent infringement as well as claims of antitrust and contractual violations. In July 2012, I granted a preliminary injunction, which the Federal Circuit reversed. In 2013 and 2014, I construed the patent's claims and ruled on summary judgment and *Daubert* motions. In 2014, I

presided over a jury trial that resulted in a damages award of over \$119 million. I also ruled on pretrial and post-trial motions. I denied a permanent injunction, which the Federal Circuit reversed. In February 2016, the Federal Circuit affirmed the judgments and verdicts as to four patents, but reversed the judgments and jury verdicts for three Apple patents that were the bases for the permanent injunction that the Federal Circuit ordered that I enter.

However, in October 2016, the Federal Circuit en banc reversed the Federal Circuit panel, upheld the judgment and verdicts for the three reversed Apple patents, and remanded the issue of willful infringement in light of an intervening U.S. Supreme Court case. In June 2017, I concluded that the jury's finding of willfulness was supported by substantial evidence and granted a moderate award of enhanced damages. In February 2018, I granted in part and denied in part Apple's motion for ongoing royalties, thereby awarding Apple \$6,494,252 in royalties. Final judgment was entered in April 2018.

Below are citations to significant orders. The order granting a preliminary injunction is 877 F. Supp. 2d 838 (N.D. Cal. 2012), *rev'd and remanded*, 695 F.3d 1370 (Fed. Cir. 2012). The claim construction orders are 2013 WL 1502181 (N.D. Cal. Apr. 10, 2013), and 2014 WL 1322028 (N.D. Cal. Mar. 28, 2014). The order on cross-motions for summary judgment is 2014 WL 252045 (N.D. Cal. Jan. 21, 2014). The order granting-in-part and denying-in-part the parties' motions to exclude experts is 2014 WL 794328 (N.D. Cal. Feb. 25, 2014). The post-trial orders are 2014 WL 12776506 (N.D. Cal. Aug. 21, 2014) (order denying judgment of invalidity); 2014 WL 7496140 (N.D. Cal. Aug. 27, 2014) (order denying permanent injunction), *vacated and remanded*, 809 F.3d 633 (Fed. Cir. 2015); 67 F. Supp. 3d 1100 (N.D. Cal. 2014) (order granting-in-part and denying-in-part Apple's motion for judgment as a matter of law), *aff'd in part, vacated in part*, 816 F.3d 788 (Fed. Cir.), *aff'd in part and remanded in part on en banc reh'g*, 839 F.3d 1034 (Fed. Cir. 2016) (en banc); 2014 WL 4467837 (N.D. Cal. Sept. 9, 2014) (order granting-in-part and denying-in-part Samsung's motion for judgment as a matter of law), *aff'd in part, rev'd in part*, 816 F.3d 788 (Fed. Cir. 2016); 2014 WL 6687122 (N.D. Cal. Nov. 25, 2014) (order granting-in-part Apple's motion for ongoing royalties); and *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, No. 12-CV-00630-LHK, No. 2157 (N.D. Cal. Jan. 18, 2016) (order entering permanent injunction) (copy supplied).

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Defendants' Counsel:

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6. *In re High Tech Emp. Antitrust Litig.*, No. 11-CV-02509-LHK (N.D. Cal.)

This case was a consolidation of five antitrust class action lawsuits. In 2012, I granted in part and denied in part a motion to dismiss. In 2013, I denied with leave to amend class certification and denied in part and granted in part the parties' various motions to strike expert reports and evidence. Later in 2013, I certified a damages class and preliminarily approved the plaintiffs' \$20 million settlement with Intuit, Lucasfilm, and Pixar. In 2014, the Ninth Circuit denied review of my class certification order. Also in 2014, I denied six summary judgment motions, denied the defendants' motion to exclude the plaintiffs' expert report, and denied in part and granted in part the defendants' motion to strike the plaintiffs' expert report. In 2014, I granted final approval to the plaintiffs' settlement with Intuit, Lucasfilm, and Pixar, but denied preliminary approval of the plaintiffs' \$324.5 million settlement with Apple, Google, Intel, and Adobe. In 2015, I granted preliminary and final approval of the plaintiffs' new \$415 million settlement with Apple, Google, Intel, and Adobe.

Below are citations to significant orders. The order on both motions to dismiss is 856 F. Supp. 2d 1103 (N.D. Cal. 2012). The orders on class certification are 289 F.R.D. 555 (N.D. Cal. 2013) (order denying class certification and granting-in-part and denying-in-part motions to strike expert reports), and 985 F. Supp. 2d 1167 (N.D. Cal. 2013) (order granting motion for class certification). The order denying the defendants' six motions for summary judgment is 2014 WL 1283086 (N.D. Cal. Mar. 28, 2014). The order granting final approval of the plaintiffs' settlement with Pixar, Lucasfilm, and Intuit is 2014 WL 10520477 (N.D. Cal. May 16, 2014). The order denying preliminary approval of the settlement with Apple, Google, Intel, and Adobe is 2014 WL 3917126 (N.D. Cal. Aug. 8, 2014). The order granting final approval of the plaintiffs' settlement with Apple, Google, Intel, and Adobe is 2015 WL 5159441 (N.D. Cal. Sept. 2, 2015).

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7. *United States v. Orellana*, No. 09-CR-00096 LHK (N.D. Cal.), and *Orellana v. United States*, No. 13-CV-00698 LHK (N.D. Cal.), 2015 WL 4694038 (N.D. Cal. Aug. 6, 2015)

In 2012, I ruled on pretrial motions and presided over a five-day criminal bench trial involving one count of possession with intent to distribute cocaine and one count of conspiracy. I found the defendant guilty of both counts and sentenced him. In 2014, the Ninth Circuit affirmed the conviction and sentence. The defendant thereafter filed a petition for writ of habeas corpus. In 2015, I denied with prejudice the defendant's habeas corpus petition, but reduced the defendant's sentence pursuant to the parties' stipulation based on a change in the U.S. Sentencing Guidelines.

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Pro se (in habeas proceeding)

8. *State Farm Life Ins. Co. v. Cai*, No. 09-CV-00396-LHK (N.D. Cal.)

This was an interpleader action to resolve competing claims to a life insurance policy stemming from Mr. Cai's allegedly felonious and intentional killing of the insured, his wife, Ms. Deng. In 2010, I denied State Farm's motion for judgment in interpleader and granted a motion to dismiss cross-claims. In 2011, I denied Mr. Cai's motion to dismiss a cross-claim brought by Ms. Deng's estate. In 2013, I granted State Farm's renewed motion for judgment in interpleader and ruled on State Farm's motion for attorneys' fees. In 2014, I ruled on pretrial motions and presided over a six-day jury trial on cross-claims brought against Mr. Cai by Ms. Deng's estate. Mr. Cai represented himself until he retained counsel prior to trial. The jury found that Mr. Cai feloniously and intentionally killed Ms. Deng, and thus the life insurance proceeds were awarded to Ms. Deng's estate.

The order denying judgment in interpleader and granting the motion to dismiss cross-claims is 2010 WL 4628228 (N.D. Cal. Nov. 4, 2010). The order denying the second motion to dismiss cross-claims is 2011 WL 864938 (N.D. Cal. Mar. 11, 2011). The order entering judgment in interpleader for State Farm is 2013 WL 4782383 (N.D. Cal. Sept. 6, 2013).

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Defendant's Counsel:

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9. *Lift-U v. Ricon Corp.*, No. 10-CV-1850 LHK (N.D. Cal.); *Lift-U v. N. Am. Bus Indus., Inc.*, No. 12-CV-1129 LHK (N.D. Cal.); and *Lift-U v. N. Am. Bus Indus., Inc.*, No. 12-CV-3603 LHK (N.D. Cal.)

These were three patent infringement actions. In 2011, I construed the patent claims, granted summary judgment of invalidity, and denied summary judgment

of non-infringement. In 2012, I granted in part and denied in part the parties' cross-motions for partial summary judgment, which addressed validity, infringement, willfulness, and lost profits for four patents. At the parties' request, I presided over the settlement conference that settled all three cases in 2012.

The orders on summary judgment are 2011 WL 5118634 (N.D. Cal. Oct. 28, 2011) (order granting summary judgment of invalidity and denying summary judgment of non-infringement), and 2012 WL 5303301 (N.D. Cal. Oct. 25, 2012) (order granting-in-part and denying-in-part the cross-motions for partial summary judgment).

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10. *Columbia Cas. Ins. Co. v. Gordon Trucking*, No. 09-CV-05441 LHK (N.D. Cal.)

This was a civil action between two co-insurers over responsibility for paying for defense costs and the settlement of an underlying state court personal injury case. In 2010, I granted a motion to dismiss and granted in part and denied in part a motion for partial summary judgment. In 2011, I denied motions in limine and presided over a four-day bench trial. After trial, I found that the plaintiff was obligated to pay its \$5 million policy limits. The parties reached a settlement and filed a stipulation of dismissal prior to filing any post-trial motions.

The order granting the motion to dismiss is 2010 WL 4591977 (N.D. Cal. Nov. 4, 2010). The order granting-in-part and denying-in-part the motion for partial summary judgment is 758 F. Supp. 2d 909 (N.D. Cal. 2010). My findings of fact and conclusions of law are 2011 WL 4434722 (N.D. Cal. Sept. 23, 2011).

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

1. *Brown v. Google LLC*, No. 20-CV-03664-LHK, — F. Supp. 3d —, 2021 WL 949372 (N.D. Cal. Mar. 12, 2021)

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2. *In re Zoom Video Commc'ns Inc. Priv. Litig.*, No. 20-CV-02155-LHK, — F. Supp. 3d —, 2021 WL 930623 (N.D. Cal. Mar. 11, 2021)

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3. *Oceana, Inc. v. Ross*, 483 F. Supp. 3d 764 (N.D. Cal. 2020)

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4. *Sharks Sports & Entm't, LLC v. Fed. Transit Admin.*, No. 18-CV-04060-LHK,
2020 WL 4569467 (N.D. Cal. Aug. 8, 2020)

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5. *Wise v. MAXIMUS Fed. Servs.*, 478 F. Supp. 3d 873 (N.D. Cal. 2020)

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6. *Shearwater v. Ashe*, No. 14-CV-02830-LHK, 2015 WL 4747881 (N.D. Cal.
Aug. 11, 2015)

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7. *In re Animation Workers Antitrust Litig.*, 87 F. Supp. 3d 1195 (N.D. Cal. 2015)

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8. *In re Adobe Sys., Inc. Privacy Litig.*, 66 F. Supp. 3d 1197 (N.D. Cal. 2014)

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9. *Police Ret. Sys. of St. Louis v. Intuitive Surgical*, No. 10-CV-03451-LHK, 2012 WL 1868874 (N.D. Cal. May 22, 2012), *aff'd*, 759 F.3d 1051 (9th Cir. 2014)

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10. *Karl v. City of Mountlake Terrace*, 678 F.3d 1062 (9th Cir. 2012)

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

Certiorari was granted in the following case:

Apple, Inc. v. Samsung Elecs. Co., 926 F. Supp. 2d 1100 (N.D. Cal.

2013), *vacated and remanded*, 786 F.3d 983 (Fed. Cir. 2015), *rev'd and remanded*, 137 S. Ct. 429 (2016)

Certiorari was requested, but denied or dismissed, in the following cases:

Aguirre v. Woodford, No. C 09-1256 LHK (PR), 2011 WL 3471018 (N.D. Cal. Aug. 8, 2011), *certificate of appealability denied*, No. 11-17231 (9th Cir. Nov. 9, 2012), *cert. denied*, No. 12-9392 (U.S. May 28, 2013)

Ali v. Figueroa, No. C 12-2499 LHK (PR), 2013 WL 2016670 (N.D. Cal. May 13, 2013), *certificate of appealability denied*, No. 13-16185 (9th Cir. Apr. 4, 2014), *cert. denied*, 135 S. Ct. 756 (2014)

Bonty v. Ramsey, No. C 10-5360 LHK (PR), 2011 WL 6330656 (N.D. Cal. Dec. 19, 2011), *aff'd*, 519 F. App'x 501 (9th Cir. 2013), *cert. denied*, 134 S. Ct. 1880 (2014)

Brown v. Mental Health Rehab., No. 18-CV-06069 LHK (PR), 2018 WL 11282214 (N.D. Cal. Dec. 4, 2018), *appeal dismissed*, 2019 WL 11769334 (9th Cir. June 12, 2019), *cert. denied*, 140 S. Ct. 1145 (2020)

Carrick v. Rice, No. 18-CV-00454-LHK, 2018 WL 11025037 (N.D. Cal. June 28, 2018), *aff'd*, 749 F. App'x 615 (9th Cir. 2019), *cert. denied*, 140 S. Ct. 437 (2019)

Dang v. Samsung Elecs. Co., No. 14-CV-00530-LHK, 2015 WL 4735520 (N.D. Cal. Aug. 10, 2015), *rev'd and remanded*, 673 F. App'x 779 (9th Cir. 2017), *cert. denied*, 138 S. Ct. 203 (2017)

Facebook, Inc. v. Power Ventures, Inc., No. C 08-05780-JW, 844 F. Supp. 2d 1025 (N.D. Cal. 2012), and No. 08-CV-5780-LHK, 2013 WL 5372341 (N.D. Cal. Sept. 25, 2013), *aff'd in part, vacated in part, rev'd in part*, 828 F.3d 1068 (9th Cir. 2016), and *aff'd in part, vacated in part, rev'd in part*, 844 F.3d 1058 (9th Cir. 2016), *cert. denied*, 138 S. Ct. 313 (2017)

Fox v. HCA Holdings, Inc., No. 15-CV-02073-LHK, 2015 WL 6744565 (N.D. Cal. Nov. 4, 2015), *aff'd*, 675 F. App'x 648 (9th Cir. 2017), *cert. denied*, 138 S. Ct. 327 (2017)

Furnace v. Giurbino, No. 12-CV-0873 LHK (PR), 2013 WL 6157954 (N.D. Cal. Nov. 22, 2013), *aff'd*, 838 F.3d 1019 (9th Cir. 2016), *cert. denied*, 137 S. Ct. 2195 (2017)

Ilaw v. Daughters of Charity Health Sys., No. 11-CV-02752-LHK, 2012 WL 381240 (N.D. Cal. Feb. 6, 2012), *aff'd*, 585 F. App'x 572 (9th Cir. 2014), *cert. denied*, 135 S. Ct. 1412 (2015)

In re Wade, No. 14-CV-03453-LHK, No. 5 (N.D. Cal. Oct. 9, 2014), *aff'd*, 671 F. App'x 669 (9th Cir. 2016), *cert. denied sub nom. Wade v. Stevens*, 137 S. Ct. 2188 (2017)

Jonna Corp. v. City of Sunnyvale, No. 17-CV-00956-LHK, 2017 WL 5194513 (N.D. Cal. Nov. 9, 2017), *aff'd*, 754 F. App'x 592 (9th Cir. 2019), *cert. denied*, 140 S. Ct. 224 (2019)

Johnson v. Hedgpeth, No. C 11-0495 LHK (PR), 2011 WL 4948668 (N.D. Cal. Oct. 18, 2011), *certificate of appealability denied*, No. 11-17756 (9th Cir. Dec. 22, 2011), *cert. dismissed*, 566 U.S. 972 (2012)

Kimner v. Web Watchers, No. 19-CV-06973-LHK, No. 19 (N.D. Cal. Feb. 6, 2020), *aff'd*, 2020 WL 8970673 (9th Cir. 2020), *cert. denied*, No. 20-1342 (U.S. May 24, 2021)

Loan Payment Admin. LLC v. Hubanks, No. 14-CV-04420-LHK, 2015 WL 3776939 (N.D. Cal. June 17, 2015), *rev'd sub nom. Nationwide Biweekly Admin., Inc. v. Owen*, 873 F.3d 716 (9th Cir. 2017), *cert. denied*, 138 S. Ct. 1698 (2018)

Martinez v. Am.'s Wholesale Lender, No. 18-CV-02869-LHK, 2019 WL 2451010 (N.D. Cal. June 12, 2019), *aff'd*, 808 F. App'x 519 (9th Cir. 2020), *cert. denied*, 141 S. Ct. 958 (2020)

Morrison v. Peterson, No. C 11-1896 LHK (PR), 2013 WL 942723 (N.D. Cal. Mar. 11, 2013), *aff'd*, 809 F.3d 1059 (9th Cir. 2015), *cert. denied* 136 S. Ct. 2021 (2016)

Northstar Fin. Advisors Inc. v. Schwab Invs., 807 F. Supp. 2d 871 (N.D. Cal. 2011), *rev'd in part, vacated in part, and remanded*, 779 F.3d 1036 (9th Cir. 2015), *cert. denied*, 136 S. Ct. 240 (2015)

Pierce v. Sherman, No. 15-CV-05568 LHK (PR), 2017 WL 600099 (N.D. Cal. Feb. 13, 2017), *aff'd*, 749 F. App'x 655 (9th Cir. 2019), *cert. denied*, 139 S. Ct. 2760 (2019)

Potts v. McDonald, No. C 09-5849 LHK (PR), 2011 WL 6025869 (N.D. Cal. Dec. 5, 2011), *certificate of appealability denied sub nom. Potts v. Walker*, No. 11-17987 (9th Cir. June 22, 2012), *cert. denied*, 568 U.S. 1102 (2013)

Qin v. Brown, No. 19-CV-00311-LHK, 2019 WL 3368896 (N.D. Cal. May 29, 2019), *aff'd sub nom. Qin v. Kong-Brown*, 801 F. App'x 581 (9th Cir. 2020), *cert. denied sub nom. Li Qin v. Kong-Brown*, 141 S. Ct. 391 (2020), *reh'g denied*, 141 S. Ct. 970 (2020)

Shaw v. Hedgpeth, No. C 10-5800 LHK (PR), 2012 WL 2906243 (N.D. Cal. July

16, 2012), *certificate of appealability denied*, No. 12-16761 (9th Cir. June 18, 2013), *cert. denied*, 571 U.S. 1137 (2014)

Smith v. City of Santa Clara, No. 11-CV-03999-LHK, 2013 WL 164191 (N.D. Cal. Jan. 15, 2013), *aff'd*, 876 F.3d 987 (9th Cir. 2017), *cert. denied*, 138 S. Ct. 1563 (2018)

Sowinski v. Cal. Air Res. Bd., No. 18-CV-03979-LHK, 2018 WL 9841114 (N.D. Cal. Sept. 25, 2018), *aff'd*, 971 F.3d 1371 (Fed. Cir. 2020), *cert. dismissed*, No. 20-133 (U.S. June 10, 2021)

Steshenko v. Albee, No. 13-CV-04948-LHK, 2015 WL 4090430 (N.D. Cal. July 6, 2015), and *Steshenko v. Gayrard*, No. 13-CV-03400-LHK, 2015 WL 4090033 (N.D. Cal. July 6, 2015), *aff'd*, 691 F. App'x 869 (9th Cir. 2017), *cert. denied*, 138 S. Ct. 2605 (2018)

TS Patents LLC v. Yahoo! Inc., 279 F. Supp. 3d 968 (N.D. Cal. 2017), *aff'd*, 731 F. App'x 978 (Fed. Cir. 2018), *cert. denied*, 139 S. Ct. 1569 (2019)

United States v. Colby, No. 17-CR-00168-LHK, 2018 WL 2688882 (N.D. Cal. June 5, 2018), *aff'd*, 837 F. App'x 587 (9th Cir. 2021), *cert. denied*, No. 20-8168, 2021 WL 2637964 (U.S. June 28, 2021)

Van v. Language Line, LLC, No. 14-CV-03791-LHK, 2016 WL 5339805 (N.D. Cal. Sept. 23, 2016), *aff'd sub nom. Van v. Language Line Servs., Inc.*, 733 F. App'x 349 (9th Cir. 2018), *cert. denied sub nom. Van v. Language Line LLC*, 139 S. Ct. 263 (2018)

Von Haar v. City of Mtn. View, No. 10-CV-02995-LHK, 2012 WL 5828511 (N.D. Cal. Nov. 15, 2012), *appeal dismissed*, 584 F. App'x 297 (9th Cir. 2014), *cert. denied sub nom. Look v. City of Mtn. View*, 135 S. Ct. 2316 (2015)

Wilkins v. Cty. of Alameda, No. C 10-3090 LHK (PR), 2012 WL 2568219 (N.D. Cal. July 2, 2012), *aff'd in part, rev'd in part, and remanded*, 571 F. App'x 621 (9th Cir. 2014), *cert. denied*, 135 S. Ct. 266 (2014)

Yi Tai Shao v. McManis Faulkner, LLP, No. 14-CV-01137-LHK, 2014 WL 4773981 (N.D. Cal. Sept. 22, 2014), *aff'd*, 670 F. App'x 575 (9th Cir. 2016), *cert. denied sub nom. Shao v. McManis Faulkner, LLP*, 138 S. Ct. 382 (2017), *reh'g denied*, 138 S. Ct. 727 (2018)

United States v. Martinez, No. 17-CR-00257-LHK-1, 2018 WL 3861831 (N.D. Cal. Aug. 14, 2018), *vacated and remanded*, 811 F. App'x 396 (9th Cir. 2020), *cert. denied*, No. 20-7038 (U.S. Apr. 19, 2021)

A petition for certiorari is pending in the following cases:

Hotop v. City of San Jose, No. 18-CV-02024-LHK, 2018 WL 4850405 (N.D. Cal. Oct. 4, 2018), *aff'd*, 982 F.3d 710 (9th Cir. 2020), *pet. for cert. filed*, No. 20-1755 (U.S. June 16, 2021)

VoIP-Pal.com, Inc. v. Apple Inc., No. 18-CV-06216-LHK, 411 F. Supp. 3d 926 (N.D. Cal. 2019), *aff'd*, 828 F. App'x 717 (Fed. Cir. 2020), *pet. for cert. filed*, No. 20-1809 (U.S. June 25, 2021)

- 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.

Apple, Inc. v. Samsung Elecs. Co. Ltd., 2011 WL 7036077 (N.D. Cal. Dec. 2, 2011), *aff'd in part, vacated in part, and remanded*, 678 F.3d 1314 (Fed. Cir. 2012). In this opinion, I denied Apple's request for a preliminary injunction on four patents. In a 2-1 decision, the Federal Circuit affirmed my findings as to two patents. However, the Federal Circuit held that I erred in concluding that Apple had failed to show a likelihood of success on the merits as to the other two patents. The Federal Circuit nevertheless affirmed my denial of a preliminary injunction as to one of those two patents because Apple had not sufficiently demonstrated irreparable harm. The Federal Circuit vacated my denial of a preliminary injunction as to the remaining patent and remanded the case for further proceedings.

Apple, Inc. v. Samsung Elecs. Co., Ltd., 909 F. Supp. 2d 1147 (N.D. Cal. 2012), *aff'd in part, vacated in part, and remanded*, 735 F.3d 1352 (Fed. Cir. 2013). I denied Apple's request for a permanent injunction on 26 of Samsung's products that had been found by a jury to have infringed Apple's design and utility patents and to have diluted Apple's trade dresses. The Federal Circuit affirmed my findings as to Apple's design patent and trade dress claims. However, the Federal Circuit determined that I applied the incorrect legal standard to analyze the factors of irreparable harm and the inadequacy of damages as to Apple's utility patent claims. Accordingly, the Federal Circuit vacated and remanded my denial of a permanent injunction as to Apple's utility patents.

Apple, Inc. v. Samsung Elecs. Co., Ltd., 786 F.3d 983 (Fed. Cir. 2015), *rev'd and remanded*, *Samsung Elecs. Co. v. Apple Inc.*, 137 S. Ct. 429 (2016), *remanding to trial court*, 678 F. App'x 1012 (Fed. Cir. 2017), affirmed my order at 2012 WL 3071477 (N.D. Cal. July 27, 2012); affirmed in part, reversed in part, and remanded my order at 920 F. Supp. 2d 1079 (N.D. Cal. 2013); and vacated and remanded my order at 926 F. Supp. 2d 1100 (N.D. Cal. 2013). Specifically, the Federal Circuit affirmed my claim construction order, 2012 WL 3071477. As to my 920 F. Supp. 2d 1079 and 926 F. Supp. 2d 1100 orders, the Federal Circuit

affirmed the validity and infringement judgments and jury verdicts as to Apple's design and utility patents as well as the associated damages awarded for that infringement. However, the Federal Circuit reversed the judgments and jury verdicts that Apple's trade dresses were protectable and thus vacated the damages award for Samsung's products found to have diluted Apple's trade dresses. In December 2016, the U.S. Supreme Court reversed the Federal Circuit's method of calculating design patent damages and remanded. In February 2017, the Federal Circuit remanded the case to determine if Samsung had waived the design patent damages issue, and if not, to determine the proper method of calculating design patent damages and whether a new trial was necessary. In July 2017, I found that Samsung had not waived the design patent damages issue. In October 2017, I held that a new trial with the correct method of calculating design patent damages was necessary. After ruling on summary judgment, motions to exclude expert reports and testimony, and motions in limine, I presided over a jury trial in May 2018. The jury awarded design patent damages totaling over \$538 million. The parties settled and stipulated to dismissal in June 2018 before I ruled on post-trial motions.

Apple, Inc. v. Samsung Elecs. Co., Ltd., 2012 WL 3283478 (N.D. Cal. Aug. 9, 2012), and 2012 WL 5988570 (N.D. Cal. Nov. 29, 2012), *rev'd and remanded*, 727 F.3d 1214 (Fed. Cir. 2013). In the August 2012 order, I granted in part and denied in part requests to seal various exhibits attached to Apple's and Samsung's pre-trial motions. In the November 2012 order, I granted in part and denied in part requests to seal various exhibits attached to Apple's post-trial motions. Of the documents that I ordered to be unsealed, Apple and Samsung appealed a small subset to the Federal Circuit (26 documents total). The Federal Circuit consolidated the appeals. The Federal Circuit determined that the documents challenged on appeal should have been sealed, and accordingly reversed my decisions and remanded.

Apple, Inc. v. Samsung Elecs. Co., Ltd., 877 F. Supp. 2d 838 (N.D. Cal. 2012), *rev'd and remanded*, 695 F.3d 1370 (Fed. Cir. 2012). I granted Apple's request for a preliminary injunction on one of Samsung's products that allegedly infringed upon four of Apple's utility patents. The Federal Circuit reversed my decision and held that I erred in finding a sufficient causal nexus between Samsung's alleged infringement and the irreparable harm to Apple.

Apple, Inc. v. Samsung Elecs. Co., Ltd., 2014 WL 7496140 (N.D. Cal. Aug. 27, 2014), *vacated and remanded*, 809 F.3d 633 (Fed. Cir. 2015). I denied Apple's request for a permanent injunction on nine of Samsung's products which had been found by a jury to have infringed upon three of Apple's utility patents. In a 2-1 decision, the Federal Circuit concluded, contrary to my findings, that the factors of irreparable harm and inadequacy of legal remedies favored entry of a permanent injunction. Chief Judge Sharon Prost dissented from the majority's decision.

Apple, Inc. v. Samsung Elecs. Co., No. 12-CV-00630-LHK, 2014 WL 4467837 (N.D. Cal. Sept. 9, 2014), *rev'd*, 816 F.3d 788 (Fed. Cir. 2016), *vacated in part on reh'g en banc*, 839 F.3d 1034 (Fed. Cir. 2016), *and aff'd*, 839 F.3d 1034 (Fed. Cir. 2016) (en banc). At trial, Apple asserted five patents against Samsung (the '647, '959, '414, '721, and '172 patents). Samsung asserted two patents against Apple (the '239 and '449 patents). Following a jury trial, I upheld the jury's verdicts that (1) none of the five Apple patents were invalid; (2) Samsung infringed the '647 and '721 patents; and (3) Apple did not infringe Samsung's '239 patent. I also made other rulings regarding willful infringement and Samsung's parent company's liability for indirect infringement; the Federal Circuit did not reach either issue on appeal. On appeal, the Federal Circuit concluded that Apple's '721 and '172 patents were invalid and that Apple's '647 patent was not infringed, and so reversed the judgments and jury verdicts as to those three Apple patents. The Federal Circuit affirmed the judgments and jury verdicts as to Apple's '959 and '414 patents as well as to Samsung's '239 patent. The Federal Circuit also affirmed other jury findings and my other post-trial rulings that were set forth in *Apple, Inc. v. Samsung Elecs. Co., Ltd.*, 67 F. Supp. 3d 1100 (N.D. Cal. 2014). However, in October 2016, the Federal Circuit en banc reversed the Federal Circuit panel, upheld the judgment and verdicts for the three reversed Apple patents, and remanded the issue of willful infringement in light of an intervening U.S. Supreme Court case. Thus, ultimately, the judgments withstood en banc appellate review.

Broussard v. Charvat, No. 13-CV-04878, No. 6 (N.D. Cal. Dec. 6, 2013) (copy supplied), *remanded*, No. 13-17680 (9th Cir. Aug. 25, 2014) (copy supplied). I denied the plaintiff's motion for reconsideration because the plaintiff had filed a notice of appeal with the Ninth Circuit. In general, filing a notice of appeal would divest the district court of jurisdiction. The Ninth Circuit, however, issued a limited remand to consider whether the plaintiff's motion for reconsideration could be construed as a motion seeking relief under Federal Rule of Appellate Procedure 4(a)(4), even though the plaintiff's motion did not expressly refer to Rule 4(a)(4). Motions seeking relief under Rule 4(a)(4) are exempt from the general rule regarding divestment of jurisdiction.

Brazil v. Dole Packaged Foods, LLC, No. 12-CV-01831-LHK, 2014 WL 6901867 (N.D. Cal. Dec. 8, 2014), *aff'd in part, rev'd in part*, 660 F. App'x 531 (9th Cir. 2016). The plaintiff brought a putative class action on behalf of consumers allegedly misled by Dole Packaged Foods ("Dole") describing its fruit products as "All Natural Fruit." I granted (1) summary judgment to Dole on certain state law labeling claims; (2) dismissed the plaintiff's claims for the sale of "illegal products"; and (3) granted in part and denied in part class certification. On appeal, the Ninth Circuit reversed the grant of summary judgment for Dole on the ground that a reasonable consumer could conclude that synthetic citric acid is not "all natural." However, the Ninth Circuit affirmed the dismissal of the "illegal products" claim and my class certification decisions.

Brown v. Flores, No. 18-CV-01578-LHK, 2018 WL 9838492 (N.D. Cal. Aug. 20, 2018), *rev'd and remanded*, 755 F. App'x 691 (9th Cir. 2019). The plaintiff, a California state prisoner proceeding *pro se*, alleged that correctional officers failed to fix flooding in his cell. I dismissed the plaintiff's complaint on the basis that his allegations were too conclusory. The Ninth Circuit disagreed, and held that the plaintiff's allegations, liberally construed, were sufficient to warrant ordering the defendants to file an answer. On remand, the parties agreed to dismiss the plaintiff's case with prejudice.

Bruton v. Gerber Prods. Co., 961 F. Supp. 2d 1062 (N.D. Cal. 2013), *aff'd in part, rev'd in part, and remanded*, 703 F. App'x 468 (9th Cir. 2017). The plaintiff filed a putative class action against Gerber Products Company for alleged mislabeling of baby foods. I dismissed several of the plaintiff's claims, denied class certification, denied the plaintiff's motion for partial summary judgment, and granted summary judgment to Gerber. Citing cases that were decided after my rulings, the Ninth Circuit reversed the dismissal of the plaintiff's unjust enrichment claim and denial of class certification. The Ninth Circuit also reversed the grant of summary judgment for Gerber on the plaintiff's claim that Gerber's labels were unlawful under California's Unfair Competition Law. However, the Ninth Circuit affirmed the grant of summary judgment to Gerber on the plaintiff's claims that Gerber's labels were deceptive.

Ciganek v. Portfolio Recovery Assocs., LLC, 190 F. Supp. 3d 908 (N.D. Cal. 2016), *appeal remanded*, No. 16-16120, 2019 WL 2895045 (9th Cir. June 25, 2019). In 2016, I granted summary judgment for the defendant and held that the defendant's use of declarations in lieu of personal testimony at trial did not violate the Fair Debt Collection Practices Act. On appeal, the Ninth Circuit remanded for further proceedings consistent with a decision issued in 2019, *Meza v. Portfolio Recovery Assocs., LLC*, 6 Cal. 5th 844 (Ct. App. 2019). On remand, the parties agreed to dismiss the case with prejudice.

City of San Jose v. Trump, 497 F. Supp. 3d 680 (N.D. Cal.) (*per curiam*), *vacated and remanded*, 141 S. Ct. 1231 (2020) (*per curiam*). A group of cities, non-profit organizations, individuals, and the State of California challenged the legality of a presidential memorandum, *Excluding Illegal Aliens from the Apportionment Base Following the 2020 Census*, 85 Fed. Reg. 44,679 (July 23, 2020). I served on the three-judge court that was convened to hear the lawsuit. U.S. Circuit Judge Richard R. Clifton, U.S. District Court Judge Edward M. Chen, and I held *per curiam* that the presidential memorandum violated the U.S. Constitution, the Census Act of 1954, and the Reapportionment Act of 1929. The federal government directly appealed the decision to the U.S. Supreme Court under the appeal statute for three-judge courts, 28 U.S.C. § 1253. The Supreme Court held that the lawsuit was premature. Thus, the Supreme Court dismissed the case for lack of jurisdiction without expressing a view on the merits. Justice Breyer, joined by Justices Sotomayor and Kagan, dissented. They would have affirmed the three-judge court's judgment.

Dang v. Samsung Elecs. Co., No. 14-CV-00530-LHK, 2015 WL 4735520 (N.D. Cal. Aug. 10, 2015), *rev'd and remanded*, 673 F. App'x 779 (9th Cir. 2017). I granted Samsung's motion to compel arbitration. The Ninth Circuit reversed, reasoning that the plaintiff and Samsung had not formed an agreement to arbitrate under California law. On remand, I dismissed the plaintiff's complaint. In *Dang v. Samsung Elecs. Co., Ltd.*, 803 F. App'x 137 (9th Cir. 2020), the Ninth Circuit affirmed my decision.

Facebook, Inc. v. Power Ventures, Inc., 844 F. Supp. 2d 1025 (N.D. Cal. 2012), and No. 08-CV-5780-LHK, 2013 WL 5372341 (N.D. Cal. Sept. 25, 2013), *aff'd in part, vacated in part, and rev'd in part*, 828 F.3d 1068 (9th Cir. 2016), and *aff'd in part, vacated in part, and rev'd in part*, 844 F.3d 1058 (9th Cir. 2016), *cert. denied*, 138 S. Ct. 313 (2017), *on remand*, 252 F. Supp. 3d 765 (N.D. Cal. 2017). The plaintiff alleged that the defendants accessed the plaintiff's user data and sent users form emails and other messages without the plaintiff's permission. United States District Judge James Ware granted summary judgment in favor of the plaintiff on the plaintiff's claims that Power Ventures, Inc. violated the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 ("CAN-SPAM"), the Computer Fraud and Abuse Act of 1986 ("CFAA"), and California Penal Code Section 502. After Judge Ware retired from the bench, the case was reassigned to me. The defendants filed a motion for leave to file a motion for reconsideration of Judge Ware's summary judgment order. In light of Judge Ware's order granting summary judgment, the plaintiff moved for statutory and compensatory damages, permanent injunctive relief, and summary judgment on the personal liability of the individual defendant, Mr. Vachani, for Power Ventures' violations. I denied the defendants' motion for leave to file a motion for reconsideration and granted the plaintiff's motion for statutory and compensatory damages, motion for permanent injunctive relief, and motion for summary judgment on Mr. Vachani's personal liability. The defendants appealed. The Ninth Circuit reversed Judge Ware's finding that the defendants violated the CAN-SPAM Act; affirmed in part Judge Ware's finding that the defendants violated the CFAA; affirmed in part Judge Ware's finding that the defendants violated Section 502; and affirmed my finding that Mr. Vachani was personally liable for Power Ventures' violations. In light of these holdings, the Ninth Circuit vacated the injunction and award of damages and remanded the case to reconsider what remedies and damages were appropriate under the CFAA and Section 502. On remand, I found that the plaintiff was entitled to compensatory damages and permanent injunctive relief. In *Facebook, Inc. v. Power Ventures, Inc.*, 749 F. App'x 557 (9th Cir. 2019), the Ninth Circuit affirmed my decision.

Fed. Trade Comm'n v. Qualcomm Inc., 411 F. Supp. 3d 658 (N.D. Cal. 2019), *rev'd and vacated*, 969 F.3d 974 (9th Cir. 2020). After a bench trial, I granted the Federal Trade Commission's ("FTC") request for a permanent injunction against Qualcomm's allegedly anticompetitive conduct. The FTC argued that Qualcomm unlawfully monopolized and restrained trade in the cellular modem chips market.

On appeal, the Ninth Circuit held that Qualcomm’s conduct was merely “hypercompetitive.” Specifically, the Ninth Circuit concluded that Qualcomm (1) had no antitrust duty to license rival chip suppliers; (2) did not impose an anticompetitive surcharge through its “no license, no chips” policy; and (3) did not substantially foreclose competition in the cellular modem chips market.

Heineke v. Santa Clara Univ., No. 17-CV-05285-LHK, 2017 WL 4098887 (N.D. Cal. Sept. 15, 2017), *rev’d and remanded*, 736 F. App’x 622 (9th Cir. 2018), *on remand*, 2018 WL 3368455 (N.D. Cal. July 10, 2018), *aff’d*, 965 F.3d 1009 (9th Cir. 2020), and *aff’d in part, rev’d in part, and remanded*, 812 F. App’x 644 (9th Cir. 2020). On September 13, 2017, the plaintiff—a professor suspended by Santa Clara University—filed an emergency motion for a temporary restraining order or preliminary injunction. Two days later, I denied the plaintiff’s motion because he had failed to show a substantial likelihood of irreparable harm. The Ninth Circuit reversed and remanded on the ground that I should have also analyzed the other preliminary injunction factors. On July 10, 2018, I denied the plaintiff’s three motions for a preliminary injunction and granted the defendant’s motion to dismiss. On a second appeal, the Ninth Circuit held that the plaintiff was entitled to amend his complaint to add a claim under the Age Discrimination in Employment Act. However, the Ninth Circuit otherwise affirmed my (1) denial of a preliminary injunction; (2) dismissal of the plaintiff’s constitutional claims; and (3) declination of supplemental jurisdiction.

Jaras v. Experian Info. Sols., Inc., No. 16-CV-03336-LHK, 2016 WL 7337540 (N.D. Cal. Dec. 19, 2016), *aff’d in part, vacated in part, and remanded sub nom. Jaras v. Equifax Inc.*, 766 F. App’x 492 (9th Cir. 2019). The plaintiff filed a complaint alleging that Equifax and Experian failed to perform a “reasonable reinvestigation” under the Fair Credit Reporting Act. I granted Equifax’s motion for judgment on the pleadings with prejudice after finding that the plaintiff failed to establish that an actual inaccuracy existed on his credit report, and therefore the plaintiff’s claim was barred by law. The Ninth Circuit consolidated an appeal from my decision with two other cases and held that the plaintiff’s claim should have been dismissed without prejudice for failure to establish Article III standing. The Ninth Circuit therefore affirmed in part, vacated in part, and remanded with instructions to enter dismissals without prejudice. Judge Berzon filed a dissent.

Kalani v. Starbucks Corp., 117 F. Supp. 3d 1078 (N.D. Cal. 2015), and No. 13-CV-00734-LHK, 2016 WL 379623 (N.D. Cal. Feb. 1, 2016), *aff’d in part, vacated in part, and remanded sub nom. Kalani v. Starbucks Coffee Co.*, 698 F. App’x 883 (9th Cir. 2017). After a bench trial, I entered judgment in favor of the plaintiff, who had alleged violations of Title III of the Americans with Disabilities Act (“ADA”) and the California Unruh Civil Rights Act. I also granted injunctive relief that required the defendant to provide a wheelchair accessible table with a view of the store, rather than a wall. I subsequently granted in part and denied in part the plaintiff’s motion for attorneys’ fees and costs. The defendant appealed both decisions. During the pendency of the appeal, the plaintiff passed away.

The Ninth Circuit held that the plaintiff's ADA claims were therefore moot because the only remedy available under Title III is injunctive relief and there was no prospect of future harm. The Ninth Circuit affirmed my decision with respect to the Unruh Civil Rights Act claim. The Ninth Circuit remanded the case with instructions to dissolve the injunction and to redetermine the award of attorneys' fees and costs if necessary.

Kane v. Chobani, Inc., 973 F. Supp. 2d 1120 (N.D. Cal. 2014), *vacated sub nom. Kane v. Chobani, LLC*, 645 F. App'x 593 (9th Cir. 2016). The plaintiffs brought a putative class action challenging Chobani's labeling of yogurt. I dismissed the plaintiffs' third amended complaint for failing to show actual reliance on allegedly misleading labels. On appeal, the Ninth Circuit vacated the dismissal and remanded with instructions to stay the case. The Ninth Circuit reasoned that the case should await Food and Drug Administration ("FDA") rulemaking on the labeling at issue. The case remains stayed pending the FDA rulemaking.

Khounmany v. Carvajal, No. 20-CV-02858-LHK, No. 21 (Aug. 21, 2020) (copy supplied), *rev'd and remanded*, 2021 U.S. App. LEXIS 14973 (9th Cir. May 19, 2021). The plaintiff, a *pro se* federal prisoner, petitioned for a writ of habeas corpus. I dismissed the plaintiff's petition because she failed to file a timely application to proceed in forma pauperis ("IFP"). I also determined that I lacked jurisdiction to consider the plaintiff's motion for reconsideration on her IFP application. On appeal, the Ninth Circuit held that, in fact, I had jurisdiction to hear the plaintiff's motion for reconsideration. On remand, I reopened the plaintiff's case and dismissed her petition on the merits with leave to amend. The plaintiff then dismissed her Ninth Circuit appeal and her petition.

Loan Payment Admin. LLC v. Hubanks, No. 14-CV-04420-LHK, 2015 WL 3776939, and *Nationwide Biweekly Admin., Inc. v. Owen*, No. 14-CV-05166-LHK, 2015 WL 3792866 (N.D. Cal. June 17, 2015), *aff'd in part, rev'd in part, vacated in part, and remanded*, 873 F.3d 716 (9th Cir. 2017). In two cases, Nationwide Biweekly and its subsidiary Loan Payment (together, "Nationwide") sought a preliminary injunction against several California laws meant to protect against consumer confusion. Specifically, Nationwide argued that the laws violated the First Amendment and the Dormant Commerce Clause of the U.S. Constitution. I denied the motions for preliminary injunction. Then, after California law enforcement sued Nationwide, I dismissed the cases under the *Younger* abstention doctrine. On appeal, the Ninth Circuit (1) reversed my *Younger* dismissal; (2) vacated my denial of the preliminary injunction as to the Dormant Commerce Clause; (3) affirmed my denial of the preliminary injunction as to the First Amendment; and (4) remanded for further proceedings. U.S. District Judge Ann D. Montgomery, sitting by designation, dissented. She would have affirmed my judgment. On remand, Nationwide Biweekly's case settled (No. 14-CV-05166), and I dismissed Loan Payment's complaint. My dismissal was affirmed by the Ninth Circuit. *Loan Payment Admin. LLC v. Hubanks*, No.

14-CV-04420-LHK, 2018 WL 6438364 (N.D. Cal. Dec. 7, 2018), *aff'd*, 821 F. App'x 687 (9th Cir. 2020).

Magadia v. Wal-Mart Assocs., Inc., 384 F. Supp. 3d 1058 (N.D. Cal. 2019), *rev'd in part, vacated in part*, No. 19-16184, 2021 WL 2176584 (9th Cir. May 28, 2021). After a bench trial, I awarded Private Attorneys General Act (“PAGA”) penalties against Wal-Mart for meal-break violations. I also awarded statutory damages and PAGA penalties for one wage statement claim and PAGA penalties for a second wage statement claim. The Ninth Circuit held that the plaintiff lacked standing to bring a PAGA claim for meal-break violations on behalf of aggrieved employees where the plaintiff himself had not suffered an injury. Based on this holding, the Ninth Circuit remanded the plaintiff’s meal-break claim to the district court with instructions to remand to state court. As to the plaintiff’s wage statement claims, the Ninth Circuit upheld my finding that the plaintiff and other class members had standing to bring two claims under California’s wage statement statute. However, the Ninth Circuit reversed my finding that Wal-Mart violated two California wage statement statutes. On July 12, 2021, the plaintiff petitioned for panel rehearing and rehearing en banc. On July 19, 2021, the Ninth Circuit panel ordered Wal-Mart to file a response to the petition within 21 days. On July 27, 2021, the Ninth Circuit panel granted Wal-Mart a 14-day extension to file a response. The case remains pending before the Ninth Circuit.

Meza v. Portfolio Recovery Assocs., LLC, 125 F. Supp. 3d 994 (N.D. Cal. 2015), *vacated and remanded*, 762 F. App'x 431 (9th Cir. 2019). On summary judgment, I concluded that Section 98 of the California Civil Procedure Code permits a declarant to provide an address within 150 miles of the place of trial where the declarant is available for service of process but where the declarant is not physically present for personal service. Based on this interpretation of Section 98, I found that the defendants’ use of a declaration did not violate the Fair Debt Collection Practices Act (“FDCPA”), and I granted the defendants’ motion for summary judgment. On appeal, the Ninth Circuit certified the question to the California Supreme Court. The California Supreme Court held that Section 98 requires an affiant to provide an address for service within 150 miles of the location of trial at which lawful service can be made that directs the affiant to attend trial. Based on this holding, the Ninth Circuit held that the defendants’ declaration did not comport with the requirements of Section 98. The Ninth Circuit vacated my summary judgment order and remanded to determine if the declaration constituted a materially false or misleading statement under the FDCPA. On remand, the parties settled and stipulated to dismiss the plaintiff’s individual claims with prejudice and class claims without prejudice.

MyMail, Ltd. v. ooVoo, LLC, 313 F. Supp. 3d 1095 (N.D. Cal. 2018), *vacated and remanded*, 934 F.3d 1373 (Fed. Cir. 2019). In this patent infringement case, I granted the defendants’ motions for judgment on the pleadings. I reasoned that the asserted claims were too abstract and insufficiently inventive to be patent eligible. On appeal, the Federal Circuit held that I should have resolved the

parties' claim construction dispute before adjudging patent eligibility. U.S. Circuit Judge Alan D. Lourie dissented and stated that he would have affirmed. I subsequently resolved the parties' claim construction dispute. The defendants then made a renewed motion for judgment on the pleadings, which I granted. In *MyMail, LTD. v. ooVoo, LLC*, No. 2020-1825, 2021 WL 3671364 (Fed. Cir. Aug. 19, 2021), the Federal Circuit described my claim construction as thoughtful and affirmed my order granting the defendants' motion for judgment on the pleadings.

Nat'l Urb. League v. Ross, 489 F. Supp. 3d 939 (N.D. Cal.), *denying admin. stay*, 977 F.3d 698 (9th Cir.), *order clarified*, 491 F. Supp. 3d 572 (N.D. Cal.), *staying in part pending appeal*, 977 F.3d 770 (9th Cir.), *staying pending pet. for cert.*, 141 S. Ct. 18 (2020). On August 3, 2020, the federal government announced a new schedule for the 2020 Census. This schedule, known as the "Replan," condensed the total time to conduct the Census from 71.5 weeks to 49.5 weeks. Specifically, the Replan truncated three Census operations. Self-response compressed from 33.5 weeks to 29 weeks, with the deadline advancing from October 31 to September 30. Non-Response Follow-Up compressed from 11.5 weeks to 7.5 weeks, with the deadline advancing from October 31 to September 30. Lastly, data processing was halved from 26 weeks to 13 weeks, with the deadline advancing from April 30, 2021 to December 31, 2020. The plaintiffs—a group of advocacy organizations, cities, counties, and tribal groups—challenged the Replan on the grounds that the Replan violated the Administrative Procedure Act and the U.S. Constitution's Enumeration Clause. I granted the plaintiffs' motion for a temporary restraining order on September 4, 2020, and granted their motion for a preliminary injunction on September 24, 2020. The government then asked the Ninth Circuit and the U.S. Supreme Court to stay the preliminary injunction pending appeal. At the Ninth Circuit, the government first moved for an immediate administrative stay of the preliminary injunction. The Ninth Circuit denied that motion on September 30, 2020. The government then moved for a stay pending appeal, which the Ninth Circuit granted in part and denied in part on October 7, 2020. Specifically, the Ninth Circuit stayed the preliminary injunction to the extent the injunction stopped the government from trying to meet the December 31, 2020 statutory deadline for reporting the population counts used for congressional apportionment to the President. The Ninth Circuit did not stay the preliminary injunction of the Replan's September 30, 2020 deadline for data collection. The government then sought a stay from the Supreme Court on the ground that, without a stay, the government could not meet the December 31, 2020 statutory deadline. The Supreme Court granted the government's application on October 13, 2020. Specifically, the Supreme Court stayed the rest of the preliminary injunction pending a Ninth Circuit appeal and the disposition of any timely petition for a writ of certiorari. Although the Supreme Court did not issue an opinion, Justice Sotomayor published a dissent. After the Supreme Court's stay, the government did not meet the December 31, 2020 statutory deadline. The parties settled on April 22, 2021. On April 26, 2021, the U.S. Secretary of Commerce reported to the President the population counts used for

congressional apportionment.

Nguyen v. Nissan N. Am., Inc., No. 16-CV-05591-LHK, 2018 WL 1831857 (N.D. Cal. Apr. 9, 2018), *rev'd and remanded*, 932 F.3d 811 (9th Cir. 2019). I denied the plaintiff's motion for class certification after finding that the plaintiff failed to meet the requirements of Federal Rules of Civil Procedure 23(b)(3) and 23(c)(4). The Ninth Circuit held that the plaintiff's theory of liability did not require individualized analysis that might defeat predominance. The Ninth Circuit therefore reversed the denial of class certification and remanded. On remand, I denied the plaintiff's motion for class certification after finding that the plaintiff was subject to unique defenses that therefore rendered the plaintiff's claims atypical of either class that the plaintiff sought to certify. The plaintiff sought interlocutory appeal of the denial of class certification. The Ninth Circuit denied permission for interlocutory appeal in *Nguyen v. Nissan N. Am., Inc.*, No. 20-80138 (9th Cir. Nov. 19, 2020). On July 21, 2021, the parties voluntarily dismissed the case with prejudice as to the plaintiff's claims and without prejudice as to the claims of the putative class.

Northstar Fin. Advisors Inc. v. Schwab Investments, 807 F. Supp. 2d 871 (N.D. Cal. 2011), *rev'd in part, vacated in part, and remanded*, 779 F.3d 1036 (9th Cir. 2015). This case, which was reassigned to me from United States District Judge Susan Illston, involved several claims by investors in a Massachusetts business trust against the trustees and the trustees' investment advisors. Judge Illston had dismissed the plaintiffs' breach of contract and breach of fiduciary duty claims in the First Amended Complaint without prejudice. I then dismissed the plaintiffs' breach of contract claim in the Second Amended Complaint with prejudice because the plaintiffs did not add further allegations to the breach of contract claim that Judge Illston had dismissed. I dismissed the plaintiffs' breach of fiduciary duty claim in the Second Amended Complaint without prejudice because the claim, as alleged, was precluded by the Securities Litigation Uniform Standards Act of 1998 ("SLUSA"). For the same reason, I dismissed the plaintiffs' third-party beneficiary claim against the investment advisors, which was added for the first time in the Second Amended Complaint. The plaintiffs then filed a Third Amended Complaint, which alleged a breach of fiduciary duty claim, an aiding and abetting breach of fiduciary duty claim, and a third-party beneficiary claim. Although the plaintiffs' Third Amended Complaint cured the SLUSA-related deficiency as to the breach of fiduciary duty claim, I dismissed the breach of fiduciary duty claim because plaintiffs had failed to allege a valid contract with the trustees. For the same reason, the plaintiffs could not bring an aiding and abetting breach of fiduciary duty claim. I dismissed the third-party beneficiary claim because the plaintiffs did not establish that they were an intended beneficiary of the agreement between the trustees and the investment advisors. The Ninth Circuit, in a 2-1 decision authored by Judge Edward Korman of the Eastern District of New York (sitting by designation), reversed with respect to both claims. For the breach of fiduciary claim, the Ninth Circuit applied corporate law principles and analogized to a corporate situation where certain

fundamental investment policies were adopted via shareholder vote and could constitute a valid contract between shareholders and defendants. Based on this analogy, the Ninth Circuit further determined that the plaintiffs had sufficiently alleged breach of contract and breach of fiduciary duty claims against the defendants, and that my decision to grant dismissal of these claims was thus unwarranted. For the third-party beneficiary claim, the Ninth Circuit determined that the contract between the trustees and the investment advisors obligated the advisors to discharge the trustees' duty to the plaintiffs. Accordingly, the Ninth Circuit held that my decision to grant dismissal of these claims was also unwarranted. Judge Carlos Bea dissented from the majority's decision.

Northstar Fin. Advisors Inc. v. Schwab Investments, 135 F. Supp. 3d 1059 (N.D. Cal. 2015), *aff'd in part, rev'd in part, and remanded*, 904 F.3d 821 (9th Cir. 2018). As described in the entry that immediately precedes this one, the Ninth Circuit reversed my decision to dismiss breach of contract, breach of fiduciary duty, aiding and abetting of breach of fiduciary duty, and third-party beneficiary claims by investors in a Massachusetts business trust against the trustees and the trustees' investment advisors. On remand, I denied a motion to dismiss the breach of fiduciary duty and aiding and abetting breach of fiduciary duty claims. I dismissed the breach of contract and third-party beneficiary claims with prejudice under Federal Rule of Civil Procedure 12(b)(6) because those claims were precluded by the Securities Litigation Uniform Standards Act of 1998 ("SLUSA"). The Ninth Circuit, in a 2-1 decision authored by Judge Kathleen O'Malley of the Federal Circuit (sitting by designation), affirmed my decision that the claims were precluded by SLUSA. However, the Ninth Circuit reversed my decision to dismiss with prejudice because SLUSA is a jurisdictional bar that prevents only federal courts from hearing certain claims, not state courts. Accordingly, the Ninth Circuit held that I should have dismissed those claims without prejudice. The one dissent was a concurrence in part and a dissent in part. Specifically, Chief Judge Sidney Thomas dissented to the extent that he found that the breach of contract and third-party beneficiary claims as to a subset of the plaintiffs were not precluded by SLUSA. After the Ninth Circuit mandate issued, the parties stipulated to a dismissal without prejudice.

People v. Gautam, No. CC 785322 (Cal. Super. Ct. Dec. 16, 2008), *rev'd*, No. 1-09-AP-000670 (Cal. App. Dep't Super. Ct. Oct. 13, 2009) (copy supplied). The jury acquitted the defendant of two charges. I denied the defendant's motion for a finding of factual innocence and a sealing of arrest records as to the two tried charges. The Appellate Division of the Superior Court affirmed my denial of the defendant's motion for a finding of factual innocence and a sealing of arrest records as to the two tried charges, but reversed my finding of no factual innocence and no sealing of arrest records as to a third charge that was dismissed prior to the defendant's arraignment.

Ryan v. Fabela, No. 16-CV-04032-LHK, 2018 WL 10196531 (N.D. Cal. Feb. 2, 2018), *rev'd and remanded*, 765 F. App'x 241 (9th Cir. 2019). I denied the

defendant's motion for summary judgment after finding a genuine dispute of material fact as to whether the defendant had violated the plaintiff's First Amendment rights by retaliating against the plaintiff in violation of Section 1983. I also found that the defendant was not entitled to qualified immunity. The Ninth Circuit held that no case was sufficiently analogous to place the defendant on notice that the plaintiff did not fall within the policymaker exception to the First Amendment retaliation doctrine. Accordingly, the Ninth Circuit held that the defendant was entitled to qualified immunity and reversed and remanded the case. On remand, I entered judgment in favor of the defendant.

Smith v. Pride Mobility Prod. Corp., No. 16-CV-04411-LHK, 2017 WL 567482 (N.D. Cal. Feb. 12, 2017), *aff'd in part, rev'd in part*, 700 F. App'x 583 (9th Cir. 2017). After previously giving the plaintiff leave to amend, I granted with prejudice the defendant's motion to dismiss the plaintiff's claims for violation of the Unruh Civil Rights Act, the Americans with Disabilities Act, and California Civil Code Section 51.7(a), as well as claims for negligence and strict liability for manufacturing defect or design defect of both a lift and wheelchair. The Ninth Circuit held that liberally construed, the plaintiff's complaint had stated claims for manufacturing and design defect for both the lift and wheelchair. The Ninth Circuit therefore reversed and remanded those claims and affirmed dismissal of the remainder of the plaintiff's claims. On remand, I dismissed the plaintiff's case with prejudice for failure to prosecute.

Sutherland v. Francis, No. 12-CV-05110-LHK, 2014 WL 879697 (N.D. Cal. Mar. 3, 2014), *aff'd in part, rev'd in part, and remanded*, 647 F. App'x 686 (9th Cir. 2016). I dismissed the plaintiff's claims for breach of contract and common counts with prejudice because I concluded that the plaintiff had failed to state a claim after having already been given leave to amend claims. The Ninth Circuit affirmed my dismissal of the plaintiff's contract claims but held that the plaintiff's claims should have been dismissed without prejudice because amendment would not be futile. On remand, the plaintiff filed a third amended complaint, which I dismissed with prejudice.

Tandon v. Newsom, No. 20-CV-07108-LHK, — F. Supp. 3d —, 2021 WL 411375 (N.D. Cal. Feb. 5, 2021), *aff'd*, 992 F.3d 916 (9th Cir. 2021), *application for injunctive relief granted*, 141 S. Ct. 1294 (2021). The plaintiffs challenged restrictions imposed on private gatherings by the State of California and the County of Santa Clara to prevent the spread of COVID-19. The plaintiffs moved for a preliminary injunction and contended that they were likely to succeed on the merits of their claims that the private gatherings restrictions violated their rights to free speech, free exercise, due process, and equal protection. On February 5, 2021, I denied the plaintiffs' motion for a preliminary injunction. First, I concluded that the plaintiffs were unlikely to succeed on the merits of their claims. Specifically, as to the plaintiffs' free exercise claims, I held that the private gatherings restrictions were neutral and generally applicable because they applied equally to secular and religious gatherings and because the defendants had shown that other activities, such as visiting grocery stores, posed a lower risk of

spreading COVID-19 than gatherings. Second, I concluded that an injunction was not in the public interest due to the outbreak of COVID-19 that was occurring in California at the time of my ruling. The plaintiffs appealed my ruling, and the Ninth Circuit affirmed in full. The plaintiffs then sought an injunction pending appeal at the U.S. Supreme Court only as to their free exercise claim. On April 9, 2021, a 5-4 majority of the Supreme Court granted the plaintiffs' application for an injunction pending appeal. The Supreme Court concluded that the private gatherings restrictions were not neutral and generally applicable because they treated some comparable secular activities, such as visiting grocery stores, more favorably than religious gatherings. Chief Justice Roberts would have denied the plaintiffs' application for an injunction pending appeal, and Justice Kagan, joined by Justices Breyer and Sotomayor, filed a dissenting opinion. On June 24, 2021, I granted the plaintiffs' and State defendants' stipulation of entry of a permanent injunction against capacity limitations on religious services; dismissal of the plaintiffs' otherwise remaining free exercise claims with prejudice; an award of attorneys' fees for the plaintiffs; and dismissal of the plaintiffs' free speech, due process, and equal protection claims without prejudice. On July 7, 2021, the Ninth Circuit granted the parties' stipulated motion to voluntarily dismiss the appeal.

Uniloc USA Inc. v. LG Elecs. USA Inc., 379 F. Supp. 3d 974 (N.D. Cal. 2019), *rev'd and remanded*, 957 F.3d 1303 (Fed. Cir. 2020). I granted the defendant's motion to dismiss after finding that the plaintiff's asserted patents claims were directed to an ineligible subject matter under 35 U.S.C. § 101 and did not contain an inventive concept. The Federal Circuit reversed and remanded after finding that the claims were directed to a patent-eligible improvement in computer functionality. On remand, the parties settled and stipulated to dismiss all claims and counterclaims between the parties.

United States v. Martinez, No. 17-CR-00257-LHK-1, 2018 WL 3861831 (N.D. Cal. Aug. 14, 2018), *vacated and remanded*, 811 F. App'x 396 (9th Cir. 2020), *cert. denied*, No. 20-7038 (U.S. Apr. 19, 2021). A federal grand jury indicted the defendant for being a domestic violence misdemeanor in possession of a firearm in violation of 18 U.S.C. § 922(g)(9). The defendant then moved to suppress evidence found in a search of his car and his apartment. I denied the defendant's motion and later found the defendant guilty after a bench trial on stipulated facts. The Ninth Circuit vacated my denial of the motion to suppress and held that, because California had legalized the possession of limited amounts of marijuana, the odor of marijuana alone did not provide probable cause to search the defendant's car. The Ninth Circuit remanded for further consideration of whether there was probable cause to search the defendant's car based on other state law violations and whether the defendant consented to the search of his car. The Ninth Circuit otherwise upheld my rulings, including my decision not to suppress evidence seized from the defendant's apartment. The defendant petitioned the U.S. Supreme Court for certiorari, which was denied on April 19, 2021.

United States v. Guntipally, No. 16-CR-00189-LHK, No. 203 (N.D. Cal. Nov. 29, 2017), *vacated and remanded*, 735 F. App'x 432 (9th Cir. 2018). After I sentenced the defendant, the Ninth Circuit held that the defendant should have been personally invited to speak at her sentencing. Furthermore, the Ninth Circuit held that, because the defendant could have received a shorter sentence, the denial of the defendant's right to allocution was not harmless error. The Ninth Circuit therefore vacated the defendant's sentence and remanded for resentencing. On remand, I denied the defendant's motion to withdraw her guilty plea and I imposed a new sentence. In *United States v. Guntipally*, 804 F. App'x 868 (9th Cir. 2020), the Ninth Circuit affirmed my decision.

United States v. Howard, No. 14-CR-00390, No. 45 (N.D. Cal. May 6, 2015) (oral proceeding), *remanded*, 793 F.3d 1113 (9th Cir. 2015). This case concerned conditions regarding the revocation of pretrial release. United States Magistrate Judge Howard R. Lloyd revoked the defendant's pretrial release after finding that the defendant had violated the terms of the defendant's pretrial release by contacting an employee of the United States Postal Service who was a potential witness. The defendant motioned to revoke or amend Judge Lloyd's order for pretrial detention. I denied the defendant's motion to revoke or amend the pretrial detention order after finding that the defendant posed a danger to the community because the defendant potentially tampered with witnesses in a criminal case. The Ninth Circuit determined that it was unclear based on the record whether I had found that there was probable cause to believe that the defendant had committed a crime while on release or whether there was clear and convincing evidence that the defendant had violated a condition of pretrial release. The case was remanded for clarification and further findings if necessary. On remand, the defendant entered a guilty plea, and I ordered the defendant released from custody after reimposing the existing terms of pretrial release with the additional conditions that defendant be truthful to Pretrial Services and report any change of circumstances related to his bond conditions, including his residence, to Pretrial Services.

United States v. Tinker, No. 11-CR-00090-LHK-20, No. 712 (N.D. Cal. Nov. 5, 2018), *vacated and remanded*, 793 F. App'x 548 (9th Cir. 2020). I denied the defendant's motion to proceed in forma pauperis ("IFP") after finding that the defendant was not entitled to IFP status because he had waived his right to seek Section 3582(c)(2) relief in his plea agreement. The defendant appealed the denial of IFP status. The Ninth Circuit vacated and remanded my decision because the Ninth Circuit held that a decision published after my order established that a district court may not sua sponte raise a Section 3582(c)(2) waiver.

Wilkins v. Cty. of Alameda, No. 10-CV-03090, 2012 WL 2568219 (N.D. Cal. July 2, 2012), *aff'd in part, rev'd in part, and remanded*, 571 F. App'x 621 (9th Cir. 2014). The Ninth Circuit affirmed my decision to grant the defendant's motion for summary judgment on the plaintiff's fundamental right-to-vote claim. However, the Ninth Circuit held that the plaintiff, who was proceeding *pro se*, had

not been provided sufficient notice that the defendants were moving for summary judgment on the plaintiff's equal protection and procedural due process claims. Accordingly, the Ninth Circuit reversed my decision to grant summary judgment on these claims and remanded the case for further proceedings.

Xilinx, Inc. v. Papst Licensing GMBH & Co. KG, 113 F. Supp. 3d 1027 (N.D. Cal. 2015), *vacated in part sub nom. Altera Corp. v. Papst Licensing GmbH & Co. KG*, 691 F. App'x 907 (Fed. Cir. 2016), and *rev'd in part*, 848 F.3d 1346 (Fed. Cir. 2017). Plaintiffs Altera Corporation and Xilinx, Inc. each sought a declaratory judgment that their products did not infringe the defendants' patents and that the defendants' patents were invalid. I granted the defendants' motion to dismiss for lack of personal jurisdiction and denied the plaintiffs' request for additional jurisdictional discovery. The plaintiffs appealed. After the appeal was docketed, a suit between Altera and Papst was transferred from the District of Delaware to the Northern District of California, where Papst agreed to be subject to jurisdiction with respect to the dispute with Altera. The Federal Circuit therefore held that Altera's appeal was moot. The Federal Circuit subsequently held that specific personal jurisdiction existed over Papst with respect to Xilinx's declaratory judgment action, and therefore the Federal Circuit reversed and remanded. On remand, the parties stipulated to dismiss all claims without prejudice.

Young v. Achtle, No. 20-CV-08349-LHK, 2021 U.S. Dist. LEXIS 77279 (N.D. Cal. Feb. 4, 2021) (copy supplied), *vacated and remanded sub nom. Young v. Matthew*, No. 21-15341, 2021 U.S. App. LEXIS 11152 (9th Cir. Apr. 16, 2021). The plaintiff, a California state prisoner proceeding *pro se*, filed a civil rights complaint under 42 U.S.C. § 1983. The plaintiff's complaint was accompanied by an application to proceed in forma pauperis ("IFP"), but the IFP application was incomplete because it did not include the plaintiff's account statement, which is required by the IFP statute. The day I received the complaint I sent a notice to the plaintiff informing the plaintiff that within 28 days plaintiff had to file a complete IFP application. Four weeks after that deadline, the plaintiff had not responded to the notice. I therefore dismissed the complaint without prejudice. The plaintiff then filed a notice of appeal, which divested my jurisdiction over the case. Three weeks after I lost jurisdiction, I received a complete IFP application from the plaintiff. On appeal, the Ninth Circuit vacated my dismissal order. The Ninth Circuit concluded that the plaintiff had filed an application to proceed IFP contemporaneously with the complaint, and remanded the case with instructions to reconsider the contemporaneously filed IFP application. The Ninth Circuit did not address the fact that the contemporaneously filed IFP application was incomplete. On remand, I reconsidered the contemporaneously filed IFP application and concluded that the case was properly dismissed because the contemporaneously filed IFP application was incomplete. However, because the plaintiff had filed a complete IFP application after he filed his notice of appeal, I vacated the entry of judgment and reopened the case to consider the plaintiff's completed IFP application. I also concluded that because plaintiff had previously

filed frivolous lawsuits on six occasions and did not qualify for the imminent danger exception, the Prison Litigation Reform Act of 1995 (“PLRA”) barred plaintiff from proceeding IFP. I therefore ordered plaintiff to show cause why his motion for leave to proceed IFP should not be denied and the case should not be dismissed. I also noted that plaintiff may avoid dismissal by paying the filing fee. The plaintiff responded to the order to show cause, but did not pay the filing fee. After reviewing the record and applicable law, I found that the PLRA barred the plaintiff from proceeding IFP. Therefore, I denied the plaintiff’s application to proceed IFP and dismissed this action without prejudice to reopening if the plaintiff pays the filing fee.

Zhang v. Cty. of Monterey, No. 17-CV-00007-LHK, 2018 WL 1933588 (N.D. Cal. Apr. 24, 2018), *aff’d in part, rev’d in part, and remanded*, 804 F. App’x 454 (9th Cir. 2020). A former employee of the County of Monterey sued the County for firing her. The plaintiff brought eight claims: (1) discrimination on the basis of race and national origin in violation of Title VII; (2) discrimination on the basis of marital status, race, and national origin in violation of the Fair Employment and Housing Act; (3) discrimination on the basis of race in violation of 42 U.S.C. § 1981; (4) deprivation of a property interest without due process of law in violation of the Fourteenth Amendment to the U.S. Constitution; (5) deprivation of a liberty interest without due process of law in violation of the Fourteenth Amendment to the U.S. Constitution; (6) deprivation of a property interest without due process of law in violation of the California Constitution; (7) writ of mandate under California Code of Civil Procedure § 1085; and (8) writ of mandate under California Code of Civil Procedure § 1094.5. I granted summary judgment to the County on seven of the plaintiff’s eight claims and declined to exercise supplemental jurisdiction over the plaintiff’s claim for writ of mandate under California Code of Civil Procedure § 1085. On appeal, the Ninth Circuit affirmed my judgment as to five of the plaintiff’s claims. As to the two due process claims, the Ninth Circuit held there was a genuine dispute of fact as to when the plaintiff’s probationary term of employment had begun. The Ninth Circuit thus reversed the summary judgment for the County on the plaintiff’s two due process claims. As to the petition for writ of mandate under California Code of Civil Procedure § 1085, the Ninth Circuit held that I had not abused my discretion by declining supplemental jurisdiction, but remanded for me to consider afresh whether to exercise supplemental jurisdiction. On remand, I presided over a jury trial on the plaintiff’s two due process claims. The jury rendered a verdict for the County on both claims on June 10, 2021. I exercised supplemental jurisdiction over the plaintiff’s petition for a writ of mandate under California Code of Civil Procedure § 1085 and denied the petition on July 8, 2021. Judgment was entered in favor of the defendants on all claims on July 8, 2021. On August 5, 2021, the plaintiff filed: (1) a motion for judgment as a matter of law or for a new trial as to the jury verdict; and (2) a motion for an amendment of the ruling or for a new trial as to the petition for a writ of mandate. These motions remain pending. On August 6, 2021, the plaintiff filed a notice of appeal. The appeal is pending.

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

As a U.S. District Judge, I have issued approximately 3,250 opinions. All of my opinions are filed and stored electronically with the Northern District of California case management system. Many of my decisions are also available on Westlaw and Lexis. Approximately eight percent of my decisions have been selected for publication.

As a California Superior Court Judge, I issued six written opinions, all of which were unpublished in accordance with Superior Court practice. These opinions are part of the case files that are publicly available in the Santa Clara County Superior Court Clerk's Office.

- 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.

Art of Living Found. v. Does 1-10, No. 10-CV-05022-LHK, 2011 WL 5444622 (N.D. Cal. Nov. 9, 2011)

City of San Jose v. Trump, 497 F. Supp. 3d 680 (N.D. Cal.) (*per curiam*), *vacated and remanded*, 141 S. Ct. 1231 (2020) (*per curiam*)

Diamond S.J. Enter., Inc. v. City of San Jose, 395 F. Supp. 3d 1202 (N.D. Cal. 2019)

Fraley v. Facebook, Inc., 830 F. Supp. 2d 785 (N.D. Cal. 2011)

Hotop v. City of San Jose, No. 18-CV-02024-LHK, 2018 WL 4850405 (N.D. Cal. Oct. 4, 2018), *aff'd*, 982 F.3d 710 (9th Cir. 2020)

In re Application for Tel. Info. Needed for a Crim. Investigation, 119 F. Supp. 3d 1011 (N.D. Cal. 2015)

In re Yahoo Mail Litig., 7 F. Supp. 3d 1016 (N.D. Cal. 2014)

Karl v. City of Mountlake Terrace, 678 F.3d 1062 (9th Cir. 2012)

Katzman v. L.A. Cty. Metro. Transp. Auth., 72 F. Supp. 3d 1091 (N.D. Cal. 2014)

Marks v. Davis, 112 F. Supp. 3d 949 (N.D. Cal. 2015)

Parrish v. Solis, No. 11-CV-01438, 2014 WL 1921154 (N.D. Cal. May 13, 2014)

People v. Frost, No. BB834193, slip op. (Cal. Super. Ct. Mar. 27, 2009) (copy supplied)

Steshenko v. Gayrard, 70 F. Supp. 3d 979 (N.D. Cal. 2014)

United States v. Chavez, No. 15-CR-00285-LHK, 2019 WL 1003357 (N.D. Cal. Mar. 1, 2019)

United States v. Wolfenbarger, No. 16-CR-00519-LHK-1, 2019 WL 6716357 (N.D. Cal. Dec. 10, 2019)

- i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

I sat by designation on the U.S. Court of Appeals for the Ninth Circuit in March 2012, with Circuit Judges Ferdinand Fernandez and Richard Paez. I authored the unanimous opinion in *Karl v. City of Mountlake Terrace*, 678 F.3d 1062 (9th Cir. 2012).

In *Karl*, the plaintiff sought relief pursuant to 42 U.S.C. § 1983. The plaintiff alleged that he had been subject to First Amendment retaliation on the basis of subpoenaed deposition testimony that he had given as a private citizen in a civil rights lawsuit. The district court denied qualified immunity to the defendants, and the panel affirmed. As the panel observed, the plaintiff had sufficiently demonstrated a constitutional violation and had sufficiently demonstrated that the relevant legal principles had been clearly established prior to the events in question.

The remaining decisions, listed below, were unanimous memorandum opinions:

Blackburn v. Wash. Dep't of Soc. & Health Servs., 472 F. App'x 569 (9th Cir. 2012)

Locals 302 & 612 Int'l Union of Operating Eng'rs Constr. Indus. Health & Sec. Fund v. Ace Paving Co., 471 F. App'x 796 (9th Cir. 2012)

Nw. Adm'rs, Inc. v. Ace Paving Co., 471 F. App'x 795 (9th Cir. 2012)

Oberg v. Astrue, 472 F. App'x 488 (9th Cir. 2012)

United States v. Vaksman, 472 F. App'x 447 (9th Cir. 2012)

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general

description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

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

The judges on the U.S. District Court for the Northern District of California give the Clerk's Office a list of individuals and entities in whose cases we would recuse. I have provided, and regularly updated, such a list to the Clerk's Office. I recused myself *sua sponte* in the following cases involving parties or lawyers that were on my automatic recusal list, but were assigned to me. The Clerk's Office reassigned these cases:

Ali v. eBay, Inc., 17-CV-06589-BLF (N.D. Cal.)
Altis Semiconductor, SNC v. Qimonda Licensing, LLC, 12-CV-03227-JST (N.D. Cal.)
Bay Area Surgical Grp. Inc. v. Aetna Life Ins. Co., 13-CV-05430-EJD (N.D. Cal.)
Bd. of Trs. of Leland Stanford Jr. Univ. v. Praxair Distribution Inc., 17-CV-01489-LHK (N.D. Cal.)
Bd. of Trs. of Leland Stanford Jr. Univ. v. Zhang, 19-CV-02904-LHK (N.D. Cal.)
Bendis v. Singer, 19-CV-01405-LHK (N.D. Cal.)
Berman-Cheung v. Cook Grp., Inc., 17-CV-02564-LHK (N.D. Cal.)
Burgess v. Otto Bock Healthcare, 14-CV-00302-EJD (N.D. Cal.)
Elias v. Hewlett-Packard Co., 12-CV-00421-BLF (N.D. Cal.)
Est. of Criswell v. Prudential Ins. Co. of Am., 17-CV-01843-LHK (N.D. Cal.)
Ferranti v. Hewlett-Packard Co., 13-CV-03847-EJD (N.D. Cal.)
Fisher v. eBay, Inc., 17-CV-04623-LHK (N.D. Cal.)
Gordon v. Stanford Med. Chief, 20-CV-01591-LHK (N.D. Cal.)
Hewlett-Packard Co. & Consol. Subsidiaries v. United States, 09-CV-02882-JW (N.D. Cal.)
In re Application of Hewlett-Packard Co., 13-MC-80266-RMW (N.D. Cal.)
Johnson v. Colvin, 13-CV-03967-RMW (N.D. Cal.)
Masuda v. Packard Children's Hosp. at Stanford, 20-CV-09389-LHK (N.D. Cal.)
Mullins v. HP, Inc., 17-CV-00141-CRB (N.D. Cal.)
Pauly v. Stanford Hosp., 10-CV-05582-SI (N.D. Cal.)
Perez v. DXC Tech. Servs. LLC, 17-CV-06066-BLF (N.D. Cal.)

Petroleos Mexicanos v. Hewlett-Packard Co., 14-CV-05292-BLF (N.D. Cal.)
Romero v. HP Inc., 16-CV-05415-EJD (N.D. Cal.)
Santa Clara Valley Hous. Grp., Inc. v. United States, 08-CV-05097-WHA (N.D. Cal.)
Sebastian v. Lucile Packard Children's Hosp., 14-CV-01941-BLF (N.D. Cal.)
SoftVault Sys., Inc. v. HP Inc., 16-CV-00379-JSW (N.D. Cal.)
Spansion LLC v. Samsung Elecs. Co. Ltd., 10-CV-03446-JF (N.D. Cal.)
Stanford Healthcare v. Humana Ins. Co., Inc., 18-CV-06706-LHK (N.D. Cal.)
Stanford Health Care v. Usable Mut. Ins. Co., 17-CV-01644-LHK (N.D. Cal.)
Stanford Hosp. & Clinics v. Haw. Mgmt. All. Assoc., 12-CV-05273-WHA (N.D. Cal.)
Stanford Hosp. & Clinics v. Premera Blue Cross, 15-CV-01809-BLF (N.D. Cal.)
Tamara v. Bd. of Dirs. of Stanford Hosp. & Clinics, 15-CV-02158-EJD (N.D. Cal.)
Taylor v. Bd. of Trs. of Leland Stanford Jr. Univ., 18-CV-05248-LHK (N.D. Cal.)
Tricome v. eBay, Inc., 10-CV-03214-JF (N.D. Cal.)
United States v. Breejen, 14-CR-00501-BLF (N.D. Cal.)
United States v. Kalbasi, 15-CR-00365-BLF (N.D. Cal.)
United States v. Masoud, 14-CR-00069-DLJ (N.D. Cal.)
United States v. Pathan, 11-CR-00352-EJD (N.D. Cal.)
United States v. Shaikh, 09-CR-01049-EJD (N.D. Cal.)
United States v. Stringer, 11-CR-00116-EJD (N.D. Cal.)
Velasquez v. Stanford Hosp. & Clinics, 18-CV-03227-LHK (N.D. Cal.)
Webber v. Hewlett-Packard Co., 14-CV-01724-EJD (N.D. Cal.)
Xilinx, Inc. v. Invention Inv. Fund I LP, 11-CV-00671-EJD (N.D. Cal.)
York Cty. on behalf of Cty. of York Ret. Fund v. HP Inc., 20-CV-07835-JSW (N.D. Cal.)
Zepeda v. Paypal, Inc., 10-CV-02500-SBA (N.D. Cal.)

I recused myself *sua sponte* in the following cases because my husband, as an Associate Justice of the Supreme Court of California, had denied habeas relief:

Bautista v. Koenig, 20-CV-01893-LHK (N.D. Cal.)
Bennett v. Asuncion, 16-CV-01918-LHK (N.D. Cal.)
Bennett v. Asuncion, 17-CV-06821-LHK (N.D. Cal.)
Brooks v. Lozano, 20-CV-01711-LHK (N.D. Cal.)
Cerda v. Biter, 16-CV-05203-LHK (N.D. Cal.)
Clay v. Neuschnid, 19-CV-06320-LHK (N.D. Cal.)
Cook v. Foss, 20-CV-01119-LHK (N.D. Cal.)
Cooper v. Davis, 20-CV-03253-LHK (N.D. Cal.)
Cormier v. Neuschmid, 19-CV-00916-LHK (N.D. Cal.)
Farrish v. Sherman, 14-CV-01263-LHK (N.D. Cal.)
Fuller v. Muniz, 18-CV-06379-LHK (N.D. Cal.)
Gates v. Neuschnid, 19-CV-07780-LHK (N.D. Cal.)
Gutierrez v. Sullivan, 20-CV-05594-LHK (N.D. Cal.)
Hedgepeth v. Madden, 20-CV-0858-LHK (N.D. Cal.)
Helms v. Madden, 18-CV-1740-LHK (N.D. Cal.)
Herrera v. Foss, 18-CV-06757-LHK (N.D. Cal.)
Hoover v. Arnold, 17-CV-05721-LHK (N.D. Cal.)

Hoover v. Koenig, 19-CV-08352-LHK (N.D. Cal.)
Jenkins v. Bloom, 20-CV-03251-LHK (N.D. Cal.)
Johnson v. Spearman, 17-CV-00429-LHK (N.D. Cal.)
Johnson v. Tampkins, 17-CV-00385-LHK (N.D. Cal.)
Kamfolt v. Lizarraga, 17-CV-00970-LHK (N.D. Cal.)
Kester v. Warden of Salinas Valley State Prison, 16-CV-00700-LHK (N.D. Cal.)
Lopez v. Muniz, 17-CV-03390-LHK (N.D. Cal.)
Martinez v. Spearman, 20-CV-07025-LHK (N.D. Cal.)
Masters v. Broomfield, 20-CV-08206-LHK (N.D. Cal.)
McDaniels v. Espinoza, 18-CV-03495-LHK (N.D. Cal.)
McGowan v. Davis, 18-CV-05556-LHK (N.D. Cal.)
Mendoza v. Holland, 15-CV-05620-LHK (N.D. Cal.)
Molina v. Muniz, 16-CV-00207-LHK (N.D. Cal.)
Montalbo v. Frauenheim, 15-CV-05372-LHK (N.D. Cal.)
Murray v. Lozano, 20-CV-00471-LHK (N.D. Cal.)
Parineh v. Martel, 18-CV-01002-LHK (N.D. Cal.)
Pearson v. Davis, 18-CV-06651-LHK (N.D. Cal.)
Perez v. DuCart, 15-CV-02010-JSW (N.D. Cal.)
Poletti v. Hatton, 17-CV-01936-LHK (N.D. Cal.)
Prescott v. Santoro, 16-CV-01359-LHK (N.D. Cal.)
Reta v. Ndoh, 19-CV-03140-LHK (N.D. Cal.)
Robinson v. Warden, 14-CV-4797-LHK (N.D. Cal.)
Rodewald v. Lizarraga, 18-CV-02513-LHK (N.D. Cal.)
Rogers v. Kibler, 21-CV-04972-LHK (N.D. Cal.)
Sanchez v. Koenig, 20-CV-02610-LHK (N.D. Cal.)
Smith v. Sullivan, 17-CV-01900-LHK (N.D. Cal.)
Thomas v. Foss, 19-CV-08142-LHK (N.D. Cal.)
Thomas v. Santoro, 16-CV-05646-LHK (N.D. Cal.)
Tidwell v. Davis, 17-CV-00903-LHK (N.D. Cal.)
Torres v. Frauenheim, 16-CV-06054-LHK (N.D. Cal.)
Turner v. Neuschmid, 20-CV-06324-LHK (N.D. Cal.)
Valadez v. Frauenheim, 19-CV-06649-LHK (N.D. Cal.)
Vinyard v. Asuncion, 17-CV-01937-LHK (N.D. Cal.)
Vu v. Rackley, 16-CV-06600-LHK (N.D. Cal.)
Watts v. Black, 20-CV-00568-LHK (N.D. Cal.)
West v. Hatton, 17-CV-01440-LHK (N.D. Cal.)
Westover v. Hatton, 16-CV-07404-LHK (N.D. Cal.)
Whitfield v. Pfeiffer, 18-CV-07106-LHK (N.D. Cal.)
Womack v. Warden, 18-CV-01636-LHK (N.D. Cal.)

I recused myself *sua sponte* in the following case because my husband, as an Associate Justice of the Supreme Court of California, had ruled on the writ of mandate and granted the petition for review:

Chatman v. Chappell, 07-CV-00640-LHK (N.D. Cal.)

I recused myself *sua sponte* in the following case because the State Bar of California is an administrative arm of the Supreme Court of California where my husband is an Associate Justice:

Vartanian v. State Bar of Cal., 18-CV-00826-LHK (N.D. Cal.)

I recused myself *sua sponte* in the following case when the plaintiff informed me that my former law firm had represented a party in a related case:

Dillon v. Cont'l Cas. Co., 10-CV-05238-EJD (N.D. Cal.)

I recused myself *sua sponte* in the following cases where I was a member of an organization that was named as a proposed *cy pres* recipient of class action settlement funds:

C.M.D. v. Facebook, Inc., 12-CV-01216-RS (N.D. Cal.)

Fraley v. Facebook, 11-CV-01726-RS (N.D. Cal.)

I recused myself *sua sponte* in the following cases where the California Superior Court for the County of Santa Clara, its judges with whom I served, and/or I was named as a defendant, or where an order I had issued as a Superior Court Judge was directly related to the federal case:

Beaujayan v. Manoukian, 11-CV-05710-SI (N.D. Cal.)

Hiramanek v. Clark, 13-CV-00228-RMW (N.D. Cal.)

Marosi v. Rushing, 13-CV-05198-RS (N.D. Cal.)

Merritt v. McKenney, 13-CV-01391-JSW (N.D. Cal.)

Morris v. Koh, 15-CV-01689-JD (N.D. Cal.)

Morris v. Sandoval, 12-CV-06132-JD (N.D. Cal.)

Ou-Young v. Roberts, 14-MC-80017-RMW (N.D. Cal.)

P. v. Terman Apartments, 12-CV-00256-JST (N.D. Cal.)

Sepehry-Fard v. Dep't Stores Nat'l Bank, 13-CV-03131-WHO (N.D. Cal.)

Shao v. Wang, 14-CV-01912-WBS (N.D. Cal.)

I recused myself *sua sponte* in the following cases involving the Internal Revenue Service (“IRS”) during the time the IRS examined my husband’s and my 2007 federal income tax return, which we had timely filed. The IRS requested additional information about the mortgage interest expense deductions on our primary residence, which we sold in 2007. Stanford University issues Deferred Interest Program loans to its faculty members for their primary residence. My husband had received such a loan because he was on the Stanford faculty. After we provided the additional information, the IRS accepted our mortgage interest expense deductions and 2007 tax return:

United States v. Genov, 10-CV-03340-RMW (N.D. Cal.)

United States v. Mahallati, 11-CV-01840-JF (N.D. Cal.)

United States v. Udovich, 10-CV-04094-JW (N.D. Cal.)

I recused myself *sua sponte* in the following cases because I learned sensitive information about the defendants when handling representation issues in the criminal case:

Bridges v. Geringer, 13-CV-01290-EJD (N.D. Cal.)

SEC v. GLR Cap. Mgmt., LLC, 12-CV-02663-EJD (N.D. Cal.)

United States v. Geringer, 12-CR-00888-EJD (N.D. Cal.)

I recused myself *sua sponte* in the following case because a named party was an employee in our courthouse:

Younger v. Michael & Assocs., P.C., 13-CV-01680-YGR (N.D. Cal.)

I recused myself *sua sponte* in the following case because the defendant physically attacked a Deputy United States Marshal in the San Jose Courthouse:

United States v. Gonzalez, 17-CR-00436-LHK (N.D. Cal.)

I recused myself *sua sponte* in the following cases because the *pro se* litigants sued me for prior rulings in their cases:

Ilaw v. CVS Retail, 20-CV-02183-LHK (N.D. Cal.)

Ilaw v. Littler Mendelson, PC, 20-CV-03566-LHK (N.D. Cal.)

In re: Ou-Young, 15-MC-80033-EJD (N.D. Cal.)

Magee v. Koh, 18-CV-02363-LHK (N.D. Cal.)

Magee v. Reardon, 18-CV-00672-LHK (N.D. Cal.)

Ou-Young v. Leavy, 19-CV-07232-LHK (N.D. Cal.)

Ou-Young v. Stone, 19-CV-07231-LHK (N.D. Cal.)

United States v. Ou-Young, 17-CR-00263-LHK (N.D. Cal.)

Van v. Black Angus Steakhouses, LLC, 17-CV-06329-LHK (N.D. Cal.)

Van v. Wal-Mart Stores, Inc., 08-CV-05296-PSG (N.D. Cal.)

I recused myself *sua sponte* in the following case because the defendant and his counsel discussed in open court their disagreements about the merits of pretrial motions that the defendant wanted filed:

United States v. Daniels, 19-CR-00709-LHK (N.D. Cal.)

I recused myself in advance of a motion for reassignment being heard because the parties and I discussed the substance of the case at a status conference:

United States v. Gomez, 11-CR-00955-DLJ (N.D. Cal.)

I recused myself *sua sponte* in the following case because a party had signed the

Congressional Asian Pacific American Caucus's letter in support of my then-pending Ninth Circuit nomination:

Mike Honda for Congress v. Parvizshahi, 16-CV-5416-EJD (N.D. Cal.)

I recused myself *sua sponte* in the following cases because a friend's spouse was a party or worked for a party:

Navigant Consulting, Inc. v. Navigant Solutions, LLC, 16-CV-00126-SBA (N.D. Cal.)

Yaron v. Intersect ENT, Inc., 19-CV-2647-JSW (N.D. Cal.)

In the following cases, a motion for recusal was filed, which I denied upon finding that the motion was frivolous:

Balik v. City of Cedar Falls, 16-CV-04070-LHK (N.D. Cal.)

Burkhart v. Gonzalez, 10-CV-01967-LHK (N.D. Cal.)

Ciampi v. City of Palo Alto, 09-CV-02655-LHK (N.D. Cal.)

Davis v. U.S. Olympic Comm., 12-CV-02999-LHK (N.D. Cal.)

In re: High-Tech Emp. Antitrust Litig., 11-CV-02509-LHK (N.D. Cal.)

Ou-Young v. Vasquez, 12-CV-02789-LHK (N.D. Cal.)

Sepehry-Fard v. Select Portfolio Serv., Inc., 14-CV-05142-LHK (N.D. Cal.)

Shao v. McManis Faulkner, LLP, 14-CV-01137-LHK (N.D. Cal.)

Wilkins v. Picetti, 10-CV-02818-LHK (N.D. Cal.)

As a California Superior Court Judge, I recused myself *sua sponte* in the following cases where a party was on my automatic recusal list, where there was an appearance by an attorney who had previously represented a relative of mine, or where an attorney was a close friend:

Bd. of Trs. of Stanford Univ. v. Ham, 1-10-CV-171121 (Cal. Super. Ct.)

People v. Atwal, CC778468 (Cal. Super. Ct.)

People v. Barajas, CC772683 (Cal. Super. Ct.)

People v. Garcia, CC772756 (Cal. Super. Ct.)

People v. Rimola, CC789359 (Cal. Super. Ct.)

Stanford Hosp. & Clinics v. Trevino, 1-10-CH-002878 (Cal. Super. Ct.)

Stanford Hosp. & Clinics v. Trevino, 1-10-CH-002894 (Cal. Super. Ct.)

Stanford Univ. v. Cruz, 1-09-CH-002705 (Cal. Super. Ct.)

Stanford Univ. v. Robert, 1-10-CH-002968 (Cal. Super. Ct.)

Watson Court Holdings v. Hirsch Cap. Corp., 1-09-CV-134746 (Cal. Super. Ct.)

Yam v. Robert, 1-10-CH-003075 (Cal. Super. Ct.)

I recused myself *sua sponte* in the following case where one of the parties repeatedly sent me disturbing letters:

E. Side Union High Sch. v. Sendejo, 1-10-CH-002884 (Cal. Super. Ct.)

Having searched my files, as well as the Santa Clara Superior Court's Criminal Justice Information Control Database, I have not identified further specific instances in which I recused myself *sua sponte*. However, I recall *sua sponte* recusing myself in a few additional cases where there was an appearance by an attorney who had previously represented another relative of mine.

In addition to these recusals, California Code of Civil Procedure ("CCCP") § 170.6 gives litigants a process by which they may disqualify a state court judge without any showing of cause. Such disqualifications are fairly routine in Santa Clara Superior Court. Defense counsel filed CCP § 170.6 motions in the following cases, which, except for one, were therefore automatically reassigned.

Deutsche Bank Nat'l Trust Co. v. Mesbahi, 1-10-CV-162871 (Cal. Super. Ct.)
Fan v. Arredondo, 1-10-CH-002934 (Cal. Super. Ct.)
Goldberg v. Campbell, 1-10-CH-002923 (Cal. Super. Ct.)
HSBC Bank USA v. Dang, 1-10-CV-164334 (Cal. Super. Ct.)
People v. Duffy, BB940994 (Cal. Super. Ct.) (I denied the § 170.6 motion as untimely, and the case was not automatically reassigned)
People v. Macareno, BB942323 (Cal. Super. Ct.)
People v. McAvoy, CC812306 (Cal. Super. Ct.)
People v. Moreno, BB411706 (Cal. Super. Ct.)
People v. Williams, CC806274 (Cal. Super. Ct.)
People v. Woo, CC817370 (Cal. Super. Ct.)
Pham v. Avila, 1-10-CV-167646 (Cal. Super. Ct.)
Ragonesi v. Abernerthy, 1-10-CV-169449 (Cal. Super. Ct.)
Thrappas v. Taylor, 1-10-CV-169146 (Cal. Super. Ct.)
Tragoutsis v. Castillo, 1-10-CV-166945 (Cal. Super. Ct.)
Wachovia Mortg., FSB v. Guancione, 1-09-CV-157228 (Cal. Super. Ct.)
Weaver Land Corp. v. Rios, 1-10-CV-166451 (Cal. Super. Ct.)

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 any public office other than judicial 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.

Women for Obama, Northern California, Summer and Fall 2007. As a volunteer, I participated in an organizational meeting and some conference calls and helped recruit people to attend a fundraising event.

Kerry-Edwards Presidential Campaign, Las Vegas, Nevada, October 2004. As a volunteer, I walked precincts to hand out literature and canvass potential voters.

John Chiang for California State Controller, March 2006. As a volunteer, I hosted a fundraiser at my home.

Margaret Abe-Koga for City Council of Mountain View, California, Fall 2004. As a volunteer, I hosted a meet and greet/fundraiser at my home.

Democratic National Convention, Los Angeles, California, August 2000. As a volunteer, I filled convention packets, and I believe I was designated as a driver, but I do not recall driving anyone.

Barbara Boxer Senatorial Re-Election Campaign, Los Angeles, California, 1998. As a volunteer, I participated in phone banking, mailed solicitations, and attended various campaign events.

Dukakis Presidential Campaign 1987 – 1988, Boston, Massachusetts and New Hampshire. As a volunteer, I helped coordinate campaign efforts at various college campuses across the nation, and I participated in door-to-door canvassing in New Hampshire.

Dukakis Gubernatorial Re-Election Campaign, Cambridge and Boston, Massachusetts, 1986. As a volunteer, I distributed leaflets at events and held signs on election day.

James R. Jones Senatorial Campaign, Oklahoma, 1986. As a volunteer, I distributed leaflets at air shows, sheep shows, and other community events.

Cleveland County Democratic Party Headquarters, Norman, Oklahoma 1986. As a volunteer, I participated in phone banking.

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;

I have never practiced law alone.

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

1993 – 1994

United States Senate, Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, District of Columbia 20510
Women's Law and Public Policy Fellow

1994 – 1997

United States Department of Justice
950 Pennsylvania Avenue, Northwest
Washington, District of Columbia 20530
Special Assistant to the Deputy Attorney General (1996 – 1997)
Special Counsel, Office of Legislative Affairs (1994 – 1996)

1997 – 2000

Office of the United States Attorney, Central District of California
312 North Spring Street, Suite 1200
Los Angeles, California 90012
Assistant United States Attorney

2000 – 2002

Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, California 94304
Senior Associate

2002 – 2008

McDermott Will & Emery LLP
275 Middlefield Road, Suite 100
Menlo Park, California 94025
Partner

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

I have not mediated cases outside of my role as a judge.

b. Describe:

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

Following my graduation from law school in 1993 until 1997, I worked on federal legislation and the implementation and enforcement of federal laws on a fellowship with United States Senate Judiciary Committee staff and as an attorney with the United States Department of Justice. From 1997 to 2000, I was a federal criminal prosecutor. From 2000 to 2008, I was in private practice as a civil litigator. From 2008 to 2010, I served as a Judge of the Superior Court of California. Since June 2010, I have served as a United States District Court Judge.

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

As an Assistant United States Attorney, I represented the United States in criminal trials and appeals involving bank robberies, narcotics trafficking, securities and tax fraud, and immigration. In the private sector, I specialized in intellectual property and business litigation. I represented individuals as well as big and small high technology and biotech companies, as both plaintiffs and defendants.

- 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.

As an Assistant United States Attorney from 1997 through 2000, my practice was exclusively criminal prosecution, and I appeared in court frequently. While in private practice from 2000 through 2008, my practice was exclusively civil litigation, and I appeared in court occasionally.

- i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 90% |
| 2. state courts of record: | 5% |
| 3. other courts: | 0% |
| 4. administrative agencies: | 5% |

- ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 66% |
| 2. criminal proceedings: | 34% |

- 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 tried seven cases as counsel (three as sole counsel and four as co-counsel).

- i. What percentage of these trials were:
- | | |
|--------------|-----|
| 1. jury: | 43% |
| 2. non-jury: | 57% |

- 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.

Convolve Inc. v. Seagate Tech., LLC, 2008 WL 194293 (brief in opposition to certiorari), *cert. denied*, 552 U.S. 1230 (2008)

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

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

1. *Audio MPEG, Inc. v. Creative Labs, Inc.*, No. 05 cv 185 JBF/FBS (E.D. Va.)

Audio MPEG sued my client, Creative, for alleged patent infringement. I managed the litigation team for Creative and drafted a motion to dismiss on grounds that the foreign owners of the patents were not party to the case. The district court ruled that joinder of the patent owners was required. On subsequent reference to a magistrate judge for settlement, I prepared Creative's presentation and engaged in several days of negotiations. The parties settled, and the case was dismissed.

I was counsel in this case from 2005 to 2006. The District Judge was Hon. Jerome B. Friedman. The Magistrate Judge was Hon. F. Bradford Stillman.

Co-Counsel:

Terrence P. McMahon (retired)

Dana J. Finberg
O'Hagan Meyer
221 Caledonia Street
Sausalito, CA 94965
(415) 578-6902

Opposing Counsel:

Laura P. Masurovsky
Finnegan, Henderson, Farabow, Garrett & Dunner LLP
901 New York Avenue, Northwest
Washington, DC 20001
(202) 408-4043

2. *Creative Tech. Ltd. v. Apple Comput., Inc.*, No. C06-03218 SBA (N.D. Cal.)

I represented Creative Technology in this suit against Apple Computer in the Northern District of California (No. C06-03218 SBA). Creative claimed patent infringement in connection with the user interface of the iPod. Apple then sued Creative in three separate cases in the Eastern District of Texas (Nos. 9:06-CV-114, 9:06-CV-149, and 9:06-CV-150) and in one case in the Western District of Wisconsin (No. 06-C-0263-C). I was a managing counsel for these five district court cases and two related complaints before the United States International Trade Commission. Ultimately, the parties reached a settlement in which Apple agreed to pay Creative \$100 million to license the relevant patent.

I was counsel in these cases in 2006. The District Judges were Hon. Sandra Brown Armstrong (N.D. Cal.), Hon. Barbara B. Crabb (W.D. Wis.), and Hon. Ron Clark (E.D. Tex.).

Co-Counsel:

Terrence P. McMahon (retired)

Mark Davis
Jenner & Block
1099 New York Avenue, Northwest, Suite 900
Washington, DC 20001
(202) 639-6057

Opposing Counsel:

Robert G. Krupka
Sonitor Technologies, Inc.
6897 Grenadier Boulevard, Unit 1004
Naples, FL 34108

(310) 770-5069

3. *Freedom Wave LLC v. Logitech, Inc.*, No. CV04-9862 JFW (MANx) (C.D. Cal.)

Freedom Wave sued my client, Logitech, for alleged patent infringement. I was primary counsel. At an early stage, I persuaded Freedom Wave to dismiss its complaint against Logitech's parent company. During the litigation, the U.S. Patent and Trademark Office agreed to reexamine the validity of the contested patent, triggering a second lawsuit against Logitech for alleged infringement of another patent. We settled the case.

I was counsel in this case from 2004 to 2005. The District Judge was Hon. John F. Walter.

Co-Counsel:

Peter Chen
Covington & Burling LLP
3000 El Camino Real
5 Palo Alto Square
Palo Alto, CA 94306
(650) 632-4700

Opposing Counsel:

Marc A. Fenster
Russ, August & Kabat
12424 Wilshire Boulevard, 12th Floor
Los Angeles, CA 90025
(310) 826-7474

4. *Gart v. Micro Innovations Corp.*, No. CV 03-4320 CBM (Mcx) (C.D. Cal.)

Plaintiff Gart sued my client, Micro Innovations, for alleged patent infringement. As primary counsel, I drafted the claim construction briefs. I coordinated litigation strategy with co-defendants International Business Machines Corporation and Microsoft Corporation. The plaintiff opposed a *Markman* hearing on the theory that some claims had been construed previously in another case on which I had also worked. I successfully briefed and argued this issue. The parties then settled.

I was counsel in this case from 2003 to 2004. The District Judge was Hon. Consuelo B. Marshall.

Co-Counsel:

Robert Blanch
(formerly with McDermott Will & Emery LLP)
13th Judicial District Attorney's Office
515 West High Street
P.O. Box 637

Grants, NM 87020
(505) 285-4627

Opposing Counsel:

John B. Sganga, Jr.
Knobbe, Martens, Olson & Bear, LLP
2040 Main Street, 14th Floor
Irvine, CA 92614
(949) 760-0404

Counsel for Co-Defendants:

Robert W. Stone (for co-defendant International Business Machines)
Quinn Emanuel Urquhart & Sullivan, LLP
555 Twin Dolphin Drive, Fifth Floor
Redwood Shores, CA 94065
(650) 801-5000

James S. Blackburn (for co-defendant Microsoft)
Arnold & Porter Kaye Scholer LLP
777 South Figueroa Street, 44th Floor
Los Angeles, CA 90017
(213) 243-4063

5. *In re Seagate Tech., LLC*

I was a managing counsel for defendant Seagate Technology in this patent infringement case involving disk drive technology. I reviewed and revised pleadings in the case and drafted some summary judgment motions. After discovery, the plaintiffs dropped one of the three asserted patents and ten of the 25 alleged trade secrets. The district court also granted our summary judgment motion eliminating tort and punitive damages. *Convolve, Inc. v. Compaq Comput. Corp.*, No. OOCV5141 (GBD), 2006 U.S. Dist. LEXIS 13848 (S.D.N.Y. Mar. 29, 2006). In 2006, we successfully petitioned the Court of Appeals for the Federal Circuit for a writ of mandamus. The Federal Circuit's landmark *en banc* ruling overturned the 24-year-old standard for willful patent infringement by shifting the burden of proof regarding willful infringement from the defendant back to the patent owner. *In re Seagate Tech., LLC*, 497 F.3d 1360 (Fed. Cir. 2007).

In response to the Federal Circuit's decision, the plaintiffs filed a petition for a writ of certiorari to the U.S. Supreme Court. In our brief in opposition, we argued that the plaintiffs' petition was not ripe for review, that the petition presented questions that were not before the Federal Circuit, and that the petition was unavailing on the merits. In 2008, the U.S. Supreme Court denied the plaintiffs' petition for a writ of certiorari. *Convolve Inc. v. Seagate Tech., LLC*, 552 U.S. 1230 (2008).

I was counsel in this case from May 2003 to January 2008. The Federal Circuit opinion was *en banc*. The District Judge was Hon. George B. Daniels.

Co-Counsel:

Terrence P. McMahon (retired)

Stephen J. Akerley
Interdigital
25 Clouds Way
Hockessin, DE 19707
(302) 281-3670

Opposing Counsel:

Debra Brown Steinberg (retired)

Counsel for Co-Defendant Compaq:

Robert Goldman
(formerly Fish & Neave)
Ropes & Gray LLP
128 Primrose Way
Palo Alto, CA 94303
(650) 617-4000

6. *United States v. Johnson*, CR96-567-ABC (C.D. Cal. 1997)

I represented the United States in this eight-day criminal jury trial against four defendants charged with conspiracy to distribute cocaine. The jury convicted all four defendants. Defendant R. Johnson was sentenced to 168 months of imprisonment, defendant Cortez was sentenced to 121 months of imprisonment, defendant Whitfield was sentenced to 37 months of imprisonment, and defendant L. Johnson was sentenced to 27 months of imprisonment. Defendant R. Johnson appealed his conviction and sentence, which the Ninth Circuit affirmed. 176 F.3d 485 (9th Cir. 1999). Defendant Cortez appealed his conviction and sentence. The Ninth Circuit affirmed the conviction, but vacated the sentence, so that the court could make the proper advisement and inquiry regarding the defendant's prior conviction. 17 F. App'x 521 (9th Cir. 2001). Cortez was eventually resentenced to 121 months of imprisonment. My co-counsel and I jointly drafted the appellate briefs for both of the defendants' appeals.

I was counsel in this case from 1997 to 2000. The District Judge was Hon. Audrey B. Collins. The Court of Appeals panel for defendant R. Johnson was composed of Circuit Judges Nelson, Fernandez, and W. Fletcher. The Court of Appeals panel for defendant Cortez was composed of Circuit Judges O'Scannlain, Silverman, and Gould.

Co-Counsel:

Hon. Lee S. Arian
(formerly with U.S. Attorney's Office)
California Superior Court, County of Los Angeles
Chatsworth Courthouse

9425 Penfield Avenue
Chatsworth, CA 91311
(818) 407-2200

Defendants' Counsel:

Judith Rochlin (for defendant R. Johnson)
Law Office of Judith Rochlin
11209 National Boulevard, Suite 420
Los Angeles, CA 90064
(310) 473-6208

William S. Pitman (for defendant Cortez)
Law Offices of William S. Pitman
65 North Raymond Avenue, Suite 320
Pasadena, CA 91103
(213) 629-0272

Dean Gits (for defendant T. Johnson) (deceased)

Michael J. Treman (for defendant Whitfield) (deceased)

7. *United States v. Mitchell*, CR99-31-RAP (C.D. Cal. 1999)

I represented the United States in this four-day criminal jury trial regarding possession of counterfeit currency with intent to defraud. The defendant represented himself, raising special challenges for me as prosecutor and for the district court to ensure the defendant a full and fair trial. The jury found the defendant guilty. The defendant was sentenced to 21 months of imprisonment.

I was counsel in this case in 1999. The District Judge was Hon. Richard A. Paez. I was sole trial counsel. The defendant was *pro se*.

8. *United States v. Mohammad*, CR97-750-R (C.D. Cal. 1997)

I represented the United States in this four-day criminal jury trial against three defendants charged with possession of a methamphetamine precursor. Defendant Mohammad pleaded guilty prior to trial but appealed his sentence of 70 months of imprisonment, which the Ninth Circuit affirmed. 172 F.3d 60 (9th Cir. 1999). Defendant Mustafa pleaded guilty during trial, but appealed his conviction and sentence of 78 months of imprisonment. On appeal, I conceded that defendant Mustafa's case should be remanded for resentencing. The Ninth Circuit affirmed the conviction but vacated his sentence and remanded for him to obtain substitute sentencing counsel. 172 F.3d 60 (9th Cir. 1999). The district court sentenced defendant Mustafa to 78 months of imprisonment at resentencing. After trial, the jury found defendant Talliti guilty as charged, and he was sentenced to 76 months of imprisonment. Defendant Talliti appealed his conviction and sentence, which the Ninth Circuit affirmed. 221 F.3d 1349 (9th Cir. 2000). I was the

sole prosecutor at trial and on appeal. I wrote all the appellate briefs and argued before the Ninth Circuit in defendant Talliti's case.

I was counsel in this case from 1997 to 2000. The District Judge was Hon. Manuel L. Real. The Court of Appeals panel for defendants Mohammad and Mustafa was composed of Circuit Judges Brunetti, McKeown, and Magill. The Court of Appeals panel for defendant Talliti was composed of Circuit Judges Fernandez and Wardlaw and District Judge Weiner.

Defendants' Counsel:

Richard M. Steingard (for defendant Mohammad)
Law Offices of Richard M. Steingard
800 Wilshire Boulevard, Suite 1050
Los Angeles, CA 90017
(213) 260-9449

Alan R. Chappell (for defendant Mustafa)
Rich & Chappell
3648 Foothill Boulevard
Glendale, CA 91214
(818) 541-1149

Lawrence R. Young (for defendant Talliti)
4466 Kensington Road
Los Angeles, CA 90066
No phone number available

9. *United States v. Stapleton*, SA CR 99-47(A)-GLT (C.D. Cal.)

I represented the United States in a telemarketing fraud case against seven defendants that resulted in a \$5 million loss to victims. Three defendants pleaded guilty prior to trial. After a 14-day criminal jury trial, the jury found the remaining four defendants guilty as charged. Defendant Stapleton was sentenced to 46 months of imprisonment, defendant Klatter was sentenced to 51 months of imprisonment, defendant Long was sentenced to 37 months of imprisonment, and defendant Perkins was sentenced to 57 months of imprisonment. I drafted the jury instruction for this trial, which was adopted as Ninth Circuit Model Criminal Jury Instruction 8.101A (Scheme to Defraud—Vicarious Liability). Defendant Stapleton appealed his conviction, which the Ninth Circuit affirmed. 293 F.3d 1111 (9th Cir. 2002). My co-counsel drafted the appellate brief.

I was counsel in this case in 2000. The District Judge was Hon. Gary L. Taylor.

Co-Counsel:

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(310) 614-1284

Defendants' Counsel:

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Randolph K. Driggs (for defendant Perkins)
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10. *United States v. Zapata*, CR89-107-TJH (C.D. Cal. 1998)

I represented the United States in this one-day criminal bench trial for conspiracy to distribute and possess cocaine. This case was particularly challenging because the evidence was nearly a decade old. The defendant had fled the cocaine bust by seizing the car of an elderly man and had successfully eluded authorities for nine years. The court convicted the defendant, and the defendant was sentenced to 168 months of imprisonment. The defendant appealed his sentence. We conceded on appeal that the case should be remanded for resentencing. The Ninth Circuit affirmed in part, vacated in part, and remanded for resentencing. 185 F.3d 872 (9th Cir. 1999). The district court sentenced the defendant to 126 months of imprisonment at resentencing. My co-counsel and I jointly drafted the appellate brief.

I was counsel in this case from 1998 to 1999. The District Judge was Hon. Terry J. Hatter Jr. The Court of Appeals panel was composed of Circuit Judges O'Scannlain, Rymer, and Silverman.

Co-Counsel:

Pamela Johnston
(formerly with U.S. Attorney's Office)

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Defendant's Counsel:

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

As a Fellow with the United States Senate Judiciary Committee staff, I identified and interviewed hearing witnesses, worked on legislation, and researched nominees referred to the Committee. As an attorney with the United States Department of Justice, I advised and briefed the Attorney General and the Deputy Attorney General. As a federal prosecutor, I worked with federal law enforcement agents in investigating criminal activity. In the private sector, I advised clients on a variety of business and intellectual property matters that did not involve litigation.

As a California Superior Court Judge, I worked with defendants in Drug Court and Domestic Violence Court. I also presided over special criminal court sessions for homeless veterans at the 2009 South Bay Stand Down and 2008 East Bay Stand Down. As a U.S. District Judge, I have presided successfully over settlement conferences.

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

I have not taught any semester or quarter-long courses. I have taught sessions at the Stanford Law School Trial Advocacy Workshop, which are listed above in response to Question 12d.

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).

When my nomination is formally submitted to the Senate, I will file my Financial Disclosure Report and will supplement this Questionnaire with a copy of that 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 an Associate Justice on the Supreme Court of California. I currently recuse myself, and would continue to recuse myself, in any case in which he was involved. My husband teaches at Stanford Law School and has taught at Harvard Law School and New York University Law School. My husband serves on the Harvard Corporation and the William and Flora Hewlett Foundation Board. For many years, I served on the Board of Overseers Visiting Committee for Harvard Law School. As a result of these relationships, I recuse myself in any case involving these entities and would continue to do so. My brother-in-law is the Chief Data Officer at Hewlett Packard Enterprise, so I recuse myself from cases involving his company. I recuse myself from any cases involving three attorneys in the area with whom I have a close relationship. I would recuse myself from any case involving companies that manage the diversified mutual funds in which my husband and I invest. Should any other actual or potential conflicts of interest arise, I will adhere to the Code of Conduct

for United States Judges and other applicable authority regarding their resolution.

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

If confirmed, I will continue to abide by the Code of Conduct for United States Judges and other applicable authority in resolving any conflicts of interest.

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.

I consider pro bono activities and mentoring to be an important part of my commitment to the legal profession. Since law school, I have participated in pro bono, mentoring, and community activities in Massachusetts, Washington, D.C., and California. For example, as a law student, I represented Guatemalan and El Salvadoran asylum seekers through Cambridge and Somerville Legal Services. I also represented low income tenants facing eviction before local housing authorities through Harvard Law School's Tenant Advocacy Project. In Los Angeles I participated in the Korean American Bar Association of Southern California's Law Days where we provided free legal advice in Koreatown. And I have organized and volunteered at citizenship drives providing assistance to lawful permanent residents completing naturalization applications in Washington, D.C., and Los Angeles.

As a judge, I volunteered at criminal courts for homeless veterans at the 2008 East Bay Stand Down and 2009 South Bay Stand Down. I also trained to volunteer at Santa Clara County Superior Court's Outreach Court at a homeless shelter. Further, I have volunteered as a judge in numerous elementary, high school, and law school moot court and mock trial competitions.

To support the court's continuing community outreach efforts, I have hosted elementary, middle, high, and vocational school as well as college and law school students; Cub Scout and Boy Scout Troops; Boys and Girls Clubs; high school teachers; visiting foreign attorneys and judges; and English as a Second Language senior citizens in my courtroom to conduct mock trials, observe court, or discuss the court system. In addition, I have spoken on a panel at Joseph George Middle School in East San Jose and judged the 2009 Organization of Chinese Americans, Inc. Speak and Lead with Pride high school speech contest. Informally and through formal programs, including the Asian Pacific American Leadership Institute and various bar associations, I also have mentored high school, college, and law school students as well as lawyers and judges.

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.

Senator Dianne Feinstein has established a bipartisan Judicial Advisory Committee for screening and recommending candidates for the federal judiciary throughout California. I completed Senator Feinstein's application for nomination to the Ninth Circuit and submitted my application to the State Chair of Senator Feinstein's Judicial Advisory Committee on January 19, 2021. I updated my application on March 16, 2021, and April 13, 2021.

Senator Alex Padilla has established a bipartisan Judicial Evaluation Commission for screening and recommending candidates for the federal judiciary throughout California. On February 16, 2021, I completed Senator Padilla's application for nomination to the Ninth Circuit and submitted my application to the Statewide Chair of Senator Padilla's Judicial Evaluation Commission. I updated my application on April 15, 2021.

On May 28, 2021, an attorney from the White House Counsel's Office contacted me to confirm my interest in being considered for an opening on the Ninth Circuit. On June 7, 2021, an attorney from the White House Counsel's Office notified me that I would be considered for an opening on the Ninth Circuit. Since June 7, 2021, I have been in contact with attorneys from the Office of Legal Policy at the U.S. Department of Justice. On July 2, 2021, I was interviewed by Senator Padilla. On September 8, 2021, the President announced his intent to nominate 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.