

MATTHEW GEORGE WHITAKER
PERSONAL DATA QUESTIONNAIRE
FOR IOWA STATE JUDICIAL NOMINATING COMMISSION
Adopted for use beginning December, 2010

1. State your full name:

Matthew George Whitaker

2. State your current occupation/title (Lawyers identify name of firm, organization, or government agency; judicial officers identify court):

Partner
Whitaker Hagenow Gustoff Graves Bartle Marcus & Garrett LLP

3. Age:

41

4. City of your residence:

Urbandale, Iowa

5. State the periods of your military service, if any, including active duty, reserves or other status. Give the date, branch of service, your rank or rating and your present status.

I did not have the honor of serving in the United States Military and it is one of the greatest regrets in my life.

6. List each college and law school you attended, including the dates of attendance, the degree awarded, and your reason for leaving each school if no degree from that institution was awarded.

University of Iowa
August 1988 to December 1991
Bachelor of Arts

University of Iowa
January 1992 to May 1995
Master of Business Administration

University of Iowa
June 1992 to May 1995
Juris Doctor

7. List all courts in which you are presently admitted to practice, including the dates of admission in each case. Give the same information for administrative bodies having special admission requirements.

Iowa (April 8, 2002)
Minnesota (October 1995)(Currently inactive non-resident status)
US District Court for the Northern and Southern Districts of Iowa (2003)
US Eighth Circuit Court of Appeals (2004)

8. Describe chronologically your work experience, including your law practice experience, including with respect to your law experience:

- a. Whether you served as a 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 clerk for a judge.

- b. Whether you practiced alone, and if so, the addresses and the dates.

I have not practiced alone.

- c. The dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been connected, and the nature of your connection with each.

November 2009 to present
Whitaker Hagenow et al
400 East Court Ave.
Suite 346
Des Moines, Iowa 50309
Partner

August 2010 to Present
University of Iowa
Department of Management and Organizations
108 John Pappajohn Business Building
Iowa City, Iowa 52242
Adjunct Assistant Professor

June 2004 to November 2009
United States Department of Justice
110 East Court
Suite 200
Des Moines, Iowa 50309
United States Attorney--Southern District of Iowa

July 2001 to June 2004
Finley Alt Smith Scharnberg Craig Hilmes and Gaffney, P.C.
1900 Hub Tower
699 Walnut Street
Des Moines, Iowa 50309
Attorney

**November 1998 to June 2001
SUPERVALU INC.
11840 Valley View Road
Eden Prairie, MN 55344
Corporate Counsel**

**August 1996 to November 1998
Briggs & Morgan
2400 IDS Center
80 S. 8th Street
Minneapolis, MN 55402
Associate**

**August 1995 to August 1996
Robins Kaplan Miller & Ciresi
2800 LaSalle Plaza
800 LaSalle Ave.
Minneapolis, MN 55402
Associate**

**August 1994 to May 1995
University of Iowa
College of Business
John Pappajohn Business Building
Iowa City, Iowa 52242
Teaching Assistant**

**May 1994 to August 1994
Robins Kaplan Miller & Ciresi
2800 LaSalle Plaza
800 LaSalle Ave.
Minneapolis, MN 55402
Summer Associate**

**May 1993 to August 1993
Finley Alt Smith Scharnberg Craig Hilmes and Gaffney, P.C.
1900 Hub Tower
699 Walnut Street
Des Moines, Iowa 50309
Summer Associate**

**May 1992 to August 1993
University of Iowa
Athletic Department
#1 Stadium Drive
Iowa City, IA 52242
Weight Room Supervisor**

**May 1991 to August 1991
University of Iowa
Athletic Department
#1 Stadium Drive
Iowa City, IA 52242
Student Video Intern**

**May 1989 to August 1989
Atlantic Coca-Cola Bottling
16200 Hickman Road
Waukee, IA 50263
Intern**

d. Any other relevant particulars.

Here is my most recent and complete biography:

Born in Des Moines on October 29, 1969, Matt grew up in Ankeny. Matt's mom and dad, Ed and Mary, have lived in the same house since 1972. Ed and Mary Whitaker both grew up in Keokuk, Iowa. Ed sells video boards to large arenas and stadiums and Mary is a former elementary school teacher. Matt's only sibling, his brother Todd, is fitness professional and writer in California.

Matt was an adventurous child growing up, exploring the woods and country around his rural home outside of Ankeny. Matt has many great memories of his classmates and teachers at Southeast Elementary School, Nevelyn Junior High School, Parkview Junior High School and Ankeny Senior High School. Matt graduated from high school in 1988. Matt was homecoming king his senior year and captain of the football team.

Matt excelled both athletically and academically at Ankeny. Matt lettered 9 times in 4 sports (football, basketball, baseball and track), was a first-team all-state football player and a first-team all-conference football and baseball player. Matt graduated in the top 10% of his high school class.

Matt received an athletic scholarship from Coach Hayden Fry and the University of Iowa. At Iowa, Matt played in 35 consecutive games during his Sophomore, Junior and Senior years, lettering all 3 years he played. Matt was a three-time academic all-Big Ten selection and an academic all-American his senior year. Matt played in two-post season bowl games including the 1991 Rose Bowl.

After Matt's senior year of football, he received the prestigious Big Ten Medal of Honor given to one male and one female student athlete at each Big Ten-member institution who demonstrates a high degree of proficiency in both scholarship and athletics. Matt also received a grant from the National Directors of Athletics Association to continue his post-graduate education, in recognition of his outstanding academic and athletic success.

While at the University of Iowa, Matt excelled academically, graduating in 3 ½ years from undergraduate studies. While still a member of the football team, Matt was enrolled both in the University of Iowa Law School and the Master of Business Administration Program at the Tippie College of Business. Matt completed all of his studies—3 degrees—in 7 years, 5 of those years playing football.

Matt met his wife Marci in 1990 at the University of Iowa. Marci graduated from Cedar Rapids Prairie in 1989. Marci graduated from the University of Iowa College of Engineering in 1993. Marci is a licensed professional engineer working for a consulting engineering firm. Matt and Marci married in Cedar Rapids during the summer of 1993.

Matt and Marci are active in their church where Matt serves on the church council and Marci teaches Sunday school. Matt and Marci currently reside in Urbandale with their 3 children, a dog and a cat.

9. a. What has been the general character of your legal experience, dividing it into periods with dates if its character has changed over the years?

Overall, the character of my legal experience is broad and diverse. I have represented government, business and individuals in both litigation and transactions. This broad and diverse experience would be a tremendous asset for me with the Court's unique position in the legal system.

The current nature of my legal experience includes: (1) criminal and civil litigation, both state and federal; and (2) business and transactional.

While I served as United States Attorney, I led 64 employees (including 26 lawyers) in three offices (Des Moines, Council Bluffs & Davenport). I was responsible for an overall operating budget of \$5.1 million. My experience included regular legal policy decisions and also included federal trials and appellate arguments. My priority as US Attorney was to serve honorably and to protect Iowans from being victims of crimes by working collaboratively with Federal, State and local law enforcement.

While at Finley Alt Smith in Des Moines, my legal experience included business and litigation matters, including insurance defense, professional liability defense, business start-up and non-profit counseling and internet and technology related counseling. For some of my tenure at Finley, I was campaigning for state-side elective office.

While at SUPERVALU, my legal experience included transactional, retail and software experience for a Fortune 100 company. I was the lead in-house attorney on major transactions including the Richfood acquisition, several multiple store acquisitions and large technology licensing contracts.

While at Briggs & Morgan and Robins Kaplan, both in Minneapolis, Minnesota, my legal experience included business and litigation representation of diverse individuals and companies. It included significant practical experience involving mergers and acquisitions, commercial contract drafting and negotiation, intellectual property counseling, litigation and dispute resolution.

- b. Generally describe your typical clients, and mention the areas, if any, in which you have focused.

Through my years of practice, each client has been unique. It would be difficult for me to describe a "typical" client. As mentioned above, I have represented the United States of America, businesses and individuals throughout

my years of practicing law and each experience and legal issue has brought me insight into the law and its application. Having served as a corporate counsel, a prosecutor and a defense lawyer will make me a strong and balanced Justice on the Iowa Supreme Court.

10. With respect to your legal experience:

- a. Did you appear in court or other tribunals regularly, occasionally or not at all? If the frequency of your appearances has varied during this period, describe each such variance, giving the dates thereof.

For the purposes of this Question 10, I will break my legal experience into 4 parts: (A) 1995-2001; (B) 2001-2004; (C) 2004-2009; and (D) 2009-present.

(A) As an associate at Robins law firm and at Briggs law firm, I would occasionally appear in court. For SUPERVALU, I did not appear in court.

(B) While at Finley Alt Smith, I regularly appeared in court, including trials and other court proceedings, however, from July 1, 2001 to November of 2002, I spent a significant portion of my time running for state-wide elective office.

(C) As United States Attorney, I occasionally appeared in court, including trials, motions and appellate arguments.

(D) I currently appear in court on a regular basis.

b. What percentage of these appearances was in:

- i. Federal courts: **(A) 15%; (B) 25%; (C) 100%; (D) 20%**
ii. State courts of record: **(A) 85%; (B) 75%; (C) 0%; (D) 80%**
iii. Other tribunals: **none**

c. What percentage of your litigation was:

- i. Administrative: **(A) 0%; (B) 0%; (C) 0%; (D) 0%**
ii. Civil: **(A) 100%; (B) 100%; (C) 0%; (D) 35%**
iii. Criminal: **(A) 0%; (B) 0%; (C) 100%; (D) 65%**

e. State the approximate number of cases or contested matters you tried to conclusion (rather than settled) within the last 10 years, indicating whether you were sole counsel, chief counsel, or associate counsel.

**9 sole counsel
5 chief counsel
2 associate counsel**

e. What percentage of these trials were:

- i. Jury: **50%**
ii. Non-jury: **50%**

f. Describe to what extent your practice has been in areas other than appearances before courts or other tribunals. State the nature of your practice, including the approximate percentage of time spent in each area of practice.

See answer to #9 above, generally my practice earlier in my career was more

business and transactional than it has been in the last 9 years. I currently spend approximately 90% of my time on civil and criminal litigation matters. This balance between business and transactional practice coupled with my litigation experience gives me a broader and better understanding of business principles compared to more litigation-only applicants.

11. Describe three of the most significant legal matters which you have personally handled. If they were litigated matters, give the citations if available. Give a capsule summary of the substance of each matter, and a succinct statement of what you believe to be the particular significance of it. Identify the party or parties whom you represented; describe in detail the nature of your participation and its outcome. State as to each matter (a) the dates of your involvement, (b) the individual name and address of co-counsel and of counsel for each of the other parties, and (c) as to any litigated matter, the name of the court and the judge before whom the case was tried. If the matter was confidential, please avoid the use of any information that may allow disclosure of the identity of the parties.

For the purposes of this Question #11, I have included only matters that have been concluded. I am currently handling some significant matters pending in both federal and state court in Iowa, including a defendant in the Iowa Film Tax Credit Office litigation and a substantial defendant in a class action anti-trust matter in the Northern District of Iowa. The below three cases demonstrate some of the broad and diverse areas of law that I have worked in during my legal career. I have not included any business related matters, for example, the \$1.5 billion Richfood acquisition that I was lead in-house counsel at SUPERVALU in 1999. I also did not include matters that I was involved in as United States Attorney but did not personally handle; for example, the CIETC investigation and the Swift and Company immigration enforcement effort in Marshalltown. I was significantly involved in these matters but did not personally handle them because I was part of a team, but each of these matters may be relevant to the Commission. Below are three significant matters that I have been lead attorney in the last several years:

United States vs. George Ray Goff (4:07-CR-6)

I represented the United States of America as Lead Counsel and tried the case to a jury in March of 2007. Mr. Goff was charged with illegally possessing a sawed-off shotgun and being a felon in possession of a firearm, which is illegal under federal law. I was involved in the investigation in late 2006 and the indictment and trial in early 2007. Mr. Goff was convicted and sentenced to 262 months in Federal Prison. B. John Burns from the Federal Public Defender's Office represented Mr. Goff. Mr. Burns' address is 400 Locust Street, Suite 340, Des Moines, Iowa 50309. Craig Peyton Gaumer, Assistant United States Attorney served as co-counsel and handled much of the sentencing and appeal of Mr. Goff. Mr. Gaumer's address is 110 East Court Ave., Suite 200, Des Moines, Iowa 50309. The trial was conducted by Senior District Court Judge Ronald Longstaff of the Southern District of Iowa.

Operation Wirebreaker 2008-2009

In 2008, I led a group of state and federal agents together with John Courter, an Assistant United States Attorney in my office, in an investigation into the sharing

of electronic images of child sexual abuse using Limewire, a peer-to-peer file sharing program. This investigation resulted in the indictment and prosecution of more than 10 individuals, some of whom were hands-on child abusers. This project demonstrates my ability to see a threat to society and lead a team to accomplish an important set of goals.

Ed Garner Autorama R.V. Center, Inc. v. Fleetwood Folding Trailers, Inc. (4-02-CV 0109)

I represented Plaintiff, Ed Garner Autorama R.V. Center, Inc. in a breach of dealership agreement and fraud trial against Fleetwood. The trial occurred in December of 2003. I was lead trial attorney, handling all aspects of the case, including summary judgment motions and deposing witnesses. The Plaintiff, Ed Garner Autorama, won the trial and the parties settled confidentially pending appeal. The trial was conducted by Thomas J. Shields, US Magistrate Judge. The Defendant was represented by Mark Zaiger, Shuttleworth & Ingersoll, 115 Third Street SE, Suite 500, Cedar Rapids, Iowa 52401.

12. a. Have you ever held judicial office? If so, give dates and details including the courts involved, whether elected or appointed, periods of service, and a description of the jurisdiction of each of such courts with any limitations upon the jurisdiction of each court.

No.

- b. If during the preceding five years you have been subject to the reporting requirements of Court Rule 22.10, answer the following and provide an explanation of the reasons for any delay:

N/A

- i. Have you filed timely rule 22.10 reports (due on the tenth day of each month)?
- ii. How many matters have you taken under advisement for longer than 120 days?
- iii. How many matters have you taken under advisement for longer than 180 days?
- iv. How many matters have you taken under advisement for longer than 240 days?
- v. How many matters have you taken under advisement for longer than a year?

13. Have you ever held public office other than judicial office? If so, give details, including the office involved, whether elected or appointed, and the length of your service, giving dates.

I was appointed United States Attorney for the Southern District of Iowa on June 14, 2004 and served until November 24, 2009. As members of the Commission may know, my two immediate predecessors as the appointed United States Attorney for the Southern District of Iowa currently serve as judges: Don Nickerson and Steve Colloton. Also, two of my former colleagues as United States Attorneys have been appointed to their respective state's Supreme Courts—David Nahmias in Georgia and Mike Heavican, Chief Justice of the Nebraska Supreme Court.

14. Are you now an officer, director, partner, sole proprietor, or otherwise engaged in the

management of any business enterprise or nonprofit organization? If so, give details, including the name of the enterprise or organization, the nature of the business, the title or other description of your position, the nature of your duties and the term of your service.

June 2010 to present
Prevent Child Abuse Iowa
Board of Directors
Prevent Child Abuse Iowa is a non-profit organization established to provide programs for the prevention of child abuse.

January 2010 to present
State Savings Bank
Member of Board of Directors and Shareholder
Community bank with branches in Baxter and West Des Moines

November 26, 2009 to present
Whitaker Hagenow Gustoff Graves Bartle Marcus and Garrett, LLP
Partner
Law Firm

Fall 2009 to Present
Federalist Society-Iowa Lawyers Chapter
Iowa Chapter Advisory Board Member
Vice President

2003 to Present
Rotary Club of Des Moines AM
Member; Board of Directors (July 2009 – present)

July 2003 to present
Beautiful Savior Evangelical Lutheran Church
Member-Church Council (2003 – present); President (2006-2010)

July 2003 to present
LEI Acquisition, LLC
Member—majority owner
Operates daycare in Ankeny, Iowa

June 2002 to present
Road Husky Trailer Company, LLC
Member—majority owner
Operates NW Trailer Sales and Service in Adel, Iowa

15. Have you ever been convicted or pled guilty to any federal law or regulation, state law or regulation, county or municipal law, regulation or ordinance, excluding convictions that have been properly expunged? If so, give details and disposition. Do not include traffic violations for which a fine of \$250 or less was imposed, unless you were arrested.

No.

16. Have you ever been assessed or threatened with the assessment of a civil fraud or any criminal penalty in connection with the reporting of or failure to report your federal or state

income taxes? If so, give particulars.

No.

17. Have you ever been the subject of a no-contact order? **No.**
18. Have you ever been a party to any legal proceedings? If so, give the particulars.

Yes.

As United States Attorney, I was named in every proceeding that involved the United States as a party in the Southern District of Iowa. This was in my official capacity. I have also been named in two private lawsuits:

Small Claims matter, Ron Ryan vs. Matt Whitaker, Iowa District Court for Johnson County-Small Claims Division. September 1992 to January 1993. Issue was regarding the return of a former roommate's portion of a security deposit after he moved out without participating in the final cleaning of the apartment. The Court awarded half of the claim, approximately \$90. That amount was subsequently paid and the judgment was satisfied.

Also, in about 2004, I was sued in the state of Nevada on a personal guarantee for a business that I was part-owner. The matter was settled privately and the case was dismissed. The amount in dispute was approximately \$10,000.

19. Have you ever been publicly disciplined or cited for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, disciplinary committee, or other professional group? If so, give the particulars.

No.

20. Furnish at least two examples of legal articles, books, briefs, or other legal writings which reflect your personal work. Indicate the degree to which they represent your personal work. Please do not provide writing samples that would disclose confidential information, such as a brief submitted in an involuntary commitment proceeding, unless identifying information is removed to obscure the identity of the parties and any information that may allow disclosure of the identity of the parties.

Writing samples will be provided according to the instructions provided by the Commission.

21. List any honors, prizes, awards or other forms of recognition which you have received (including any indication of academic distinction in college or law school) other than those mentioned in answers to the foregoing questions.

Big Ten Medal of Honor (1992): The Big Ten's oldest award, the Medal of Honor,

first awarded in 1914, is given annually to a student in the graduating class of each university that demonstrated proficiency in scholarship and athletics.

National Association of Collegiate Directors of Athletics Scholarship (1992)

Graduated from University of Iowa Law School with Distinction

Senior Associate Editor—Iowa Law Review (1994-95)

Iowa High School Football Hall of Fame (2009)

22. List all bar associations and professional societies of which you are a member and give the titles and dates of any such offices which you have held in such groups. List all chairmanships of any committees in bar associations and professional societies, and memberships on any committees which you believe to be of particular significance (e.g., grievance committee).

Iowa Bar Association—Member;

Courthouse Security Taskforce Member (2005)

Business Law Section—Member

Criminal Law Section—Member

Litigation Law Section—Member

Criminal Law CLE organization committee (2010)

Polk County Bar Association--Member

23. Describe any participation you have had in pro bono legal activities and include dates.

I take the responsibility of a lawyer to perform pro bono services very seriously, in the last year alone, I have contributed significant hours to pro bono activities, including the following:

Recently represented Tim Kilts in a criminal matter in Dallas County, Iowa. (2010)

Represent Beautiful Savior Lutheran Church in all legal matters including human resources, real estate and corporate. (2003-2010)

Aided my Partner Chris Hagenow in representation of Mercedes Costoyas who was charged with unlawfully accessing a federal database. (2010)

24. Describe your activities in organizations other than bar associations or professional associations or professional societies, including civic, charitable, religious, educational, social and fraternal organizations.

**University of Iowa—Department of Political Science
Advisory Committee Member 2009 to present**

University of Iowa—Athletic Director Search Committee

Member 2006

**University of Iowa—Board in Control of Athletics
Member 1994-1995**

Rotary Club Des Moines AM (see above)

Prevent Child Abuse Iowa (see above)

Beautiful Savior Evangelical Lutheran Church (see above)

25. List not more than five names and addresses of those persons who are in a position to comment upon your qualifications for judicial position and of whom inquiry may be made by members of the Commission without embarrassment to you.

**Leif Gustafson
Vice President and Senior Corporate Counsel
Aviva USA
7700 Mills Civic Parkway
West Des Moines, Iowa 50266**

**Ronald Longstaff
Senior District Court Judge
Southern District of Iowa
United States Courthouse
Des Moines, Iowa 50309**

**Kevin Driscoll
Finley Alt Smith
1900 Hub Tower
699 Walnut Street
Des Moines, Iowa 50309**

**Stephen Patrick O'Meara
Assistant United States Attorney
8 S. Sixth Street
3rd Floor
Council Bluffs, Iowa 51501**

**Richard "Rocky" Rothrock
Assistant United States Attorney
8 S. Sixth Street
3rd Floor
Council Bluffs, Iowa 51501**

26. Why are you seeking this position?

I am seeking a position on the Iowa Supreme Court for several reasons, including, my deep experience and interest in legal policy, my significant trial experience, my standing in the legal community, my criminal defense and prosecution experience and my desire for public service.

My role as United States Attorney allowed me to be involved in legal policy decisions at the highest levels, including both the formation and implementation of policy. In so doing, I was acutely aware of not only the legal implications of my actions but also the effect that public policy has on the decision-making process. I was very involved in all aspects of legal policy. As the Chief Federal Law enforcement officer in the Southern District of Iowa, I guided the office's prosecution efforts and focus. This included which types of crimes to pursue and how to charge those crimes. Also, as chair in 2008-2009 and vice-chair in 2007-2008 of the Midwest High Intensity Drug Trafficking Area Executive Board in Kansas City, I was actively involved in regional drug enforcement matters at a policy level. I would bring this experience and interest in legal policy to the Supreme Court.

Since returning home to Iowa in 2001, I have developed my practice to include a significant portion of trial and litigation matters. I believe that I could bring this experience to the Court and make a positive impact in the Court's jurisprudence.

As a well known attorney in Iowa because of my experience both as a private practitioner and as United States Attorney, I believe that I would be well positioned to restore the Iowa Supreme Court to a position of respect and honor. I am uniquely positioned to help the Court reach out to Iowans that believe the Court has wandered beyond its constitutional authority. If selected for the Court, I would work to move the Court away from discussions of impeachment and other non-useful rhetoric from outside interest groups.

Colleagues statewide have indicated to me that the Court lacks judges with strong criminal law experience. I would bring both prosecution and defense experience to the Court and would like the opportunity to help the Court understand the balancing of interests that happens in the criminal areas of the law.

Finally, I believe that public service is an important and rewarding experience. I am seeking this position because I enjoyed my tenure in public service as United States Attorney and would enjoy another opportunity to serve the people of Iowa as a Supreme Court Justice.

27. How would your appointment enhance the court?

I would enhance the Court in several ways, including significant criminal law experience, a willingness to work hard, significant experience in many areas of the law and a legal philosophy that is currently not represented on the Court.

As I described above, I have both served as a prosecutor working closely with law enforcement and I have represented individuals charged with crimes. Having both of these perspectives would enhance the Iowa Supreme Court.

As you can see from my resume, I graduated from undergraduate at Iowa in three and one half years while playing on the Iowa football team. My senior season of football was my first full year of law school and I already had completed my first year of coursework toward my MBA. As recent as this fall, I was practicing law full time and also teaching a business law class for the University of Iowa in their Executive MBA program. I would bring this strong Iowa work ethic to the Court.

I have been involved in many areas of law, whether as part of my private practice, as United States Attorney, as Adjunct Assistant Professor for the University of Iowa teaching Business Law or as a small business owner. I have viewed the legal profession and the law from many perspectives and would bring this unique experience to the Court. In my Business Law class alone, I taught in areas as diverse as property law, administrative law, collective bargaining, business start-up, contracts, secured transactions and agency and employment.

I believe that the courts should not make law but faithfully interpret the law according to the Constitution, statutes and legal precedent. United States Supreme Court Chief Justice John Roberts said it best:

Judges and justices are servants of the law, not the other way around. Judges are like umpires. Umpires don't make the rules; they apply them. The role of an umpire and a judge is critical. They make sure everybody plays by the rules. But it is a limited role.

Even our founding fathers understood the proper roles of the courts when Alexander Hamilton in Federalist Paper #78 stated: "The courts must declare the sense of the law; and if they should be disposed to exercise WILL instead of JUDGMENT, the consequence would be the substitution of their pleasure for that of the legislative body" [emphasis in original].

I would bring this philosophy to the Iowa Supreme Court and thereby help restore the Court and the respect it should have in the eyes of the people of Iowa.

28. State any other information which may reflect positively on you or which you believe would assist the Commission in selecting nominees.

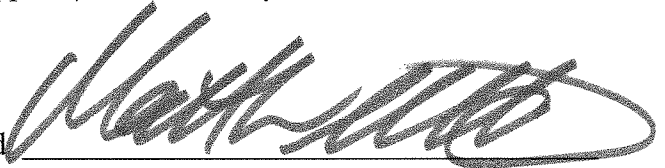
I have considered whether or not I should apply to the Commission for consideration to sit on Iowa's highest Court. Like many Iowans, I worry that the process is too partisan and only a certain "type" of candidate will be forwarded to the Governor. I have been encouraged to apply by others who believe that my diverse background and experience would help the Iowa Supreme Court. My background and reputation are well known to many members of the Commission. I have applied for this position in good faith and I would expect that this Commission, selecting candidates for the Iowa Supreme Court, would consider my application in good faith. The people of Iowa are watching this process carefully and we all owe them a serious and honest process that selects our next justices.

Submission of this questionnaire expresses my willingness to accept appointment to the position of Justice of the Iowa (Supreme Court, Court of Appeals), if tendered by the Governor.

Dated

12-31-10

Signed

A handwritten signature in dark ink, appearing to be "Mark ...", written over a horizontal line.