

**STATE JUDICIAL NOMINATION COMMISSION
AND OFFICE OF THE GOVERNOR
JOINT JUDICIAL APPLICATION**

Please complete this application by placing your responses in normal type, immediately beneath each request for information. Requested documents should be attached at the end of the application or in separate PDF files, clearly identifying the numbered request to which each document is responsive. Completed applications are public records. If you cannot fully respond to a question without disclosing information that is confidential under state or federal law, please submit that portion of your answer separately, along with your legal basis for considering the information confidential. Do not submit opinions or other writing samples containing confidential information unless you are able to appropriately redact the document to avoid disclosing the identity of the parties or other confidential information.

PERSONAL INFORMATION

- 1. State your full name.**

William (Bill) John Miller

- 2. State your current occupation or title. (Lawyers: identify name of firm, organization, or government agency; judicial officers: identify title and judicial election district.)**

Partner
Dorsey & Whitney LLP
801 Grand Ave., Ste. 4100
Des Moines, IA 50309

- 3. State your date of birth (to determine statutory eligibility).**

March 30, 1977

- 4. State your current city and county of residence.**

Des Moines, Polk County

PROFESSIONAL AND EDUCATIONAL HISTORY

- 5. List in reverse chronological order 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.**

Drake University Law School; 1999-2002; J.D. with Legislative Practice Certificate

Augustana College (IL); 1995-1999; B.A. with majors in History, English, and Political Science and concentration in Pre-Law

I attended the Centre for Medieval and Renaissance Studies (now known as the Middlebury College-CMRS Oxford Humanities Program), Keble College, Oxford University, during summer 1998 to gain additional college credits that would have transferred to Augustana to support my progress toward my B.A. degree.

I attended Joliet Junior College during summer 1996 to gain additional college credits that would have transferred to Augustana to support my progress toward my B.A. degree.

- 6. Describe in reverse chronological order all of your work experience since graduating from college, including:**
- a. Your position, dates (beginning and end) of your employment, addresses of law firms or offices, companies, or governmental agencies with which you have been connected, and the name of your supervisor or a knowledgeable colleague if possible.**
 - b. Your periods of military service, if any, including active duty, reserves or other status. Give the date, branch of service, your rank or rating, and present status or discharge status.**

Dorsey & Whitney LLP
Associate (2006-2012); Partner (2013-present)
801 Grand Ave., Ste. 4100 (previously Ste. 3900)
Des Moines, IA 50309
David A. Tank

Bradshaw, Fowler, Proctor & Fairgrave, P.C.
Associate (2004- 2006)
801 Grand Ave., Ste. 3700
Des Moines, IA 50309
Jason C. Palmer

Iowa Judicial Branch
Law Clerk to the Hon. Mark S. Cady (2002-2004)
Iowa Supreme Court
1111 East Court Ave.
Des Moines, IA 50319
(The court was in the Iowa State Capitol when I started my employment but moved to the judicial branch building about midway through my clerkship.)
Hon. Marsha Ternus

United States Department of Justice, Civil Division, Appellate Section
Intern (summer 2001)
950 Pennsylvania Ave., N.W.
Room 7519

Washington, DC 20530

(I do not recall the address where I was employed during my internship. The address provided is the staff's current mailing address.)

Drake Law School

Research Assistant for Professor Thomas E. Baker, James Madison Chair in Constitutional Law and Director, Constitutional Law Center (2001–2002)

2507 University Ave, Des Moines, IA 50311

(I believe this was a paid position but I may have been a volunteer.)

Thomas E. Baker (now teaching at Florida International University Law School)

Galligan, Tully, Doyle & Reid, P.C.

Law Clerk (2000-2002)

300 Walnut St., Ste. 5

Des Moines, IA 50309

Hon. Richard H. Doyle

Intern, Legislative Service Bureau (during a portion of the 2002 school year)

Iowa State Capitol

1007 E Grand Ave.

Des Moines, IA 50319

(This was an unpaid internship completed as part of Drake Law School's Legislative Practice curriculum.)

Intern, Iowa Senate – Sen. Jeff Lamberti (during a portion of the 2001 school year)

Iowa State Capitol

1007 E Grand Ave.

Des Moines, IA 50319

(This was an unpaid internship completed as part of Drake Law School's Legislative Practice curriculum.)

- 7. List the dates you were admitted to the bar of any state and any lapses or terminations of membership. Please explain the reason for any lapse or termination of membership.**

Iowa; 2002-present

I am also admitted to practice in the federal courts in Iowa and the United States Court of Appeals for the Eighth Circuit with varying dates of admission subsequent to 2002.

- 8. Describe the general character of your legal experience, dividing it into periods with dates if its character has changed over the years, including:**
- a. A description of your typical clients and the areas of the law in which you have focused, including the approximate percentage of time spent in each area of practice.**

- b. The approximate percentage of your practice that has been in areas other than appearance before courts or other tribunals and a description of the nature of that practice.**
- c. The approximate percentage of your practice that involved litigation in court or other tribunals.**
- d. The approximate percentage of your litigation that was: Administrative, Civil, and Criminal.**
- e. The approximate number of cases or contested matters you tried (rather than settled) in the last 10 years, indicating whether you were sole counsel, chief counsel, or associate counsel, and whether the matter was tried to a jury or directly to the court or other tribunal. If desired, you may also provide separate data for experience beyond the last 10 years.**
- f. The approximate number of appeals in which you participated within the last 10 years, indicating whether you were sole counsel, chief counsel, or associate counsel. If desired, you may also provide separate data for experience beyond the last 10 years.**

I was Justice Cady's sole law clerk from approximately mid-2002 to mid-2004. In that position, I worked closely with the justice to research legal issues in all areas of the law and draft written material for his use in executing his duties. This provided me a very broad exposure to the law while honing my legal research and writing. Justice Cady was also a mentor in introducing me to the legal profession and practice.

After my clerkship, I moved into private practice. I first joined the Bradshaw law firm as an associate. In 2006, I accepted an associate position with my current firm, Dorsey & Whitney. I became a partner with the Dorsey firm in 2012 (effective January 1, 2013) and continue in that position. The nature of my practice has changed over time consistent with my titles and experience, but I have maintained a civil litigation practice throughout.

While an associate with Bradshaw, nearly all of my clients were individuals or businesses located in Iowa that either employed the firm directly or were referred or assigned to our firm by their insurer. Approximately 90% of my practice was insurance-based, either defending clients or addressing coverage issues, with approximately 10% of my practice consisting of commercial litigation involving business disputes such as breach of contract. My practice almost exclusively involved litigation in court or other tribunals in the civil area, although I believe I was involved in a small number of matters in the administrative area. Notably, while an associate at the Bradshaw firm, I personally presented oral argument to the United States Court of Appeals for the Eighth Circuit.

My initial experience as an associate with Dorsey & Whitney was similar to my experience with the Bradshaw firm except the percentages in my areas of law flipped so that approximately 90% of my practice was commercial litigation and approximately 10% was insurance-based. Once again, my practice almost exclusively involved litigation in court or other tribunals in the civil area, although I was involved in a small number of matters in the administrative area as well.

One highlight of my time as a Dorsey associate was our representation of a manufacturing client in a complex products liability action in Mahaska County that culminated in a jury trial in 2008 that last five weeks and resulted in an eight-figure verdict in favor of our client. I was second chair for this trial and shared responsibility with a partner to examine multiple witnesses and complete other trial-related tasks, including extensive efforts to work with opposing counsel (Jason Palmer) and the court (Hon. Annette Scieszinski) in preparing the court’s eventual jury instructions.

As my practice has developed over the years, it has also evolved in some ways. I continue to represent individuals or businesses located in Iowa, but I have many clients located elsewhere for which I have provided representation in or outside Iowa. Over time, my matters have increasingly focused on the needs of health care and public entities, including many Iowa municipalities. The types of businesses with which I work are often, but not exclusively, in the healthcare, government, financial services, and manufacturing industries. I have also developed an employment law practice in which I defend clients rather than represent plaintiffs. The complexity of the matters on which I work, and my responsibility for them, has increased.

My present practice typically involves complex business litigation in the civil area with occasional contacts with administrative and criminal areas in conjunction with my work in the civil area. Some clients also view me as their primary outside counsel or akin to a general counsel. In these circumstances, the client will consult me on matters not specifically linked to ongoing litigation, but instead to address general issues that arise or to avoid litigation. Accordingly, I would describe my present practice to include the following areas with the identified breakdown of my approximate time in each:

- Complex business litigation: 60%
- Miscellaneous matters/client counseling – non-litigated: 20%
- Employment law: 15%
- Insurance defense or coverage: 5%

I have participated in the following matters that were tried or culminated in trial-like proceedings:

Venue	Role	Type
Private arbitration hearing – 2019	Associate/assisting counsel	Tribunal
State court (Polk County) – 2018	Chief/lead counsel; sole counsel at trial	Jury
State (Dubuque) – 2016	Chief; sole at trial	Bench
Federal court (S.D. Iowa) – 2015	Chief	Bench
Federal (N.D. Iowa) – 2015	Chief	Bench
State (Marshall) – 2013	Associate	Jury
State (Story) – 2012	Chief	Jury

State (Linn) – 2012	Associate	Jury
State (Polk) – 2010	Associate	Bench
State (Mahaska) – 2008	Associate	Jury
Federal (N.D. Iowa) – 2007	Associate	Jury

I have participated in the following appeals, listed in reverse chronological order by approximate date of last significant activity in the appeal and excepting matters for which a notice of appeal was filed but no significant activity ensued:

Appellate court	Underlying venue	Role	Oral argument
Iowa Supreme Court – 2019	State (Polk)	Chief for arguing	Yes
Pending determination – 2019	State (Ringgold)	Chief	TBD
Iowa Court of Appeals – 2019	State (Polk)	Chief	TBD
Iowa Court of Appeals – 2019	State (Polk)	Chief	Yes, but by colleague
Iowa Supreme Court – 2018	State (Polk)	Chief	Yes
Iowa Court of Appeals – 2018	State (Dubuque)	Chief	Yes
U.S. Court of Appeals for the Eighth Circuit – 2017	Federal (N.D. Iowa)	Chief	Yes
Iowa Supreme Court – 2016	State (Polk)	Chief for arguing	Yes
Iowa Court of Appeals – 2016	State (Polk)	Chief	Yes, but by colleague
Iowa Supreme Court – 2013	State (Polk)	Chief	No, successful motion to dismiss
Iowa Court of Appeals – 2013	State (Polk)	Chief	Yes
Iowa Court of Appeals – 2013	State (Linn)	Chief	Yes
Iowa Court of Appeals – 2012	State (Polk)	Chief	Yes
Iowa Court of Appeals – 2010	State (Mahaska)	Chief	No, fully briefed before dismissal
Iowa Court of Appeals – 2008	State (Polk)	Chief	Yes
Eighth Circuit – 2006	Federal (N.D. Iowa)	Chief for arguing	Yes

9. Describe your pro bono work over at least the past 10 years, including:

- a. **Approximate number of pro bono cases you've handled.**
- b. **Average number of hours of pro bono service per year.**
- c. **Types of pro bono cases.**

Pro bono service has been a continuous part of my work throughout my career, including over the past ten years. In that timeframe, I have handled approximately twenty-five cases or substantive legal matters on a pro bono basis.

Some of my matters over the years have involved litigation, but I also have been involved with multiple matters in which the service involved activity before courts or administrative agencies but not necessarily in an adverse context. For instance, I have represented clients in guardianship and/or conservatorship proceedings, petitions for name changes, and defense of alleged nuisance property claims. I also served pro bono as an assistant city attorney for the City of Ames for a short period during which I was responsible for prosecuting some matters.

I have also represented pro bono clients in litigated matters, the most significant of which involved the representation of the Ape Cognition and Conservation Initiative ("ACCI"), which is the entity that succeeded to the care and work of a colony of bonobos brought to Iowa to create what was once known as the Great Ape Trust. Unfortunately, in the transition to ACCI's leadership, litigation ensued in the United States District Court for the Southern District of Iowa. I was not involved initially, but I assisted ACCI in completing the litigation, culminating in a three-day evidentiary hearing before Magistrate Judge Ross Walters in which ACCI eventually prevailed.

In sum, I believe I have averaged well in excess of 50 hours of pro bono a year spread across multiple types of matters and roles. I have also supplemented this service with financial support for entities such as the Polk County Bar Association – Volunteer Lawyers Project, of which I am also a former board member.

Finally, in addition to the cases or matters in which I have represented a party, I also have served as the pro bono coordinator for Dorsey & Whitney's Des Moines office since 2008, a role that involves helping my colleagues identify pro bono matters in which they can provide assistance.

In sum, I am a firm believer in our ethical obligation to provide and support pro bono work and have strived to live out that belief by making pro bono a meaningful aspect of my career.

10. If you have ever held judicial office or served in a quasi-judicial position:

- a. **Describe the details, including the title of the position, the courts or other tribunals involved, the method of selection, the periods of service, and a description of the jurisdiction of each of court or tribunal.**

N/A

- b. List any cases in which your decision was reversed by a court or other reviewing entity. For each case, include a citation for your reversed opinion and the reviewing entity's or court's opinion and attach a copy of each opinion.**

N/A

- c. List any case in which you wrote a significant opinion on federal or state constitutional issues. For each case, include a citation for your opinion and any reviewing entity's or court's opinion and attach a copy of each opinion.**

N/A

11. If you have been subject to the reporting requirements of Court Rule 22.10:

- a. State the number of times you have failed to file timely rule 22.10 reports.**

N/A

- b. State the number of matters, along with an explanation of the delay, that you have taken under advisement for longer than:**

- i. 120 days.**

N/A

- ii. 180 days.**

N/A

- iii. 240 days.**

N/A

- iv. One year.**

N/A

12. Describe at least three of the most significant legal matters in which you have participated as an attorney or presided over as a judge or other impartial decision maker. If they were litigated matters, give the citation if available. For each matter please state the following:

- a. Title of the case and venue,**
- b. A brief summary of the substance of each matter,**
- c. A succinct statement of what you believe to be the significance of it,**

- d. The name of the party you represented, if applicable,**
 - e. The nature of your participation in the case,**
 - f. Dates of your involvement,**
 - g. The outcome of the case,**
 - h. Name(s) and address(es) [city, state] of co-counsel (if any),**
 - i. Name(s) of counsel for opposing parties in the case, and**
 - j. Name of the judge before whom you tried the case, if applicable.**
- 1a. Multiple matters for The Reserve, a Nonprofit Corporation d/b/a The Reserve on Walnut Creek (“The Reserve”). The Reserve has been sued repeatedly since 2012. Each case has been brought by one or more members of The Reserve or family members or other representatives acting on the member’s behalf:
- *Estate of William Raisch v. The Reserve*, Polk County Case No. LACL125314 (filed in 2012)
 - *Cremer as Trustee of the Cremer Investment Trust v. The Reserve*, Polk County Case No. LACL132256 (2015)
 - *Albaugh v. The Reserve*, Polk County Case No. CVCV052550 (2016)
 - *Buck, et al. v. The Reserve*, Polk County Case No. CVCV052364 (2016)
 - *Bergman, et al. v. The Reserve*, Polk County Case No. CVCV055304 (2017)
 - *Nielsen v. The Reserve*, Polk County Case No. LACL146325 (2019)
- In nearly all of these cases, The Reserve has also brought cross-claims against a third party, S.X. Corporation d/b/a Essex Corporation (“Essex”).
- b. Each lawsuit except *Nielsen* has asserted multi-count claims alleging, among other things, that The Reserve breached the Iowa Landlord Tenant Act, committed consumer fraud, breached a fiduciary duty, or committed like wrongdoing in relation to the member. *Nielsen* asserts a proposed sale of The Reserve should be enjoined based on similar alleged breaches.
 - c. The cases involving The Reserve and associated counseling on multiple related issues has lasted for nearly eight years. One case resulted in a jury trial (the *Buck* case) and the Iowa Supreme Court resolved another (*Albaugh*). One of the theories advanced on behalf of plaintiffs is that the Iowa Landlord Tenant Act applies to continuing care retirement communities, which, if true, likely would prompt a sea change for independent living facilities.
 - d. The Reserve
 - e. My participation in these matters has been comprehensive, including trying the *Buck* case and arguing the *Albaugh* appeal.
 - f. 2012 to present

- g. The *Raisch* and *Cremer* case were dismissed voluntarily. The *Buck* case resulted in a jury verdict against The Reserve. The *Albaugh* case was dismissed on summary judgment, which was affirmed on appeal. The *Bergman* and *Nielsen* cases remain pending.
- h. We have not had outside co-counsel. I have worked with and supervised several Dorsey colleagues in these cases over the years depending on need.
- i. All Plaintiffs except in the *Nielsen* case have been represented by Jason Craig and his colleagues at Ahlers & Cooney, P.C. Plaintiff in the *Nielsen* case is represented by Patrick White of White Law Office, P.C.

Essex has been represented throughout by Mitch Kunert of Nyemaster Goode, P.C.
- j. The *Buck* case was tried to District Court Judge Jeanie Vaudt. District Court Judge Michael Huppert granted summary judgment in *Albaugh* before being affirmed by the Iowa Supreme Court. The other cases have involved numerous judges in district 5C who have touched the cases at different times.
- 2a. *Acciona Windpower North America v. City of West Branch*; U.S. District Court for the Northern District of Iowa and U.S. Court of Appeals for the Eighth Circuit
 - b. Acciona alleged the City breached a tax increment finance agreement by refusing to pay multiple years of anticipated payments for Acciona achieving certain development benchmarks.
 - c. This case is a good example of my work for municipal clients and involved a potential negative fiscal impact that was significant to the city.
 - d. City of West Branch
 - e. Chief counsel, including through evidentiary hearing in the Northern District of Iowa and appeal to the Eighth Circuit.
 - f. 2014 to 2017
 - g. The City was partially successful in its defense, although the district court's ruling providing Acciona some of its requested relief was upheld on appeal at 847 F.3d 963 (8th Cir. 2017)
 - h. We did not have outside co-counsel. I worked with my Dorsey colleague, Brian Melhus, in the defense of the case.
 - i. Terri Davis and the Honorable Dana Oxley of Shuttleworth & Ingersoll PLC

- j. The Honorable Jon Stuart Scoles, United States Magistrate Judge for the Northern District of Iowa
- 3a. *Federal Deposit Insurance Corp. v. Dosland, et al.* and *Progressive Casualty Insurance Co. v. [FDIC], as Receiver of Vantus Bank*; N.D. Iowa
- b. These two cases resulted from the closure of Vantus Bank, which had been based in Sioux City. The FDIC sought recovery for alleged breaches of duties on behalf of the former directors and officers of the bank. In a parallel action, the FDIC sought to enforce an insurance policy that had been purchased in relation to insuring against claims premised on the alleged conduct of the directors and officers.
- c. These cases involved the only bank in Iowa that was put into receivership by the FDIC in the wake of the Great Recession. The FDIC claimed damages in the tens of millions of dollars. Multiple unique and difficult issues were presented.
- d. The former directors and officers of Vantus Bank
- e. I worked closely with my partner Dave Tank to lead our team to defend our clients' interests in both matters.
- f. 2010-2015
- g. The parties agreed to a stipulation for voluntary dismissal.
- h. Daniel L. Hartnett of Crary Huff Ringgenberg, Hartnett & Storm, PC, Sioux City
- i. For the FDIC: Maureen Tobin, Mark Rice, Richard Kirschman, and Stephen Marso of Whitfield & Eddy PLC; Robert L. Wainess of the FDIC; Antony S. Burt, Andrew C. Porter, Kelly M. Warner, Michael W. Ott of Schiff Hardin LLP; and Andrew Reidy, Catherine J. Serafin, and Joseph M. Saka of Lowenstein Sandler LLP

For Progressive: Lewis K. Loss and Matthew Dendinger, now with Dykema Gossett PLLC and Guy Cook of Grefe & Sidney, PLC

For Third-Party Defendant the United States of America: Jacob Schunk, Assistant U.S. Attorney
- j. These cases were not tried.

- 4a. *In re the Change of Name of A.A.S.C.*, State court (Webster County)
- b. The mother of AASC (a minor) sought our assistance on a pro bono basis to resolve issues created by the fact she was not listed as AASC's mother on his birth certificate. The mother was underage at the time of AASC's birth and, to hide this fact, AASC's father had inserted his sister's name and information as "mother." The father had since left AASC and his mother in Iowa and returned to Central America.
- c. AASC's education and other life events were being disrupted by the discrepancy in his birth certificate, which created questions relating to his and his mother's identities. It was critical to them to have the certificate corrected.
- d. AASC's mother
- e. I served as chief and sole counsel in this matter.
- f. 2015-2017
- g. We were able to prove *maternity* and correct AASC's birth certificate.
- h. None.
- i. None.
- j. This case was not tried.

13. Describe how your non-litigation legal experience, if any, would enhance your ability to serve as a judge.

I believe my experience as Justice Cady's law clerk provided a strong introduction to the qualities exhibited by our best judges and would assist in my transition if I was selected. As noted in prior sections, I have had the opportunity to counsel and otherwise work with clients in multiple non-litigated contexts ranging from assisting clients as a de facto general counsel to aiding clients through difficult life changes for them or a loved one. I know my exposure to the practical concerns of clients who are not litigating a matter or hoping to avoid litigation have helped me distill, discuss, and find solutions to complex litigated matters. I believe I have seen all sides of the client experience and this knowledge would carry into my role as a judge both in the analysis of the difficult issues presented and in relation to colleagues who come from a wide range of backgrounds. In sum, I believe I am a well-rounded attorney and counselor, not just a litigator.

14. If you have ever held public office or have you ever been a candidate for public office, describe the public office held or sought, the location of the public office, and the dates of service.

N/A

- 15. If you are currently an officer, director, partner, sole proprietor, or otherwise engaged in the management of any business enterprise or nonprofit organization other than a law practice, provide the following information about your position(s) and title(s):**
- a. Name of business / organization.**
 - b. Your title.**
 - c. Your duties.**
 - d. Dates of involvement.**

N/A

- 16. List all bar associations and legal- or judicial-related committees or groups of which you are or have been a member and give the titles and dates of any offices that you held in those groups.**

- Member, Polk County Bar Association
 - President (2017-2018), President Elect (2016-2017), Vice President (2015-2016), Treasurer (2013-2015)
 - Member, Board of Governors
 - Chair, Judicial Retention Committee
 - Past Member, Ethics Committee
 - Past Member, Public Relations Committee
- Member, Iowa State Bar Association
 - Member, Board of Governors
 - Chair, Litigation Section Council
 - Member, Health Law Section Council
 - Member, Judicial Administration Committee
 - Member, Appellate Practice Committee
 - Past Member, Independence of the Judiciary/Fair Courts Committee
 - Past Member and Chair, Young Lawyers Division Services to the Elderly Committee
- Past Member and Co-Chair, Iowa Supreme Court Advisory Committee on Rules of Civil Procedure
- Past Member, Iowa Supreme Court Commission on Continuing Legal Education
- Past Member, PCBA Volunteer Lawyers Project Board of Directors
- Member, Iowa Defense Counsel Association
- Member, Iowa Society of Healthcare Attorneys
- Member, Iowa Municipal Attorneys Association

- Past Member, American Judicature Society, National Advisory Council
 - Past Member, American Judicature Society, Amicus Committee
- Past Member, American Bar Association
- Past Member, Defense Research Institute
- Past Member, C. Edwin Moore Inn of Court

17. List all other professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed above, to which you have participated, since graduation from law school. Provide dates of membership or participation and indicate any office you held. “Participation” means consistent or repeated involvement in a given organization, membership, or regular attendance at events or meetings.

- Augustana College, President’s Advisory Council (2020-present)
- Holy Trinity Church and School, Facilities Committee (2018-present) and lector (2016-present)
- Beaverdale Neighborhood Association, Board of Directors and President (2003-2009)
- Amanda the Panda (now part of EveryStep), Board of Directors (2009-2015)
- Greater Des Moines Leadership Institute (2007-2008)

18. If you have held judicial office, list at least three opinions that best reflect your approach to writing and deciding cases. For each case, include a brief explanation as to why you selected the opinion and a citation for your opinion and any reviewing entity’s or court’s opinion. If either opinion is not publicly available (i.e., available on Westlaw or a public website other than the court’s electronic filing system), please attach a copy of the opinion.

N/A

19. If you have not held judicial office or served in a quasi-judicial position, provide at least three writing samples (brief, article, book, etc.) that reflect your work.

Please see the attached samples:

- The Reserve’s Final Brief, *Albaugh v. The Reserve*
- The Reserve’s Memorandum of Authorities in Support of its Combined Motion for Summary Judgment and Resistance to Plaintiffs’ Motion for Summary Judgment, *Buck v. The Reserve*
- William J. Miller, Note, *Chipping Away at the Dam: Anastasoff v. United States and the Future of Unpublished Opinions in the United States Courts of Appeals and Beyond*, 50 Drake L. Rev. 181 (2001)

Items 1 and 2 would not have been possible without the assistance of my Dorsey colleagues. Colleagues on the Drake Law Review edited item 3. Notwithstanding, these items reflect my writing and are the result of my significant work to draft, craft, and hone my written work.

OTHER INFORMATION

- 20. If any member of the State Judicial Nominating Commission is your spouse, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, father, mother, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister, state the Commissioner's name and his or her familial relationship with you.**

N/A

- 21. If any member of the State Judicial Nominating Commission is a current law partner or business partner, state the Commissioner's name and describe his or her professional relationship with you.**

N/A

- 22. List the titles, publishers, and dates of books, articles, blog posts, letters to the editor, editorial pieces, or other published material you have written or edited.**

- I prepared monthly “President’s Letters” while I was the President of the Polk County Bar Association (2016-2017), which were distributed to the PCBA membership via our association’s email newsletters
- New Eighth Circuit Opinion Likely to Increase Summary Judgments in Noncompetе Litigation (Aug. 28, 2017) (Dorsey & Whitney blog entry co-authored with JoLynn Markison)
- Part 3: Best Practices of a Governmental Body To Protect Itself in Challenges Under the Open Meetings Law After *Hutchison v. Shull* (Jan. 2017) (Dorsey & Whitney blog entry co-authored with Alissa Smith and David Grossklaus)
- *Hutchison v. Shull*: Expanding Iowa’s Open Meeting Law (Part 1) (Apr. 26, 2016) (Dorsey & Whitney blog entry)
- Iowa Supreme Court: So-Called “Shuttle Diplomacy” May Violate Open Meeting Law (Apr. 26, 2016) (Dorsey & Whitney blog entry)
- Medical Liability Reform – Iowa’s Communication and Optimal Resolution (Candor) Bill Effective July 1, 2015 (July 23, 2015) (Dorsey & Whitney blog entry co-authored with Alissa Smith)
- Recent Iowa Supreme Court Opinions Address Open Records Request for a Public Hospital’s Internal Audits and Address Hospital Board Liability for Negligent

- Credentialing (Apr. 23, 2012) (Dorsey & Whitney blog entry co-authored with Alissa Smith)
- New Iowa Supreme Court Opinion Reinforces Iowa’s Peer Review Protection (Dec. 6, 2011) (Dorsey & Whitney blog entry co-authored with Alissa Smith)
- Unpublished Opinions—New Rule Governing Their Use Could Become Effective End of the Year, *The Iowa Lawyer* (Apr. 2006)
- An Excellent Volume for Practitioners in Many Fields (A Review of Advance Health Care Directives: A Handbook for Professionals), *The Iowa Lawyer* (Dec. 2003)
- Note, *Chipping Away at the Dam: Anastasoff v. United States and the Future of Unpublished Opinions in the United States Courts of Appeals and Beyond*, 50 *Drake L. Rev.* 181 (2001)

23. List all speeches, talks, or other public presentations that you have delivered for at least the last ten years, including the title of the presentation or a brief summary of the subject matter of the presentation, the group to whom the presentation was delivered, and the date of the presentation.

- Case Law Update (one of three presenters); forthcoming on May 21, 2020; Iowa Society of Healthcare Attorneys (ISHA)
- Iowa Law Update: New and Notable Legal Developments; May 31, 2019; Association of Corporate Counsel (ACC) – Iowa Chapter
- Case Law Update (one of three presenters); May 23, 2019; ISHA
- Working with Hospitals and HIPAA; Aug. 29, 2018; Iowa County Attorneys Association
- Case Law Update (one of three presenters); May 22, 2018; ISHA
- Introduction of the Iowa Supreme Court; September 19, 2017; members of the public attending oral argument at Hoover High School, Des Moines
- Case Law Update (one of three presenters); May 4, 2017; ISHA
- Case Law Update (one of three presenters); May 10, 2016; ISHA
- Case Law Update (one of three presenters); May 12, 2015; ISHA
- Case law update; Dec. 19, 2014; Scott County Bar Association
- Case law update; Nov. 21, 2014; ACC – Iowa Chapter
- Case Law Update (one of three presenters); May 13, 2014; ISHA
- Ethics (panel moderated by the Hon. Michael J. Streit of Ahlers & Cooney PC); May 8, 2014; Iowa State Bar Association (ISBA) Bridge the Gap seminar
- Ethics: New and Notable (A Professional Responsibility Round Up); Dec. 19, 2013; Dorsey & Whitney colleagues
- Professional Responsibility Round Up; Nov. 15, 2012; ACC – Iowa Chapter

- Panel discussion regarding Iowa judicial system; Sept. 21, 2011; Iowa Court of Appeals
- Loss Prevention Audit and Ethics Presentation for Lawyers; Sept. 15, 2011; Dorsey & Whitney LLP colleagues
- Update on Iowa Laws Related to Healthcare Providers; Oct. 20, 2009; private presentation to client legal team
- Professional responsibility in attorney advertising; July 24, 2009; ISBA Solo and Small Firm Seminar
- Behind the Scenes of Iowa's Appellate Courts; Feb. 20, 2009; ISBA Appellate Practice committee seminar
- An Overview of Professional Responsibility in Attorney Advertising and Solicitation in Iowa; November 21, 2008; Polk County Bar Association
- Ethics: An Overview of Professional Responsibility in Attorney Advertising and Solicitation in Iowa; May 8, 2008; Iowa Society of Healthcare Attorneys
- An Overview of Attorney Advertising and Solicitation in Iowa; June 26, 2007; Dorsey & Whitney colleagues
- Case law or like update; Feb. 2, 2007; Iowa Judicial Branch
- Iowa Appellate Case Review II (2005-2006); September 29, 2006; Iowa Defense Counsel Association
- Overview of legal profession; Sept. 13, 2006; North Polk High School students
- Iowa appellate case review; September 2005; Iowa Defense Counsel Association
- I have participated in group presentations as a member of the C. Edwin Moore Inn of Court and like organizations related to the legal profession. I do not recall and I am able to reconstruct specifically when such presentations took place.

To the best of my recollection, I have not delivered any other speeches, talks, or other public presentations.

24. List all the social media applications (e.g., Facebook, Twitter, Snapchat, Instagram, LinkedIn) that you have used in the past five years and your account name or other identifying information (excluding passwords) for each account.

Twitter: Starbuck132 (private)

LinkedIn: William J. Miller

25. 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.

- Graduation from Augustana College *cum laude*; Phi Beta Kappa Society; Omicron Delta Kappa Honor Society; Mortar Board Honor Society; Sigma Tau Delta English

- Honor Society; Phi Alpha Theta History Honor Society; National Residence Hall Honorary; Dean's List
- Graduation from Drake Law School with highest honors; Order of the Coif; Iowa State Bar Association Graduating Senior Award; The H.G. Cartwright Law Review Award; CALI Excellence for the Future Awards in Contracts I, Conflicts of Laws, and Election Law; Dean's List
 - Recognized as one of Des Moines Business Record's 2014 Forty Under 40
 - Listed in Best Lawyers in America[®] for Commercial Litigation (2016-present) and Litigation — Labor & Employment (2018-present)
 - Rated AV Preeminent[®] by Martindale-Hubbell[®]
 - Ranked by Chambers USA, 2015-2019
 - Named one of "America's Leading Business Lawyers" by Chambers USA (Litigation: General Commercial), 2018-2019
 - Named "Up and Coming" by Chambers USA (Litigation: General Commercial), 2015-2017
 - Recognized as a "Future Star" by Benchmark Litigation, 2015-2016
 - Recognized as one of Benchmark Litigation's Under 40 Hot List, 2016-2018
 - Recognized as a "Rising Star" by Great Plains Super Lawyers, 2013-2017

26. Provide the names and telephone numbers of at least five people who would be able to comment on your qualifications to serve in judicial office. Briefly state the nature of your relationship with each person.

- Hon. Mark S. Bennett (Ret.); 515-271-2908; I practiced in front of Judge Bennett over the years but also recently had the opportunity to work with him in multiple matters in his new role as a mediator
- Rebecca Brommel; 515-242-2452; Becki is a partner with Brown, Winick, Graves, Gross, Baskerville and Schoenebaum, PLC in Des Moines and has represented clients in multiple matters in which our respective clients were aligned or adverse
- Jason Craig; 515-246-0372; Jason is a partner with Ahlers & Cooney, PC in Des Moines and has represented clients in multiple matters against my client, The Reserve
- Hon. Richard H. Doyle; 515-348-4700; Judge Doyle was my supervisor when he was in private practice and I was a law clerk at the Galligan firm in law school and he has remained a mentor and friend since
- Patricia Lantz; 515-453-1418; Pat is the General Counsel of my client, the Multi-State Lottery Association
- Michael Salvner; 515-286-3737; Mike is an Assistant Polk County who has been a close friend since 1998, including during law school

- Douglas Sondgeroth; 312-653-7870; Doug is an attorney in Chicago who has been a close friend since 1995, including being the best man at my wedding
- Phyllis Stadlander; 515-205-8058; Phyllis is the chair of the board of directors of my client, The Reserve
- Jared Tagliatela, Ph.D.; 404-932-4682; Jared is the chair of the board of directors of my client, the Ape Cognition and Conservation Initiative
- David A. Tank; 515-699-3290; Dave is my partner at Dorsey & Whitney and a mentor, friend, and colleague with whom I have worked closely from the time I was an associate to present
- Neal Westin; 515-283-3120; Neal is a partner with Nyemaster Goode PC who has been a friend since approximately 2003, including multiple years of joint service on the board of directors of the Beaverdale Neighborhood Association

27. Explain why you are seeking this judicial position.

I enjoyed the process of applying for the position that was opened by Chief Justice Cady's death. While I was disappointed I was not a finalist for that position, the reasons why I first applied remain the same.

I have felt the call to public service since I was a young man. I had excellent examples in my parents, grandparents, and other relatives, some of whom served in the military or in several other volunteer capacities. Those examples were reinforced in high school, where we were challenged to provide substantial public service as we progressed to graduation. I embraced those lessons and opportunities and found ways to serve my community in college and law school. I have continued those efforts even though my path took me into private practice, rather than into a position in the public sector, where I originally believed I would end up. My call to public service has never abated, and I believe the time is right to answer that call.

I identified the goal of being a judge early in my career. My experience as a law clerk gave me a window into the appellate court process. My time with the court gave me countless opportunities to look at the law from many angles and think about it on a minute level. My most enjoyable experiences in private practice are when I can break an issue down in this same way. I knew I wanted to pursue this work as a public servant at some point and I believe the timing is right.

28. Explain how your appointment would enhance the court.

I would be a hard-working, humble, and dedicated judge and a great colleague to my fellow justices. My primary practice areas involve me in legal work that is at the core of the modern economy. I believe my perspective from working daily with clients and colleagues in addressing challenging legal issues will aid the court in many ways, including where pragmatic considerations are in play. This goes beyond the court's opinions, but also into its work on motions, court rules, and initiatives to improve the administration of justice. Further, my experience in bar association and other roles

documented in this application will translate well into the collaborative work that the court must perform.

I am dedicated to the rule of law and the fair administration of justice. I believe our justices are a key public face for upholding these principles. I care deeply about the future of the law and the legal profession. One of the best initiatives ever undertaken by the supreme court was its ongoing efforts to take the court on the road throughout the state. I am a cheerleader for the courts and enjoy talking with the public about the law. I will embrace these opportunities and the unique responsibility of the court as steward of Iowa's legal system.

29. Provide any additional information that you believe the Commission or the Governor should know in considering your application.

N/A