

STANLEY A. BASTIAN
2600 Chester Kimm Road
Wenatchee, Washington 98801

January 6, 2014

The Honorable Patrick J. Leahy
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

I have reviewed the Senate Questionnaire that I previously filed in connection with my nomination on September 19, 2013, to be a United States District Court Judge for the Eastern District of Washington. I certify that the information contained in that document is and remains, to the best of my knowledge, true and accurate.

I am also forwarding an updated Net Worth Statement and Financial Disclosure Report as requested in the questionnaire. I thank the Committee for its consideration of my nomination.

Sincerely,



STANLEY A. BASTIAN

SAB:jod
Enclosures

cc: The Honorable Charles Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Stanley Allen Bastian

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

United States District Judge for the Eastern District of Washington

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.

Jeffers, Danielson, Sonn & Aylward, P.S.
2600 Chester Kimm Road
P.O. Box 1688
Wenatchee, WA 98801

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

1958; Seattle, Washington

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.

1980 – 1983, University of Washington School of Law; J.D., 1983
1976 – 1980, University of Oregon; B.S. (*Phi Beta Kappa*), 1980
1978 – 1979, University of Massachusetts, Amherst; no degree

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

1988 – present
Jeffers, Danielson, Sonn & Aylward, P.S.
2600 Chester Kimm Road
P.O. Box 1688

Wenatchee, WA 98801
Managing Partner (2012 – present)
Shareholder (1992 – present)
Associate (1988 – 1992)

1985 – 1988
Seattle City Attorney's Office
Criminal Division
700 Fifth Avenue, Suite 5350
Seattle, WA 98124
Assistant City Attorney

1984 – 1985
Washington State Court of Appeals – Division I
600 University Street
One Union Square
Seattle, WA 98101
Law Clerk to Judge Ward Williams

1983 – 1984
Bergman & Bauer
Fourth & Blanchard Building
Seattle, WA 98124
Associate

1984
City of Renton
Renton City Hall
1055 South Grady Way
Renton, WA 98057
Public Defender

Summer 1980
Willamette Industries, Inc.
5570 SW Western Avenue
Beaverton, OR 97005
Bailer

Other Affiliations (uncompensated except as otherwise indicated)

2000 – present (compensated)
JDSA Building, LLC
2600 Chester Kimm Road
Wenatchee, WA 98801
Member

2010 – 2013
The Equal Justice Coalition (EJC)
1325 Fourth Avenue
Suite 1335
Seattle, WA 98101
Chair

2004 – 2009
Washington State Bar Association
1325 Fourth Avenue
Suite 600
Seattle, WA 98101
Immediate Past President (2008 – 2009)
President (2007 – 2008)
President-Elect (2006 – 2007)
Governor for Fourth District (2004 – 2006)

2004 – 2005
Chelan-Douglas County Bar Association
(no physical address)
President

1992 – 2004
LAW Fund
Legal Aid for Washington
1325 Fourth Avenue
Suite 1335
Seattle, WA 98101
Board of Directors

1992 – 2000
United Way of Chelan and Douglas Counties
P.O. Box 488
107 South Mission Street
Wenatchee, WA 98801
Board of Directors (1992 – 2000)
President (1997 – 1998)

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 never served in the U.S. Military. I did not register for selective service because that was not required when I turned 18.

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.

Super Lawyer, Washington Super Lawyers Magazine, 2007 – 2013

Fellow, American College of Trial Lawyers, 2007

Phi Beta Kappa, University of Oregon, 1980

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

American College of Trial Lawyers

Attorneys United to Preserve WSBA
Co-Chair (2012)

Chelan-Douglas County Bar Association
President (2004 – 2005)

The Equal Justice Coalition (EJC)
Chair (2010 – 2013)

LAW Fund, Legal Aid for Washington
Board of Directors (1992 – 2004)

Ninth Circuit Judicial Conference
Lawyer Representative (2012 – present)

Oregon State Bar Association

Washington State Association for Justice

Washington State Bar Association (WSBA)
Immediate Past President (2008 – 2009)
President (2007 – 2008)
President-Elect (2006 – 2007)
Governor for Fourth District (2004 – 2006)

WSBA Lawyers Fund for Client Protection
Board of Trustees (2004 – 2009)

WSBA Mandatory Continuing Legal Education Task Force
Chair (2013)

Washington Board for Judicial Administration
Non-Voting Member (2006 – 2008)
Justice in Jeopardy Implementation Committee (2010 – 2012)

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.

Washington, 1983

Oregon, 1988 (inactive)

There have been no lapses in membership, although as indicated, my membership in Oregon is inactive.

- 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.

State of Washington, all State Courts, 1983

United States District Court, Eastern District of Washington, 1992

U.S. District Court, Western District of Washington, 1983

United States Court of Appeals, Ninth Circuit, 1983

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.

Washington Athletic Club (2002 – present)

Wenatchee Golf and Country Club (1994 – present)

United Way of Chelan and Douglas Counties (1992 – 1998)

Board of Directors (1992 – 2000)

President (1997 – 1998)

- 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 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.

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.

Equal Pay for Equal Work Law a Good Reminder, Wenatchee Business Journal (May 1, 2009). Copy supplied.

Two Laws Introduce New Leave Benefits, Wenatchee Business Journal (October 1, 2008). Copy supplied.

Some Final Thoughts, Washington State Bar News (September 2008). Copy supplied.

WSBA President Stan Bastian Responds, Washington State Bar News (August 2008). Copy supplied.

The Future of the Lawyers' Fund for Client Protection, Washington State Bar News (August 2008). Copy supplied.

Growing Pains: The Cost of Doing Business, Washington State Bar News (July 2008). Copy supplied.

An Interview with Governor Gregoire, Washington State Bar News (June 2008). Copy supplied.

Legal Technician Talk, Washington State Bar News (June 2008). Copy supplied.

Access to Justice 101, Washington State Bar News (May 2008). Copy supplied.

Court Ponders Giving Legal Technicians More Authority, Wenatchee Business Journal (May 1, 2008). Copy supplied.

A Conversation with Dean Earl Martin, Washington State Bar News (April 2008). Copy supplied.

WSBA President Stan Bastian Responds, Washington State Bar News (April 2008). Copy supplied.

At Your Service, Washington State Bar News (March 2008). Copy supplied.

WSBA President Stan Bastian Responds, Washington State Bar News (March 2008). Copy supplied.

Proud to be a Lawyer, Washington State Bar News (February 2008). Copy supplied.

Be the Judge: Do We Pay Them Enough?, Washington State Bar News (January 2008). Copy supplied.

It's Not Justice if it's Not Equal, Even When it's a Civil Proceeding, Seattle Post-Intelligencer. (December 26, 2007). Copy supplied.

Lawyers Can be Proud of Their Profession, Seattle Post-Intelligencer (December 6, 2007). Copy supplied.

Being John McKay, Washington State Bar News (December 2007). Copy supplied.

State, Federal Law Protects Jobs for Veterans, Wenatchee Business Journal (December 1, 2007). Copy supplied.

Civil Actions, Washington State Bar News (November 2007). Copy supplied.

Bar Essentials, Washington State Bar News (October 2007). Copy supplied.

Marriage and the Law, Washington State Bar News (September 2007). Copy supplied.

Employment Law Different at the Federal Level, Wenatchee Business Journal (September 1, 2007). Copy supplied.

Leadership and Values, Washington State Bar News (August 2007). Copy supplied.

New Developments from the Supreme Court, Wenatchee Business Journal (June 2007). Copy supplied.

The 8 Rules of Just Cause to Discharge, Wenatchee Business Journal (February 2007). Copy supplied.

Six Steps to Effective Discipline, Wenatchee Business Journal (December 2006). Copy supplied.

Overtime Pay: Common Exemptions, Wenatchee Business Journal (September 2006). Copy supplied.

Overtime Pay: Common Problems and Solutions, Wenatchee Business Journal (June 2006). Copy supplied.

Antidiscrimination Laws Recently Expanded to Include Sexual Orientation, Wenatchee Business Journal (March 2006). Copy supplied.

Employees with Temporary Disabilities May be Entitled to Accommodations, Wenatchee Business Journal (December 2005). 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.

Washington State Bar Association, "Resolution Regarding Marriage and the Law." (September 19, 2008). Copy supplied. The resolution was drafted by WSBA staff but as President I did not vote on it.

Washington State Bar Association, "Report of the WSBA Board of Governors Discipline Committee." (September 19, 2008). Copy supplied.

Washington State Bar Association, "Resolution in Support of Lawyers with Disabilities." (April 13, 2007). Copy supplied. The resolution was drafted by WSBA staff but as President-Elect I did not vote on it.

- 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.

I met with members of the Washington State Congressional delegation as part of a group of representatives from the Washington State Bar Association and the

Equal Justice Coalition to discuss funding issues for civil legal aid and the budget for the Legal Services Corporation. I was part of this delegation in April 2006, 2008, 2011, and 2012. I have no notes, transcripts, or recordings of the meetings.

April 19, 2010: Co-signer on letter to Washington Supreme Court. Copy supplied.

April 7, 2010: Letter to Washington State Bar Association Awards Committee. Copy supplied.

I was a member of the Board of Governors for the Washington State Bar Association from October 2004 to September 2009. The Board met in public session 8-9 times per year, but I have no notes, transcripts, or recording of the meetings. The Washington State Bar Association website only has record of meeting minutes starting in 2010.

From 2008 to 2009 I was a member of the Washington State Bar Association Rules for Enforcement of Lawyer Conduct (ELC) Task Force. This task force met several times but I have no notes, transcripts, or recordings of the meetings other than for the September 10, 2009 meeting. Copy of the meeting minutes supplied.

October, 8, 2008: Co-signer on letter to Senator Barack Obama. Copy supplied.

October, 8, 2008: Co-signer on letter to Senator John McCain. Copy supplied.

April 15, 2008: Co-signer on letter to Senators Barbara Mikulski and Senator Richard Shelby. Copy supplied.

February 15, 2008: Letter to Washington State Supreme Court Chief Justice Gerry Alexander. Copy supplied.

February 5, 2008: Letter to Washington State Supreme Court Justice Charles Johnson. Copy supplied.

As a non-voting member of the Washington State Board of Judicial Administration, I made comments regarding various issues during the meetings on July 18, 2008, May 16, 2008, March 21, 2008, February 15, 2008, January 18, 2008, November 16, 2007, September 16, 2007, April 20, 2007, February 16, 2007, and November 17, 2006. Copy of meeting minutes 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 a prepared text, furnish a copy of any outline or notes from which you spoke.

September 14, 2012: Panelist, Federal Bar Association District Conference, Success on Appeal Begins with the Trial Court Record, Spokane, Washington. I have no notes, transcripts, or recordings of this event. The Spokane address of the U.S. District Court for the Eastern District of Washington is 920 West Riverside Avenue, Room 840, Spokane, WA 99201.

May 11, 2012: Panelist, Sixth Annual Federal CLE, Mediations, Richland, Washington. I participated in a panel discussion regarding mediation and settlement conferences, but I have no notes, transcripts, or recordings of this event. The Richland address of the U.S. District Court for the Eastern District of Washington is 825 Jadwin Avenue, Room 174, Richland, WA 99352.

October 28, 2011: Panelist, Chelan-Douglas County Preadmission Program, Wenatchee, Washington. Outline supplied.

October 7, 2011: Presenter, Washington State Bar Association, Seattle, Washington. I participated in a presentation called "Building and Maintaining Your Practice: Ten Simple Rules". A video can be found at <http://www.wsba.org/WSBA-CLE/New-Lawyer-Education/Preadmission-Education-Program/PREP-Online-Course/Category-2>.

January 24, 2011: Presenter, Training at the United States Attorney's Office, Eastern District of Washington, Spokane, Washington. I participated in a panel discussion regarding the discovery issues involving electronic records, but I have no notes, transcripts, or recordings of this event. The Spokane address of the U.S. Attorney's Office is 920 West Riverside Avenue, Suite 300, Spokane, WA 99201.

May 2010: Presenter, WATAI Spring Conference, The Use of Expert Witnesses, Bellevue, WA. Outline supplied.

March 25, 2009, Washington Counties Risk Pool Management and Supervisory Training, Longview, WA. I provided training to county officials regarding various employment law issues such as discrimination, wage and hour issues, hiring and firing procedures. This training was also presented in February 2009 in Columbia County, in January 2009 in Kittitas County, and in November 2008 in Skagit County. I have no notes, transcripts, or recordings of these presentations. The address of the Washington County Risk Pool is 2558 RW Johnson Road SW, Suite 106, Tumwater, WA 98512.

July 17, 2008: Presenter, The Third Annual Washington State Bar Association Solo and Small Firm Conference, Wenatchee, Washington. As President of the

WSBA I explained how the state bar association could assist solo practitioners and small law firms, but I have no notes, transcripts, or recordings of this event. The address of the WSBA is 1325 Fourth Avenue, Suite 600, Seattle, WA 98101.

May 30, 2008: Presenter, Washington State Access to Justice Conference and WSBA Bar Leaders Conference, Vancouver, Washington. Notes supplied.

April 11, 2008: Panelist, Washington State Office of Public Defense Program, "Making Good on Gideon's Promise – A Symposium on the State of Public Defense in Washington," Olympia, Washington. I have no notes, transcripts, or recordings of this event, but press coverage is supplied. The address of the Office of Public Defense is 711 Capitol Way South, Olympia, WA 98504.

October 18, 2007: Speaker, Spokane County Bar Association Reception and Diversity, Spokane, Washington. Remarks supplied.

October 17, 2007: Speaker, Washington State Bar Association 50-year Member Tribute Luncheon, Seattle, WA. Remarks supplied.

October 2007: Speaker, Yakima Rotary, "The Washington State Bar Association," Yakima, Washington. Notes supplied.

From September 2007 to September 2008 I served as the President of the Washington State Bar Association and made dozens of opening or closing remarks at various luncheons, dinners, receptions, and law student outreach events. I do not recall the dates and locations of each of these events, and I have no notes or outlines from these appearances, but my remarks were consistent with the other materials supplied.

September 20, 2007: Speaker, Washington State Bar Association Awards Dinner, Seattle, Washington. Remarks supplied.

September 16, 2007: Speaker, 49th Washington State Judicial Conference, Vancouver, Washington. Remarks supplied.

July 24, 2007: Presenter, "Professionalism in the Courtroom", Washington State Bar Association CLE Teleconference from Wenatchee, Washington. Outline supplied.

May 2007: Speaker, Chelan-Douglas County Bar Association/Volunteer Attorney Services Awards. Wenatchee, Washington. As President-Elect of the WSBA I spoke about pending issues with the state bar association. I have no notes, transcripts, or recordings of this event. The office of the current President of the Chelan-Douglas County Bar Association is 2600 Chester Kimm Road, Wenatchee, WA 98801.

March 2, 2007: Panelist, "2007 Washington State Bar Association Celebrating Diversity," Seattle, Washington. I have no notes, transcripts, or recordings of this event. The address of the WSBA is 1325 Fourth Avenue, Suite 600, Seattle, WA 98101.

October 11, 2006: Speaker, Alliance for Equal Justice Open House Day, Ephrata, Washington. Remarks supplied.

October 23, 2003: Presenter, "Government and Police Liability for Criminal Acts of Third Parties," Washington Defense Trial Lawyers Association – CLE, Seattle, Washington. Outline supplied.

June 2, 2003: Presenter, "The Court as an Employer," District and Municipal Court Judges Association – CLE, Seattle, Washington. I have no notes, transcripts, or recordings of this event. The address of the Administrative Office of the Courts is 1206 Quince Street SE, Olympia, WA 98504.

November 6, 1998: Presenter, "The Family and Medical Leave Act", Wenatchee Valley Association of Professional Mortgage Women, 1998 Fall Attorney Seminar, Wenatchee, Washington. Outline supplied.

- 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.

June 2013: Super Lawyers Magazine, "What Do We Talk About When We Talk About Age Discrimination?" Copy Supplied.

December 2, 2011: The Wenatchee World, "Disqualified Wenatchee Law Firm Declines Grant PUD A Refund." Copy supplied.

November 18, 2011: The Wenatchee World, "Grant PUD Law Firm Disqualified in Crescent Bar Case." Copy supplied.

February 12, 2011: The Wenatchee World, "Elenore Bastian: From Junior Royalty to Festival Queen." Copy supplied. (Reprinted in multiple outlets).

September 1, 2010: Washington State Bar Association press release. Copy supplied.

June 16, 2010: Washington State Bar Association press release. Copy supplied.

May 21, 2010: The Wenatchee World, "Chelan County Isn't Giving Up Fight Over Fired Deputy's Settlement." Copy supplied.

September 28, 2008: Associated Press, "State Bar Association Supports Same-Sex Marriages." Copy Supplied. (Reprinted in multiple outlets).

June 2008: King County Bar Bulletin, "A Lifetime of Changes." Copy supplied.

April 17, 2008: Spokane Journal of Business, "Bar Set to Hold Summer Exam in Spokane." Copy supplied.

January 3, 2008: The Columbian, "Low-Income Get Lowdown Civil Law." Copy supplied.

December 7, 2007: Associated Press, "Washington Supreme Court: No Right to Lawyers in Divorce Cases." Copy supplied. (Reprinted in multiple outlets).

December 6, 2007: Olympian, "State Bar Blasts Ads by R-67 Opponents." I have been unable to locate a copy of the article.

October 30, 2007: Washington State Bar Association press release. Copy supplied.

October 7, 2007: The Docket, TVW – Public Television, Interview with Washington State Bar Association President Stan Bastian. Video supplied.

October 2007: Washington State Bar News, "WSBA Welcomes New Officers and Governors." Copy supplied.

September 24, 2007: Puget Sound Business Journal, "New State Bar President Plans Strategic Review." Copy supplied.

July 18, 2006: Wenatchee World, "A Rare Local President of State Bar Association to Focus on State Funding." Copy supplied.

December 2, 2005: Associated Press, "Court Rules for County in Lawsuit Over Wenatchee Sex Ring Case." Copy supplied.

August 20, 2005: Yakima Herald-Republic, "WEN Sex Ring Suit." Copy supplied.

August 2, 2001: NPR Morning Edition, "Update on the Wenatchee, Washington Child Abuse Case." Copy supplied.

February 25, 2000: Associated Press, "Wenatchee, Douglas County Plan to Appeal Decision in Roberson Case." Copy supplied.

June 30, 1998: Seattle Times, "Wenatchee Jury Foreman: No Doubt About Verdict." Copy supplied.

June 30, 1998: Washington Post, "Jury Rejects Rights Violation Claim in Child Sex Ring Arrests." Copy supplied. (Reprinted in multiple outlets).

June 30, 1998: Los Angeles Times, "Jury Rejects Damage Claims in Sex Case." Copy supplied.

June 30, 1998: Seattle Post-Intelligencer, "Jury Rejects Wenatchee Suit- Verdict Jolts the Accused in Child Sex Cases." Copy supplied.

June 24, 1998: Seattle Post-Intelligencer, "Illness Again Delays Jury's Deliberations." Copy supplied.

June 19, 1998: Seattle Post-Intelligencer, "Wenatchee Abuse Case Goes to Jury." Copy supplied.

June 5, 1998: Seattle Times, "Defense Rests in Sex-Ring Suit." Copy supplied.

June 5, 1998: Seattle Post-Intelligencer, "Defense Suddenly Rests in Wenatchee Case." Copy supplied.

May 29, 1998: Seattle Post-Intelligencer, "Judge Pares Five Defendants From Wenatchee Cases." Copy supplied.

May 28, 1998: The Seattle Times, "Defense's Turn in Sex-Ring Lawsuit." Copy supplied.

April 14, 1998: Seattle Post-Intelligencer, "Churchgoers Say They Saw No Abuse." Copy supplied.

October 11, 1995: The Wenatchee World, "Firebomb Thrown into Lawyer's Office." 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 not held judicial office.

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

- i. Of these, approximately what percent were:

jury trials:	_____%
bench trials:	_____% [total 100%]

civil proceedings: _____ %
criminal proceedings: _____ % [total 100%]

- b. Provide citations for all opinions you have written, including concurrences and dissents.
 - c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
 - d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.
 - e. Provide a list of all cases in which certiorari was requested or granted.
 - f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.
 - g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.
 - h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
 - i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.
14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not held judicial office.

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

15. Public Office, Political Activities and Affiliations:

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

None.

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

I served as campaign treasurer in 1994 and 2012 for my wife, Alicia Nakata, who successfully ran for election to judicial office in Chelan County, Washington. In 1994, she ran for the Chelan County District Court, and she was reelected in 1998, 2002, 2006, and 2010 (she was not opposed in those years and did not run a campaign). In 2012, she successfully ran for the Chelan County Superior Court.

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;

From August 1984 to October 1985, I served as a law clerk to Judge Ward Williams of the Washington State Court of Appeals, Division 1.

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

I have never practiced 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.

1983 – 1984
Bergman & Bauer
Fourth & Blanchard Building
Seattle, WA 98124
Associate

1984
City of Renton
Renton City Hall
1055 South Grady Way
Renton, WA 98057
Public Defender

1985 – 1988
Seattle City Attorney's Office
Criminal Division
700 Fifth Avenue, Suite 5350
Seattle, WA 98124
Assistant City Attorney

1988 – present
Jeffers, Danielson, Sonn & Aylward, P.S.
2600 Chester Kimm Road
P.O. Box 1688
Wenatchee, WA 98801
Associate (1988 – 1992)
Shareholder (1992 – present)
Managing Partner (2012 – present)

- 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 served as the mediator in two employment cases that involved claims of wrongful termination and discrimination. I also served as the mediator in one personal injury case involving a motor vehicle collision. All three cases settled during mediation.

My service as an arbitrator has been limited to only three or four cases

over the past 25 years. All of these cases involved personal injury claims resulting from motor vehicle collisions.

b. Describe:

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

From 1983 to 1984, I worked as an associate at a small law firm in Seattle, Bergman & Bauer, until I left to clerk. My work involved legal research, preparation of motions, and discovery coordination in civil litigation and insurance defense. For about six months during this same time period, I was also employed as a public defender for the City of Renton where I handled cases involving misdemeanors.

After my clerkship ended in 1985, I was employed by the Seattle City Attorney's Office as an assistant city attorney and I worked as a prosecutor in the Seattle Municipal Court. My caseload included criminal cases including misdemeanors, civil infractions, and appeals.

In 1988 I moved to Wenatchee, Washington and was hired by Jeffers, Danielson, Sonn & Aylward, P.S. My cases have primarily involved employment issues such as wrongful termination and discrimination, and police liability.

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

From 1983 to 1984, I practiced insurance defense and represented individuals involved in motor vehicle accidents. Also, I worked part time as a public defender and defended individuals charged with minor criminal violations.

From 1985 to 1988, I worked as an assistant city attorney and prosecuted misdemeanors and civil infractions.

Since 1988, I have focused on trial work, primarily civil litigation. My clients include local counties, public utility districts, medical clinics, individuals and fruit growers. Many of my cases have involved labor grievances, wrongful termination, employment related discrimination, and police liability.

- 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.

Most of my practice is focused on civil litigation, and I appear in court frequently, perhaps nine to ten times each year. On average, I have one case per year that is tried and the other court appearances usually involve dispositive motions.

- i. Indicate the percentage of your practice in:
 1. federal courts: 50%
 2. state courts of record: 40%
 3. other courts: 0%
 4. administrative agencies: 10%
- ii. Indicate the percentage of your practice in:
 1. civil proceedings: 75%
 2. criminal proceedings: 25%
- 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.

As a prosecutor from 1985 to 1988, I tried hundreds of cases to final verdict and approximately 65 percent were jury trials. In private practice I have tried 31 cases to final verdict. Four of these cases were bench trials, 13 cases were jury trials, and 14 cases were either labor grievance arbitrations or administrative proceedings. I was the lead counsel on all of these cases.

- i. What percentage of these trials were:
 1. jury: 42%
 2. non-jury: 58%
- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not worked on any cases in the Supreme Court of the United States.

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

- a. the date of representation;

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

The following case summaries are listed alphabetically:

1. Beining v. Central Washington Hospital, Chelan County Superior Court No. 08-2-00562-8.

I represented the plaintiff employee in a disability discrimination case. My client took leave based on the Family and Medical Leave Act after being diagnosed with cancer. She was replaced during her leave and was not provided an accommodation when her health allowed her to return to work. The case was tried in 2009 with Chelan County Superior Court Judge T.W. Small presiding. The jury was deadlocked and could not return a verdict. The parties then mediated a settlement.

Mediator:

David A. Thorner
Thorner, Kennedy & Gano, P.S.
P.O. Box 1410
Yakima, WA 98907
(509) 575-1400

Opposing Counsel:

Lewis W. Card
Davis, Arneil Law Firm, LLP
P.O. Box 2136
Wenatchee, WA 98807
(509) 662-3551

2. Chelan County v. Chelan County Deputy Sheriff's Association, 162 Wash.App. 176, 252, P.3d. 421 (2011).

I represented the county employer in this case, which started as an employment discharge labor grievance. The grievance was settled during mediation, but the settlement agreement unraveled a few days later, which resulted in a lawsuit to enforce the mediation agreement. Eventually, the parties negotiated a new settlement agreement.

Labor Arbitrator:

Michael H. Beck
P. O. Box 15210
Seattle, WA 98115
(206) 523-0500

Opposing Attorney:

James M. Cline
Cline and Associates
2003 Western Avenue, Suite 550
Seattle, WA 98121
(206) 838-8770

3. Clothier v. Sonico, Grant County Superior Court No. 09-2-01108-3.

I represented the defendant employer in this case. The plaintiff claimed disability discrimination under state law, RCW 49.60. He alleged that he was wrongfully discharged because he was diagnosed with a serious illness. The employer was unaware of the medical diagnosis and claimed that the decision to discharge was based on excessive absenteeism. After a 5-day trial, the jury returned a defense verdict in 2011. Grant County Superior Court Judge Evan Sperline presided.

Opposing Counsel:

Steve Lacy
Lacy Kane, P.S.
300 Eastmont Avenue
East Wenatchee, WA 98802
(509) 884-9541

4. Creach v. Spokane County & Hirzel, No. CV-11-432-RMP, U.S. District Court, Eastern District of Washington.

This case was active in 2012 to 2013 and settled in June 2013 a few weeks prior to trial. I represented a deputy sheriff employed by Spokane County who shot and killed a local resident during an on-duty encounter. The decedent was a successful business owner and Baptist preacher, but he approached the deputy with a handgun and then refused to obey commands to drop the weapon. The decedent's family sued alleging civil rights violations, negligence, and the use of unreasonable force. Judge Rosanne Peterson presided, and Magistrate Judge James Hutton conducted the settlement conference.

Counsel for Spokane County:

Heather C. Yakely
Evans, Craven & Lackie, P.S.
Lincoln Building
818 West Riverside, Suite 250
Spokane, WA 99201
(509) 455-5200

Counsel for Creach Family:

Simeon J. Osborn
Osborn Machler, PLLC
2125 Fifth Avenue
Seattle, WA 98121
(206) 441-4110

Richard D. Wall
221 West Main Avenue, Suite 200
Spokane, WA 99201
(509) 747-5646

Robert B. Crary
Crary Clark & Domanico PS
East 9417 Trent Avenue
Spokane, WA 99206
(509) 926-4900

5. Elliott v. Custom Apple, 153 Wash. App. 296, 228 P. 3d 20 (2009).

I represented the defendant employer in an overtime wage claim. My clients claimed that overtime wages were not owed based on two exemptions to the overtime regulations – the supervisor’s exemption and the agricultural worker exemption. The jury returned a defense verdict in 2007, which was affirmed on appeal in 2009. Grant County Superior Court Judge Evan Sperline presided.

Opposing Counsel:

Scott M. Kane
Lacy Kane, P.S.
300 Eastmont Avenue
East Wenatchee, WA 98802
(509) 884-9541

6. Kellams v. Norco, 153 Wash.App. 1030 (2009).

I represented the plaintiff employee in a wrongful discharge case which included claims of disability discrimination and failure to accommodate. The defendant employer argued that the employee was fired after 30 years of good service because he took pain medication without a prescription, which was discovered after a random drug test. My client admitted that he took the medication, but argued it was to treat an on-the-job injury and, although he did not have a prescription, he took a nonprescription form of the medication that can be legally obtained in Canada. The case was dismissed after the defendant filed a motion for summary judgment. Chelan County Superior Court Judge John Bridges presided. The order of dismissal was affirmed on appeal in an unpublished decision.

Opposing Attorney:

Keller W. Allen
Law Firm of Keller W. Allen, P.C.
4102 South Regal, Suite 102
Spokane, WA 99223
(509) 777-2211

7. Roberson/Sims v. Perez, 156 W.2d 33, 123 P.3d 844 (2005), 119 Wn. App. 928, 83 P.2d 1026 (2004), 99 Wn. App. 439, 994 P.2d 874 (1999).

This case took nine years to litigate to completion, and was the principal civil case that began after the so-called “Wenatchee Sex Ring” prosecutions. The City of Wenatchee and Douglas County prosecuted several adults for sexually abusing children. Some of those prosecuted pled guilty, some were convicted and some were acquitted. This civil lawsuit was filed in 1996, and the plaintiffs, who were several of the people who had been charged with sexual abuse, alleged civil rights violations, false arrest, malicious prosecution, negligent investigation and several other causes of action. I represented Douglas County and three individuals employed by the Sheriff’s Office. The case was tried in King County Superior Court for 13 weeks in 1998. The plaintiffs requested a total of \$60 million, but the jury returned a defense verdict. This case was recognized by the National Law Journal as one of the nation’s top 15 defense verdicts for 1998.

The plaintiffs appealed and obtained the opportunity for another trial on the limited issue of negligent police investigation. This was the first time that such a cause of action had been recognized in Washington State. The venue for the second trial was moved to Spokane County, and the trial took five weeks in 2001. The jury found against Douglas County and awarded two of the plaintiffs a total of \$3 million. Douglas County appealed and successfully reversed the verdict. The Washington Supreme Court issued a decision in December 2005 which terminated the case in favor of Douglas County.

Spokane Superior Court Judge Michael E. Donahue presided over both trials in 1998 and 2001.

Co-Counsel on Appeal:

Howard Goodfriend
Catherine Smith
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Seattle, WA 98101
(206) 624-0974

Counsel for Co-Defendant:

Patrick G. McMahon
Carlson, McMahon & Sealby, PLLC
P.O. Box 2965
Wenatchee, WA 98807
(509) 662-6131

Counsel for Plaintiffs:

Robert C. Van Siclen
Tyler Firkins
Van Siclen, Stocks & Firkins
721 - 45th Street, NE

Auburn, WA 98002
(253) 859-8899

8. Snyder v. C&O Nursery, Chelan County Superior Court No. 10-2-01135-2.

I represented the defendant in a family business dispute between third generation owners. This case was settled in 2012 approximately one week before trial. An adverse result could have forced the business to close, which would have been unfortunate because it has been an important part of the local agricultural community for almost 100 years. The settlement conference was managed by Chelan County Superior Court Judge John Bridges, who is now retired.

Opposing Counsel:

Steve Lacy
Lacy Kane, P.S.
300 Eastmont Avenue
East Wenatchee, WA 98802
(509) 884-9541

9. Stansfield v. Douglas County, 146 W.2d 116, 42 P.2d 498 (2002).

I defended Douglas County in this false arrest/wrongful prosecution case. The plaintiff was charged with two counts of first degree murder. The victims, the plaintiff's wife and neighbor, were killed several months apart. The prosecutor's theory was that the plaintiff was having an affair with the neighbor's wife and decided to kill his own wife and his girlfriend's husband. The criminal charges were dismissed mid-trial because some evidence problems developed and the prosecutor decided that he could not proceed. The plaintiff then filed a civil lawsuit against Douglas County.

The civil case was originally filed in federal court, but we were successful in getting the civil rights claims dismissed by Judge Robert Whaley of the U.S. District Court, Eastern District of Washington. The State's claims were refiled in State Superior Court, and again the County was successful with a motion for summary judgment. The Washington Supreme Court reversed, and the case settled shortly before trial. The trial judge was Judge John Hotchkiss of the Douglas County Superior Court.

Counsel for Plaintiff:

Robert F. Hedrick
Aviation Law Group
1420 Fifth Avenue, Suite 3000
Seattle, WA 98101
(206) 464-1166

10. Stearns-Groseclose v. Chelan County, U.S. District Court, Eastern District of Washington, No. CV-04-312-RHW.

I represented the County Sheriff's Office which absorbed the police department of a local city but refused to transfer the plaintiff, a city police officer, into the Sheriff's Office as a deputy sheriff. The plaintiff sued the County alleging breach of contract, violations of civil rights, and gender discrimination based on state law. After a 4-day bench trial, the judge ruled in favor of the County. U.S. District Judge Robert Whaley presided.

Counsel for Plaintiff:

Scott Kane
Lacy Kane, P.S.
300 Eastmont Avenue
East Wenatchee, WA 98802
(509) 884-9541

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.)

My practice as a lawyer has been primarily dedicated to litigation, but there have been three significant non-litigation areas of my practice. Since 1992, I have represented Chelan County for employment and labor law related issues. This has involved providing legal advice as needed, drafting and editing employee manuals, negotiating labor contracts, managing and litigating labor grievances, and meeting with the various elected county officials. Since 1988, I have helped represent the Public Utility District No. 1 of Douglas County which operates an electrical distribution system throughout the County and owns a license from the Federal Energy Regulatory Commission for the Wells Project, a hydroelectric dam on the Columbia River. My legal work for this client has included attending board meetings, participating in the FERC re-licensing efforts, participating in the negotiations for a Habitat Conservation Plan to protect endangered salmon, providing advice on Canadian Entitlement issues regarding the 1961 Treaty between the United States and Canada, and working on power-sales contracts. Since 2010, I also have acted as the lead attorney for the Wenatchee Valley Medical Center, which is a local multi-specialty physician owned medical clinic. My law firm has represented this clinic for over 20 years, but I became more involved only recently. My work has involved primarily issues of employment law, corporate governance, contract negotiation and interpretation, HIPAA compliance, and general health care issues. Recently, the Wenatchee Valley Medical Center has negotiated an affiliation with the local hospital in part to be better positioned for the health care changes created by the Affordable Care Act. I did not have a direct role in the negotiation and drafting of the

affiliation agreement, but I have attended the meetings and provided advice as needed during the process.

From 2007 to 2008, as president of the Washington State Bar Association, I chaired the meetings of the Board of Governors and several committees and was responsible for managing the debate and ultimate resolution of multiple contentious issues, such as marriage equality, the legal technician rules, funding for civil legal needs, the moderate means program, and the Leadership Institute. During my term, I emphasized the issues of ethics, professionalism, and civility and I wrote articles about these issues, which were published in the WSBA Bar News.

I have not served as a registered lobbyist.

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 courses.

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.

If confirmed, my partners at the law firm of Jeffers, Danielson, Sonn & Aylward will be required to make buyout payments to me for my ownership interest in both the partnership and the office building which is owned by the partners. It is anticipated that this buyout will be paid in a lump sum when I leave the partnership, but the amount has not yet been calculated.

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.

If confirmed, I have no plans, commitments, or agreements to pursue outside employment with or without compensation.

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

If confirmed, I would recuse myself from any case in which I had previously participated as an attorney. In addition, my wife is a Superior Court Judge in Chelan County, Washington. I would not preside on a case in which Chelan County was a party during her term in office.

- 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 carefully review and address any real or potential conflicts by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, and any and all other laws, rules, and practices governing such circumstances.

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.

In 2007 to 2008 I served as the President of the Washington State Bar Association, which consumed 50 to 60 percent of my time. As President, I was involved in the efforts of the state bar to increase access to justice for low income clients. These efforts included developing a Legal Technician rule, the Moderate Means Program, and advocacy for the Access to Justice Board.

I served as the Chair of the Equal Justice Coalition (EJC) from 2010 to 2013. The EJC is a state wide committee that meets by conference call every two weeks during the legislative session to discuss the various issues of mutual concern regarding access to justice issues. Additionally, as the EJC chair, I visited Washington D.C. four times to meet with the Members of Congress from Washington regarding access to justice issues and funding.

I served on the Law Fund Board of Directors from 1992 to 2004. The Law Fund (the Legal Aid for Washington Fund) helps raise financial contributions primarily from lawyers for access to justice issues.

The Chelan-Douglas County Bar Association helps sponsor local legal clinics in Wenatchee, Washington. I attend these clinics approximately once every two years to spend an afternoon providing legal advice to low income clients.

I served on the Board of Directors of the United Way of Chelan and Douglas Counties from 1992 to 2000. This organization helps raise money for local member charitable organizations.

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.

On February 13, 2013, I submitted my written application materials to the U.S. District Judicial Screening Committee established by Senators Patty Murray and Maria Cantwell. I interviewed with this Committee on May 31, 2013, in Richland, Washington. I was then interviewed by phone by Senator Murray on June 14, 2013, and by Senator Cantwell on June 20, 2013. Since June 25, 2013, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On July 25, 2013, I interviewed with attorneys from the White House Counsel's Office and the Department of Justice in Washington, D.C. On September 19, 2013, the President submitted my nomination to the Senate.

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

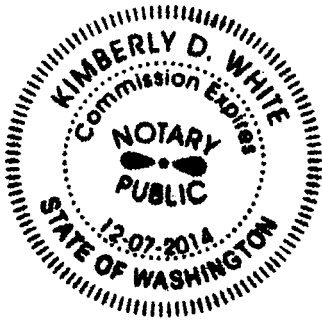
No.

AFFIDAVIT

I, Stanley A. Bastian, do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

October 2, 2013
(DATE)

[Signature]
(NAME)



[Signature]
(NOTARY)