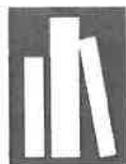


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from FBI Director Louis J. Freeh, 2000; Special Achievement Award for Sustained Superior Performance as an Asst. U.S. Attorney, 1996, 1997; U.S. Attorney's Office On-the-Spot Award, 1997.

Education: J.D. (1991; fellowship recipient, member of UCLA moot court honors program), UCLA Law School; B.A. (1987), Occidental College, Los Angeles.

Personal: Born May 25, 1965; Vietnam; Married. Two children.

Interests: Enjoys reading.

Admission: Admitted to Calif. Bar, Nov. 1991; U.S. Court of Appeal, Ninth Circuit, Nov. 1991; and U.S. District Court, Central District of Calif., Nov. 1991.

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NGUYEN, John Nho Trong

JUDGE, SUPERIOR COURT, Orange County

Appointment/Election: Appointed to Superior Court by Gov. Davis July 7, 2000 (oath July 17, 2000).

Past Employment: Deputy Attorney General, Los Angeles, Calif., 1995-2000; private law practice, Los Angeles, 1990-95; Deputy Public Defender, Los Angeles County, 1989.

Education: J.D., Western State University College of Law.

Personal: Born Sept. 25, 1938.

Admission: Admitted to Calif. Bar Dec. 7, 1988.

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NICHOLS, Colleen M.

JUDGE, SUPERIOR COURT, Placer County

Appointment/Election: Jan. 3, 2005, elected March 2, 2004.

Other Judicial Office: Commissioner, Placer County Superior Court, 1994-2004.

Past Employment: Private law practice: Gibson & Smith, Roseville, Calif., 1989-94. Legal Aid Society of San Diego, 1985-87. Paralegal: Legal Services of Northern Calif., Sacramento, 1981-82.

Teaching/Lectures/Panelist: California Judicial Education and Research (CJER), Instructor, Juvenile Delinquency Orientation.

Publications: Author: Chapter 16, *Family Law Bench Manual*, (CFLR, 1994).

Education: J.D. (1985), Univ. of Calif., Davis School of Law, Davis, Calif.; B.A. (1981, graduating with honors), Calif. State Univ., Chico.

Personal: Born Sept. 6, 1959; Roseville, Calif.; Married. Two children.

Admission: Admitted to Calif. State Bar Assn., Dec. 16, 1985, US Dist. Court, Southern Dist. of Calif., Dec. 16, 1985.

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NICHOLSON, George William

ASSOCIATE JUSTICE, COURT OF APPEAL, Third Appellate District

Appointment/Election: Nominated [succeeding Associate Justice Hugh A. Evans, retired] by Governor Deukmejian Aug. 6, 1990, confirmed by Commission on Judicial Appointments Aug. 23, 1990, oath same day, confirmed by electorate November 8, 1994, for the final four years of an unexpired 12-year term; Nov. 3, 1998, commencing Jan. 3, 1999, for a 12-year term; and Nov. 2, 2010, commencing January 3, 2011, for a 12-year term.

Other Judicial Office: Served as Associate Justice pro tempore, Supreme Court of Calif., in *Carma Developers (Cal.), Inc. v. Marathon Development California, Inc.* (1992), 2 C.4th 342, 6 Cal.Rptr.2d 467, 826 P.2d 710; in *re Rosenkrantz* (2002), 29 Cal.4th 616, 128 Cal.Rptr.2d 104, 59 P.3d 174; and *People v. Farley* (2009), 46 Cal.4th 1053, 96 Cal.Rptr.3d 191, 210 P.3d 361. Judge, Superior Court, Sacramento County, Nov. 2, 1989 (date of oath) to Aug. 23, 1990, appointed [succeeding Judge Carol Jean Miller, retired] by Governor Deukmejian Nov. 1, 1989, and elected in 1990 (unopposed). Judge, Municipal Court, Sacramento Municipal Court District, Sacramento County, May 26, 1987 (date of oath) to Nov. 2, 1989, appointed [succeeding Judge William R. Ridgeway, elevated] by Governor Deukmejian May 22, 1987.

Past Employment: Private law practice, Sacramento, Calif., 1986-87 (sole practitioner). Founding Director and Chief Counsel, National School Safety Center, Pepperdine Univ. (in partnership with U.S. Depts. of Justice and Education), 1984-86. Deputy Director (Special Projects for the Governor), Governor's Office of Planning and Research, 1983-84. Senior Assistant Attorney General (1980-83) and Special Assistant Attorney General (1979-80), Calif. State Dept. of Justice. Executive Director, Calif. District Attorneys Assn., 1976-79. Deputy District Attorney, Alameda County, 1968-76 (Senior Trial Deputy, 1974-76).

Memberships/Awards: Member: Master of the Bench, Emeritus, Anthony M. Kennedy, American Inn of Court, UOP McGeorge School of Laws. Former member: Select Board of Advisors of *Pacific Law Journal*, McGeorge School of Law, 1992-95; Calif. Judicial Council's Commission on the Future of the Courts, 1991-94; Executive Committee, (Member), Technology Committee (Chair), and Appellate Courts Committee (Chair); National Assn. of College & University Attorneys, 1986-87; National Organization on Legal Problems of Education, 1986-87; Council of School Lawyers, National School Boards Assn., 1984-86; National District Attorneys Assn., 1975-79; National Assn. of Prosecutor Coordinators, 1976-79; and Calif. District Attorneys Assn., 1972-79. Worked on a number of projects in observance of the 50th Anniversary of *Brown v. Board of Education* (outlawing segregation in public schools). Chief Justice Ronald George named Justice Nicholson to serve on his working group to aid the California Supreme Court and the Judicial Council to design a statewide effort to recognize and observe that anniversary. Participated in the statewide Brown anniversary program conducted at the Sacramento Convention Center on May 17, 2004, by the Judicial Council and, later, worked with leaders of the 2004 California State Fair & Exposition (Cal Expo) and helped plan the California judiciary's first ever exhibition at California State Fair & Exposition (Cal Expo). It dealt with the Brown anniversary. Helped plan the California judiciary's second exhibition at the 2005 Cal Expo. It dealt with the centennial of the California Court of Appeal. More than one million people visit Cal Expo annually. President Lincoln, in 1859, memorialized the civic import of state fairs. He said they are "becoming an institution of the country; they are useful in more ways than one; they bring us together, and thereby make us better acquainted, and better friends than we otherwise would be." (Presidential Address, Wisconsin State Agricultural Society, Milwaukee, Wisconsin, Sept. 30, 1859.) Member, California Appellate Court Legacy Project Committee, 2006—. Recipient: "Inaugural Government Technology Leadership Award" for "superlative statesmanship, talent, and leadership toward societal change and for contributions to community and nation," 1997. Award of Merit for "Outstanding Contributions to the Judiciary," American Judges Assn., Aug. 1998 (prior recipients include U.S. Supreme Court Justice Sandra Day O'Connor, Chief Justice Richard Holmes of Kansas, and Dean Robert Payant, National Judicial College). Award for "10 years of support and friendship for the goals and purposes of UNITY," a joint project of the Asian, La Raza and Wiley Manuel Bar Assns.,

Profiles

Oct. 1997. Named Honorary Member, American Assn. of Law Libraries, 1997. Government Technology magazine and the Center for Digital Government collaborated to select the inaugural 'GT 25'—people who have led the digital revolution in government throughout its infancy and early development. Justice Nicholson was among the "GT 25," 2002. Subject of Calif.'s largest legal newspaper's occasional profiles, most recently, Blumberg, "Inexhaustible, George Nicholson Has a Reputation for Getting Things Done, On as Well as Off the Appeals Court Bench," *San Francisco Daily Journal*, March 9, 2004.

Teaching/Lectures/Panelist: Worked with Branch Rickey III, President, Pacific Coast League, to plan, produce, and participate in opening nights, "Baseball and Freedom: Remembering Mr. Rickey," "Baseball and Freedom: Umpires and the Roots of Equality," and "Baseball and Freedom: Remembering Coach Powles," at Cooperstown Symposia on Baseball and American Culture, conducted annually by the National Baseball Hall of Fame and Museum and the State University of New York, Oneonta, 2007, 2008, 2009, sponsored by Ohio Wesleyan University, Chapman University School of Law, Negro Leagues Baseball Museum, and Pacific Coast League and its Hall of Fame, in cooperation with San Francisco State University, Oakland Unified School District, and Oakland Athletic League, California Interscholastic Federation. Worked with Marcus Breton, Sacramento Bee Reporter and co-author of *Away Games, The Life and Times of a Latin Baseball Player* (2000), to discuss baseball and freedom, at the University of California, Davis, School of Law, during Caesar Chavez Week. Breton discussed the general history of Latin baseball players in Major League Baseball, including their growing role in modern baseball. Nicholson discussed Branch Rickey, a lawyer and president of the Brooklyn Dodgers, and his transformational decisions to bring Jackie Robinson to the Brooklyn Dodgers in 1947 and Roberto Clemente to the Pittsburgh Pirates in 1955. Before the River Cats first came to Sacramento in 2000, worked with Branch Rickey III, the late Art Savage, ceo/president, and Bob Hemond, executive vice president, to plan and conduct annual Presiding Justice Robert K. Puglia Nights at Raley Field and to give Puglia Awards for high school boys (hardball) and girls (softball) who demonstrate great skill and integrity (good sportsmanship) on the field, top effort in the classroom, and leadership in the community, see Bob Hemond, "Bob Puglia and Baseball," 36 *McGeorge Law Review* 747, 2005, and Janice Rogers Brown, "A Man to Match My Mountains," 36 *McGeorge Law Review* 733, 2005. Worked with Branch Rickey III, Art Savage, and Bob Hemond to plan and conduct annual Emmett Ashford Nights at Raley Field and to give Ashford Awards for youth and adult baseball umpires in honor of Major League Baseball's first black umpire, see the final chapter, "Emmett Ashford," *The Men in Blue: Conversations With Umpires*, 1994, by University of Utah history professor, Larry R. Gerlach; the annual Puglia Awards and Ashford Awards have been utilized by student recipients in their college applications and in their petitions to help gain entry into college and into extra-curricular, collegiate activities. Worked with Branch Rickey III to consult with HBO in planning a 2009 documentary film, "Brooklyn Dodgers: The Ghosts of Flatbush"; and to consult with producer Howard Baldwin and director Thomas Carter, on Mr. Rickey and Mr. Robinson, a yet-to-be-made movie; Taught, NSP 603, National Security Charter, Legal Issues & Executive Orders, in a graduate studies program, School of Public Safety and Professional Studies, University of New Haven, 2003-05; Keynoted the Appellate Court Conference, The Millennium Court, Leading and Managing Change for the Future, conducted by the Federal Judicial Center, for the chief clerk/administrators and their chief deputies for all 13 circuits of the United States Court of Appeals, San Francisco, March 2001. Faculty, Appellate Court Institute, Calif. Center for Judicial Education and Research, 1993-2000. Instructor, National Judicial College, 1990 and 1986. Participant, State Bar of Calif., Criminal Law Section et al. program,

"Resurrecting the Grand Jury Indictment in California, Grand Jury Targets," 1991 (moderator). Adjunct Professor of Education ("Education Law" and "Special Education Law"), Pepperdine Univ. Graduate School of Education and Psychology, 1985-86. Instructor, National Juvenile Justice College, National Council of Juvenile and Family Court Judges, 1986. Panelist, "Did the Law Cause Columbine?" Aug. 1999, National Press Club, Washington D.C.

Publications: Author: "Kindred Spirits, Humble Heroes: Branch Rickey and William Wilberforce," *New York Sun, Statesman Journal*, Connecticut Post, Orange County Register, Human Events, (Elmira, NY) Star Post, Advocate Messenger, (Ottawa, Canada) Daily Observer, Urbana Daily Citizen, among other publications, April 1, 2007; McCormick, Nicholson, Rosinek Tanenbaum and Rapp, "Citizens Urged to Collaborate, Act Against Violence," *School Safety*, 4, National School Safety Center (Spring 1998); Nicholson and Hogge, "Retooling Criminal Justice: Forging Workable Governance From Dispersed Powers," Selected Essays, a report of the National Conference on Legal Information Issues, 232 (1996); "The Courthouse of the Future," *Research in Law and Policy Studies*, volume 4, 307 JAI Press Inc., London (1995); "Administrative and Judicial Duties in the Trial Court After A Guilty or No Contest Plea," 45 *Hastings Law Journal* 573 (1994); "Technology and the Future of Justice in California," *Government Technology, Judicial Automation Section*, 3 (June 1993); "Victims' Rights, Remedies, and Resources: A Maturing Presence in American Jurisprudence," 23 *Pacific Law Journal* 815 (1992); "Reading, Riting or Doing Time," *American Bar Journal*, 66 (June 1990); "The Courthouse of the Future," as abridged, Ch. 9, in Nagel, ed., *Law, Decision-Making and Microcomputers: Cross-National Perspective*, Quorum Books, Greenwood Press (1990); "Judges, Technology, and the Future," *Court Review* 5, American Judges Assn. (Spring 1990); "Computers and the Law: An Idea Whose Time Has Come," a foreword to *Computer-Technology in Civil Litigation*, Bancroft-Whitney Co. (1990); "Judges, Technology and the Courthouse of the Future," *Government Technology*, 44 (July 1989); "School Crime and Victims' Rights," Ch. 11, Villmoare and Benvenuti eds., *California Victims of Crime Handbook*, McGeorge School of Law (1988); "School Safety: A Continuing Challenge," *The Schools' Advocate*, 1 Kinghorn Press (June 1987); "Why School Employees Need Insurance and Where and How to Get It," *The Schools' Advocate* (Kinghorn Press, Jan. 1987); "A New Era in Campus Safety," *The San Francisco Lawyer* (June/July 1986); "Safe Schools: An Inalienable Right," *Christian Science Monitor* (June 11, 1986, section 1, p. 15); "Campus Drug Dealers: Look Out," *Calif. Peace Officer* (March 1986); "Campus Safety and the California Supreme Court," Thrust for Educational Leadership (Feb/March 1986); "Preserving Campus Safety: A New Look," *Prosecutors' Brief* (Spring 1986); "Drug Traffic Abuse: A New Era in Campus Liability" (a National School Safety Center Monograph, 1985); "Pursuing School Safety in the 80's," *Toward Better and Safer Schools* (National School Boards Assn., 1984); "Prevention Is Answer to Rising Crime Rate," *Calif. Peace Officer* (Oct. 1981); "Forgotten Victims, Forgotten Crimes," *AirCal Magazine* (Oct. 1981); "The SLA, Retroactive Court Decisions and Our Giant Judicial Junkyard," 54 *State BJ* 224 (1979); "People v. Tanner: An Update," *LADJ Report* (Jan. 1979); and "Prosecutor's Homicide Duty: A Successful Working Model in California," *The Prosecutor*, Vol. II, No. 4 (1975). Co-Author: "Retooling Criminal Justice: Forging Workable Governance From Dispersed Powers," Selected Essays, A Report of the National Conference on Legal Information Issues, American Association of Law Libraries (July 1995); "Using Technology to Improve the Justice System," *California County*, 10, California State Association of Counties (May/June 1994); "Technology, Access to Justice and the Future: Contributing to Stewardship of the Judiciary in the Public Interest," *Docket*, 17, Sacramento County Bar Association (Oct. 1993); "The Victims' Rights Movement: An Idea Whose Time Has Come-

Five Years Later: The Maturing of An Idea," 17 *Pepperdine Law Review* 1 (1989); *School Crime and Violence: Victims' Rights*, a legal text for both plaintiff and defense attorneys handling school, college, and university civil liability cases arising from school disruptions (Pepperdine Univ. Press, 1986; 2nd Ed, 1992); "Courts, Risk Management, Safe and Drug Free Schools," Thrust for Educational Leadership (Assn. of Calif. School Administrators, Nov./Dec. 1986); "Immunity from Liability—Who? When? How?" *The Schools' Advocate* (Kinghorn Press, Dec. 1986); "Campus Safety: A Legal Imperative," 33 *Education Law Reporter* 981 (1986), update of original article published in 32 *Education Law Reporter* 871 (1986); "Insurance and the Schools," *Independent Agent* (July 1986); "New Strategies for School Safety," *Sacramento Daily Recorder* (Jan./Feb 1986); "Safe Schools: You Can't Do It Alone," 66 *Kappan* 491 (March 1985); "The Victims' Rights Movement: An Idea Whose Time Has Come," 11 *Pepperdine L Rev* 1 (symposium edition, 1984); "Court Decisions, Practices Hamper Prosecutions," *LADJ* (Sept. 11, 1978, section 1, p. 18); "Barking Back at Beagle," 53 *State BJ* 326 (1978); "Murder: A Methodical Approach," *Prosecutor's Deskbook* (2nd ed., p. 308, 1977); "The Ultimate Human Right, Governmental Protection from Crime and Violence," 52 *Los Angeles Bar Journal* 324 (1977); "Hitch, Due Process and the Macauley Paradox," 51 *Los Angeles Bar Journal* 70 (1976); and "Prosecutor Homicide Duty: Court Use of Its Fruits," *The Prosecutor*, Vol. 2, No. 5 (1975). Editor, *School Safety Legal Anthology*, and co-author of chapter (Pepperdine Univ. National School Safety Center, 1985). Editor and co-author, *School Safety & the Legal Community* (Pepperdine Univ. Press, 1984). Editor, *The Crime Victims' Handbook* (Calif. Dept. of Justice, 1981). Editor and co-author of parts, *Forgotten Victims: An Advocate's Anthology* (Calif. District Attorneys Assn., 1977). Editor and co-author, *Homicide Investigations: A Syllabus* (Calif. District Attorneys Assn., 1976). Former member: Authors Committee, West Publishing Company's *Education Law Reporter*; and National Criminal Justice Resource Service's *Criminal Justice Editors' Resource Group*, 1985-86.

Education: J.D. (1967), Hastings College of the Law, San Francisco, Calif. (Moot Court Board); B.A. (1964, Political Science), California State University, Hayward; A.A. (1962), Oakland City College, Oakland; Graduate: Oakland High School (1959), Bret Harte Jr. High School (1956), and Fruitvale Elementary School (1953), all in Oakland, Calif.

Personal: Born Feb. 15, 1941; Dallas, Texas; Married. Two children, two children-in-law, and five grandchildren.

Interests: Enjoys reading, gym work, gardening, hiking, and skiing.

Admission: Admitted to Calif. Bar June 14, 1968; to U.S. Court of Appeals, Ninth Circuit, and U.S. Dist. Court, Northern Dist. [now Northern and Eastern Districts] of Calif., in 1968; and to U.S. Supreme Court in 1975.

Political Affiliation: Republican (Republican nominee for office of Attorney General of Calif., general election, 1982).

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ATTORNEYS' COMMENTS

Temperament/Demeanor

An attorney who has appeared before Judge Nieto a number of times said, "She is great. I like her a lot." An attorney with a case that was just getting underway in her court, and who had made a few brief appearances so far, added, "I thought she was pleasant. I thought she was courteous. I kind of liked her personally, but that is based on a very cursory impression." A third interviewee who also likes her said she is "thoughtful" and "is really a nice lady." She can be "very stern," on occasion, the interviewee added. But for the most part, the attorney said, "She is really nice to lawyers, and I really appreciate that."

Intelligence/Knowledge

One interviewee who commented on Judge Nieto's legal acumen said, "Her reputation is that she is not the sharpest knife in the drawer ... but you can do worse than her." A second interviewee was also less than impressed. "On a scale of one to 10 with 10 being best, I would give her a 2. She doesn't have the slightest idea what the law is, as far as I can tell." Another interviewee, asked to comment on whether Judge Nieto is up-to-speed on family law, replied, "She is getting there. She is relatively new" to that area of law, and added, "You can tell that she is getting better." A third interviewee offered a different explanation for her shortcomings. "She's not stupid. The problem is she wants to please everybody and you can't please everybody. I think she will get better as she gets more seasoned." Another interviewee said her prior experience as a lawyer representing abused and neglected children in dependency court serves her well as a judge in family court in some respects. "She certainly has a sentiment for children," the attorney said. A fourth interviewee offered unmitigated praise, calling her "a great judge" who is "sharp and intelligent."

On Motions

One interviewee said Judge Nieto is ineffective in hearings on motions. "Counsel has tried to work things out beforehand and they need someone to make a decision, and the problem is, she has a terrible time making a decision," the attorney said. "She always wants to cut the baby in half, which is not a good approach for a judicial officer." Another interviewee asserted that her lack of knowledge of law is reflected in her rulings. "I had a hearing in front of her and she misstated the law three times," the interviewee said. "I said the law says such and such, and she said no it doesn't. I said what do you want me to do, read it to you." That interviewee concluded, "You don't want capriciousness. That's why we have all of these laws written down." Another attorney said Judge Nieto's rulings have gotten better over time. "She made a couple of decisions early on that I thought were wrong, but as time has gone by, she has mastered the law a little more each day," the attorney said. An attorney who was in the minority among interviewees had a favorable view of how Judge Nieto handles hearings on motions. "She is one of those judges who has the ability to cut you off when you need to be cut off, and she will go ahead and make a ruling." Another interviewee with a favorable view of Judge Nieto added, "I think very highly of her. She is patient. She listens."

On Trial

An attorney who has had a number of trials and other proceedings in Judge Nieto's court, representing fathers, mothers and minors, said, "I find that she is really good at listening to the issues raised and listening to the facts and really making decisions that are meeting the needs of a lot of children who are in the middle of a crisis during divorce proceedings or paternity actions." Another attorney, who tried one case in front of Judge Nieto and reviewed another case that a colleague was considering for appeal, praised her handling of both cases and said she is "extremely thorough." After each trial, she issued written rulings that were "really quite bulletproof statements of opinion in both cases. She cited chapter and verse, not only of the law, but each fact and how she weighed each fact and then applied the law in making her decision. I was extremely impressed." In contrast, the one attorney who was most critical of Judge Nieto asserted that her courtroom is no place to try a case. "You want to have confidence when you