

COMMISSION ON JUDICIAL SELECTION
APPLICATION
EIGHTH JUDICIAL DISTRICT COURT
DEPARTMENT IX

By

MARIA A. GALL
(Insert applicant name)



**SECTION I: PUBLIC INFORMATION
(QUESTIONS 1 THROUGH 47)**

Personal Information

1. Full Name:

Maria Alice Gall

**2. Have you ever used or been known by any other legal name (including a maiden name)?
If so, state name and reason for the name change and years used.**

Yes; I used the last name "Sermet" from 1999-2003 due to marriage; the court restored my maiden name "Gall" when it dissolved the marriage.

3. Work Address:

Ballard Spahr LLP
One Summerlin Plaza
1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135

4. How long have you been a continuous resident of Nevada?

I have continuously resided in Nevada since February 2016 (~6 years.)

5. Age:

41

Employment History

6. Using the format provided in Attachment "A" please start with your current employment or most recent employment, self-employment, and periods of unemployment for the 20 years immediately preceding the filing of this Application.

See Attachment A.

Educational Background

- 7. List names and addresses of high schools, colleges and graduate schools (other than law school) attended; dates of attendance; certificates or degrees awarded; reason for leaving.**

London School of Economics & Political Science
Houghton Street, London WC2A 2AE
United Kingdom
2011-2012 (coursework), 2013 (thesis)
MSc in Human Rights
Reason for leaving: Graduated

Vanderbilt University
Blair School of Music
2201 West End Avenue
Nashville, Tennessee 37235
1998-2002
B.Mus. in Musical Arts, magna cum laude
Reason for leaving: Graduated

North Hardin High School
801 S Logsdon Parkway
Radcliff, Kentucky 40160
1994-1998
Commonwealth Diploma
Reason for Leaving: Graduated

- 8. Describe significant high school and college activities including extracurricular activities, positions of leadership, special projects that contributed to the learning experience.**

During college many of my extracurricular activities centered around supporting and enhancing my classical music degree in piano performance, including participation in summer music festivals, such as the Mountain View Arts Festival in Alberta, Canada and the Blanche Bryden Sunflower Music Festival in Topeka, Kansas. I had to compete with many classical pianists from across North America for selection into these festivals. The festivals were important to my learning experience as a classical pianist because they provided intensive and in-depth instruction through workshops, master classes, lectures, and private lessons that gave me a wealth of information on technique, musicianship, intelligent practicing, and career opportunities. In addition, I served as a church pianist during college and acted as the accompanying pianist for the college's opera and musical theater programs, as well as its choirs—all to supplement my performance opportunities and repertoire.

I also helped establish a new degree concentration in collaborative arts and was the first person to earn a music degree from Vanderbilt University with the collaborative arts concentration.

The collaborative arts involve performance with other musicians, including chamber music, art-song, opera, and musical theatre. It is a field of study typically offered only at the graduate-school level. To get the concentration approved, I had to develop a curriculum alongside a faculty sponsor and present that curriculum for approval by the faculty.

Separate from music in college, I was involved in student government and served as treasurer of the Blair School of Music's student body, which allowed me to build relationships with other students and faculty, effect positive change within the college and across the university, and gain professional skills, such as effective verbal communication and collaboration.

During high school I participated in the school's marching band and served as treasurer of my senior class. The school's marching band enhanced my learning experience by providing me a musical foundation that complimented my training as a classical pianist. Compared with the solo world of the classical pianist, the marching band taught me the value of teamwork and collaboration with other students and musicians. Meanwhile, my work as treasurer of my senior class provided me skills in managing an organization's finances and serving as a fiduciary. As treasurer, I had to collect, maintain, and dispense class dues related to senior class activities and reconcile any credits and debits from the senior class account.

In addition to the above extracurricular activities within my high school, I participated in The Kentucky Governor's School for the Arts during my rising junior summer. Each summer, the School hosts high school students from across Kentucky for an immersive arts-centered residential program on a college campus. I competed for one of less than a dozen spots the School offered to pianists and was accepted. I also competed for and was accepted to participate as a percussionist. During my rising senior summer, I participated in The Kentucky Governor's Scholars Program—a summer residential program that strives to enhance Kentucky's next generation of civic and economic leaders. Each Kentucky high school selects candidates for the Program and sends those candidates to the district level. Each school district then sends its selected candidates to the state level. A statewide selection committee blindly reads the applications and makes finals decisions about who will attend the Program.

9. List names and addresses of law schools attended; degree and date awarded; your rank in your graduating class; if more than one law school attended, explain reason for change.

University of Kentucky
Rosenberg College of Law
Law Building
620 S. Limestone, Lexington, Kentucky 40508
J.D., cum laude (May 2006)
Rank: 13 out of 128

10. Indicate whether you were employed during law school, whether the employment was full-time or part-time, the nature of your employment, the name(s) of your employer(s), and dates of employment.

I was employed during the summers of my law school as follows:

Bass, Berry & Sims PLC

Summer Associate, Full-Time

06/2005 – 08/2005

(Bass, Berry & Sims is a full-service law firm of over 200 attorneys with its principal office in Nashville, Tennessee. During my time at the firm, I worked on a pro bono matter representing victims of human rights abuses that occurred in El Salvador during the early 1980s.)

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

Summer Associate, Full-Time

05/2005 – 06/2005

(Baker Donelson is a full service law firm of over 600 attorneys with its principal office in Memphis, Tennessee. During my time at the firm, I worked with its government relations and public policy group assisting clients with a variety of regulatory and policy issues.)

Stites & Harbison PLLC

Summer Associate, Full-Time

05/2004 – 08/2004

(Stites & Harbison is a full-service law firm of over 100 attorneys with one its principal office in Lexington, Kentucky. Stites & Harbison has a well-known equine law practice, and during my time at the firm, I had the opportunity to work on the syndication of race horses, through which investors become co-owners of fractional interests in a horse and share the cost of purchasing and maintaining the horse.)

11. Describe significant law school activities including offices held, other leadership positions, clinics participated in, and extracurricular activities.

During law school I served as the production editor of the *Kentucky Law Journal*, the school's flagship journal. As the production editor, I was responsible for ensuring that the entire production process ran smoothly and efficiently by controlling the flow, direction, and timing of production work. I helped choose content that would be featured in the *Journal* and worked with authors and staff to ensure that our publications met quality standards and required deadlines.

I participated in the law school's prison internship, and with the supervision of a practicing attorney, I assisted federal inmates with legal issues apart from the case for which they were incarcerated, such as family law matters, estate planning, and real estate. The prison internship taught me that inmates and their families continue to face real world problems despite being incarcerated and that they continue to need access to quality legal services as part of any rehabilitation effort.

As a rising 3L, I co-led the law school's 1L orientation program. I planned and executed the program from start to finish. I worked to foster 1L success and retention by ensuring that new students had access to accurate course and campus information, were paired with senior student mentors, and understood the demands of the first year of law school.

Law Practice

12. State the year you were admitted to the Nevada Bar.

2016

13. Name states (other than Nevada) where you are or were admitted to practice law and your year of admission.

Tennessee: 2006

New York: 2008

Kentucky: 2014 (reciprocity)

14. Have you ever been suspended, disbarred, or voluntarily resigned from the practice of law in Nevada or any other state? If so, describe the circumstance, dates, and locations.

No.

15. Estimate what percentage of your work over the last 5 years has involved litigation matters, distinguishing between trial and appellate courts. For judges, answer questions 16-20 for the 5 years directly preceding your appointment or election to the bench.

Nearly 100% of my work over the last 5 years has involved litigation matters, with 85% of that work involving trial courts and 15% percent of that work involving appellate courts. I have also counseled clients on many "one-off" matters in the last 5 years that have involved pre-litigation and non-litigation matters.

16. Estimate percentage of time spent on:

Legal Discipline	Percentage of Practice
Domestic/family	2-4% through my pro bono work with the Legal Aid Center of Southern Nevada
Juvenile matters	None
Civil litigation	96-98%
Criminal matters	None
Administrative litigation	None
Other: Please describe	None

17. In the past five years, what percentage of your litigation matters involved cases set for jury trials vs. non-jury trials?

Approximately 75% of my litigation matters involve cases set for jury trials, while approximately 25% involve cases set for bench trials (including arbitrations).

18. Give the approximate number of jury cases tried to a conclusion during the past five years with you as lead counsel. Give the approximate number of non-jury cases tried to a decision in the same period.

I have tried one non-jury case to conclusion as lead counsel in the past 5 years, while another case settled half-way through a two-week arbitration trial. I have not tried any jury cases to conclusion during the past 5 years. The majority of my work in the past 5 years has involved business-to-business disputes, and these cases often settle prior to trial on a business-minded basis. As a result, I have developed strong mediation and settlement skills, which I believe would be an asset to our court's settlement program. I firmly believe that alternative dispute resolution not only reduces the costs of litigation, but that it also enables the court to more easily deal with its caseload.

19. List courts and counties in any state where you have practiced in the past five years.

- State Courts:
 - Eighth Judicial District Court, Clark County, Nevada
 - Second Judicial District Court, Washoe County, Nevada
 - First Judicial District Court, Carson City, Nevada
 - Delaware Chancery Court
 - New York Supreme Court, Manhattan County
 - New York Supreme Court, Nassau County
 - Circuit Court of the 11th Judicial Circuit, Miami-Dade County
- Federal Courts:
 - Ninth Circuit Court of Appeals
 - U.S. District Court for the District of Nevada

- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Western District of Kentucky
- U.S. District Court for the Eastern District of Kentucky

20. List by case name and date the five cases of most significance to you (not including cases pending in which you have been involved), complete the following tables:

<p>Case 1</p> <p>Case name and date:</p> <p><i>Claudio Arellano, et al. v. Hygea Holdings Corp., et al.</i>, Case No. 18 OC 0071 1B, First Judicial District Court, Carson City, Nevada (filed Jan. 26, 2018)</p>
<p>Court and presiding judge and all counsel:</p> <p>First Judicial District Court, Judge James Wilson (transferred venue from Eighth Judicial District Court, Judge Nancy Allf)</p> <p>Plaintiffs’ counsel of record:</p> <ol style="list-style-type: none"> 1. Christopher D. Kaye, Esq., The Miller Law Firm 2. James W. Puzey, Esq., The Holley Driggs Firm (at the time of the case, Clark Vellis, Esq. was also counsel of record; Mr. Vellis is no longer associated with The Holley Driggs Firm) 3. G. Mark Albright, Esq. and D. Chris Albright, Esq., Albright Stoddard, Warnick & Albright <p>Defendants’ counsel of record:</p> <ol style="list-style-type: none"> 4. Maria A. Gall, Esq. and Joel E. Tasca, Esq., Ballard Spahr LLP (at the time of the case, Kyle A. Ewing, Esq. was also counsel of record; Mr. Ewing is no longer associated with Ballard Spahr LLP) 5. Severin A. Carlson, Kaempfer Crowell (at the time of the case, Tara Zimmerman, Esq. was also counsel of record; Ms. Zimmerman is no longer associated with Kaempfer Crowell)
<p>Importance of the case to you and the case’s impact on you:</p> <p>The <i>Arellano</i> case arose from a petition for the appointment of a NRS 78 receiver over a Nevada corporation. I represented the defendant corporation. The case is important to me for two primary reasons.</p> <p>First, <i>Arellano</i> is the first case I took from “cradle to grave” as lead counsel, meaning from pleadings to trial and then from appeal to remand. <i>Arellano</i> gave me the confidence to act as lead trial counsel, taught me how to be accountable for my strategic decisions, and</p>

challenged me to manage a team of attorneys for the singular purpose of achieving the client's goals.

Second, *Arellano* showed me that procedure matters by providing an opportunity to utilize not-often-used rules to obtain the best outcome for my defendant-client. The plaintiff-stockholders brought this case to impose a receiver over a financially distressed Nevada corporation in the healthcare industry. The imposition of a receiver is a drastic remedy, and the consequences of a receivership can be devastating for a healthcare company responsible for patient-lives. Accordingly, after plaintiffs moved for the imposition of a receiver *pendente lite*, I moved, and the court granted, my motion to consolidate the plaintiffs' injunction motion with trial of the matter under Rule 65. The consolidation was intended to shepherd the company through what it viewed as a meritless action as quickly as possible, because the threat of a receivership had constrained the company's ability to raise capital to address its financial needs. As a result of the Rule 65 consolidation, we were able to hold the trial of the matter within 4 months of the complaint and get the receivership denied.

Your role in the case:

Lead Counsel for Defendants/Respondents

Case 2

Case name and date:

Musclepharm Corporation, et al. v. The First Judicial District Court of the State of Nevada, et al., Nevada Supreme Court Case No. 79163 (filed Jul. 12, 2019)

Court and presiding judge and all counsel:

Nevada Supreme Court, Justices James W. Hardesty, Ron D. Parraguirre, and Elissa F. Cadish (the case below proceeded before the First Judicial District Court, Judge James Russell)

Petitioners' counsel of record:

1. Mark E. Kasowitz, Esq. and Gavin D. Schryver, Esq., Kasowitz Benson Torres LLP
2. Kirk B. Lenhard, Esq., Arthur A. Zorio, Esq., and Maximilien Fetaz, Esq., Brownstein Hyatt Farber Schreck, LLP
3. Joel W. Locke, Esq., Allison Mackenzie, Ltd.

Real Parties in Interest's counsel of record:

4. Maria A. Gall, Esq. and Burt M. Rublin, Esq, Ballard Spahr LLP (at the time of the original proceeding, Abran E. Vigil, Esq. and Kyle A. Ewing, Esq.

were also counsel of record; Messrs. Vigil and Ewing are no longer associated with Ballard Spahr LLP.)

Importance of the case to you and the case’s impact on you:

The *Musclepharm* case arose from stockholder allegations of mismanagement. I represented the plaintiff-stockholders who brought claims for breach of fiduciary duty and the appointment of a NRS 78 receiver after the corporation’s auditors resigned and the corporation failed to issue timely audited financials. In connection with their unclean hands defense, the defendants sought to discover communications between me and counsel for a plaintiff in a separate case against certain of the same defendants. I invoked the common interest privilege. The district court issued a protective order prohibiting production. In response, defendants petitioned the Nevada Supreme Court for a writ of mandamus to compel production.

The *Musclepharm* original proceeding is important to me because it not only gave me my first opportunity for oral argument before the Nevada Supreme Court, but it also let me advance three important issues for the Supreme Court’s consideration: (1) the appropriateness of writ relief to address discovery issues in light of a pending motion for the appointment of a NRS 78 receiver; (2) the scope of the unclean hands doctrine vis-à-vis counsel-to-counsel communications under the common interest privilege; and (3) the application of the common interest privilege as set forth in *Cotter v. Eighth Judicial Dist. Court of Nev.*, 134 Nev. Adv. Rep. 32 (2018), to the particular facts of the case.

I found the first issue regarding the appropriateness of writ relief particularly important given that Supreme Court intervention by way of a writ should be the exception and not the rule to ensure that cases proceed efficiently before the trial court in the first instance. The mere fact that a request for extraordinary relief by way of a receivership has been made to the trial court should not up-end that rule, particularly where the underlying issue concerns discovery without any established threat of irreparable injury. The second and third issues regarding the merits of the petition were also important to me because they concerned the disclosure of my work-product. As the U.S. Supreme Court stated in *Hickman v. Taylor*: “[A] common law trial is and always should be an adversary proceeding. Discovery was hardly intended to enable a learned professional to perform its function either without wits or wits borrowed from the adversary.”

Your role in the case:

Lead Counsel for the Real Parties in Interest

<p>Case 3</p> <p>Case name and date:</p> <p><i>Five Springs LLC v. Iota Violet, LLC, et al.</i>, Case No. A-17-750614-C, Eighth Judicial District Court, Clark County, Nevada (filed Feb. 6, 2017)</p>
<p>Court and presiding judge and all counsel:</p> <p>Eighth Judicial District Court, Judge Linda Bell</p> <p>Plaintiffs’ counsel of record:</p> <ol style="list-style-type: none"> 1. Frank M. Flansburg, Esq., Brownstein Hyatt Farber Schreck, LLP (at the time of this case, Mr. Flansburg was associated with the law firm of Schwartz Flansburg PLLC) <p>Defendants’ counsel of record:</p> <ol style="list-style-type: none"> 2. Maria A. Gall, Esq., Ballard Spahr LLP (at the time of this case, Abran E. Vigil, Esq. and Joseph E. Sakai, were also counsel of record; Messrs. Vigil and Sakai are no longer associated with Ballard Spahr LLP.)
<p>Importance of the case to you and the case’s impact on you:</p> <p>The <i>Five Springs</i> case was one of a series of cases that started with a separate breach of contract action in federal court. In that action, the federal court entered a \$66 million judgment against the personal guarantor of certain commercial loans. I represented the judgment creditors. During the post-judgment phase of the contract action, the federal court allowed the judgment creditors to execute on the judgment debtor’s house as a sanction for failing to disclose all information about his assets. The judgment debtor held his house in a special purpose entity called Five Springs LLC. After the federal court denied Five Springs the right to intervene in the federal case, Five Springs moved for relief in state court. The case in state court is important to me for two primary reasons.</p> <p>First, the case allowed me to brief and argue—for the first time—an area of law that arises more often than many practitioners realize: that of claim preclusion (<i>res judicata</i>) and impermissible collateral attack. These doctrines are important in ensuring an efficient judicial system. The work I did on <i>Five Springs</i> not only led to its Rule 12(b)(6) dismissal, but it also served as the foundation for similar motions I have made in other cases to have the complaint, or a subset of claims, dismissed at an early stage of the matter.</p> <p>Second, the case taught me when <u>not</u> to make motions for fees, including as against opposing counsel individually. Too often, counsel dispatch fees motions against other counsel without fully grasping the extraordinary and limited circumstances under which they are awarded. The fees motion I made in this case, and the grace with which it was addressed by my</p>

opposing counsel and then denied by the court, gave me significant insight into those circumstances.

Your role in the case:

Lead Counsel for Defendants

Case 4

Case name and date:

Camac Fund, L.P. v. Liberated Syndication, Inc., Case No. A-19-798511-B, Eighth Judicial District Court, Clark County, Nevada (filed Jul. 15, 2019)

Court and presiding judge and all counsel:

Eighth Judicial District Court, Judge Mark Denton

Plaintiffs' counsel of record:

1. Maria A. Gall, Esq., Ballard Spahr LLP (at the time of this case, Kyle A. Ewing, Esq. was also counsel of record; Mr. Ewing is no longer associated with Ballard Spahr LLP.)

Defendants' counsel of record:

2. Patrick J. Reilly, Esq., Brownstein Hyatt Farber Schreck, LLP

Importance of the case to you and the case's impact on you:

The *Liberated Syndication* case was a books and records action that arose from the plaintiff-stockholder's proxy fight for control of the board. I represented the plaintiff. To support the proxy, the plaintiff required not only the corporation's list of record stockholders but also its list of non-objecting beneficial owners (often referred to as a NOBO list). The corporation, however, refused to provide the NOBO list, and I filed the books and records action to compel production. The case is important to me for three reasons.

First, the case allowed me to test the scope of Nevada law on stockholder access to corporate books and records and argue that Nevada common law permitted plenary access to a corporation's records, limited only by the stockholder's proper purpose in demanding the records.

Second, presenting my argument to the court was challenging, because I had to convince the court to overturn an adverse decision it had made several years' earlier in a different action. In the earlier action, the court denied a NOBO list under similar circumstances by limiting

stockholder access to those corporate records set forth in NRS 78. Notably, NRS 78 does not include a NOBO list. The court, however, did not previously consider the common law. I was successful in my common law argument and learned the importance of tenacity in effective representation.

Third, this case (and then a subsequent books and records action styled *Marlton Wayne, LP v. Parks! America, Inc.*) convinced me that our courts needed a summary adjudication procedure for deciding actions with a largely undisputed record, such as books and records demands, corporate dissolutions, and director information cases. I raised this during a business court bench-and-bar meeting in 2019, which led to the creation of a business court committee to devise and propose such a procedure within the already existing rules of procedure. The committee was near ready to advance a proposal to the business court when the Covid-19 pandemic constrained it and the bench-bar's ability to meet. The committee is in the process of resuming its work.

Your role in the case:

Lead Counsel for Plaintiff

Case 5

Case name and date:

In the Matter of K.A.J., a minor proposed protected person, Nevada Supreme Court No. 78217 (filed Feb. 28, 2019)

Court and presiding judge and all counsel:

Nevada Supreme Court, Justices James W. Hardesty, Ron D. Parraguirre, and Elissa F. Cadish (the case below proceeded before the Second Judicial District Court, Judge Linda M. Gardner)

Appellant's counsel of record:

1. Maria A. Gall, Esq., Ballard Spahr LLP
2. Kyle A. Ewing, Esq., Greenberg Traurig, LLP

Respondents' counsel of record:

3. Michael W. Keane, Esq., Woodburn & Wedge

Importance of the case to you and the case's impact on you:

The *K.A.J.* appeal arose out of a guardianship dispute. K.A.J. was born while her mother and father were awaiting trial on drug trafficking charges. Both were convicted. The mother and father expressed a parental preference that K.A.J.'s maternal grandmother have guardianship of K.A.J. until the mother was released from prison. However, due to the timing of K.A.J.'s birth, her father's half-sister took temporary custody of K.A.J. and then refused to return K.A.J. to the maternal grandmother. The grandmother and the half-sister filed competing petitions for guardianship. Despite the expressed parental preference, the district court awarded guardianship to the half-sister. The grandmother appealed. I, along with my co-counsel, represented the grandmother in the appeal. The appeal is important to me for three reasons.

First and foremost, the appeal allowed me to participate in the Nevada Supreme Court's pro bono appeals program. Although pro bono work is often concentrated at the trial court level, it is equally important at the appellate level, including for purposes of obtaining Nevada Supreme Court guidance on subject matter where they may be little guidance from the district courts.

Second, and to that end, the appeal allowed me and my co-counsel to advance a question to the Nevada Supreme Court that had not been previously addressed: namely, under what circumstances may a district court override an expressed parental preference for guardianship? Although the Nevada Supreme Court's opinion on this matter led it to affirm the district court's decision, the opinion will serve as persuasive and guiding authority for future litigants.

Third, this case reminded me that matters involving minors present unique challenges for both counsel and the court; in particular, client emotions are heightened when familial matters are at stake and it is often up to counsel to navigate those emotions in an effort to maintain client perspective on the legal issues for decision.

Your role in the case:

Co-Counsel for Appellant

21. Do you now serve, or have you previously served as a mediator, an arbitrator, a part-time or full-time judicial officer, or a quasi-judicial officer? To the extent possible, explain each experience.

No.

22. Describe any pro bono or public interest work as an attorney.

I maintain an active pro bono practice. I identified one significant pro bono case I handled in response to Question 20, above (*In the matter of K.A.J.*) In addition to that case, I have handled a number of matters through the Legal Aid Center of Southern Nevada. Most recently, I represented a lead plaintiff and putative class of veteran-tenants in obtaining tens of thousands of dollars in security deposits that their landlord failed to refund upon walking away from his management obligations. By working cooperatively with the former landlord and his counsel, we were able to avoid litigating the class action by ensuring that the sums owed were quickly transferred to the veteran-tenants. In cases such as this—where the victims consist of a population requiring funds sooner rather than later—an early settlement is often the optimal outcome. This settlement was a particularly optimal outcome because the parties settled for the full amount of the security deposits owed.

I have also handled a number of appeals for the Legal Aid Center of Southern Nevada through its adult and child guardianship unit. Aside from such guardianship cases, I typically try to work on pro bono cases within the realm of civil litigation so that I can best serve my clients through my practice expertise. In addition to the landlord-tenant dispute described above, I represented a pro bono client in successfully settling a property damage dispute, where the negligence of her neighbor’s contractor resulted in the deterioration of a common fence. I represented another pro bono client in successfully settling an action involving significant structural defects she discovered in a “flipped” home. The home was particularly significant for this client because it was the first permanent home she had lived in. The client purchased the house after having gone through Nevada’s foster-care system, only to discover a host of problems the seller failed to disclose. I also successfully settled a matter on behalf of an elderly pro bono client who had been referred to me after her husband and step-daughter passed away during the Covid-19 pandemic, and her son-in-law tried to usurp her life-estate in a property owned by her late step-daughter.

In addition to those pro bono cases I individually handle, I sit on the steering committee for Ballard Spahr’s Racial Justice and Equality Initiative. The Initiative is dedicated to combating racial injustice and inequity through litigation. It is staffed with litigators from the firm’s more than 250-lawyer litigation department who take on pro bono cases that specifically address racial justice issues, such as policing, education, and voting rights. I, along with five other lawyers from across the firm’s nationwide offices, help lead the Initiative through the steering committee. Presently, I am counsel on an amicus brief to-be-submitted in connection with a case before the U.S. Supreme Court concerning race-conscious admissions.

23. List all bar associations and professional societies of which you are or have been a member. Give titles and dates of offices held. List chairs or committees in such groups you believe to be of significance. Exclude information regarding your political affiliation.

- American Bar Association
- Nevada Bar Association
- Clark County Bar Association

- Southern Nevada Association of Women Attorneys
- National Association of Federal Equity Receivers

24. List all courses, seminars, or institutes you have attended relating to continuing legal education during the past five years. Are you in compliance with the continuing legal education requirements applicable to you as a lawyer or judge?

I am in compliance with all continuing legal education requirements applicable to me as a lawyer. In the last 5 years, I have attended the following courses, seminars, and/or institutes related to continuing legal education:

Date	Course	Provider
8/16/2017	Ethics, Substance Abuse & Problem Gambling	Association of Corporate Counsel-Nevada
12/4/2017	Construction SuperConference	Construction SuperConference
6/1/2018	Avoiding Mistakes & Other Lessons for Litigators	Ballard Spahr LLP
6/5/2018	Substance Abuse	Ballard Spahr LLP
7/12/2018	State Bar of Nevada Annual Meeting	State Bar of Nevada
11/8/2018	50th Annual Institute on Securities Regulation	PLI
11/13/2018	Practices in Federal Court, District of Nevada	Inn of Court
12/10/2018	Construction SuperConference	Construction SuperConference
1/8/2019	Pre-Litigation & Drafting Pleadings	Inn of Court
3/12/2019	Discovery	Inn of Court
3/12/2019	eDiscovery Boot Camp: From Collection to Production: What You Need to Know	Ballard Spahr LLP

4/8/2019	Maintaining a Respectful Work Environment	Inn of Court
5/14/2019	Appeals	Inn of Court
3/10/2020	Mock Trial Phase II: Pre-Trial Motions	Inn of Court
6/20/2020	Revised Court Procedures During COVID-19 Pandemic	Inn of Court
6/27/2019	State Bar of Nevada Annual Meeting	State Bar of Nevada
7/1/2020	51st Annual Estate Planning Institute	PLI
7/1/2020	Understanding Employment Law 2020	PLI
7/1/2020	Securities Arbitration 2019	PLI
7/1/2020	The Law and Ethics of New Law	PLI
7/1/2020	Think Like a Lawyer, Talk Like a Geek 2020: Get Fluent in Technology	PLI
7/1/2020	Corporate Whistleblowing in 2020	PLI
7/1/2020	Nuts and Bolts of Corporate Bankruptcy 2019	PLI
8/31/2020	Diverse Arbitration and Mediation Panels: Wall Street Meets Main Street	PLI
8/31/2020	Securities Arbitration 2019 Program	PLI
9/23/2020	Nuts and Bolts of Corporate Bankruptcy 2019	PLI

9/28/2020	Government Regulator and Whistleblower Law Update	PLI
9/28/2020	Whistleblowers' Bar: Current Trends and Perspectives	PLI
10/21/2020	Mental Health and Wellness for Litigators	PLI
10/21/2020	Ethical Traps in Working Remotely	PLI
10/21/2020	The Law and Ethics of NewLaw	PLI
10/21/2020	Understanding Employment Law 2020	PLI
10/22/2020	51st Annual Estate Planning Institute	PLI
10/22/2020	The Attorney-Client Privilege and Internal Investigations 2020	PLI
10/26/2020	Virtual Trials, Arbitrations and Mediations: The New Reality	PLI
6/17/2021	State Bar of Nevada Annual Meeting	State Bar of Nevada
10/21/2021	National Association of Federal Equity Receivers	NAFER
3/8/2022	Gaming Control Board and Cannabis Compliance Board	Inn of Court
4/12/2022	Motions in Limine	Inn of Court
4/21/2022	Sealing Business Court Records	EJDC

25. Do you have Professional Liability Insurance or do you work for a governmental agency?

I hold professional liability insurance through my law firm, Ballard Spahr LLP.

Business and Occupational Experience

26. Have you ever been engaged in any occupation, business, or profession other than a judicial officer or the practice of law? If yes, please list, including the dates of your involvement with the occupation, business, or profession.

I served as a visiting assistant professor of law at the University of Kentucky from 2012-2013, which did not require the practice of law.

I served as a legal assistant/secretary at the law firm of King & Ballow from 2002-2003, prior to attending law school.

I also served as an adjunct professor of piano at the Blair School of Music, Vanderbilt University from 2002-2003, prior to attending law school.

27. Do you currently serve or have you in the past served as a manager, officer, or director of any business enterprise, including a law practice? If so, please provide details as to:

I am a partner in the law firm of Ballard Spahr LLP.

a. the nature of the business

Ballard Spahr LLP is a national, full-service law firm with offices in 15 cities.

b. the nature of your duties

As a partner of Ballard Spahr LLP, my obligations—in addition to the practice of law—include ultimate responsibility for the cases I work on, to include not only the merits of the matter but also the performance of the non-partner lawyers and staff who work on the cases. I also have certain administrative responsibilities, as well as responsibilities in connection with the business of the firm, such as billing and collection, evaluating non-lawyer partners, and sitting on those committees assigned to me by the chair of the firm. In addition to the steering committee for Ballard Spahr's Racial Justice and Equality Initiative (described in response to Question 22, above), I sit on the firm's Diversity Council and its education and compensation subcommittees; the Associate Evaluation Committee; and the committee to select associates to participate in the firm's INVEST sponsorship program, which provides career development opportunities to lawyers who have overcome significant obstacles in pursuit of a legal career, come from a disadvantaged background, or who are underrepresented at Am Law 200 law firms.

c. the extent of your involvement in the administration or management of the business

See above in response to subsection (b).

c. the terms of your service

Ballard Spahr has a single tier, full equity partnership structure. Although it rarely happens, partners may be removed from the partnership for cause upon recommendation of the executive committee and a vote of the full partnership.

d. the percentage of your ownership.

Through the recommendation of the firm's Allocations Committee and a vote of the full partnership, Ballard Spahr allocates gross distributable income to each partner as opposed to a percentage of ownership. The allocation made to each partner from year to year is based on performance, among other factors. Presently, no partner's gross distributable income exceeds 1.5%. My allocation for this year is approximately 0.23%.

28. List experience as an executor, trustee, or in any other fiduciary capacity. Give name, address, position title, nature of your duties, terms of service and, if any, the percentage of your ownership.

N/A

Civic, Professional and Community Involvement

29. Have you ever held an elective or appointive public office in this or any other state? Have you been a candidate for such an office? If so, give details, including the offices involved, whether initially appointed or elected, and the length of service. Exclude political affiliation.

No.

30. State significant activities in which you have taken part, giving dates and offices or leadership positions.

- **Ballard Women** – Ballard Women is a business resource group at my law firm. I have been the partner co-lead for Ballard Women since 2020. I was selected to serve in this role by our firm chair and our chief diversity officer. Ballard Women provides informal mentoring, internal networking, and professional development opportunities that support retention, advancement, and integration of Ballard's women lawyers and other

professionals. I, along with my co-leads, personally welcome new diverse lawyers to the firm and look for ways to integrate them into the firm. Among other initiatives, Ballard Women hosts an annual Path to Partnership program featuring newly elevated woman partners and assists women attorneys in securing seats on non-profit and other charitable boards.

- **Howard D. McKibben Inn of Court** – I have been a barrister in the Howard D. McKibben Inn of Court since 2018.
- **Louis Brandeis Inn of Court** – I was a barrister in the Louis Brandeis Inn of Court in 2015 and 2016, before I moved to Las Vegas, Nevada and joined the Howard D. McKibben Inn of Court.
- **Kentucky Governor’s School for the Arts Advisory Board** – as explained earlier in my application, The Kentucky Governor’s School for the Arts is a residential summer program for Kentucky’s most promising high school sophomores and juniors in nine different arts disciplines. In 2015 and 2016, I served on its Advisory Board, before I moved to Las Vegas, Nevada.
- **Kentucky Law Journal Alumni Board** – the *Kentucky Law Journal* is the tenth-oldest student-run law journal in continuous publication; it is guided by an alumni board that collaborates with *Journal* staff members to maintain and improve the *Journal’s* reputations, assists in strategic planning, and serves as a source of institutional knowledge from volume to volume. In 2007 and 2008, I served on the Alumni Board.

31. Describe any courses taught at law schools or continuing education programs. Describe any lectures delivered at bar association conferences.

During my one-year tenure as a visiting assistant professor of law at the University of Kentucky, I taught courses in business associations (corporations), international human rights law, and professional responsibility.

Since moving to Nevada, I have from time-to-time guest lectured on topics of business associations at the Boyd School of Law.

32. List educational, military service, service to your country, charitable, fraternal and church activities you deem significant. Indicate leadership positions.

Although I have not individually served in the military, I am a part of a military family. Both my father and step-father were career soldiers in the U.S. Army. Military families may not wear the uniform, but they carry a heavy load so that their soldiers can serve our country. Among other sacrifices, military families move every two to three years. While civilian children typically grow up in one location, military children have often attended seven to ten schools by the time they graduate high school. I was lucky in that I attended only five schools before graduating. It was also difficult to watch my father being deployed to combat, including the Gulf War. I was proud of my father for his service, but it was challenging having him away for nearly all important life events.

My charitable work largely centers on my pro bono and public interest cases, discussed earlier in my application. However, in addition to my pro bono work, I devised a CLE on alcoholism and lawyering that I give from time-to-time. The CLE concentrates on ethical issues that can arise from problem drinking and how attorneys can get help, both inside and outside the profession. I devised the CLE in part so that I could learn the data underlying problem drinking in our profession and help younger attorneys avoid the pitfalls of alcoholism and mental distress that often accompany lawyering. Lawyers in private firms, and particularly those in their first decade of practice, appear particularly susceptible to problem drinking and the mental health issues that often accompany and exacerbate drinking. These issues can ruin careers before they have had a chance to flourish, and understanding the data behind problem drinking and openly discussing that data is a first step toward alleviating problem drinking and destigmatizing alcoholism in the profession.

33. List honors, prizes, awards, or other forms of recognition.

- **Fellow, Leadership Council on Legal Diversity (“LCLD”)** – the LCLD is made up of more than 350 corporate chief legal officers and law firm managing partners, working together to build diverse legal professionals. LCLD’s landmark Fellows Program works by identifying high-potential attorneys from diverse backgrounds and setting them on the path to leadership of their organizations. The chair of Ballard Spahr chose me to participate in the Fellows Program for the 2021-2022 year.
- **Presidential Management Fellow** – the Presidential Management Fellows Program is a two-year training and leadership development program at a United States Governmental agency administered by the U.S. Office of Personnel Management. It is for U.S. citizens with a recent graduate degree. The application process is rigorous and first requires an online assessment and a number of essays. Finalists are chosen from the written application, are interviewed, and then selected as Fellows. The program is extremely competitive with an acceptance rate of approximately 5%. I was selected as a Fellow while at the London School of Economics but declined the appointment when I was formally offered the position of visiting assistant professor of law at the University of Kentucky.

- **Chancellor’s Scholar** – Vanderbilt University initiated the Chancellor’s Scholars program to recognize high school students who exhibited outstanding leadership, strength of character, academic achievement, and a deep-seated commitment to diversity and social justice. Chancellor’s Scholars are those who have worked to build strong high school communities by bridging gaps among economically, socially, and racially diverse groups and have demonstrated significant interest in issues of diversity education, tolerance, and social justice. Chancellor’s Scholars are expected to build upon these commitments at Vanderbilt. They receive a merit-based, full-tuition scholarship, plus a one-time summer stipend for an immersive experience.

34. Have you at any time in the last 12 months belonged to, or do you currently belong to, any club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion, creed, national origin or sex? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices, and whether you intend to continue as a member if you are selected for this vacancy.

No.

35. List books, articles, speeches and public statements published, or examples of opinions rendered, with citations and dates.

“Towards the Heart of the Sport: A Sporting Perspective on Abraham & Veneklasen Joint Venture v. American Quarter Horse Association,” *Kentucky Journal of Equine, Agriculture, and Natural Resources Law*, Vol. 7, No. 1, 2014-15

36. During the past ten years, have you been registered to vote? Have you voted in the general elections held in those years?

I have been registered to vote in the last 10 years. To the best of my recollection, I have voted either in person or by mail-in ballot in the general elections for the past 10 years.

37. List avocational interests and hobbies.

Many of my avocational interests and hobbies now involve my daughter who was born in the middle of the Covid-19 pandemic. On weekends we enjoy examining new succulents at the Springs Preserve, where we have a family membership, and picking fresh fruits and vegetables at the Gilcrease Orchard. We also visit Cactus Joe’s nursery and the Blue Wave nursery with some frequency.

In the winter, I try to snowboard at mountains within striking distance of Las Vegas. We are fortunate to live in a city with not only our own Lee Canyon for snow sports, but also some of the best mountains for winter sports a few hours away by plane or car.

I also enjoy long-distance running and have competed in a number of half and full marathons over the years. When I lived in New York, I ran for Fred's Team, which raises money for pediatric cancer treatments at the Memorial Sloan Kettering Cancer Center.

Conduct

38. Have you read the Nevada Code of Judicial Conduct and are you able to comply if appointed?

Yes.

39. Have you ever been convicted of or formally found to be in violation of federal, state or local law, ordinance or regulation? Provide details of circumstances, charges, and dispositions.

No.

40. Have you ever been sanctioned, disciplined, reprimanded, found to have breached an ethics rule or to have acted unprofessionally by any judicial or bar association discipline commission, other professional organization or administrative body or military tribunal? If yes, explain. If the disciplinary action is confidential, please respond to question 73.

No.

41. Have you ever been dropped, suspended, disqualified, expelled, dismissed from, or placed on probation at any college, university, professional school or law school for any reason including scholastic, criminal, or moral? If yes, explain.

No.

42. Have you ever been refused admission to or been released from any of the armed services for reasons other than honorable discharge? If yes, explain.

No.

43. Has a lien ever been asserted against you or any property of yours that was not discharged within 30 days? If yes, explain.

No.

44. Has any Bankruptcy Court in a case where you are or were the debtor, entered an order providing a creditor automatic relief from the bankruptcy stay (providing in rem relief) in any present or future bankruptcy case, related to property in which you have an interest?

No.

45. Are you aware of anything that may require you to recuse or disqualify yourself from hearing a case if you are appointed to serve as a member of the judiciary? If so, please describe the circumstances where you may be required to recuse or disqualify yourself.

I would recuse myself from hearing those cases in which Ballard Spahr LLP had made an appearance on behalf of a client during my time as a Ballard Spahr attorney. I would also recuse myself from hearing those cases in which my domestic partner, Kyle A. Ewing, Esq., serves as counsel.

Other

46. If you have previously submitted a questionnaire or Application to this or any other judicial nominating commission, please provide the name of the commission, the approximate date(s) of submission, and the result.

Nevada Commission on Judicial Selection

I submitted my application for the Eight Judicial District Court, Department 11 vacancy on or about October 7, 2021. Following an interview, the Commission nominated me, along with two other candidates, for the Department 11 vacancy. The Governor appointed Judge Ellie Roohani to Department 11.

47. In no more than three pages (double spaced) attached to this Application, provide a statement describing what you believe sets you apart from your peers, and explains what particular education, experience, personality or character traits you possess or have acquired that you feel qualify you as a good district court judge. In so doing, address both the civil (including family law matters) and criminal processes (including criminal sentencing).

See Attachment B.

48. Detail any further information relative to your judicial candidacy that you desire to call to the attention of the members of the Commission on Judicial Selection.

I would like to call the Commission's attention to the following information relevant to my judicial candidacy.

First, I believe I have the judicial temperament demanded of a judge. According to the American Bar Association, judicial temperament means that a judge exhibits "compassion, decisiveness, open-mindedness, sensitivity, courtesy, patience, freedom from bias and commitment to equal justice."

I have nurtured the qualities of sensitivity, courtesy, and patience through constant self-evaluation and critique. These qualities can also be described as civility. I try to champion civility in the legal profession through my dealings with opposing counsel, bearing in mind that zealous advocacy does not preclude treating our opponents with courtesy and respect.

Likewise, I have committed myself to compassion, decisiveness, open-mindedness, freedom from bias and equal justice through my pro bono and public interest work. Moreover, my master's degree in human rights from the London School of Economics has given me a unique perspective on these qualities as applied to law and social policy and what role, if any, courts and the legal profession should play to ensure that decisions are free from bias and equally applied.

Second, I believe my upbringing as the daughter of a Korean immigrant and a U.S. Army soldier will allow me to understand the challenges many of our litigants face. I know firsthand the language barriers that impact many of our foreign-born population. As detailed in my personal statement, while English is my native language, it was not my first language. Language barriers should not preclude foreign-born residents from full participation in the legal system.

I can also empathize with the struggles many in our military community face. Often without a consistent connection to any one community, our military residents and their families may be challenged in navigating the courts or accessing counsel when they need advice. Moreover, when our veterans return from combat or other deployments, they can face a host of legal issues stemming from their lengthy separation from home, including foreclosures, collections, and loss of access to benefits. Our courts must ensure that the unique challenges our military community face are fairly and adequately addressed.

Third, I understand that while effort is important, results matter. When I buy an airline ticket, I expect to get to my destination. It is a prerequisite that the airline will put in the effort to do things the right way to get me there. Likewise, I understand that when attorneys and litigants appear before me they will expect me to correctly apply our laws. I will work tirelessly to make sure I do, including in a fair and timely manner.

49. Attach a sample of no more than ten pages of your original writing in the form of a decision, “points and authorities,” or appellate brief generated within the past five years, which demonstrates your ability to write in a logical, cohesive, concise, organized, and persuasive fashion.

See Attachment C.